

TOWN AND COUNTRY PLANNING ACT 1990

PUBLIC INQUIRY

At Wychavon Council Offices, Civic Centre, Queen Elizabeth, Drive, Pershore, WR10 1PT

On 8 October 2019 at 10.00

REASON FOR INQUIRY

Appeal by Beechcroft Land Ltd & Trustees of Wimbush Droitwich Settlement

Relating to the application to Wychavon District Council

For outline planning application for the erection of up to 144 dwellings (including 50% affordable), access and associated works. Matters relating to Appearance, Landscaping, Layout and Scale are reserved for future consideration.

At Land To The East Of Kidderminster Road, Droitwich Spa, WR9 0LU

An Inspector appointed by the Secretary of State will attend at the place, date and time shown above to decide the appeal.

Members of the public may attend the inquiry and, at the Inspector's discretion, express their views. If you, or anyone you know has a disability and is concerned about facilities at the inquiry venue, you should contact the council to confirm that suitable provisions are in place. Documents relating to the appeal(s) can be viewed at the Council's offices by prior arrangement.

Planning Inspectorate References:
APP/H1840/W/18/3218814

Contact point at the Planning Inspectorate:
Robert Wordsworth, Room 3/J Kite Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN Tel: 0303 444 5608

Where applicable, you can use the internet to submit documents, to see information and to check the progress of cases through GOV.UK. The address of the search page is - <https://www.gov.uk/appeal-planning-inspectorate>

At the public enquiry advertised above on the 8th October 2019 at Wychavon, the Parish Council were allowed to present their case at the opening session of the Enquiry as per the details below.

Address to the Inspector on behalf of Hampton Lovett Parish Council

Hampton Lovett Parish Council would like to thank you for the opportunity to speak.

We did not realise we could have become a Rule 6 party, until it was too late. We are not used to dealing with planning appeals as significant as this one. As a result we have prepared this short speech, which we consider goes some way to crystallising our views on the main issues relevant to this inquiry.

Firstly, we would like to make the much-laboured point that we operate within a plan-led system. That has to be the starting point and we urge you to take the same position.

The South Worcestershire Development Plan was adopted in 2016 and it should be noted that the appellants do not consider it to be out of date. It has been subject to a review which began last year and Wychavon District Council have been swift and effective in undertaking the work necessary to progress the review. The preferred options document is imminent and will be consulted on in November this year.

Since the adoption of the SWDP, Wychavon District Council have maintained a healthy 5 year housing land supply, which has now grown to 7.89 years (as set out in their recently updated Annual Monitoring Report). This is as a result of taking a pragmatic approach to planning applications and boosting significantly their housing supply.

The appellants seem to think that by applying their own interpretation of relevant parts of the adopted SWDP, that their proposals somehow should result in this appeal being allowed. However, SWDP1 and 2 are absolutely clear – they **do not sanction unchecked development in open countryside**. There is nothing in the NPPF that justifies the sort of departure from the SWDP that is being requested here. We do not understand what material considerations could possibly outweigh the obvious harm to the rural character of the landscape. We consider that allowing this appeal would set an undesirable precedent that would have major implications for all non-green belt sites being promoted through the development plan currently. I'm sure you have heard objectors talking about flood gates being opened, but we are convinced that this would be the case. Premature applications can be really harmful because they avoid the scrutiny of the normal development plan process which seeks to develop a spatial strategy that reflects burgeoning infrastructure requirements, macro-constraints such as travel demand and flood plain and deliver a meaningful strategic plan that makes sense.

Whilst we accept that there would be the usual attendant benefits associated with such development – it is not a rural exception site, where there is a clear and demonstrable need for local affordable housing in our village.

Even if this site were to be included in the review as a preferred option – it is our view that the plan carries no weight at this stage. There would be a serious risk that the opportunities for consultation through the SWDP review would be undermined by allowing this appeal, contrary to normal procedure.

We would perhaps be more sympathetic to the appellants, had they been dealing with an authority with an ageing development plan, where a review was not progressing and in an area of substantial affordable housing need where they were failing on some considerable level. But they are not. It is not the appellant's case that there is affordable housing need in Hampton Lovett.

One of the core principles of the Framework, at paragraph 15, is that planning for future development should be genuinely plan-led, providing a practical framework for local decision making within which decisions on planning applications can be made with a high degree of predictability and efficiency. Local Plans are the key to sustainable development.

The clear aim of the plan-led system is to direct development to where it is needed. The Council is well advanced in their review of the SWDP.

Allowing this appeal would subvert the plan-led process, in breach of the core principle of genuinely plan-led development.

We urge you to consider the current status of the plan, which has absolute primacy, together with the progress made on the SWDP review – to invalidate this process by allowing this appeal would be harmful in and of itself, and compounded by the harm to the open countryside, we do not consider that any of the benefits alleged by the appellants are capable of outweighing this.

Thank you once again for the opportunity to speak.

These remarks were used by the Wychavon QC on three occasions to highlight to the Appellant's QC the points of law that he should be taking note of and the document was also used again by the Wychavon QC in her closing remarks.

Prior to the closing remarks the Parish Council were able to raise the Traffic Interfaces between opposing lanes of the A442 on the proposed new entrance and requested involvement in the ST278/S38 process.

Hampton Lovett and Westwood Headline Notes

M'am Good Morning Ladies and Gentleman

You said that on Friday the Parish Council could present its concerns over Highway decisions but only using the published documentation in the application. I would like to raise my comments in relation to "Property and Construction Consultants RIDGE" paragraph 15 which highlights that the Highway Authority have only removed their objections after in their words "the radius of the axis may still need to be increased all other outstanding matters could be resolved during the S278/ S38 process. Which we hope is to include safety auditing and accident risk analysis.

The other document I wish to use is the appellant document headed PROPOSED GHOST ISLAND SITE ACCESS JUNCTION (NO NUMBER).

Before discussing detail on these two sheets could I highlight to the enquiry that the A442 onto which this junction is being made is a single carriage "A road".

To the North is a relatively steep hill with an S bend. The proposed new access is 50 to 60 meters South from the junction on the west side "Doverdale Lane" which carries traffic from the employment land and between 7.30am and 9.30 am discharges 200 white vans from "Amazon" onto the main road in addition to the normal traffic flow.

The proposed development site of 144 houses could have as many as 288 vehicles available to feed at this peak time onto this single carriageway on the East side of the A442.

The appellants have shown the vehicle shadow lines in relation to the entrance to the new development. These mean that a Dust Cart that they have used as their base vehicle for the shadow movement lines. Requires a driver to follow these imaginary lines on the road within millimetres this still produces an interface with the traffic in the oncoming lane.

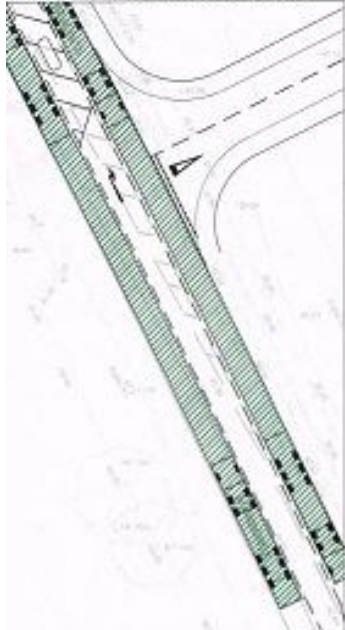
The CC have accepted that the radius needs to be “FINALISED” and it is during this process that the Parish Council are looking for input into safety auditing and accident risk analysis documentation.

The PC feel that this is necessary as planning applications 18/01618/out and application 18/01795/full gave completely different decisions on the same access into Westwood Park which is part of our Parish. Currently our District and CC representatives are investigating this matter.

Thus ma'm the PC do not feel it unreasonable to ask for your support in helping the PC along with their District and County Councillors who attend the PC meetings to see that a satisfactory result comes from the S278/S38 process.

We very much hope that you will give us support with this view point as this could well end as a very serious black spot.

Legal Articulated Vehicle Two-Way
Trucks Passing Site Access (Scale 1:500)



10.8m Refuse Vehicle Outbound (Scale 1:500)



3-Axle Refuse Vehicle Inbound (Scale 1:500)



Small Refuse Vehicle Inbound (Scale 1:500)



3-Axle Refuse Vehicle Outbound (Scale 1:500)



Small Refuse Vehicle Outbound (Scale 1:500)



Notes

- Do not scale the drawing. All dimensions must be checked against the site plan.
- This drawing is to be used in conjunction with all relevant technical, engineering and specialist drawings and specifications.
- All dimensions in millimetres unless noted otherwise. All units in metric unless noted otherwise.
- Any discrepancies noted on site are to be reported to the engineer immediately.

Legend

Revisions

Rev	Description	Date
01	Issue for approval	10/10/20
02	Issue for approval	10/10/20
03	Issue for approval	10/10/20
04	Issue for approval	10/10/20
05	Issue for approval	10/10/20
06	Issue for approval	10/10/20
07	Issue for approval	10/10/20
08	Issue for approval	10/10/20

Drawn & Revised

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 Leeds 0113 243 6000
 London 020 7316 9000
 Manchester 0161 275 0000
 Nottingham 0115 954 1100
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Client
BEECHCROFT LAND LTD

Project Name
HAMPTON LOVETT

Working File
PROPOSED GHOST ISLAND SITE ACCESS JUNCTION

Drawn T. Dwyer **Reviewed** G. Hales
Scale 1:500 **Date** 10/10/20 **Revision** 08/2020

Project Status
PRELIMINARY

Project Reference HAM-BWB-GEN-XX-DR-TR-101 **Sheet No.** 02 **Page** 06