

PLANNING COMMITTEE REPORT 10 November 2022

Application Number	21/02562/FUL		
Site Address	Land Opposite, Yew Tree Farm, Newland Road, Droitwich Spa		
Description of Development	Demolition of Outbuildings and the Development of 52 Dwellings, Public Open Space and Associated Infrastructure		
Case Officer	Jay Singh	Applicant	Redrow Homes Limited
Parish	Droitwich Spa Salwarpe	Agent	Mr Simon Hawley
Ward Member(s)	Cllr J Grady Cllr R Morris		
Reason for Referral to Committee	Major application, departure from development plan and call in by Ward Member	Expiry Date	8 February 2022
Key Issues	<ul style="list-style-type: none"> - Principle of the development - Landscape character and visual impact - Historic environment - Design - Access and highway issues - Biodiversity - Flooding and drainage - Renewable/low carbon energy production - Affordable housing - Planning obligations - Other matters - Planning balance 		
Recommendation	Approval		

1. SITE DESCRIPTION AND DETAILS OF PROPOSAL

Site Description

The application site is a greenfield site currently used as a paddock extending to approx. 2.9Ha located outside (but adjacent to) southern edge of Droitwich. To northern edge is an existing tree line and drainage ditch that runs alongside Woodland Way. To the south of the treeline is a public footpath (DW-502C) that connects Pulley Lane and

Newland Road through the site. The site contains two small buildings adjacent to Newland Road associated with the paddock (to the eastern boundary). The Newland Road boundary contains relatively dense hedgerows.

The land to the north and east of the site forms part of the Yew Tree Hill residential allocation (Policy SWDP 49/2) that is allocated for up to 765 dwellings, carehome and a local centre, that is currently in the process of being completed. This is illustrated on the SWDP plan extract below in brown colour with the application site indicated in the red circle.

Figure 1 – SWDP Proposals Map Extract



The area to the north and east is predominately residential with associated infrastructure and facilities including public open space. To the south of the site is a field extending to the Pulley Lane/Newland Road/Newland which has consent for up to 7 self-build dwellings. To the western boundary of the site, beyond a dense hedgerow is Pulley Lane, and to south-west an area of Woodland 'Oakley Wood' which contains a property known as 'Keepers Cottage' beyond which the area is open countryside. Oakley Wood is an ancient semi-natural woodland a Local Wildlife Site (LWS). The site is also within the SSSI impact zone of Oakley Pools SSSI. In terms of site topography, it falls towards the west, from a level of 64.5m (AOD) down to 58m.

Proposal Details

The proposal relates to the redevelopment of the site including the demolition of 2 existing outbuildings to provide 52 dwellings with associated public open space and associated infrastructure. The site extends to 2.9Ha providing an approx. developable area of 1.6 Ha and 1.3 Ha of open space.

The 52 dwellings would comprise 32 open market dwellings (8x2 bed, 16x3bed and

8x4bed) and 20 affordable units (6x1 bed, 10x2bed, 3x3bed and 1x4bed). The affordable units would comprise 6 first homes and 14 social rented. There are variety of house types proposed, mainly of two-storey scale, including maisonettes, terrace blocks and detached with a range of external materials and colours including red and multi facing bricks, render and part render, brown/grey roof tiles. Hard surfacing materials include tarmac, brindle block paving and hoggin surface paths. There are also on-plot detached and integral garages.

The proposal would include new vehicular access to Woodland Way to the north with a secondary emergency access to Newland Road with two new pedestrian links to Newland Road. The existing PROW along the northern boundary would be retained and would connect with the footway network within the scheme.

The supporting plans incorporate two perimeter block layouts that provide active frontages to the boundaries of the site. The scheme includes two SUDS ponds in the north-east and north-west corner of the site. An area of public open space is located in the southern section of the site. A comprehensive soft landscaping scheme is also provided. Other infrastructure includes a pumping station on the western edge of the site and electricity substation on the eastern edge.

The following documents have been submitted as part of the application:

- Arboricultural Impact Statement
- Agricultural Land Classification
- Transport Statement
- Botanical Report
- Design and Access Statement
- Flood Risk Assessment
- Water Management Statement
- Landscape Strategy Plan
- Landscape and Visual Appraisal
- Planning Statement
- Archaeological Assessment
- Statement of Community Involvement
- District Five Year Housing Land Supply Review
- Health Impact Assessment
- Energy Statement
- Ecological Assessment
- Biodiversity Net Gain

2. PLANNING POLICY AND LEGISLATIVE FRAMEWORK

2.1 The Development Plan

The determination of a planning application is to be made pursuant to section 38(6) of the Planning and Compulsory Purchase Act 2004, which is to be read in conjunction with section 70(2) of the Town and Country Planning Act 1990. Section 38(6) requires the local planning authority to determine planning applications in accordance with the development plan unless there are material circumstances which 'indicate otherwise'. Section 70(2) provides that in determining applications the local planning authority "shall have regard to the provisions of the Development Plan, so far as material to the application and to any other material considerations."

The development plan consists of the South Worcestershire Development Plan 2016 and the Waste Core Strategy for Worcestershire - Adopted Waste Local Plan 2012-2027 and any made Neighbourhood Plans.

South Worcestershire Development Plan (SWDP)

Wychavon, in partnership with Worcester City and Malvern Hills District Councils, adopted the SWDP in February 2016. The following policies are relevant to the application:-

SWDP1 (Overarching Sustainable Development Principles)
SWDP2 (Development Strategy and Settlement Hierarchy)
SWDP4 (Moving Around South Worcestershire)
SWDP5 (Green Infrastructure)
SWDP 6 (Historic Environment)
SWDP7 (Infrastructure)
SWDP13 (Effective Use of Land)
SWDP14 (Market Housing Mix)
SWDP15 (Meeting Affordable Housing Needs)
SWDP20 (Housing to Meet the Needs of Older People)
SWDP21 (Design)
SWDP22 (Biodiversity and Geodiversity)
SWDP24 (Management of the Historic Environment)
SWDP25 (Landscape Character)
SWDP26 (Telecommunications and Broadband)
SWDP27 (Renewable and Low Carbon Energy)
SWDP28 (Management of Flood Risk)
SWDP29 (Sustainable Drainage Systems)
SWDP39 (Provision for Green Space and Outdoor Community Uses in New Development)
SWDP49/2 (Droitwich Spa Urban Extensions)

The Waste Core Strategy for Worcestershire - Adopted Waste Local Plan 2012-2027

The Waste Local Plan was adopted by Worcestershire County Council on 15 November 2012 and is a plan outlining how to manage all the waste produced in Worcestershire up to 2027. The following policies are relevant to this application:

WCS1 (Presumption in favour of sustainable development)
WCS17 (Making provision for waste in new development)

Government Policy

National Planning Policy Framework
Planning Practice Guidance

Other Material Planning Considerations

Affordable Housing SPD
South Worcestershire Design Guide SPD
Planning for Health SPD

Design Guide SPD
Development Contributions SPD
Renewable and Low Carbon SPD
Water Management and Flooding SPD
Worcestershire Local Transport Plan 4 – Streetscape Design Guide
Strategic Housing Land Availability Assessment
Worcestershire Strategic Housing Market Assessment

Relevant Legislation and regulations

Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended)
Wildlife and Countryside Act 1981
Town and Country Planning Act 1990 (as amended)
Human Rights Act 1998
Section 17 of the Crime and Disorder Act 1998
Planning and Compulsory Purchase Act 2004
Natural Environment and Rural Communities (NERC) Act 2006
Planning Act 2008
The Conservation of Habitats and Species Regulations 2010
Community Infrastructure Levy Regulations 2010 (as amended)
Equality Act 2010
Flood and Water Management Act 2010
Localism Act 2011
Growth and Infrastructure Act 2013

Five Year Housing Land Supply (5YHLS):

The latest position is that WDC, along with the other South Worcestershire Councils can no longer demonstrate a 5YHLS. A further update is to be provided in due course.

The National Planning Policy Framework and the ‘Tilted Balance’:

In light of SWC no longer being able to demonstrate a combined 5YHLS, the decision must be undertaken in accordance with Paragraph 11d of the NPPF whereby:

For decision-taking this means:

where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date⁸, 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 proposed⁷; 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.*

With the relevant footnote 8 indicating:

This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 74).

With footnote 7 indicating:

The policies referred to are those in this Framework (rather than those in development plans) relating to, amongst others, designated heritage assets.

3. RELEVANT PLANNING HISTORY

Land to south

20/01641/OUT - Outline application for up to 7 self-build dwellings (matters relating to Access, Appearance, Layout and Scale are reserved) Land Opposite Yew Tree Farm Newland Road, Droitwich Spa
Approved 21 Dec 2020

4. CONSULTATION RESPONSES

Cllr T Miller – Concerns of adequacy over off-site utilities drainage infrastructure

Cllr N Wright – No comments received

Cllr R Morris – Objection on the following grounds:

‘After objecting to several infill development on the new Yew Tree village site and not getting any success what I want to be sure is that we are considering the impact of these additional developments and taking required action:

- The increase in traffic down country roads, especially Pulley Lane and the need for reduced speed limit, road markings and signage around dog leg bends
- The enhanced connectivity to the Town with walkways, Cycle ways, buses and introduction to the history and benefits of using Droitwich and not going elsewhere. More satellite communities cause separation but routes need mapping to schools, shops etc
- Much more infra structure, GP’s, schools, recreation areas. Youth support etc..
- The need for a public/community building to help develop a sustainable community
- Protection of the rural ecology (especially in this instance as the site is adjacent to a historic woodland)
- S106 to support Droitwich infra structure but also local to the development’

Droitwich Spa Town Council: Support the application as follows:

‘Recommend approval provided that all of the following conditions are given suitable consideration;

1. A full construction phases access statement for the site considering impact on the neighbouring community with designated routes and roads to be considered for HGV/Construction traffic.
2. A connectivity plan for the proposed development with the Town and existing networks (Cycles, pedestrian and public transport)

3. Consideration towards Highways improvements and enhanced safety measures for the existing local infrastructure - including speed limit reviews for Pulley Lane and Tagwell Road, road widening options, improved road markings and advanced warning signage - especially on the narrower local rural approach road sections and corners

4. An ecology plan for preservation of the surrounding natural environment.

5. Consideration for a community facility on the wider estate to help support local amenities - including youth recreational activities and a Centre for hosting NHS/GP/Health presence for residents.'

Hindslip, Martin Hussingtree and Salwarpe Parish Council: Comment as follows:

'The Parish Council in noting the vehicular access to the proposed site will be via Woodland Way with an emergency access link to Newland Road has the following concerns:

1. Assurance is sought, in the interests of highway safety, that no direct access from the

proposed site will be allowed onto Pulley Lane. The sloping topography of the unlit rural lane leads to hazardous conditions for through traffic, that has been exacerbated by the created acute right hand turn on the newly developed 'T' junction at Woodland Way/Pulley Lane.

2. Concerns are raised on the proposed two multi-functional Suds drainage attenuation

basins and pumping station sited on the Pulley Lane boundary. The proposed scheme

is to manage and control surface water run off to address the existing water flooding issues affecting parts of the site.

The drainage scheme is in addition to the existing four large swales on the boundary of Woodland Way conveying water from the wider development, the overall drainage infrastructure flowing onto the SSSI wetlands on Oakley Farm land.'

Worcestershire Regulatory Services (Contaminated Land): No objection subject to conditions to address any unforeseen contamination.

Worcestershire Regulatory Services (Public Health): No comments received

Forestry Commission: Informative advice provided on protecting Ancient Woodland.

County Highways Authority: Following the receipt of amended plans no objection subject to conditions to ensure the development is carried out in accordance with the approved site layout, details of precise site access works, provision of emergency access, access visibility splays, SUDS boundary treatment, cycle parking, electric vehicle charging points, provision of off-road car parking spaces, Construction Environmental Management Plan, Travel Plan, Sustainable Travel Welcome packs and obligations to secure:

Solar Powered Bus Shelter, Hard-Standing and a Pair of Dropped Kerbs near the Woodland Way/ Pulley Lane Junction	- £10,000.00
Community Transport	- £2,457.00
Cycle Signage Contribution	- £1,500.00

Environment Agency: No comments received

Lead Local Flood Authority: No objection subject to conditions to details of the drainage and SUDS strategy, infiltration tests, SUDS maintenance and management, exceedance flow routing plan and route and point of discharge off-site,

WDC Land Drainage Engineer: Comment that the application site is in flood zone 1 and primarily at low risk of surface water flooding. However, there is a surface water flooding risk associated with the ditch along the NW boundary. There also appears to be an overland flow route starting at the southern end flowing NW.

Proposed means of surface water disposal is to discharge into the surface water scheme of the adjacent site. The outfall to be restricted to the greenfield rate via 2 attenuation ponds and a restricting device to limit the outfall. Application also seeks to enlarge an existing culvert crossing and these works will require Ordinary Watercourse Land Drainage Consent.

Severn Trent Water: No comments received

Natural England: No comments received

Worcestershire Wildlife Trust: No comments received

Worcestershire County Council Public Rights of Way Team: Following the receipt of amended plans, no objection.

Ramblers Association: Support the comments of the PROW Team

WDC Head of Projects (off-site formal sports provision) – No objection subject to securing the following contributions being secured:

- £44,049 to be used local leisure provision (built facilities) potentially at Briar Mill, Droitwich Spa
- £119,176 towards off-site formal sports pitches potentially at Briar Mill, Droitwich Spa

Worcestershire Children First – Request education contributions as follows:

Early Years and First school places	-	£292,298
Middle School places	-	£140,236
Secondary school places	-	£249,630
Total	-	£682,164

Archaeology and Planning Advisor: No objection subject to condition securing

programme of archaeological work.

NHS Clinical Commissioning Group – Request £21,160 towards primary care provision

Landscape Officer – Following receipt of amended plans no objection subject to conditions to secure soft landscaping and long-term maintenance of public open space.

Housing Team – No objection. Proposal to provide 40% Affordable Housing (20.8 units). 20 units on-site and off-site financial contribution equivalent to 0.8 of social rented unit. Request on site provision to include 6no. first homes (4x2bed and 2x3bed) and 14no. social rented units ((6x1bed, 6x2 bed, 1x3 bed and 1xbed).

Droitwich Civic Society – No comments received

Wychavon Carbon Reduction Project Officer – No comments received

Wychavon Natural Heritage Officer – No objection subject to s106 to secure biodiversity net gain via off-site delivery/financial contributions and conditions in relation to sensitive use of lighting, appropriate tree planting, CEMP (Biodiversity), Ecological Design Strategy and LEMP, Soft Landscaping and hedgehog highways to boundary treatment. Also advise consult Natural England.

Wychavon Tree Officer – No objection

Wychavon Urban Design Officer – Following receipt of amended plans, no objection.

Worcester Woods Country Park – No comments received

Forestry Commission England – No comments received

Open Spaces Society – No comments received

Wood Land Trust – No comments received

5. **REPRESENTATIONS RECEIVED**

A total of 20 representations have been received from 12 objectors, 6 supporters and 2 of general comment.

6. **Representations Made**

In opposition

The material planning objections raised have been summarised by the case officer to include:

- Adverse landscape impact
- Excessive light pollution impacting on rural landscape and ecology including

protected
species

- Adverse highways impact particularly from unsafe proposed access, and on Pulley Lane, Tagwell Road and Primsland Estate (where there is no lighting) taking into account existing data on collisions
- Harm to ecology/biodiversity on the site
- Proposal is overdevelopment of the site
- More appropriate brownfield sites available rather than greenfield
- Increased noise, dust and disturbance associated with the construction process that has been on-going for 3 years in the area
- Adverse impact on public views through the countryside
- Recognised need for housing but Droitwich has had an excessive amount of housing already harming its character and appearance.
- Poor quality housing with small gardens proposed
- Lack of infrastructure including children's play space, local drainage, healthcare, education and police to meet the needs of the increased population
- Increase risk of anti-social behaviour
- Lack of affordable housing which provides more executive style homes.
- Future residents may need to pay estate management charges in addition to the council tax.
- Insufficient biodiversity net gain associated with the proposal
- Lack of soft landscaping, and any that is provided dies shortly thereafter
- Lack of public transport where occupiers will be dependent on car borne modes of transport

Comments:

- Mitigation measures should be imposed to ensure building site traffic does not harm the operation of the local highway's infrastructure
- Provision needs to be made of additional education places as part of the development

In Support

The material planning support for the proposal has been summarised by the case officer to include:

- Proposal will provide beautiful homes.
- As a town as a town Droitwich needs more new houses and there is significant demand.
- Existing infrastructure is sufficient to meet the needs of the development.
- Supporter would like to buy one of these houses.
- Developers are quality builders providing quality affordable housing

7. OFFICER APPRAISAL

The following material planning issues are relevant to this application:

- Principle of the development

- Landscape character and visual impact
- Historic environment
- Design and form
- Access and highway issues
- Biodiversity
- Flooding and drainage
- Renewable/low carbon energy production
- Affordable housing
- Planning obligations
- Other matters
- Planning balance

7.1 Principle of the Development

Subject to other considerations set out below that would be considered in the planning balance, the application site lies entirely outside the settlement boundary of Droitwich as defined under policy SWDP 2 of the South Worcestershire Development Plan 2016 (SWDP). The site is therefore defined as open countryside where development should be strictly controlled. The proposed development would fail to accord with the provisions of policy SWDP2 part C of the SWDP. This conflict must be afforded significant weight.

However, it is also recognised that the proposal would be adjacent to the southern edge of the main town of Droitwich which is considered a focus of development. Furthermore, the site would be located in the context of the Yew Tree Hill local plan allocation (Policy SWDP 49/2) that is being completed for up to 765 dwellings, carehome and a local centre.

In light of SWC no longer being able to demonstrate a combined 5HYLS, as a starting point, the titled balance set out of paragraph 11d of the NPPF would be engaged and the conflict with Policy SWDP2 must be weighed in the overall 'planning balance' subject to other matters set out further below.

Landscape Character and Visual Impact

Policy SWDP25 requires that development proposals take into account the latest Landscape Character Assessment and are appropriate to/integrate with, the character of the landscape setting.

The application is supported by a Landscape and Visual Appraisal which has been carefully considered by the Councils Landscape Officer who agrees within its conclusions in that the effects on visual amenity would be localised and that development on the site would not be an incongruous feature in the local landscape taking into account the existing residential development and committed residential development adjacent.

It is noted that during the course of the application, landscape concerns and comments have been taken on board by the applicant and addressed. Revisions to the scheme have ensured that a rural character is maintained to Pulley Lane, providing a green transitional edge to the town with open countryside - which is consistent with the approach taken along Pulley Lane and Newland Lane on other developments in the locality in recent years. These revisions have included setting

the dwellings back from Pulley Lane to accommodate a green swathe between the road and development, consisting of hedgerow retention to the roadside, the planting of additional native trees, shrubs and hedging, together with SuDS and meadow creation. In addition, dwellings have been moved further from the existing hedgerow and hedgerow trees along Newland Road, to allow their retention and supplementation with additional native planting. Overall, the landscape officer raises no objection subject to conditions to ensure appropriate soft landscaping is secured and long-term maintenance of the public open space is ensured.

For the above reasons, whilst there would be some localised landscape and visual harm associated with the change from agricultural field to residential development, the Landscape Officer considers that the proposal considers the latest Landscape Character Assessment and its guidelines. Development on this site would be appropriate to, and would integrate with, the character of the landscape setting and would not impact adversely affect the wider rural landscape having regard to the provisions of adopted South Worcestershire Development Plan (2016) Policies SWDP1, 2, and 25 as well as guidance contained in the National Planning Policy Framework (2021). The harm identified would be of limited negative weight.

Historic Environment

Archaeology

The Archaeological Officer has reviewed the information provided with the application and compared it with the archaeological record for the area and has commented as follows. The proposed development may affect heritage assets of known archaeological significance (WSM46301).

The 'historic environment' encompasses all those material remains that our ancestors have created in the landscapes of town and countryside. It includes all below and above-ground evidence including buildings of historic and architectural interest.

The proposed development area (PDA) is adjacent to Trench Lane which was likely a medieval saltway (WSM46301). Some discrete cropmarks are evident within the site, but none correlate to historic mapping or the results of a geophysical survey that was undertaken to inform a desk-based assessment. Given the scale of the development, and the anticipated archaeological potential, the likely impact on the historic environment caused by this development can be offset by the implementation of a conditional programme of archaeological works secured via planning condition. This would comprise an initial programme of trial trenching to determine the presence or absence, extent, date, character, condition and significance of any remains and the likely impact of the development upon them. If archaeological remains are identified that would be damaged or destroyed by the development and they cannot be preserved in-situ then the evaluation would be followed by a defined programme of archaeological excavation and/ or a watching brief to record the remains prior to their loss.

It is understood the applicant has undertaken further investigations on site in terms trial trenching and a further update will be provided when available.

For these reasons, the proposal would accord with the provisions of policies SWDP6 and 24 of the South Worcestershire Development Plan, and guidance contained

within the NPPF. This matter would be afforded neutral weight.

Design and Form

Policy SWDP21, seeks to ensure that new development is of a high quality. This is in line with the Framework that states:-

- good design is a key aspect of sustainable development;
- planning decisions should aim to ensure that developments function well, establish a strong sense of place, optimise the potential of the site to accommodate development; respond to local character whilst not preventing appropriate innovation, create safe and accessible environments; and are visually attractive
- planning decisions should not attempt to impose architectural styles or tastes. However, it is proper to promote or reinforce local distinctiveness;
- planning decisions should address connections between people and places and integration of new development into the environment;
- permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

The Planning Practice Guidance provides more detailed advice on design with the purpose of meeting a number of design objectives.

Density

The proposal would provide 52 dwellings on a net developable area of 1.6 HA which provides a density of 32.5 dwellings per hectare. Taking into account the character and density of the surrounding built form, this is considered acceptable.

Settlement pattern, layout and landscaping/trees

As indicated above, the site is located adjacent to the settlement edge where the land to the north and east of the site forms part of the Yew Tree Hill residential allocation (Policy SWDP 49/2) that is allocated for up to 765 dwellings, carehome and a local centre. The development of this site would effectively 'round off' and complete the wider Yew Tree residential development. Furthermore, given the committed development of 7 self-build dwellings (22/016141/OUT) on the field beyond the southern boundary of the site, means the site would effectively have residential development on the 3 sides.

The external layout responds to the responds to triangular shape of the shape and surrounding pattern of development, with perimeter block structures that respond by providing active frontages on to the public realm on Woodland Way, Pulley Lane and Newland Road. As indicated above, the scheme would ensure the rural character is maintained to Pulley Lane, providing a green transitional edge to the town with open countryside. These revisions have included setting the dwellings back from Pulley Lane to accommodate a green swathe between the road and development, consisting of hedgerow retention to the roadside, the planting of additional native trees, shrubs and hedging, together with SuDS and meadow creation. In addition, dwellings have been moved further from the existing hedgerow and hedgerow trees along Newland Road, to allow their retention and supplementation with additional native planting. Revised soft landscaping plans have been received to ensure high-

quality soft landscaping would be secured within the site via planning conditions.

The layout of open space to the south helps also helps provide some separation to the Oaklay Wood. The layout also responds to the topography of the site by putting the SUDS ponds at the lowest part next to existing drainage infrastructure. The layout also includes good integration into the settlement edge in terms of connectivity with pedestrian links to Newland Lane, Pulley Land and Woodland Way.

In respect of existing trees and hedges, the proposal would not lead to the removal of any trees protected by Tree Preservation Order (TPO) and not affect any ancient woodland. The proposed layout has been designed to ensure the retention of important trees. Tree removal would be required to facilitate the new vehicular access to Woodland Road, new emergency access to Newland Road and other associated works. The Tree Officer raises no objection given the substantial new tree planting proposed and that appropriate tree protection measures can be secured via planning condition for retained trees. The lost trees would be replaced as such this matter is afforded neutral weight.

Appearance and Scale

Droitwich contains a range of house styles and designs. This includes early 20th century houses that respond to the Arts and Crafts Movement. These include large building of two-storey scale with hipped or gabled roofs, chimneys, partially enclosed porches, projecting gables and bays. Nearby development includes a range of contemporary housing styles as well as more traditional rural vernacular.

The applicant has recently constructed a 250-unit scheme called 'The Orchards' on the north side of Woodland way approx. 100m away which follow the Arts and Craft approach incorporating traditional features identified above and are of predominantly two-storey scale. It is considered that the design approach has been successful in providing a good quality appearance to completed scheme.

This proposal would follow a similar arts and craft approach from the Orchards and therefore respond to the surrounding built form including combination of facing bricks, render and hipped roofs, gables, bay windows and porch canopies. The external material would also be responsive to the context providing a mixture of grey/brown roof tiles, red and buff bricks, rough case render and range of door colours. Subject to the details of external materials being secured by condition, it is considered the scheme would be good quality in terms of its proposed appearance.

Overall, the design and appearance of the scheme is good quality, and this matter is afforded some weight.

Open Space and Green Infrastructure

Open Space

The proposed Site Layout plan indicates that only the required Amenity Space is being provided on-site, meaning an off-site contribution towards the provision of Equipped Play Space, Civic Space and Allotments (and associated land acquisition and maintenance costs) is required. In accordance with Table 6 of the Developer Contributions SPD, the following contributions would be secured.

Equipped play space	-	£4,039
Civic space	-	£732.84
Allotments	-	£571.64
Land acquisition	-	£1,305.78
Maintenance	-	£50,740.18
TOTAL	-	£57,389.44

Green Infrastructure

Policy SWDP5 requires sites of 1 hectare or more to provide 40% green infrastructure. The scheme would provide 1.3 hectares of public open space (from a total site area of 2.9 hectares) which equates 44.8% in accordance with policy SWDP5. The provision of new public open space and green infrastructure within the site would be benefit but given this is policy requirement for the development so only modest weight can be attached.

Affordable Housing and Open Market Housing Mix

Affordable Housing

In accordance with Policy SWDP15 and The Council's document titled 'formal position with respect to affordable housing and tariff style developer contributions following the publication of National Planning Policy Framework 2021', on sites of 15 or more dwellings, on greenfield land, 40% of the units should be affordable. For 52 dwellings, this equates to 20.8 affordable homes. This application proposes 20 affordable units on site and a 0.8 off-site financial contribution. In terms of tenure split, the on-site provision would include 6no. first homes (4x2bed and 2x3bed) and 14 social rent (6x1bed, 6x2 bed, 1x3 bed and 1xbed). This provision and proposed mix is considered to be acceptable by the Housing Team.

Housing Mix

All new residential development is required to contain a mix of sizes, housing types tenures to help meet the identified range of local housing needs in accordance with the NPPF and policy SWDP 14. In addition, to the affordable housing set out above, the proposal includes 32 open market dwellings (8x2 bed, 16x3bed and 8x4bed) which is considered an appropriate mix to respond to help meet local housing need.

In the context of the LPA having a shortfall in its 5-year housing land supply, the proposal would provide up to 52 dwellings (including affordable housing) which must be afforded significant weight.

7.2 Residential Amenity

Existing occupiers

The plans show adequate separation distances are retained from the occupiers of existing properties in terms of ensuring no loss of light, outlook or privacy. Further conditions can be imposed to secure a construction management plan to mitigate any short-term effects associated with the construction process. It is recognised that once

the proposed development is fully occupied this would result in potential increased noise and disturbance. However, given this would be in the context of a residential estate type development of up to 52 dwellings, this would not be expected to harm the living conditions of the occupiers of existing properties.

Future Occupiers

The supporting plans show future occupiers would access to good levels of internal and external amenity space with access to good quality public open space.

For these reasons, the proposal would create a satisfactory environment for future and existing residential occupiers in accordance with Policy SWDP21 and guidance contained within the NPPF. This matter is afforded neutral weight.

Access and Highway Safety

Accessibility by alternative modes of transport

The application site is located adjacent to the southern edge of the main town of Droitwich, which is considered a focus of development, and in the context of the Yew Tree Hill local plan allocation (Policy SWDP 49/2) that is being completed for up to 765 dwellings, carehome and a local centre (Yew Tree). Droitwich Spa Town Centre is approx. 2.3km to the north (with a range of town centre facilities including the main train station) with the new Yew Tree Village Centre being located approx. 500m to the north-east.

The site generally well connected to the existing pedestrian and cycle network with a footway on the northern side of Woodlands Way and shared footway/cycleway to the southern side. National Cycle Network Route 45 is located to the east of the site along Newland Road which joins Route 46 in the Hill End area of Droitwich. There are also bus stops located approx. 1km away on Primsland Way. There are further bus stops at Newland Lane/Wildlife Way.

It is considered the proposal is located within a sustainable location in terms of locational accessibility having regard to the provisions of Policy SWDP4 which seeks to manage travel demand and reduce the demand for travel by private cars. In addition, the proposal would provide new pedestrian and cycle routes. These factors are considered to be modest benefit.

Impact on highway network

The proposal is supported by a transport statement that demonstrates the proposal would not have a materially adverse impact on local highways infrastructure in terms of additional traffic generation. Accident data has also been reviewed by the County Highways Authority to confirm this.

Site access arrangements

The proposal includes a new vehicular and pedestrian access to the Woodland Way which includes 4.5m x 120m visibility splays, 5.5m wide road, 3m wide footways to either side of the access and new pedestrian tactile paving. There would also be an emergency access to Newland Road. The proposal is supported by a connectivity

plan that shows a movement network within the site to link 2 pedestrian routes to Newland Road, existing PROW connection to Pulley Lane and Newland Road and new link to Woodway way. This would ensure the site permeable and integrates with the existing settlement edge in terms of connectivity. These arrangements are considered acceptable to serve a development of up to 52 homes.

It is noted that local concerns have been raised over any new potential access to Pulley Lane from the western boundary of the site. In this regard, it is confirmed no new access is proposed but there is an existing PROW in the north-west corner of the site that would remain unaffected by the proposal.

Layout, turning and manoeuvring and parking

The supporting plans demonstrate the site is capable of accommodating satisfactory turning and manoeuvring areas for all vehicular traffic including refuse, fire and emergency vehicles, and sufficient off road and cycle parking to meet the needs of the development.

Public Rights of Way

There is an existing PROW within the site. Following the receipt of amended plans, the County PROW officer is satisfied the proposal the proposal would not adversely affect the use of the PROW within the site. Informative guidance is provided for the protection of the PROW.

Sustainable Travel

The proposal would provide a contribution of £10,000.00 to provide a solar powered bus shelter near the junction of Woodland Way/ Pulley Lane junction, a hard-standing and a pair of dropped kerbs should be provided to ensure the future residents of this site have sufficient access to public transport. A contribution of £1,500.00 would also be sought towards cycle signage to increase legibility from the site to the local town.

This location would benefit from a Community Transport service due to its relative distance from key services, most notably Acute Hospitals, to cater for the needs of elderly and disabled residents in line with Council's obligations under the 1985 Transport Act and the 2010 Equalities Act and the Worcestershire County Council Passenger Transport Strategy 2019-2030. As such, a contribution of £2,457.00 based on the calculated costs of the service at HMRC approved reimbursement rates, should be provided for this service.

These measures would help promote sustainable travel for future of occupiers of the development.

Following the receipt of amended plans/information, the County Highways Authority raise no objection subject to conditions to ensure the development is carried out in accordance with the approved site layout, details of precise site access works, provision of emergency access, access visibility splays, SUDS boundary treatment, cycle parking, electric vehicle charging points, provision of off-road car parking spaces, Construction Environmental Management Plan, Travel Plan, Sustainable Travel Welcome packs and the above sustainable travel obligations.

For these reasons, the proposal would not have an adverse impact on the local highways infrastructure, would not result in unsafe access arrangements and is reasonably sustainable in terms of access by non-car modes of transport in accordance with the provisions of Policy SWDP4, SWDP21 and the NPPF. In terms of general highways matters, the proposal would be of neutral weight.

Biodiversity

The supporting Biodiversity Gain Assessment demonstrate that proposal would result in net loss of -11.90 habitat units but an overall net gain of +4.80 of hedgerow units. To mitigate this loss and ensure a 10% net gain overall, compensatory off-site provision/financial contributions can be secured via s106 to a local nature conservation project.

The proposal is supported by ecological assessments that demonstrate subject to appropriate mitigation measures, there would be no significant ecological impacts, and further enhancements can be secured via planning conditions. This includes consideration of direct on ecology on site and in-direct impacts on the Oakley Wood Local Wildlife Site (LWS) and Oakley Pools SSSI.

The development has also been considered by the Wychavon Natural Heritage Officer who raises no objection subject to s106 to secure biodiversity net gain via off-site delivery/financial contributions and conditions in relation to sensitive use of lighting, appropriate tree planting, CEMP (Biodiversity), Ecological Design Strategy and LEMP, Soft Landscaping and hedgehog highways to boundary treatment. Also advise consult Natural England.

For these reasons, the proposal has the potential to result in the enhancement of the natural environment in accordance with SWDP Policy 22 and the NPPF. This would be a modest benefit.

Flooding and Drainage

The scheme would include two SUDS ponds that connects into the existing drainage ditch at the frontage and a pumping station for foul water to connect into the public sewer system. The application is supported by a Flood Risk Assessment that demonstrates that the proposal would make adequate provision for surface and foul drainage and ensure appropriate water management measures including SUDS would be incorporated within the scheme. The finer details of which can be secured through the imposition of planning conditions. The proposal has been considered by the LLFA and Wychavon Drainage Engineers who raise no objection subject to satisfactory drainage design coming forward at the detailed designs stage.

It is noted concerns have been raised about the adequacy of off-site foul water infrastructure. However, this is the responsibility of statutory undertakers and therefore beyond the remit of planning legislation and the LPA for the purposes of determining this planning application.

Overall, the site is capable of accommodating the proposed development that would not have an adverse impact on the risk of flooding within the site or locality, and capable of incorporating appropriate water efficiency measures in accordance with the provisions of SWDP Policies 28, 29, 30 and the NPPF. This would be a factor of

neutral weight overall.

Renewable/low carbon energy generation

Policy SWDP27 requires development schemes of this size to incorporate facilities to enable at least 10% of predicted energy requirements to be achieved via renewable or low carbon sources. The supporting information suggests the renewable energy strategy could utilise a range of technologies including solar panels (PV), air/ground source heat pumps and solar thermal to achieve this. Details of the renewable/low carbon energy strategy can be secured via the imposition of planning conditions to ensure compliance with the requirements of policy SWDP27. This would be a matter of neutral weight.

Planning Obligations

Planning obligations secured under Section 106 of the Town and Country Planning Act are required to mitigate the impact of the development and provide the necessary infrastructure provision in accordance with the saved policies of the development plan and Supplementary Planning Guidance/Documents as outlined in this report. The following Heads of Terms have been identified:

Education

The following contributions would be required towards new school places to meet the needs of future occupiers of the development:

Early Years and First school places	-	£292,298
Middle School places	-	£140,236
Secondary school places	-	£249,630
Total	-	£682,164

Affordable Housing

The proposal would provide 52 dwellings of which 40% would be affordable housing which equates to 20.8 affordable homes. The proposal would provide 20 affordable units with a financial contribution made equivalent to 0.8 of a unit. Of the affordable housing, the council would seek 6no. first homes and 14 social rent.

Public Open Space

The proposed Site Layout plan indicates that only the required Amenity Space is being provided on-site, meaning an off-site contribution towards the provision of Equipped Play Space, Civic Space and Allotments (and associated land acquisition and maintenance costs) is required. In accordance with Table 6 of the Developer Contributions SPD, the following contributions are requested:

Equipped play space	-	£4,039
Civic space	-	£732.84
Allotments	-	£571.64
Land acquisition	-	£1,305.78
Maintenance	-	£50,740.18

TOTAL - £57,389.44

Formal Sports and Leisure

In accordance with Policy SWDP39, the community development manager requests the following contributions:

- £44,049 to be used local leisure provision (built facilities) potentially at Briar Mill, Droitwich Spa
- £119,176 towards off-site formal sports pitches potentially at Briar Mill, Droitwich Spa

NHS Commissioning Group

The NHS Clinical Commissioning Group request £21,160 towards primary care provision to mitigate the impact of the development on local infrastructure.

County Highways

The following contributions are sought:

Solar Powered Bus Shelter, Hard-Standing and a Pair of Dropped Kerbs near the Woodland Way/ Pulley Lane Junction

- £10,000.00

Community Transport for elderly and disable -
£2,457.00

Cycle Signage Contribution -

£1,500.00

Biodiversity Off-setting

Provision to be made to ensure biodiversity net gain equivalent to a 10% net gain is achieved overall, taking into account on-site and off-site mitigation. Financial contributions/off-site provision to be agreed.

Request for New Community Hall from Droitwich Town Council

It is recognised that Droitwich Town Council have suggested that should be consideration for a new community facility on the wider estate to help support local amenities - including youth recreational activities and a Centre for hosting NHS / GP /Health presence for residents. However, given this proposal provides up to 52 houses this would not be off sufficient scale to justify the provision of a new community centre. It is also recognised that the applicant is agreeable to funding £44,049 to be used local leisure provision (built facilities) and £119,176 towards off-site formal sports pitches, as well as £21,160 towards local health care provision.

CIL Regulations

The above requests comply with Regulation 122 (2) of the Community Infrastructure Levy Regulations 2010 (as amended) and paragraph 204 of the Framework in that

they are necessary to make the development acceptable in planning terms, directly related to the development, and fairly and reasonably related in scale and kind to the development. In addition the above planning obligations comply with the provisions of regulation 123 relating to the pooling of planning contributions.

7.10 Other Issues

Vitality and viability

The proposal would support the vitality and viability of the local community with increased population spend contributing to the local economy which is afforded modest weight.

Construction jobs

The proposal would support the local economy through construction jobs but given they are of a temporary nature, this benefit is afforded limited weight.

Loss of agricultural land

The proposal would result in the permanent loss of agricultural land which appears to be graded 3a and therefore represents best and most versatile land. This loss as a potential agricultural resource counts against the scheme in terms of loss of economic potential, however it is recognised the site area is limited to 2.6Ha, this is afforded modest negative weight.

Air quality

Taking into account, the proposal is for 52 dwellings, the proposal is unlikely to have a material impact on local air quality. Further mitigation measures in relation to cycle parking and electric charging points are recommended. This matter is considered neutral.

Land Contamination

WRS advise the site comprises undeveloped agricultural land with a small cluster of outbuildings on the eastern boundary to be demolished. WRS advise any land contamination risks can be adequately addressed through the imposition of conditions requiring further investigation and remediation of any unforeseen contamination. This matter is considered neutral.

Broadband

Planning conditions can be imposed to secure superfast broad band which is a policy requirement under SWDP26 and therefore afforded neutral weight.

7.11 Human Rights

Article 8 of the Human Rights Act 1998 (as amended) states that everyone has the right to respect for his private and family life. A public authority cannot interfere with the exercise of this right except where it is in accordance with the law and is necessary (amongst other reasons) for the protection of the rights and freedoms of

others. Article 1 of Protocol 1 of the Act entitles every natural and legal person to the peaceful enjoyment of his possessions.

The law provides a right to deny planning permission where the reason for doing so is related to the public interest. Alternatively, having given due consideration to the rights of others, the local planning authority can grant planning permission in accordance with adopted policies in the development plan.

All material planning issues raised through the consultation exercise have been considered and it is concluded that by approving this application the council will not detrimentally infringe the human rights of an individual or individuals

7.13 Planning Balance and Conclusion

To develop the application site as proposed would be contrary to SWPDP2 regarding the spatial strategy of the development plan and it is important to consider the NPPF recognises that the planning system should be genuinely plan led. It is also recognised that the proposal would result in some limited localised landscape harm and the loss of best and most versatile agricultural land. However, in this instance, it is considered that the aims of the spatial strategy regarding directing growth to locations depending on their sustainability and to safeguard the countryside would not be unacceptably harmed overall.

Weighed against the harm identified there would be benefits associated with the provision of housing (including affordable housing) where the Council has no 5YHLS, good quality design and appearance of the scheme, new open space and green infrastructure, biodiversity net gain to the environment overall, economic benefits for the local economy associated with increased population spend and short-term construction jobs. Other matters are considered to be neutral. In weighing these in the overall planning balance, it is considered that the harm identified would not significantly and demonstrably outweigh the benefits of the proposal.

Conclusion

For the above reasons, the adverse impact of the development would not significantly and demonstrably outweigh the considerable benefits when assessed against the policies in the Framework as a whole. Therefore, in this instance the presumption in favour of sustainable development in the Framework applies and it is a material consideration which outweighs the conflict with the development plan as a whole and indicates that planning permission should be granted for development that is not in accordance with it. The application is therefore recommended for approval.

8. RECOMMENDATION To delegate authority to the Director of Planning and Infrastructure to grant planning permission subject to the completion of a S106 legal agreement to secure the following obligations and planning conditions:

1. Obligations

(1) Education provision as follows:

- o Early Years and First school places - £292,298

○ Middle School places	-	£140,236
○ Secondary school places	-	£249,630
Total	-	£682,164

(2) Affordable Housing as follows:

- 20.8 affordable units with an off-site financial contribution made equivalent to 0.8 of a social rented unit (figure to be agreed) and on-site provision of 6no. first homes and 14 social rented units.

(3) Public Open Space as follows:

○ Equipped play space	-	£4,039
○ Civic space	-	£732.84
○ Allotments	-	£571.64
○ Land acquisition	-	£1,305.78
○ Maintenance	-	£50,740.18
Total	-	£57,389.44

(4) Primary Health Care Provision - £21,160

(5) Highways

- Solar Powered Bus Shelter, Hard-Standing and a Pair of Dropped Kerbs near the Woodland Way/ Pulley Lane Junction - £10,000.00
- Community Transport for elderly and disabled - £2,457.00
- Cycle Signage Contribution - £1,500.00

(6) Off-site formal sports provision –

- £44,049 to be used local leisure provision (built facilities)
- £119,176 towards off-site formal sports pitches potentially

(7) Biodiversity Off-setting

- Provision to be made to ensure biodiversity net gain equivalent to a 10% net gain overall is achieved overall, taking into account on and off-site mitigation. Financial contributions/off-site provision to be agreed.

(8) to amend the final list and level of financial contributions/obligations, including any additional obligations, that maybe considered necessary by the Director of Planning and Infrastructure following consultation with technical consultees, and where necessary, to ensure compliance with the CIL regulations

And the following planning conditions (including any additional conditions, that maybe considered necessary by the Director of Planning and Infrastructure following consultation with technical consultees):

2. Conditions

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development shall be carried out in accordance with the following approved plans:

Approved Drawings/ Reports List:

Site Location Plan – 1581-08-02-120 Rev A
Proposed Site Plan – 1581-08-02-100 Rev M
Street Scenes – 1581-08-02-112 Rev B
Enclosures Plan – 1581-08-02-121 Rev G
Highway Adoption – 1581-08-02-122 Rev G
Storey Height Layout – 1581-08-02-136 Rev G
Surface Materials Plan – 1581-08-02-140 Rev G
Management Company Plan – 1581-08-02-144 Rev G
Bin Refuse Plan – 1581-08-02-145 Rev G
Parking Layout – 1581-08-02-147 Rev G
House Type Brochure (October 2022)
Double Garage Twin 003 Heritage Collection – GAR_DGT3_M.1
Single Garage Type 2 (The New Heritage Collection) 2018 Release Elevations and Floor Plans – No reference

Landscape Masterplan – c-1996-01 Revision H
Detailed Landscape Proposals Sheet 1 of 3 – c-1996-02 Revision H
Detailed Landscape Proposals Sheet 2 of 3 – c-1996-03 Revision G
Detailed Landscape Proposals Sheet 3 of 3 – c-1996-04 Revision H

Plot 19 Section – 1581-08-02-114A
Connectivity Plan – 1581-08-02-115 Rev C
Sections Plan – 1581-08-02-114
Levels and Drainage Concept – AAC5831-RPS-XX-XX-DR-C-001 Rev P03

Reason: For the avoidance of doubt

3. No development shall take place (including any ground works, demolition or clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall be based on the recommendations contained within the Ecological Assessment Report by The Environment Partnership (TEP), document ref. 8829.005, dated 22nd October 2021 and shall include the following:
 - a. Risk assessment of potentially damaging construction activities, based on further survey assessments of ponds within 250m of the site and the development's impact on connectivity for amphibians;
 - b. Identification of "biodiversity protection zones";
 - c. Practical measures (both physical measures and sensitive working practices) to avoid

or reduce impacts during construction (may be provided as a set of method statements, such as ecological precautionary working method statements (PWMS) as per the report by TEP);

d. Tree and hedge protection measures in accordance with BS5837:2012 and based on the Arboricultural Impact Assessment by TEP, document ref. 8829.003, dated 19th October 2021;

d. The location and timing of sensitive works to avoid harm to biodiversity features;

e. The times during construction when specialist ecologists need to be present;

f. Responsible persons and lines of communication;

g. The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person;

h. Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure compliance with the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 and SWDP policy 22.

4. No works or development here permitted shall take place until a full drainage strategy and SuDS proposal has been submitted to, and approved in writing by the Local Planning Authority. The scheme shall include the results of an assessment into the potential of disposing of surface water by means of a sustainable drainage system (SuDS) and shall provide an appropriate level of runoff treatment. The approved scheme shall be completed prior to the first use of the development hereby approved.

Reason: To ensure that the proposal would not an adverse impact on the risk of flooding within the site or locality measures in accordance with the provisions of SWDP Policies 28, 29, 30 and the NPPF.

5. No works in connection with site drainage shall commence until infiltration tests have been carried out in accordance with BRE Digest 365, or such other guidance as may be agreed in writing by the Local Planning Authority. The results of the tests shall be submitted to and agreed in writing by the Local Planning Authority and the agreed recommendations shall be implemented in full prior to the first use of the development hereby approved.

Reason: To ensure that the proposal would not an adverse impact on the risk of flooding within the site or locality measures in accordance with the provisions of SWDP Policies 28, 29, 30 and the NPPF

6. No works in connection with site drainage shall commence until a SuDS management plan which will include details on future management responsibilities, along with maintenance schedules for all SuDS features and associated pipework has been submitted to and approved in writing by the Local Planning Authority. This plan shall detail the strategy that will be followed to facilitate the optimal functionality and performance of the SuDS scheme throughout its lifetime. The approved SuDS management plan shall be implemented in full accordance with the agreed terms and

conditions and shall be managed and maintained in accordance with the approved maintenance plan and thereafter.

Reason: To ensure that the proposal would not have an adverse impact on the risk of flooding within the site or locality measures in accordance with the provisions of SWDP Policies 28, 29, 30 and the NPPF

7. No works in connection with site drainage shall take place until an exceedance flow routing plan for flows above the 1 in 100+40% event has been submitted to and approved in writing by the Local Planning Authority. The proposed scheme shall identify exceedance flow routes through the development based on proposed topography with flows being directed to highways and areas of POS. Flow routes through gardens and other areas in private ownership will not be permitted. The approved details shall be implemented in full prior to the first occupation of the development.

Reason: To ensure that the proposal would not have an adverse impact on the risk of flooding within the site or locality measures in accordance with the provisions of SWDP Policies 28, 29, 30 and the NPPF

8. No development shall take place until the proposed route and point of discharge for the restricted surface water discharge from the site has been submitted to, and approved in writing by the Local Planning Authority. The approved scheme shall be completed before the development is occupied.

Reason: To ensure that the proposal would not have an adverse impact on the risk of flooding within the site or locality measures in accordance with the provisions of SWDP Policies 28, 29, 30 and the NPPF

9. Notwithstanding the submitted Drainage Strategy, no development shall commence until detailed design drawings for surface water drainage have been submitted to, and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details

Reason: To ensure that the proposal would not have an adverse impact on the risk of flooding within the site or locality measures in accordance with the provisions of SWDP Policies 28, 29, 30 and the NPPF

10. Notwithstanding the information contained within the supporting water management statement, no development shall commence until detailed water efficiency measures have been submitted to, and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details

Reason: To ensure that the proposal would not have an adverse impact on the risk of flooding within the site or locality measures and to ensure the proposal incorporates satisfactory water efficiency measures in accordance with the provisions of SWDP Policies 28, 29, 30 and the NPPF

11. (A) No development shall take place until a programme of archaeological work, including a Written Scheme of Investigation, has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and:

- 1) The programme and methodology of site investigation and recording.
- 2) The programme for post investigation assessment.
- 3) Provision to be made for analysis of the site investigation and recording.
- 4) Provision to be made for publication and dissemination of the analysis and records of the site investigation.
- 5) Provision to be made for archive deposition of the analysis and records of the site investigation.
- 6) Nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

(B) The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition (A) and the provision made for analysis, publication and dissemination of results and archive deposition has been secured.

Reason: In accordance with the requirements of paragraphs 194 and 205 of the National Planning Policy Framework 2021 (as amended) and SWDP 6 & 24 of the South Worcestershire Development Plan 2016.

12. Before development commences, a lighting design strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall have regard to Worcestershire County Councils Street Lighting Design Guide and the recommendations made in paragraph 5.23 of the Ecological Assessment Report by The Environment Partnership (TEP), document ref. 8829.005, dated 22nd October 2021, and shall include the following:

- a. Identification of the areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places, or along important routes used to access key areas of their territory, for example, for foraging; and
- b. Show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. No other external lighting be installed without prior consent from the local planning authority.

Reason: In the interests of highway safety and to ensure compliance with the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017 and minimise impacts on protected species in accordance with Policy SWDP22

13. Before the first occupation of the any dwelling hereby permitted a schedule of

landscape maintenance of the public open space for a minimum period of 20 years. The schedule shall include details of the arrangements for its implementation, long-term design objectives, management responsibilities and maintenance schedules for all landscape areas (excluding domestic gardens). The approved landscape maintenance schedule shall be fully implemented.

Reason: To ensure the proposed development does not have an adverse effect on the character and appearance of the area in accordance with policies SWDP21 and SWDP25 of South Worcestershire Development Plan.

14. A Ecological Design Strategy (EDS) shall be submitted to and approved in writing by the local planning authority within one month of the commencement of the development hereby approved. The strategy shall be based on the recommendations made in the Ecological Assessment Report by The Environment Partnership (TEP), document ref. 8829.005, dated 22nd October 2021, and shall include the following:

- a. Purpose and conservation objectives for the proposed works;
- b. Review of site potential and constraints;
- c. Detailed designs and working methods to achieve stated objectives (including, where relevant, type and source of materials to be used);
- d. Extent and location of proposed works shown on appropriate scale maps and plans;
- e. Timetable for implementation;
- f. Persons responsible for implementing the works;
- g. Initial aftercare;
- h. Details for disposal of any wastes arising from works.

The EDS shall be implemented in accordance with the approved details and all features be retained in that manner thereafter.

On completion of the ecological mitigation and enhancement works, a statement of compliance shall be submitted to the local planning authority by the Ecological Clerk of Works confirming that specified and consented measures have been implemented.

Reason: To ensure that the proposed development contributes to the conservation and enhancement of biodiversity within the site and for the wider area in accordance with SWDP 22 and to ensure compliance with the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017.

15. A landscape and ecological management plan (LEMP) shall be submitted to and be approved in writing by the local planning authority within one month of the commencement of the development hereby approved. The content of the LEMP shall include the following:

- a. Description and evaluation of the features to be managed;
- b. Ecological trends and constraints on site that might influence management.
- c. Aims and objectives of management;
- d. Appropriate management options for achieving aims and objectives;
- e. Prescriptions for management actions;
- f. Preparation of a work schedule, including an annual work plan capable of being rolled forward over a five-year period and longer term thereafter;
- g. Details of the body or organisation responsible for implementation of the plan;

h. Ongoing monitoring and remedial measures.

A report describing the results of monitoring shall be submitted to the local planning authority at intervals identified in the LEMP strategy. The plan and monitoring report shall also set out where the results of the monitoring show that conservation aims and objectives of the LEMP are not being met, how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme.

The approved plan will be implemented in accordance with the approved details.

Reason: To ensure that the proposed development contributes to the conservation and enhancement of biodiversity within the site and for the wider area in accordance with SWDP 22.

16. All planting and seeding/turfing comprised in the submitted landscape scheme, hereby approved, shall be carried out in the first planting season following the first occupation/use of the development OR in accordance with the submitted implementation programme. All planting shall be watered as necessary and competitive weed growth controlled to ensure successful establishment. Any trees or plants that die, or are removed; or become seriously damaged or diseased within a period of five years from the completion of the planting, shall be replaced in the next planting season with others of similar size and species.

Reason: To ensure the proposed development does not have an adverse effect on the character and appearance of the area in accordance with policies SWDP21, SWDP22 and SWDP25 of South Worcestershire Development Plan 2016.

17. Prior to the development hereby permitted being brought into use, details of renewable and/or low carbon energy generation measures shall be submitted to and approved in writing by the Local Planning Authority. The measures shall contribute to at least 10% of the predicted energy requirements for each dwelling. The details to be submitted shall include:-

- the overall predicted energy requirements of the approved development;
- the predicted energy generation from the proposed renewable/low carbon energy measures; and
- an implementation timetable for the proposed measures.

The development shall be carried out in accordance with the approved details.

Reason: To ensure the development supports the delivery of low carbon/renewable energy and safeguards natural resources in accordance with policy SWDP27 of the South Worcestershire Development Plan.

18. Notwithstanding the information provided within in the Biodiversity Net Gain Design Stage Assessment (8829.007 Version 3.0) and Ecological Assessment Report (8829.005 Version 2.0) produced by The Environment Partnership, no dwelling hereby permitted shall be occupied until a package of biodiversity off-setting scheme that

achieves a minimum 10% gain over the baseline position and timetable for implementation has been submitted to and approved in writing Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure the development contributes to the conservation and enhancement of biodiversity within the site and the wider area in accordance with policy SWDP22 of the South Worcestershire Development Plan and to ensure compliance with the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2017.

19. Prior to the construction of any dwelling(s) hereby permitted, details of all facing materials used in the construction of those dwelling(s) hereby permitted shall be submitted to and approved in writing by the local planning authority. Thereafter the works shall be carried out in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To ensure that the new materials are in keeping with the surroundings and/or represent quality design in accordance with policies SWDP21 and SWDP24 of the South Worcestershire Development Plan.

20. The development to which this permission relates shall be carried out generally in accordance drawing Site Layout 1581-08-02-100 Rev M unless otherwise approved in writing by the Local Planning Authority (in consultation with WCC Highways).

Reason: In the interests of highway safety, adequate vehicle parking provision and to promote sustainable access.

21. Before development commences, a detailed scheme for the site access works at Woodland Way, shall be submitted to the Local Planning Authority (and Worcestershire County Council Highways). The development shall not be occupied or brought into use until the submitted scheme, which is broadly in accordance with drawing revised Site Layout 1581-08-02-100 Rev M, subject to any necessary changes identified during the detailed design and Road Safety Audit processes, has been agreed in writing by the Local Planning Authority, in consultation with Worcestershire County Council Highways, and has been implemented in full

Reason: In the interests of achieving safe and suitable highway access for all users.

22. The development hereby approved shall not be occupied until an emergency vehicle access, broadly in accordance with drawing Site Layout 1581-08-02-100 Rev M, subject to any necessary changes identified during the detailed design and Road Safety Audit processes, has been agreed in writing by the Local Planning Authority, in consultation with Worcestershire County Council Highways, and has been implemented in full.

Reason: In the interests of achieving safe and suitable highway access for all users.

23. The Development hereby approved shall not be occupied until the visibility splays

shown on drawing Site Layout 1581-08-02-100 Rev M have been provided comprising 4.5mx120m to the north-east and south-west of the Woodland Way/Site access junction. The splays shall at all times be maintained free of obstruction exceeding a height of 0.6m above adjacent carriageway.

Reason: In the interests of highway safety.

24. The Development hereby permitted shall not be first occupied until details of proposed measures to protect the attenuation pond from pedestrian ingress have been submitted to and approved in writing by the local planning authority. The measures shall be constructed and implemented in full accordance with the approved details.

Reason: In the interest of pedestrian safety.

25. The Development hereby permitted shall not be first occupied until sheltered and secure cycle parking to comply with the Council's adopted highway design guide has been provided in general accordance the details shown on Site Layout Plan (1581-08-02-100 Rev M). These facilities shall thereafter be retained for the lifetime of the development.

Reason: To comply with the Council's parking standards.

26. No dwelling hereby permitted shall be occupied until an electric vehicle charging point has been provided for that individual dwelling. Each charging point shall comply with BS EN 62196 Mode 3 or 4 charging and BS EN 61851 and the Worcestershire County Council Streetscape Design Guide. The electric vehicle charging points shall be retained for the lifetime of the development unless they need to be replaced in which case the replacement charging point(s) shall be of the same specification or a higher specification in terms of charging performance.

Reason: To encourage sustainable travel and healthy communities

27. No dwelling hereby permitted shall be occupied until the car parking spaces allocated to that property have been provided, as shown on drawing Site Layout 1581-08-02- 100 Rev M, in accordance with the standards and dimensions required by Worcestershire County Council's Streetscape Design Guide. Car parking spaces shall be kept clear of obstruction and retained only for the parking of vehicles in connection with the use of each property as a dwelling house.

Reason: To ensure that satisfactory provision is made for the parking of vehicles

28. Before the Electrical Substation is brought into use 1no. vehicle parking space, conforming to dimensions set out with Worcestershire's Streetscape Design shall be completed in accordance with details and materials to be submitted to and approved by in writing by the Local Planning Authority. Thereafter, the parking space shall be retained and maintained for the duration of use and shall not be used for any other purpose.

Reason: To ensure the provision of adequate on-site facilities and in the interests of highway safety

29. Before the Foul Pumping Substation is brought into use 1no. vehicle parking space, conforming to dimensions set out with Worcestershire's Streetscape Design shall be completed in accordance with details and materials to be submitted to and approved by in writing by the Local Planning Authority. Thereafter, the parking space shall be retained and maintained for the duration of use and shall not be used for any other purpose.

Reason: To ensure the provision of adequate on-site facilities and in the interests of highway safety.

30. The Development hereby approved shall not be occupied until a Travel Plan in accordance with the County Council guidelines has been submitted to and approved in writing by the Local Planning Authority (in consultation with Worcestershire County Council Highways) This plan will thereafter be implemented, monitored for a minimum of 5 years and shall be updated in agreement with Worcestershire County Council's Travel Plan Officer and thereafter implemented as updated.

Reason: To promote sustainable access.

31. The Development hereby approved shall not be occupied until a Residential Travel Welcome Pack to be provided to each dwelling at the point of occupation, has been submitted to and approved by the Local Planning Authority (in consultation with Worcestershire County Council Highways).

Reason: To promote sustainable access.

32. Notwithstanding information submitted on approved plans, prior to above ground works commencing, details of the levels of the existing site and floor slab levels of each approved dwelling(s), relative to the existing development on the boundary of the site, shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To ensure the proposed development does not have an adverse effect on the character and appearance of the area in accordance with policies SWDP21 and SWDP25 of South Worcestershire Development Plan.

33. Prior to the first occupation of the development hereby approved, details of superfast broadband facilities or alternative solutions to serve the dwellings hereby approved shall be submitted to and approved in writing by the local planning authority. The submitted details shall include an implementation programme. The facilities shall be provided in accordance with the approved details.

Reason: To ensure the provision of suitable superfast broad for future occupiers in

accordance with policy SWDP26 of the South Worcestershire Development Plan

INFORMATIVE NOTES

1. Alteration of highway to provide new or amended vehicle crossover

This permission does not authorise the Applicant to carry out works within the publicly maintained highway since such works can only be carried out by the County Council's Approved Contractor, Ringway Infrastructure Service who can be contacted by email worcestershirevehicle.crossing@ringway.co.uk. The Applicant is solely responsible for all costs associated with construction of the access.

Section 278 Agreement

The granting of this planning permission does not remove any obligations on the Applicant to undertake a technical design check of the proposed highway works with the Highway Authority, nor does it confirm acceptance of the proposal by the Highway Authority until that design check process has been concluded. Upon the satisfactory completion of the technical check the design would be suitable to allow conditions imposed under this permission to be discharged but works to the public highway cannot take place until a legal agreement under Section 278 of the Highways Act 1980 has been entered into and the Applicant has complied with the requirements of the Traffic Management Act 2004.

The Applicant is urged to engage with the Highway Authority as early as possible to ensure that the approval process is started in a timely manner to achieve delivery of the highway works in accordance with the above-mentioned conditions.

The Applicant should be aware of the term "highway works" being inclusive of, but not limited to, the proposed junction arrangement, street lighting, structures and any necessary traffic regulation orders.

Section 38 Agreement Details

If it is the Applicant's intention to request the County Council, as Highway Authority, to adopt the proposed roadworks as maintainable at the public expense, then details of the layout and alignment, widths and levels of the proposed roadworks, which shall comply

with any plans approved under this planning consent unless otherwise agreed in writing, together with all necessary drainage arrangements and run off calculations shall be submitted to the County Council's Network Control Manager, Worcestershire County Council, County Hall, Spetchley Road, Worcester, WR5 2NP. No works on the site of the development shall be commenced until these details have been approved by the County Council as Highway Authority and an Agreement under Section 38 of the Highways Act, 1980, entered into.

Drainage Details for Section 38

It is not known if the proposed roadworks can be satisfactorily drained to an adequate outfall. Unless adequate storm water disposal arrangements can be provided, the County Council, as Highway Authority, will be unable to adopt the proposed roadworks as public highways.

The Applicant is, therefore, advised to submit the engineering details referred to in this conditional approval to the County Council's County Network Control Manager, Worcestershire County Council, County Hall, Spetchley Road, Worcester, WR5 2NP at an early date to enable surface water disposal arrangements to be assessed.

No Drainage to Discharge to Highway

Drainage arrangements shall be provided to ensure that surface water from the driveway and/or vehicular turning area does not discharge onto the public highway. No drainage or effluent from the proposed development shall be allowed to discharge into any highway drain or over any part of the public highway.

Protection of Visibility Splays

The Applicant's attention is drawn to the need to ensure that the provision of the visibility splay(s) required by this consent is safeguarded in any sale of the application site or part(s) thereof.

Extraordinary Maintenance

The attention of the Applicant is drawn to Section 59 of the Highways Act 1980 which allows the Highway Authority to recover additional costs of road maintenance due to damage by extraordinary traffic.

Before any work is commenced upon the development hereby approved representatives of Worcestershire County Council, as the Highway Authority and the Applicant, shall carry out a joint road survey/inspection on the roads leading to this site. Any highlighted defects shall be rectified to the specification and satisfaction of the Highway Authority before work is commenced on the development hereby approved. A further joint survey/inspection shall be undertaken following completion of development hereby approved and any necessary remedial works shall be completed to the specification and satisfaction of the Highway Authority within 1 month or other agreed timescale.

Works Adjoining Highway

Any work involving the removal or disturbance of ground or structures supporting or abutting the publicly maintained highway should be carried out in accordance with details to be submitted to and approved in writing by the Highway Authority.

Temporary Direction Signs to Housing Developments

This consent does not authorise the erection of temporary direction signs on the public highway. Should the Applicant wish to direct traffic to the development site they should seek the consent of the Highway Authority. All temporary directional sign proposals should be submitted to the Network Control Manager, Worcestershire County Council, County Hall, Spetchley Road, Worcester, WR5 2NP. No signs should be erected without the consent of the Highway Authority.

2. It is expected that contractors are registered with the Considerate Constructors scheme and comply with the code of conduct in full, but particular reference is made to "respecting the community" this says:

Constructors should give utmost consideration to their impact on neighbours and the public

- Informing, respecting and showing courtesy to those affected by the work;
- Minimising the impact of deliveries, parking and work on the public highway;
- Contributing to and supporting the local community and economy; and
- Working to create a positive and enduring impression and promoting the Code.

The CEMP should clearly identify how the principal contractor will engage with the local community; this should be tailored to local circumstances. Contractors should also confirm how they will manage any local concerns and complaints and provide an agreed Service Level Agreement for responding to said issues.

Contractors should ensure that courtesy boards are provided, and information shared with the local community relating to the timing of operations and contact details for a site coordinator in the event of any difficulties.

This does not offer any relief to obligations under existing Legislation.

Travel Plan Requirements

Worcestershire County Council has published guidance on how it expects travel plans to be prepared, this guidance is freely available from the County Councils Travel Plans Officer. As part of this process the Applicant must register for Modeshift STARS Business and ensure that their targets have been uploaded so that progress on the implementation of the Travel Plan can be monitored. Worcestershire County Council can assist Applicants with this process should they need.

Modeshift STARS Business is a nationally accredited scheme which assists in the effective delivery of travel plans, Applicant can register at www.modeshiftstars.org

This does not offer any relief to obligations under existing Legislation.

3. The applicant is advised to ensure, in respect of the public right of way within the site:

No disturbance of, or change to, the surface of the path or part thereof should be carried out without our written consent.

No diminution in the width of the right of way available for use by the public.

Buildings materials must not be stored on the right of way.

Vehicle movements and parking to be arranged so as not to unreasonably interfere with the

public's use of the right of way.

No additional barriers are placed across the right of way. No stile, gate, fence or other structure should be created on, or across, a public right of way without written consent of

the Highway Authority.

The safety of the public using the right of way is to be ensured at all times.

The developer should also be aware of the Department of Environment Circular 1/09 (part 7) which

explains that the effect of development on a public right of way is a material consideration in the

determination of applications for planning permission and that the grant of planning consent does

not entitle developers to obstruct a public right of way.

If the development cannot be carried out without temporarily closing the public right of way for the

safety of the public during works, application should be made at least 8 weeks in advance to the

Public Rights of Way Mapping Team of Worcestershire County Council.

The Definitive Map is a minimum record of public rights of way and does not preclude the possibility

that unrecorded public rights may exist, nor that higher rights may exist than those shown.

