

CORE LIBRARY DOCUMENT L33

Relevant to Question 8

The sample draft conditions below and the attached Phasing Plans refer to another similar project where a combination of uses and strategic infrastructure was to be provided through enabling development.

Highways, Footpaths and Cycle Way

(13) The implementation of Road Phases A, B and C as shown on the Phasing Plan (drawing No. BIR.3367_37D) shall be undertaken in accordance with the following timescales:

- i) Prior to the first use or occupation of any part of DEV A (i to v), Road Phase A as shown on the Phasing Plan (drawing No. BIR.3367_37D) shall be completed unless as otherwise agreed in writing with the Local Planning Authority.***
- ii) Prior to the first use or occupation of any part of DEV B (i to iii), Road Phase B as shown on the Phasing Plan (drawing No. BIR.3367_37D) shall be completed unless as otherwise agreed in writing with the Local Planning Authority.***
- iii) Prior to the first use or occupation of any part of DEV C, Road Phase B and a link road DEV C (the link to be approved at the reserved matters stage) shall be completed unless as otherwise agreed in writing with the Local Planning Authority.***
- iv) Prior to the first use or occupation of any part of DEV D Road Phases B and C as shown on the Phasing Plan (drawing No. BIR.3367_37D) shall be completed unless as otherwise agreed in writing with the Local Planning Authority.***

Construction & Environmental Management

(23) Prior to commencement of development within any Development Block (e.g. DEV A(i) or DEV A (ii) etc) or Road Phase A, B or C as shown on the Phasing Plan (drawing No. BIR.3367_37D), an individual Construction Environment Management Plan (CEMP) for that Development Block or Road Phase shall be submitted to and agreed in writing by

Local Planning Authority. The CEMP with clarify the impacts upon ecological receptors and shall include (although not exclusively) :

- i. an additional walk over badger survey and badger method statement for mitigation, (as suggested in the submitted ES, should development not have commenced within that Development Block or Road Phase by xxxxxxxxxxxxxxxxx);***
- ii. an additional reptile survey and method statement for mitigation (should development within that Development Block or Road Phase not have commenced by xxxxxxxxxxxxxxxxx);***
- iii. a breeding birds method statement for mitigation;***
- iv. a bat method statement for mitigation;***
- v. an additional walk over otter survey and method statement for mitigation (only required for development blocks DEV C and DEV B (iii) should development within those Development Blocks not have commenced by xxxxxxxxxxxxx);***
- vi. a method statement designed to mitigate against run off from materials stored on site;***
- vii. details of the proposed lighting during the construction phase;***
- viii. hours of construction;***
- ix. means of access for construction vehicles; and***
- x. noise and dust mitigation measures;***

If mitigation measures are required a timetable should be included relating to their implementation.

Details and Implementation of Landscape Infrastructure Areas and Strategic footpaths

(24) prior to the completion of Road Phase A, as shown on the Phasing Plan (drawing No. BIR.3367_37D), a landscape infrastructure planting scheme for Landscape Areas 1, 2, 3, 4, 5 and 6

shall be submitted to and approved in writing by the Local Planning Authority. The landscape infrastructure planting scheme shall give details of the following:

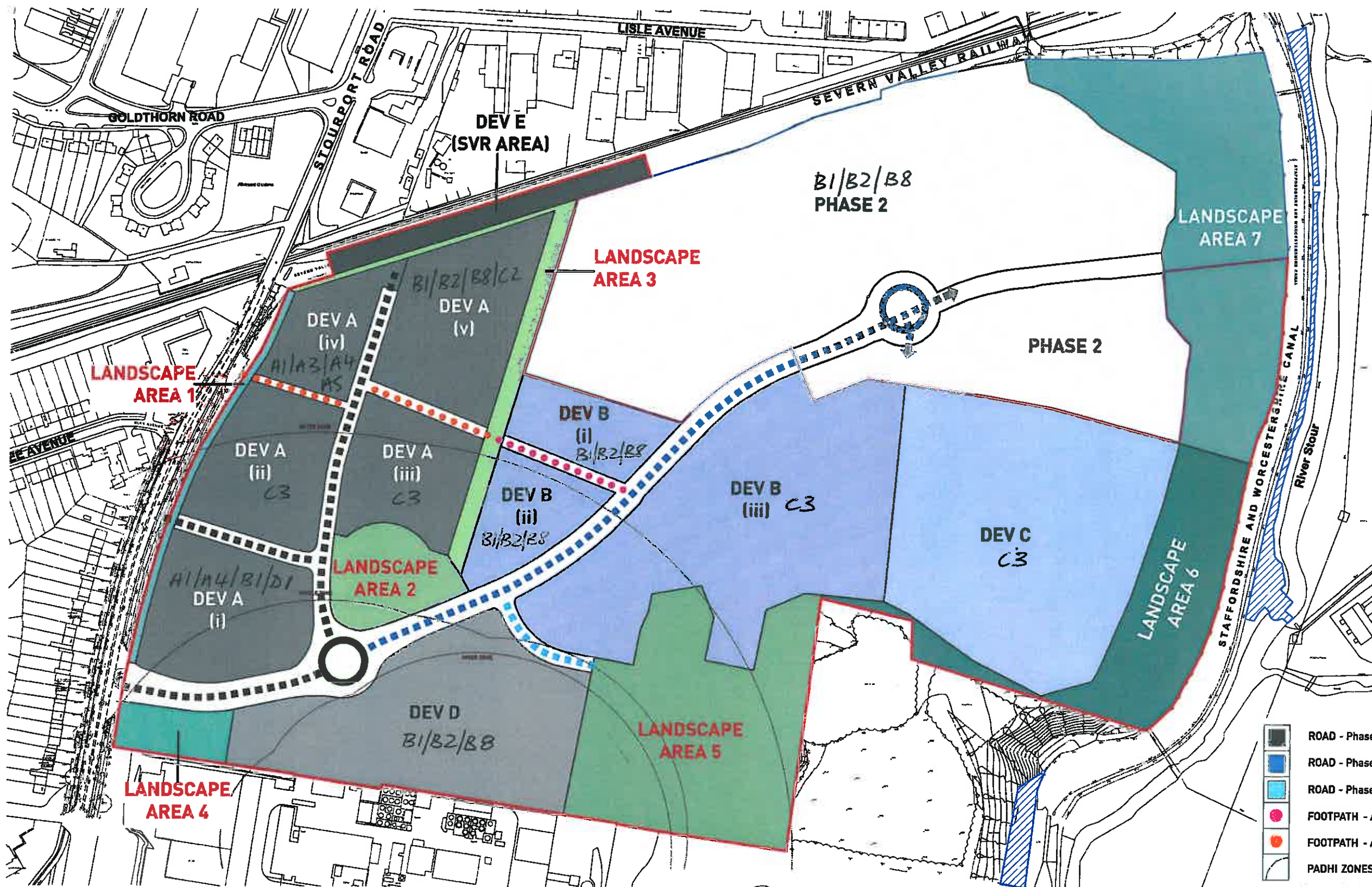
- i. Existing and proposed finished levels or contours;*
- ii. Surface Water Drainage;*
- iii. Means of enclosure;*
- iv. All vehicle and / or pedestrian access and circulation areas;*
- v. The proposed pedestrian cycle route (within Landscape Area 6);*
- vi. Hard surfacing materials;*
- vii. Minor artefacts and structures (e.g. furniture, play equipment, bins, signs, lighting);*
- viii. Planting plans including schedule of plants, species, planting sizes and proposed numbers / densities where appropriate;*
- ix. Proposed maintenance schedule for five years after planting.*

Note: The landscaping of the individual development blocks (DEV A (v) DEV B (ii) etc) shall be considered at the reserved matters stage.

(25) Once agreed in writing the landscape infrastructure planting scheme shall be implemented in accordance with following phases:

- Landscape Areas 1, 2 and 4 to be completed prior to the first occupation of any part of Development Phase DEVA (i to v) or by the next planting season or as otherwise agreed in writing with the LPA;*
- Landscape Area 3 to be completed prior to the first occupation of any part of Development Phase DEVB (i to iii) or by the next planting season or as otherwise agreed in writing with the LPA;*

- ***Landscape Area 5 to be completed prior to the first occupation of any part of Development Phase DEVB (iii) or by the next applicable season or as otherwise agreed in writing with the LPA; and***
- ***Landscape Area 6 to be completed by the first occupation of DEVC.***



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Former British Sugar Works, Kidderminster - Phasing Plan

T 01285 641717 | F 01285 642348 | www.pegasuspg.co.uk | Team MCC/SH | 1 October 2012 | 1:1250 (BA1) | Pegasus Urban Design | drwg. BIR.3367_37D | Client: St Francis Group Limited |

Pegasus
Urban Design

St FRANCIS
group



Wyre Forest District Council

ECONOMIC PROSPERITY AND PLACE DIRECTORATE

Wyre Forest House, Finepoint Way, Kidderminster, Worcs. DY11 7WF
Tel. 01562 732928

APPLICATION NO. 12/0146/EIA

To:

Pegasus Planning Group
5 The Priory
Canwell
Old London Road
Sutton Coldfield
B75 5SH

On behalf of:

St Francis Group
c/o Agent

IMPORTANT - This communication affects your property

OUTLINE PLANNING PERMISSION

Town and Country Planning Act 1990

Town and Country Planning (Development Management Procedure) (England) Order 2010

Town and Country Planning (Environmental Impact Assessment) (England and Wales)
Regulations 1999

In pursuance of its powers under the above mentioned Act and Order, and having regard to the Development Plan, the WYRE FOREST DISTRICT COUNCIL, as Local Planning Authority, hereby **PERMITS** in **Outline** the:-

Redevelopment of the British Sugar Factory (phase 1), including access and Phase 1 link road with all other matters reserved, comprising: demolition of any remaining existing structures on site; residential development up to a maximum of 250 dwellings (class C3); employment development of up to 4 hectares (class B1, B2 and B8); retail development (class A1); restaurant/café/drinking establishment/hot food take away (class A3, A4 and A5); hotel (class C1); care home (class C2); extra care facility (class C2); crèche (class D1); a railway halt; access into site, ancillary roads, footpaths and cycleways; and open space

FORMER BRITISH SUGAR SITE, STOURPORT ROAD, KIDDERMINSTER

in accordance with the application received by the Council on 13 March 2012 subject to the following condition(s):-

DATED

07 DEC 2012

(Signed)
Authorised Signatory

12/0146/EIA

Continued

(1) The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason

This condition is required to be imposed by Section 92 of the Town and Country Planning Act 1990.

(2) The approval of the Local Planning Authority shall be obtained in writing with respect to the plans and particulars of the following reserved matters (hereinafter called "the reserved matters") before any development is commenced:

- i. Scale
- ii. Appearance
- iii. Landscaping
- iv. Layout (with the exception of the overall layout of the site and the use of the Development Blocks, refer to condition 5 below) as shown on Parameters Assessment Plan (Drawing No. BIR.3367_19J) Phasing Plan (drawing No. BIR.3367_37D)
- v. Internal Access (i.e. all other accesses are still to be determined with the exception of the following:
 - the position of the two points of access off Stourport Road as show on the Phasing Plan;
 - Road Phase A, B and C as show on the Phasing Plan (drawing No. BIR.3367_37D);
 - The individual access points into the individual development blocks (DEVA(i), DEV B (iii) etc) as shown on Link Road Alignment Key Plan Drawing No. CH004/09

Reason

The application is an outline application under the provisions of Article 1(2) of the Town and Country Planning (General Development Procedure) Order 1995 and no particulars have been submitted with respect to the matters reserved in this permission.

(3) Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason

This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990.

DATED

07 DEC 2012

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(4) The development hereby approved shall be carried out strictly in accordance with the following plans/drawings:

- ii. Site Location Plan (Drawing No.BIR.3367_15F)
- iii. Parameters Assessment Plan (Drawing No. BIR.3367_19J)
- iv. Phasing Plan (drawing No. BIR.3367_37D)
- v. Tree Survey Plan (Drawing No.BIR.3367_32C)
- vi. Link Road Alignment Key Plan Drawing No. CH004/09
- vii. Link Road Alignment Geometry Sheet 1 of 6, Drawing No.CH005/05
- viii. Link Road Alignment Geometry Sheet 2 of 6, Drawing No.CH006/04
- ix. Link Road Alignment Geometry Sheet 3 of 6, Drawing No.CH007/06
- x. Link Road Alignment Geometry Sheet 4 of 6, Drawing No.CH008/06
- xi. Link Road Alignment Geometry Sheet 5 of 6, Drawing No.CH009/06
- xii. Link Road Alignment Geometry Sheet 6 of 6, Drawing No.CH0010/06

stamped "Approved" unless other minor variations are agreed in writing after the date of this permission and before implementation with the Local Planning Authority.

Reason

In the interests of clarity and in order to define the permission

(5) The land shall only be used for those use classes as indicated on the approved Parameters Assessment Plan (Drawing No. BIR.3367_19J).

Reason

To ensure a satisfactory layout which safeguards open space and green infrastructure, protects the more vulnerable uses from noise and odour from the existing land uses and to ensure that the layout accords with guidance relating to hazardous establishments. In accordance with Policies NR.11 and NR.14 of the Adopted Wyre Forest District Local Plan, Policies CP03 and CP07 of the Adopted Wyre Forest Core Strategy and Policy SAL.SK2 of the Site Allocations and Policies DPD (2012).

Note: For the purposes of clarification the C2 extra care facility is in addition to the maximum of 250 dwellings.

(6) The following uses shall not exceed the gross external floorspaces as set out below:

A1 - foodstore 300 sq.m net floorspace;

A3, A4, A5 - drinking establishments / hot food takeaway 557 sq.m, net floorspace (as quoted in the submitted Design and Access Statement);

Reason

To ensure that the development of these town centre uses would not have an impact upon the vitality and viability of local and town centres in accordance with CP09 of the Adopted Wyre Forest Core Strategy and Policies GPB.2 SAL.SK2 of the Site Allocations and Policies DPD (2012).



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(7) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification), no development as specified in Part 17 Class A other than expressly authorised by this permission, shall be carried out without express planning permission first being obtained from the Local Planning Authority.

Reason

To avoid visual intrusion, noise levels and traffic generation which would be detrimental to the amenities of neighbouring residents. To ensure that the development accords with Policy NR.11 of the Adopted Wyre Forest District Local Plan, Policy CP11 of the Adopted Wyre Forest Core Strategy and Policy SAL .UP7 of the Site Allocations and Policies DPD (2012).

(8) As advised in the submitted Environmental Statement no dwelling shall be sited closer than 22m from the Stourport Road. The glazing specification for the dwellings fronting the Stourport Road shall ensure noise levels within living rooms and bedrooms shall not exceed the Good Design Range set out in BS8233:1999 (Sound Insulation and Noise Reduction for Buildings).

Reason

To protect the amenity of the future occupiers. To ensure that the development accords with Policy NR.11 of the Adopted Wyre Forest District Local Plan.

Health & Safety

(9) Any individual building located within Development block DEV D as shown on the Phasing Plan (drawing No. BIR.3367_37D) shall not exceed three storeys in height and shall not accommodate in excess of 100 people.

Reason

To protect the occupiers from the existing hazardous establishment. In accordance with Policy NR.14 of the Adopted Wyre Forest District Local Plan and Policy SAL.SK2 of the Site Allocations and Policies DPD (2012).

(10) No part of the proposed crèche (use class D1) shall be sited within the middle zone as set by the Health and Safety Executive and as shown on the Parameters Assessment Plan (Drawing No. BIR.3367_19J). If sited within the outer zone it shall not exceed 1.4 hectares in area.

Reason

To protect the occupiers from the existing hazardous establishment. In accordance with Policy NR.14 of the Adopted Wyre Forest District Local Plan and Policy SAL.SK2 of the Site Allocations and Policies DPD (2012).



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(11) Should any part of a hotel C1 development be sited within the middle zone, as set by the Health and Safety Executive and as shown on the Parameters Assessment Plan (Drawing No. BIR.3367_19J), it shall not exceed 100 bedrooms.

Reason

To protect the occupiers from the existing hazardous establishment. In accordance with Policy NR.14 of the Adopted Wyre Forest District Local Plan and Policy SAL.SK2 of the Site Allocations and Policies DPD (2012).

Play Provision

(12) Details of the siting and layout of a Neighbourhood Equipped Play Area (NEAP) to accord with the Council's Supplementary Planning Document on Planning Obligations (2004) shall be submitted to the Local Planning Authority with the first reserved matters application for either the area marked as DEVB(iii) or DEVC on the Phasing Plan (drawing No. BIR.3367_37D) whichever is the sooner.

Reason

To ensure that a NEAP is provided for the approved residential dwellings in accordance with Policy LR.3 of the Adopted Wyre Forest Local Plan and Policies CP07 and CP13 of the Adopted Core Strategy and Policy SAL.UP4 of the Site Allocations and Policies DPD (2012).

Highways, Footpath and Cycle way

(13) The implementation of Road Phases A, B and C as shown on the Phasing Plan (drawing No. BIR.3367_37D) shall be undertaken in accordance with the following timescales:

- i. Prior to the first use or occupation of any part of DEV A (i to v), Road Phase A as shown on the Phasing Plan (drawing No. BIR.3367_37D) shall be completed unless as otherwise agreed in writing with the Local Planning Authority.
- ii. Prior to the first use or occupation of any part of DEV B (i to iii), Road Phase B as shown on the Phasing Plan (drawing No. BIR.3367_37D) shall be completed unless as otherwise agreed in writing with the Local Planning Authority.
- iii. Prior to the first use or occupation of any part of DEV C, Road Phase B and a link road to DEV C (the link to be approved at the reserved matters stage) shall be completed unless as otherwise agreed in writing with the Local Planning Authority.



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- iv. Prior to the first use or occupation of any part of DEV D Road Phases B and C as shown on the Phasing Plan (drawing No. BIR.3367_37D) shall be completed unless as otherwise agreed in writing with the Local Planning Authority.

Reason

To ensure an adequate and acceptable means of access is available before any of the dwellings or buildings are occupied in accordance with Policy CP03 of the Wyre Forest Adopted Core Strategy, and Policy SAL.SK2 of the Site Allocations and Policies DPD (2012).

- (14) Prior to the commencement of development* details of the finished levels, surfacing, lighting and drainage of Footpath Area 9 as shown the Phasing Plan (drawing No. BIR.3367_37D) shall be submitted to and agreed in writing by the Local Planning Authority. Footpath Area 9 shall be completed prior to the first use or occupation of any part of DEV A

****Commencement of Development' means any works to implement the Permission by the carrying out of a material operation as defined in section 56(4) of the 1990 Act but not including demolition, remediation, site clearance, ground condition investigation, stabilisation and re-engineering ground and subsequent levelling of plateaux, diversion and laying of services and the erection of temporary fences and hoardings.***

Reason

To complement the existing footpath and cycle network in accordance with Policies CP03 and CP11 of the Adopted Wyre Forest Core and Policies SAL.SK2 and SAL.CC1 of the Site Allocations and Policies DPD (2012).

- (15) Prior to the commencement of development* details of the finished levels, surfacing, lighting and drainage of a pedestrian and cycle link through Landscape Area 1 linking Footpath Area 9 as shown the Phasing Plan (drawing No. BIR.3367_37D) to the Stourport Road shall be submitted to and agreed in writing by the Local Planning Authority. The agreed details shall be completed prior to the first use or occupation of any part of DEV A.

****Commencement of Development' means any works to implement the Permission by the carrying out of a material operation as defined in section 56(4) of the 1990 Act but not including demolition, remediation, site clearance, ground condition investigation, stabilisation and re-engineering ground and subsequent levelling of plateaux, diversion and laying of services and the erection of temporary fences and hoardings.***

Reason

To complement the existing footpath and cycle network in accordance with Policies CP03 and CP11 of the Adopted Wyre Forest Core Strategy and Policies SAL.SK2 and SAL.CC1 of the Site Allocations and Policies DPD (2012).



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(16) Prior to the commencement of development* of Road Phase B details of the finished levels, surfacing, lighting and drainage of Footpath Area 8 as shown the Phasing Plan (drawing No. BIR.3367_37D) shall be submitted to and agreed in writing by the Local Planning Authority. Footpath Area 8 shall be completed prior to the first use or occupation of any part of Development Phase DEV B.

****Commencement of Development' means any works to implement the Permission by the carrying out of a material operation as defined in section 56(4) of the 1990 Act but not including demolition, remediation, site clearance, ground condition investigation, stabilisation and re-engineering ground and subsequent levelling of plateaux, diversion and laying of services and the erection of temporary fences and hoardings.***

Reason

To complement the existing footpath and cycle network in accordance with Policies CP03 and CP11 of the Adopted Wyre Forest Core Strategy and Policies SAL.SK2 and SAL.CC1 of the Site Allocations and Policies DPD (2012).

(17) The area of land hatched red on the drawing entitled Link Road Alignment Key Plan Drawing No. CH004/09 shall not be built upon and shall be reserved for future junction improvements unless otherwise agreed in writing by the Local Planning Authority.

Reason

To ensure there is adequate capacity to serve phases 1 and 2 of the former British Sugar site in accordance with Policy CP03 of the Adopted Wyre Forest Core Strategy and Policy SAL.SK2 of the Site Allocations and Policies DPD (2012).

(18) The first reserved matters application for the development of any car park to serve the rail way halt shall be accompanied a transport statement for this facility.


Reason

To ensure the safe and free flow of traffic using the adjoining County highway in accordance with Policy CP03 of the Adopted Wyre Forest Core Policies SAL.SK2 and SAL.CC1 of the Site Allocations and Policies DPD (2012).



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(19) Prior to the commencement of the development* engineering details of the right turning lane at the primary site access and the signal controlled crossing on the A451 shall be submitted to and agreed in writing by the Local Planning Authority. No part of the site shall be occupied or brought into use until the scheme has been constructed in accordance with the agreed details.

****Commencement of Development' means any works to implement the Permission by the carrying out of a material operation as defined in section 56(4) of the 1990 Act but not including demolition, remediation, site clearance, ground condition investigation, stabilisation and re-engineering ground and subsequent levelling of plateaux, diversion and laying of services and the erection of temporary fences and hoardings.***

Reason

To ensure the safe and free flow of traffic onto the Highway to ensure the safe and free flow of traffic using the adjoining County highway in accordance with Policy CP03 of the Adopted Wyre Forest Policies SAL.SK2 and SAL.CC1 of the Site Allocations and Policies DPD (2012).

(20) Notwithstanding the details submitted, prior to the commencement of development* engineering details and specification of the proposed roads and highway drains of Road Phases A and B shall be submitted to and agreed in writing by the Local Planning Authority. No part of the site shall be occupied or brought into use unless in accordance with the timescales set out under condition 13 (parts 1 to iv) and until the scheme as been constructed in accordance with the agreed drawings.

****Commencement of Development' means any works to implement the Permission by the carrying out of a material operation as defined in section 56(4) of the 1990 Act but not including demolition, remediation, site clearance, ground condition investigation, stabilisation and re-engineering ground and subsequent levelling of plateaux, diversion and laying of services and the erection of temporary fences and hoardings.***

Reason

To ensure the safe and free flow of traffic onto the Highway. To ensure the safe and free flow of traffic using the adjoining County highway in accordance with Policy CP03 of the Adopted Wyre Forest Core Strategy and Policy SAL.SK2 of the Site Allocations and Policies DPD (2012).

(21) Prior to the commencement of development details of wheel cleaning apparatus shall be submitted to and agreed in writing by the Local Planning Authority. The agreed apparatus shall be retained and operational during the construction of Road Phases A and B hereby approved.

Reason

To ensure that the wheels of vehicles are cleaned before leaving the site in the interests of Highway Safety in accordance with Policy CP03 of the Adopted Wyre Forest Core Strategy and Policy SAL.SK2 of the Site Allocations and Policies DPD (2012).

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(22) Prior to the commencement of development details of parking for site operatives within the application site shall be submitted to and agreed by the Local Planning Authority. The agreed details shall be retained and kept available during the construction of Road Phases A and B hereby approved.

Reason

To prevent indiscriminate parking in the interests of Highways safety in accordance with Policy CP03 of the Adopted Wyre Forest Core Strategy and Policy SAL.SK2 of the Site Allocations and Policies DPD (2012).

Construction & Environmental Management

(23) Prior to the commencement of development within any Development Block(e.g. DEV A(i) or DEV A(ii) etc) or Road Phase A, B or C as shown on the Phasing Plan (drawing No. BIR.3367_37D), **an individual Construction Environment Management Plan (CEMP) for that Development Block or Road Phase** shall be submitted to and agreed in writing by Local Planning Authority. The CEMP will clarify the impacts upon ecological receptors and shall include (although not exclusively):

- i. an additional walk over badger survey and badger method statement for mitigation, (as suggested in the submitted ES, should development not have commenced within that Development Block or Road Phase by 1st September 2013);
- ii. an additional reptile survey and method statement for mitigation (should development within that Development Block or Road Phase not have commenced by 1st September 2013);
- iii. a breeding birds method statement for mitigation;
- iv. a bat method statement for mitigation;
- v. an additional walk over otter survey and method statement for mitigation (only required for development blocks DEV C and DEV B(iii) should development within those Development Blocks not have commenced by 1st September 2013);
- vi. a method statement designed to mitigate against run off from materials stored on site;
- vii. details of the proposed lighting during the construction phase;
- viii. hours of construction;
- ix. means of access for construction vehicles; and
- x. noise and dust mitigation measures;

If mitigation measures are required a timetable should be included relating to their implementation.

The agreed CEMP shall be carried out in accordance with the agreed details and timescale.

Reason

To ensure that the development safeguards existing biodiversity and ecology in accordance with Policy CP14 of the Adopted Wyre Forest Core Strategy and Policies SAL.UP5 and SAL.SK2 of the Site Allocations and Policies DPD (2012).



DATED

07 DEC 2012

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Details and Implementation of Landscape Infrastructure Areas and Strategic footpaths

(24) Prior to the completion of Road Phase A, as shown on the Phasing Plan (drawing No. BIR.3367_37D), a landscape infrastructure planting scheme for Landscape Areas 1, 2, 3, 4, 5 and 6 shall be submitted to and approved in writing by the Local Planning Authority. The landscape infrastructure planting scheme shall give details of the following:

- i. Existing and proposed finished levels or contours;
- ii. Surface Water Drainage;
- iii. Means of enclosure;
- iv. All vehicle and/or pedestrian access and circulation areas;
- v. The proposed pedestrian cycle route (within Landscape Area 6);
- vi. Hard surfacing materials;
- vii. Minor artefacts and structures (e.g. furniture, play equipment, bins, signs, lighting);
- viii. Planting plans including schedule of plants, species, planting sizes and proposed numbers / densities where appropriate;
- ix. Proposed maintenance schedule for five years after planting.

Reason

To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs, and in accordance with Policies CP07, CP12 and CP13 of the Adopted Wyre Forest Core Strategy, Policies SAL.UP9, SAL.UP3 and SAL.SK2 of the Site Allocations and Policies DPD (2012).

Note: The landscaping of the individual development blocks (DEV A(v) DEV B (ii) etc) shall be considered at the reserved matters stage.

(25) Once agreed in writing the landscape infrastructure planting scheme shall be implemented in accordance with the following phases:

- Landscape Areas 1, 2 and 4 to be completed prior to the first occupation of any part of Development Phase DEVA (i to v) or by the next planting season or as otherwise agreed in writing with the LPA;
- Landscape Area 3 to be completed prior to the first occupation of any part of Development Phase DEVB (i to iii) or by the next planting season or as otherwise agreed in writing with the LPA;
- Landscape Area 5 to be completed prior to the first occupation of any part of Development Phase DEVB(iii) or by the next applicable season or as otherwise agreed in writing with the LPA; and
- Landscape Area 6 to be completed by the first occupation of DEVC.

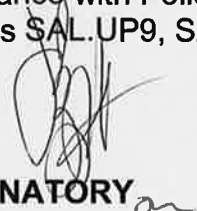
Reason

To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs, and in accordance with Policies CP07, CP12 and CP13 of the Adopted Wyre Forest Core Strategy, Policies SAL.UP9, SAL.UP3 and SAL.SK2 of the Site Allocations and Policies DPD (2012).

DATED

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(26) A landscape infrastructure planting scheme for Landscape Area 7 as shown on the Phasing Plan (drawing No. BIR.3367_37D) shall be submitted with the first application for any part of phase 2 of the Former British Sugar Site and approved in writing by the Local Planning Authority. The landscape infrastructure planting scheme shall give details of the following:

- i. Existing and proposed finished levels or contours;
- ii. Surface Water drainage
- iii. Means of enclosure;
- iv. All vehicle and/or pedestrian access and circulation areas;
- v. The proposed pedestrian cycle route;
- vi. Hard surfacing materials;
- vii. Minor artefacts and structures (e.g. furniture, play equipment, bins, signs, lighting);
- viii. Planting plans including schedule of plants, species, planting sizes and proposed numbers / densities where appropriate;
- ix. Proposed maintenance schedule for five years after planting.

Reason

To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs, and in accordance with Policies CP07, CP12 and CP13 of the Adopted Wyre Forest Core Strategy, Policies SAL.UP9, SAL.UP3 and SAL.SK2 of the Site Allocations and Policies DPD (2012).

Note: The landscaping of the individual development blocks (DEV A(v) DEV B (ii) etc) shall be considered at the reserved matters stage.

(27) Once agreed in writing the landscape infrastructure planting scheme for Landscape Area 7 shall be implemented before the first occupation of any part of Phase 2 of the British Sugar site.

Reason

To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs, and in accordance with Policies CP07, CP12 and CP13 of the Adopted Wyre Forest Core Strategy, Policies SAL.UP9, SAL.UP3 and SAL.SK2 of the Site Allocations and Policies DPD (2012).

DATED

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(28) All hard and soft landscape works shall be carried out in accordance with the approved details and to a standard in accordance with the relevant recommendations of British Standard [4428 : 1989]. Any trees or plants that, within a period of five years after planting, are removed die or become seriously damaged or defective, shall be replaced with others of species, size and number as originally approved, by the end of the first available planting season thereafter.

Reason

To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs, and in accordance with Policies CP07, CP12 and CP13 of the Adopted Wyre Forest Core Strategy, Policies SAL.UP9 and SAL.SK2 of the Site Allocations and Policies DPD (2012).

Note: The landscaping of the individual development blocks (DEV A(v) DEV B (ii) etc) shall be considered at the reserved matters stage.

(29) The layout to be agreed at the reserved matters stage of Development Block Dev B (iii) as shown on the Phasing Plan (drawing No. BIR.3367_37D) and shall provide:

- a) 2 pedestrian / cycle access points to Landscape Area 5. These shall be provided in the form of timber bridle gates with a 5ft (1.52m) clear width; and
- b) a 3m treated timber field gate placed in a location with suitable highway access to allow access for large maintenance machinery (unless an alternative position off Road Phase C is agreed in writing by the Local Planning Authority).

Reason

To provide access for the enjoyment and maintenance of these publicly accessible areas of open space in accordance with Policies CP07, CP12 and CP13 of the Adopted Wyre Forest Core Strategy, Policies SAL.UP9, SAL.UP3 and SAL.SK2 of the Site Allocations and Policies DPD (2012).

Note: The pedestrian / cycle access points should be placed in locations determined suitable for pedestrian and cycle access and be connected to the cycling and pedestrian path.

(30) The layout to be agreed at the reserved matters stage of Development Block Dev C as shown on the Phasing Plan (drawing No. BIR.3367_37D) shall provide:

- a) 1 pedestrian / cycle access point to Landscape Area 6. This shall be provided in the form of a timber bridle gate with a 5ft (1.52m) clear width; and
- b) a 3m treated timber field gate placed in a location with suitable highway access to allow access for large maintenance machinery.

Reason

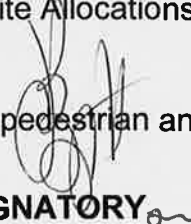
To provide access for the enjoyment and maintenance of these publicly accessible areas of open space in accordance with Policies CP07, CP12 and CP13 of the Adopted Wyre Forest Core Strategy, Policies SAL.UP9, SAL.UP3 and SAL.SK2 of the Site Allocations and Policies DPD (2012).

Note: This needs to be placed in locations determined suitable for pedestrian and cycle access and be connected to the cycling and pedestrian path.

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Biodiversity and Habitat Management

(31) Prior to the commencement of development* details of the proposed lighting of the link road hereby approved shall be submitted to and agreed in writing by the Local Planning Authority. Such details shall refer to the impact upon the existing and potential habitats with details of adequate mitigation if required. The agreed details shall be strictly adhered to.

****Commencement of Development' means any works to implement the Permission by the carrying out of a material operation as defined in section 56(4) of the 1990 Act but not including demolition, remediation, site clearance, ground condition investigation, stabilisation and re-engineering ground and subsequent levelling of plateaux, diversion and laying of services and the erection of temporary fences and hoardings.***

Reason

To ensure that the proposed lighting does not have an adverse impact upon biodiversity in accordance with Policy CP14 of the Adopted Wyre Forest Core Strategy; Policies SAL.UP5, SAL.UP7 and SAL.SK2 of the Site Allocations and Policies DPD (2012).

(32) Prior to the completion of Road Phase A as shown on **Phasing Plan** (drawing No. BIR.3367_37D), a Habitat Management Plan (HMP), (the purpose of which is to maintain and enhance the biodiversity and ecology on that part of the site) shall be submitted to and approved in writing by the Local Planning Authority for those areas indicated as Landscape Areas 1, 2, 3, 4, 5 and 6. The HMP shall incorporate the recommendations of Chapter 6 of the Environmental Statement (dated March 2012) and include provision for the management and long term maintenance of any water bodies, surface water attenuation features together with a timescale of implementation for all recommendations.


Reason

To ensure that the development enhances biodiversity in accordance with Policy CP14 of the Adopted Wyre Forest Core Strategy; Policies SAL.UP5, SAL.UP7 and SAL.SK2 of the Site Allocations and Policies DPD (2012).



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(33) Pursuant to condition 32 above the HMP's shall be implemented in accordance with the following phases:

- The HMP for Landscape Areas 1, 2 and 4 as shown on Phasing Plan (drawing No. BIR.3367_37D) to be implemented prior to the first occupation of any part of Development Phase DEVA (i to v) or as otherwise agreed in writing with the LPA;
- The HMP for Landscape Area 3 as shown on (drawing No. BIR.3367_37D) to be implemented prior to the first occupation of any part of Development Phase DEVB (i to iii) or as otherwise agreed in writing with the LPA;
- The HMP for Landscape Area 5 as shown on Phasing Plan (drawing No. BIR.3367_37D) to be implemented prior to the first occupation of any part of Development Phase DEVC as otherwise agreed in writing with the LPA;
and
- The HMP for Landscape Area 6 as shown on Phasing Plan (drawing No. BIR.3367_37D) shall be implemented prior to the first occupation of DEVC

Reason

To ensure that the development enhances biodiversity in accordance with Policy CP14 of the Adopted Wyre Forest Core Strategy; Policies SAL.UP5, SAL.UP7 and SAL.SK2 of the Site Allocations and Policies DPD (2012).

Note: The enhancement of biodiversity of the individual development plots shall be considered at the reserved matters stage.

(34) A Habitat Management Plan (HMP), (the purpose of which is to maintain and enhance the biodiversity and ecology on that part of the site) for the area indicated as Landscape Area 7 on the Phasing Plan (drawing No. BIR.3367_37D) shall be submitted with the first application for phase 2 of the British Sugar Site and approved in writing by the Local Planning Authority. The HMP shall incorporate the recommendations of Chapter 6 of the Environmental Statement (dated March 2012) and include provision for the management and long term maintenance of any water bodies, surface water attenuation features together with a timescale of implementation for all recommendations.

Reason

To ensure that the development enhances biodiversity in accordance with Policy CP14 of the Adopted Wyre Forest Core Strategy; Policies SAL.UP5, SAL.UP7 and SAL.SK2 of the Site Allocations and Policies DPD (2012).



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(35) Once agreed in writing the HMP for Landscape Area 7 shall be implemented before the first occupation of any part of Phase 2 of the British Sugar site.

Reason

To ensure that the development enhances biodiversity in accordance with Policy CP14 of the Adopted Wyre Forest Core Strategy; Policies SAL.UP5, SAL.UP7 and SAL.SK2 of the Site Allocations and Policies DPD (2012).

Trees

(36) In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plan (Tree Survey Plan Drawing No.BIR.3367_32C);

a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the local planning with British Standard [3998 (Tree Work)].

b) If any retained tree is removed uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

Reason

To ensure the retention of identified trees in accordance with Policies CP12, CP13 and CP14 of the Adopted Wyre Forest Core Strategy and Policy SAL.UP7 of the Site Allocations and Policies DPD (2012).

(37) Unless approved in writing by the Local Planning Authority no ground clearance, demolition, or construction work shall commence until a chestnut pale or similar form of protective fencing, to BS 5837 : 2005 at least 1.25 metres high securely mounted on timber posts firmly driven into the ground has been erected around each tree/tree group or hedge to be preserved on the site or on immediately adjoining land, and no further work shall be carried out on the site until the written approval of the Local Planning Authority has been issued confirming that the protective fencing is erected in accordance with this condition. The fencing shall be located at least 1.00 metre beyond the line described by the furthest extent of the canopy of each tree/tree group or hedge. Within the areas so fenced, the existing ground level shall be neither raised nor lowered; all excavations shall then be carried out by hand. Roots with a diameter of more than 25 millimetres shall be left unsevered. There shall be no construction work, development or development-related activity of any description, including the deposit of spoil or the storage of materials within the fenced areas. The protective fencing shall thereafter be maintained in the agreed position(s) during the period of construction.

Reason

To ensure the retention of identified trees in accordance with Policies CP12, CP13 and CP14 of the Adopted Wyre Forest Core Strategy and Policy SAL.UP7 of the Site Allocations and Policies DPD (2012).



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Drainage

(38) Prior to the commencement of development* a detailed comprehensive surface water and foul drainage scheme for the whole of the application site incorporating adoptable sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, shall be submitted to and agreed in writing by the Local Planning Authority.

****Commencement of Development' means any works to implement the Permission by the carrying out of a material operation as defined in section 56(4) of the 1990 Act but not including demolition, remediation, site clearance, ground condition investigation, stabilisation and re-engineering ground and subsequent levelling of plateaux, diversion and laying of services and the erection of temporary fences and hoardings.***

Reason

To prevent the increased risk of flooding, provide water quality benefits by ensuring the provision of a satisfactory means of surface water disposal and ensure maintenance and adoption for the lifetime of the development. In accordance with Policy CP02 of the Adopted Wyre Forest Core Strategy and Policies SAL.CC7 and SAL.SK2 of the Site Allocations and Policies DPD (2012).

Note: It is advised that in order to be acceptable the discharge of surface water from the site shall be limited to pre-development brownfield runoff levels, providing a 20% minimum betterment. The plan submitted should satisfactorily demonstrate that the system is able to accommodate flows arising from the 1:100 year + 30 % climate change with methods for safely managing more extreme exceedance events. The scheme should also provide an appropriate level of runoff treatment. A maintenance strategy must be submitted, and agreed with the Local Planning Authority, to facilitate the optimal functionality and performance of the SUDS scheme throughout its lifetime

(39) The first reserved matters application for each and every proposal for development shall be accompanied by a detailed surface water and foul drainage scheme which shall adhere to the principles agreed as part of the overall drainage scheme agreed under condition no. 38 above. It shall thereafter be implemented in accordance with the agreed details prior to the first occupation of the development.

Reason

To prevent the increased risk of flooding, provide water quality benefits by ensuring the provision of a satisfactory means of surface water disposal and ensure maintenance and adoption for the lifetime of the development. In accordance with Policy CP02 of the Adopted Wyre Forest Core Strategy and Policies SAL.CC7 and SAL.SK2 of the Site Allocations and Policies DPD (2012).

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Note: It is advised that in order to be acceptable the discharge of surface water from the site shall be limited to pre-development brownfield runoff levels, providing a 20% minimum betterment. The plan submitted should satisfactorily demonstrate that the system is able to accommodate flows arising from the 1:100 year + 30 % climate change with methods for safely managing more extreme exceedance events. The scheme should also provide an appropriate level of runoff treatment. A maintenance strategy must be submitted, and agreed with the Local Planning Authority, to facilitate the optimal functionality and performance of the SUDS scheme throughout its lifetime

Contaminated Land

(40) Prior to the commencement of development the following components of a scheme to deal with the risks associated with contamination of the site shall be submitted to and approved, in writing, by the Local Planning Authority:

- a) a detailed site investigation and risk assessment and a written report of the findings produced. The investigation and risk assessment must be undertaken by competent persons and must be conducted in accordance with DEFRA and the Environment Agency's *"Model Procedures for the Management of Contaminated Land, CLR11"*
- b) Where identified as necessary a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to identified receptors in advance of undertaking. The remediation scheme must ensure that the site will not qualify as Contaminated Land under Part 2A Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
- c) The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of any development, other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. In accordance with Policy CP01 of the Adopted Wyre Forest Core Strategy and Policy SAL.SK2 of the Site Allocations and Policies DPD (2012).

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(41) Prior to the occupation of any building on site following the completion of the measures identified in the approved remediation scheme (agreed under condition 40 above), a validation report that demonstrates the effectiveness of the remediation carried out, including the results of any sampling and monitoring, and the identification of any requirements for long term monitoring shall be submitted to an agreed in writing by the Local Planning Authority. The report shall include any plan (a "long term monitoring and maintenance plan") for longer term monitoring of pollution linkages, maintenance and arrangements for contingency action and for the reporting of this to the Local Planning Authority.


Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. In accordance with Policy CP01 of the Adopted Wyre Forest Core Strategy and Policy SAL.SK2 of the Site Allocations and Policies DPD (2012).

(42) If during development, contamination not previously identified is found to be present at the site, then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority, a Method Statement for remediation. The Method Statement must detail how this unsuspected contamination shall be dealt with. A verification (validation) report demonstrating completion of the works set out in the method statement shall be submitted to and approved in writing by the Local Planning Authority. The report shall include results of any sampling and monitoring. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action and for the reporting of this to the Local Planning Authority.

Reason

To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors ('controlled waters' as defined under the Water Resources Act 1991). In accordance with Policy CP01 of the Adopted Wyre Forest Core Strategy and Policy SAL.SK2 of the Site Allocations and Policies DPD (2012).

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(43) No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters. The development shall be carried out in accordance with the approval details.

Reason

To protect ground and surface waters ('controlled waters' as defined under the Water Resources Act 1991). In accordance with Policy CP02 of the Adopted Wyre Forest Core Strategy.

Residential Amenity

(44) Residential development facing directly onto Road Phase B in Phase DEV B (iii) shall have glazing to living rooms in these elevations that shall achieve a rating of 34db RTRA at 7 metres from the edge of the road and any bedrooms in these elevations shall achieve a rating of 26 db RTRA at 7 metres from the edge of the road. Passive acoustic ventilation to be used in these elevations for both living rooms and bedrooms.

Reason

To minimise noise disturbance to neighbouring residents and to ensure that the development accords with Policy NR.11 of the Adopted Wyre Forest District Local Plan.

(45) The first reserved matters application for any B1, B2 or B8 use shall be accompanied by a noise impact assessment which assesses the cumulative impact of all of the proposed noise emitting plant and machinery associated with the development on noise sensitive premises (to include any office accommodations) together with recommendations for noise mitigation measures if deemed to be necessary. The noise impact assessment should be carried out in accordance with the main procedural requirements of British Standard BS 4142: 1997 Rating industrial noise affecting mixed residential and industrial areas. The assessment shall use the background (LA90,T) and residual (LAeq,T) noise levels identified in the Environmental Statement submitted with the outline application. Thereafter only the noise emitting plant and machinery specified in the assessment shall be implemented and all mitigation measures shall be completed before the first use of the development.

Reason

To minimise noise disturbance to neighbouring residents and to ensure that the development accords with Policy NR.11 of the Adopted Wyre Forest District Local Plan.

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(46) The loading and unloading of service and delivery vehicles together with their arrival and departure from all A1, A3, A4, A5, B1, B2 and B8 uses shall **not** take place outside the hours of 8.00 am to 6.00 pm Mondays to Fridays and 8.00 am to 1.00 pm on Saturdays nor shall the above occur at any time on Sundays, Bank or Public Holidays unless otherwise agreed in writing by the Local Planning Authority.

Reason

To minimise noise disturbance to neighbouring residents and to ensure that the development accords with Policy NR.11 of the Adopted Wyre Forest District Local Plan.

(47) No machinery shall be operated, no process carried out and no deliveries taken at or dispatched from any B2 and B8 uses outside of 0800 to 1800 Mondays to Fridays and 0800 to 1300 on Saturdays and at no time on Sundays, Bank or Public Holidays unless otherwise agreed in writing by the Local Planning Authority.

Reason

To minimise noise disturbance to neighbouring residents and to ensure that the development accords with Policy NR.11 of the Adopted Wyre Forest District Local Plan.

(48) The first reserved matters application for any A3, A4, A5 C1 or C2 use shall be submitted together with details of the proposed scheme for the minimisation of emissions of cooking odour from the premises. The scheme shall contain sufficient detail as outlined in Annex B of the DEFRA publication: 'Guidance of the Control of Odour and Noise from Commercial Kitchen Exhaust Systems'. The use shall not be brought into use until such time as the approved emission minimisation scheme is operational. It shall thereafter be retained for the life of the use.

Reason

To protect the amenities of neighbouring residents and to ensure that the development accords with Policy CP03 of the Adopted Wyre Forest Core Strategy.

NOTES

A This approval should be read in conjunction with the obligation entered into under Section 106 of the Town and Country Planning Act 1990 (as amended) which accompanies it.

B Developers are advised that it is an offence to undertake development which will have a detrimental impact on species or habitats protected under European and/or British Law. You are advised to contact Natural England, Worcestershire Team, Bronsil House, Eastnor, Ledbury, Herefordshire HR8 1EP

C This permission does not authorise the felling, lopping, topping, uprooting or pruning of any of the trees included in the Tree Preservation Order 307 otherwise than as specified in this consent. Any such action should, where necessary, be the subject of an application in accordance with the provisions of the Tree Preservation Order.

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D Drainage to River Informative – In the detailed design for the discharge to the river, the velocities should not exceed 1.4m/s to prevent erosion of the banks. The applicant should look to reduce the discharge run-off as much as possible through the detailed design. Any discharge to sewers must be agreed with Severn Trent Water Ltd.

E SuDS (Biodiversity) Informative – As part of a modern forward looking SuDS scheme the site should look to incorporate attenuation ponds and swales within the surface drainage infrastructure. The Attenuation ponds should be designed with varying profiles, depth and gradients to support a range of wetland and ephemeral wetland habitat. A deeper retained wetland sump(s) should be incorporated within the feature(s) to allow aquatic wildlife to survive longer drier spells. Species such as *Pragmites australis* (and other native species of UK genetic stock) should be planted to provide habitat structure and to trap particulate material and remove nutrients. Such clean surface water, if lead through appropriately vegetated attenuation ponds/lagoons should be of a suitable quality to discharge to the river without impacting its Water Framework Directive (WFD) status

F Waste Informative – the excavation, recovery, treatment and disposal of contaminated soils and groundwater is subject to waste legislation, which includes:

- i) Duty of Care Regulations 1991
- ii) Hazardous Waste (England and Wales) Regulations 2005
- iii) Environmental Permitting Regulations 2010

Treatment of contaminated soil by mobile plant requires a mobile treatment permit. Soil may be re-used on-site as part of a soil recovery operation by registering an exemption with us or by obtaining an Environmental Permit.

Developers should ensure that all contaminated materials are adequately characterised both chemically and physically, and that the permitting status of any proposed on site operations are clear. If in doubt, we should be contacted for advice at an early stage to avoid any delays. It is recommended that developers should refer to our position statement on the Definition of Waste: Development Industry Code of Practice.

G The attention of the applicant is drawn to the need to keep the Highway free from any mud or other material emanating from the application site of any works pertaining thereto.

H This permission does not authorise the laying of private apparatus within the confines of the public highway

The applicant should apply to the Worcestershire County Council's Network Control Manager, County Hall, Spetchley Road, Worcester WR5 2NP (telephone 0845 607 2005), for consent under the New Roads and Streetworks Act 1991 to install private apparatus within the confines of the public highway.

Precise details of all works within the public highway must be agreed on site with the Highway Authority.



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I No work on the site should be commenced until engineering details of the improvements to the Public Highway have been submitted to and approved by the Highway Authority and an agreement under Section 278 of the Highways Act 1980 entered into.

J If it is the Developer'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 and an Agreement under Section 38 of the Highways Act, 1980, entered into.

K 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.

L 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.

M 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.

N The applicants attention is drawn to the requirement that, in all cases where an agreement under Section 278 of the Highways Act 1980 is entered into, the street lighting will be designed by the developer of the site in accordance with the design brief agreed with the Highway Authority and their design shall include any necessary amendments to the existing system. The design brief should be discussed with the Highway Authority prior to the commencement of the design.

O 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 with out the consent of the Highway Authority.

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REASON FOR APPROVAL

Whilst, according to the Adopted Local Plan the application site should only be used for industrial uses it is considered that sufficient weight can be attached to emerging LDF Policy and to the NPPF to allow the mix of uses proposed. It is considered that the proposed retail uses would not have a significant harm upon the town or nearby local centre. Whilst it is acknowledged that the development would result in the loss of former playing fields, the provision of a significant area of informal open space which is available for public use is considered to provide adequate compensatory provision. It is considered that the proposals pay due regard to sustainability, land contamination the impact upon heritage assets, air quality, drainage, biodiversity and the amenity of existing and proposed residential occupiers, and that due to the vegetation which is to be retained and the proposed layout the scheme is acceptable. Furthermore it would enable the provision of appropriate green infrastructure. It is therefore considered that it accords with the development plan policies listed at the top of the report. For these reasons the proposal is considered to be in accordance with the following policies:

ADOPTED WYRE FOREST DISTRICT LOCAL PLAN**AR2 - Archaeological Sites of Regional, County or Local Importance****AR3 - Archaeological Evaluations and Mitigation Measures****CA1 - Development in Conservation Areas****CA6 - Other Areas of Special Character or Appearance****D10 - Boundary Treatment****D11 - Design of Landscaping Schemes****D12 - Public Art****D4 - Design (existing trees)****E3 - British Sugar Factory****LR1 - Parks, Public Open Spaces and Other Open Space Areas****LR9 - Outdoor Sports Pitches and Playing Fields****NC7 - Ecological Surveys and Mitigation Plans****NR11 - Noise Pollution****NR12 - Light Pollution****NR2 - Contaminated Land****RT5 - Retail Parks and Major Stores****RT6 - Local Centres and Other Groups of Shops****RT8 - Outside the Identified Centres****RT13 - Food and Drink****ADOPTED WYRE FOREST CORE STRATEGY****CP01 - Delivering Sustainable Development Standards****CP02 - Water Management****CP03 - Promoting Transport Choice and Improving Accessibility****CP04 - Providing Affordable Housing****CP08 - A Diverse Local Economy****CP09 - Retail and Commercial Development****CP10 - Sustainable Tourism****CP11 - Quality Design and Local Distinctiveness****CP13 - Providing a Green Infrastructure Network**
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CP14 - Providing Opportunities for Local Biodiversity and Geodiversity

DS01 - Development Locations

DS02 - Kidderminster Regeneration Area

DS05 - Phasing and Implementation

SITE ALLOCATIONS POLICIES PREFERRED OPTIONS

1 – Sites For Residential Development

3 – Financial Viability Policy

5 – Specialist Housing

9 - Employment Land Allocations

10 – Town Centre Retail

13 – Supporting Major Tourist Attractions

14 – Sustainable Transport

16 – Major Transport Infrastructure

17 - Freight

19 – Implementation Of SUDS

22 – Providing A Green Infrastructure Network

23 – Providing Opportunities For Safeguarding Local Biodiversity And Geodiversity

24 – Heritage Assets

25 – Quality Design And Local Distinctiveness

26 – Landscaping And Boundary Treatment

31 – Stourport Road Employment Corridor

32 – Former British Sugar Site

SITE ALLOCATIONS AND POLICIES PUBLICATION VERSION (JULY 2012)

DPL1 – Sites For Residential Development

DPL3 – Financial Viability Policy

DPL5 – Extra Care Provision

GPB1 - Employment Land Allocations

GPB2 – Town Centre Retail

GPB5 - Supporting Major Tourist Attractions

CC1 – Sustainable Transport

CC3 – Major Transport Infrastructure

CC4 - Freight

CC7 – Water Management

UP3 – Providing A Green Infrastructure Network

UP5 – Providing Opportunities For Safeguarding Local Biodiversity And Geodiversity

UP6 – Heritage Assets

UP7 – Quality Design And Local Distinctiveness

UP9 – Landscaping and Boundary Treatment

SK1 – South Kidderminster Enterprise Park

SK2 – Former British Sugar Site



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