

Planning Policy Appraisal

National Planning Policy

Policy/Reference	Conformity of Proposals
Paragraph 2 Conformity with Development Plan unless material considerations dictate otherwise	<p>The proposals do not conform with the Development Plan, namely the East Staffordshire Local Plan. Whilst the applicant has put forward their case for development, they have picked policies out which provide some level of support and ignored many policies that do not support the development of proposals.</p> <p>The application is therefore a Departure Application, working against the development plan's policies and proposals, include a road not identified in the development plan, and is a Greenfield site of 13.8 hectares.</p>
Paragraph 8 – 3 dimensions to sustainable development	<p>The three objectives economic, social, and environmental, are three overarching objectives of sustainable development which are considered mutually dependant.</p> <p>The proposals do not echo these principles.</p>
Paragraph 11 – presumption in favour of sustainable development	The proposals cannot be considered sustainable development. It does not conform with the development plan as set out elsewhere in this document.
Paragraph 47 – Determining Applications	This requires applications for planning permission to be determined in accordance with the development plan unless material considerations dictate otherwise. The proposals do not conform with it, and we cannot see any material considerations to be applicable that would provide a context to allow the application to be approved.
Paragraph 84/85 rural economy	<p>The fact that this is being used as a 'justification' for the proposals, shows how weak the proposals are in terms of having the necessary planning context for their approval. Paragraph 84 is largely irrelevant. The proposals do not fall under the definition of community facilities, as interpreted in the NPPF in references in paragraphs such as 20c, 84d, and 92/3, which suggests they comprise:</p> <ul style="list-style-type: none"> • Health infrastructure • Education infrastructure (including libraries) • Cultural infrastructure/buildings • Local shops • Meeting places • Sports venues/clubs • Public houses (pubs)

	<ul style="list-style-type: none"> • Places of worship • Music venues <p>The facility proposed cannot be considered as a health facility as there is no provision for medical facilities, it is essentially a leisure facility.</p> <p>None of the facilities included in the proposals will be accessible to the local population or community.</p>
<p>Paragraph 93 – social, recreational, and cultural facilities and services the community needs</p>	<p>This paragraph falls with the section of the document promoting healthy and safe communities.</p> <p>The site is unsuitable for the proposals presented. The location of the scheme in this location is some distance from any easily accessible and frequent public transport, will increase an already unsafe highway situation on both Wychnor Lane and at its junction with the A38, and perhaps more alarmingly if the children intended to frequent it are so ill, the lack of accessibility for emergency vehicles is a major concern. There have been a number of incidents of people being taken ill and some unfortunately losing their life, where an ambulance has simply not been able to find the property in Wychnor. Will the parents of these seriously ill children be made aware of this?</p>
<p>Paragraph 111 Highway Safety</p>	<p>The site is unsuitable for its intended use and cannot be reached in either a sustainable or safe manner.</p> <p>The A38 junction with Wychnor Lane is notoriously dangerous – such are the concerns that Wychnor Park Country Club is not allowed to advertise its presence and facilities such as Sunday Lunch due to attracting more traffic. The accident data provided is what appears to be available on CrashMap, but there is anecdotal evidence from residents of Wychnor to there being far more accidents that identified. The bridge at Wychnor Lane/A38 has had to be repaired several times since 2017 which as far as the accident data shows is the last time there was an accident of any concern in the area.</p> <p>Several residents of Wychnor met with the Strategic Community Infrastructure Manager on site in February 2022 in anticipation of this application but also to see what could be done in terms of speeds and traffic calming on Wychnor Lane, as well as to seek his assistance with speaking to National Highways to incorporate more signage and other safety measures to give more notice of the Wychnor Junction and possibly provide for a longer slip road to pull off to avoid the stacking of cars back onto the A38. He advised us that all the junctions on the A38 along this stretch were substandard, including the one at Efflinch which would be necessary to exit at to use the proposed private roadway.</p> <p>We understand from the applicant that National Highways have advised that they will not support any application which uses the A38/Wychnor Lane junction, hence the proposal to put a private road across the field at Efflinch a couple of miles from the main body of the proposals. The road is illogical, and we feel will not be utilised by staff or clients of the holiday village as it is easier to come straight on and off the A38,</p>

	<p>adding trips to an already dangerous junction. In our opinion it will become a 'white elephant'.</p> <p>Whilst we must take the traffic counts on face value, given the regular traffic along the road we are surprised at how low the trip rates are. People were not going out as much at this time due to Covid, and the occupation rate and facilities being offered at Wychhor Park were severely reduced.</p> <p>Once the road is in situ the principal of it is established. There is concern amongst local residents that this will open up previously undeveloped Greenfield land for development.</p>
Paragraph 130 Achieving well designed places	<p>There are concerns about the long-term viability of the scheme, and what would happen to the development if it did run into financial issues. As iterated elsewhere the site is not particularly accessible.</p> <p>We have concerns in relation to staff accommodation and its provision being above and beyond what would normally be considered suitable, and the intentions behind it.</p>
Chapter 16 Heritage	<p>A number of heritage assets are likely to be impacted by the proposals.</p>

Local Planning Policy

Areas of flood risk	<p>The lower half of the site floods. The upper area, where the buildings are to be built upon drains the surrounding raised land and becomes utterly saturated in winter. A spring usually develops halfway up this section during the winter months – and runs constantly until about mid March</p>
Coalescence	
Green Belt	<p>Whilst not being green belt (as this area has none) the area is rich in biodiversity, and is described in the councils own 'Minerals Local Plan' as being a site 'sensitive to change'</p>
Internationally and National designated Nature Conservation sites and Local nature reserves	<p>The site sits in the middle of the Millennium way. The site also adjoins the National Forest site of Swarbourn Meadow, where an otter holt is situated</p>
Sites of geological interest	
National and locally protected Heritage sites	<p>In order to reach the site, it has been deemed as necessary to build a</p>

	surface road across the Ancient Monument land parallel to the A38
High quality landscape features including Ancient Woodlands	The adjoining woodland is rich in biodiversity, including buzzards, bats and badgers and much other wildlife
The best and most versatile agricultural land	The site will be built on high quality agricultural land. Prior to the planning of the site in 2020, this site always produced high crop yields
Noisy or polluting sites	
Coal Consultation areas	
Gravel extraction	The site is specified in the Minerals Local Plan as being a potential site for future gravel extraction.

In terms of infrastructure, land should be capable of being adequately served with:

An efficient and safe sustainable local transport network	<p>The A38 access is dangerous. Fatal accidents have occurred at the Wychnor A38 junction and there have been numerous other accidents here. Council records will show that the bridge wall has been rebuilt several times after collisions. In addition, accidents at this junction almost always close the A38 Northbound so incurring a high economic cost (last accident which closed the A38 at this junction – 29th September 2021)</p> <p>The scheme proposes to avoid this by building a dedicated access road. This will be built from Dogshead Lane (approx. ½ mile north of Wychnor Lane). The road will be access controlled and run parallel back along the line of the A38 back to the start of Wychnor Lane. In practice, this lane will only absorb a very small part of the traffic generated by the new development because for traffic turning from the A38:</p> <p>Any visitor who knows the junction will take the existing turn:</p> <ul style="list-style-type: none"> - Any visitor following sat nav will take the existing turning (as a private, restricted road will not show up) - Any visitor who has got to know the traffic configuration during their stay will not drive half
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a mile north only to drive half a mile back.

- Volunteers and staff who work at the site will know the local road layout and take the usual turn
- Supplies, courier deliveries, utility services (gas, sewage etc.) and maintenance traffic will all use the existing junction, as they will know the junction. Most will not be eligible to use the new surface road due to the weight restriction imposed by English Heritage. They will also not have a pass for access control.

For traffic turning onto the A38:

- Many vehicles will not be eligible to use the new road due to access pass or weight restrictions.
- Any vehicle following sat nav will be led out onto the A38 this way. Most visitors will follow Sat Nav – as they will be driving to local business or landmarks, or alternatively driving home.

This makes the construction of a new road utterly pointless.

- Wychnor lane is single track and already has high traffic volume. Residents have been run off this lane into the ditch. Traffic has increased recently with the increased in delivery courier traffic. The traffic for the new development will make this even worse.

The access runs through a traffic light-controlled section over the causeway over the fishing lake. This presents several problems.

- Users unfamiliar with the road layout frequently don't see the lights and run straight through, causing friction with other motorists and potentially collisions
- The causeway is steadily collapsing and has

	<p>only been preserved by the private expenditure of the residents of the gate lodges paying for reinforcement</p> <ul style="list-style-type: none"> - The ownership of this section of road is undetermined – as is any access restriction for a new business - There are unresolved maintenance issues concerning the section of road from the end of the causeway to the access for the proposed site. Maintenance for this section is currently paid by Wychnor Hall and the residents of The Grange. For a new business to have access over this section of road would require an agreement to contribute to maintenance
An adequate water supply system	There is a water supply approx 500 metres away from the site
Adequate surface and foul mains drainage	This condition is not met as there is no mains drainage near the site. Any new construction would require a septic tank or water treatment plant.
Easily accessible Utility Services including broadband and G4 networks	Broadband in this area is relatively poor. There is no mains gas. No sewer facilities exist. Electricity would need to be spurred off the overhead lines. However, the electricity supply is not the most reliable, and often drops out several times a year
Green infrastructure	
Social and community infrastructure	With the singular exception of the Church, there are no community facilities in Wychnor With the singular exception of the Church, there are no community facilities in Wychnor

Strategic policy 1 (SP1) East Staffordshire Approach to Sustainable Development

In assessing whether a development proposal is as sustainable as possible, the Council will apply the following principles depending on the type of application or development proposed:

Located on, or with good links to, the strategic highway network, and	The transport issues are listed above
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should not result in vehicles harming residential amenity, causing highway safety issues, or harming the character of open countryside	
It is convenient and safe to walk, cycle and travel by public transport between (and for larger sites, around) the site and existing homes, workplaces, shops, education, health, recreation, leisure, and community facilities and between any new on-site provision;	It is far from safe to cycle or walk to any neighbouring facilities. To cycle to Alrewas (the nearest shops, pubs etc) requires cycling on the A38. Even to leave the immediate area requires cycling or walking through the area of the causeway (over the lake, mentioned above) is hazardous as it is a narrow single track with impenetrable hedges and no pavement. Many modern vehicles touch the hedge on both sides. It is worth noting that these hedges are never trimmed, as they are effectively cut by the larger vehicles that use this route. Most residents who know this route will not walk through this way.
Retains, enhances, expands, and connects existing green infrastructure assets into networks within the site and within the wider landscape	The proposed development would be a challenge to all these points
Re-uses existing buildings where this is practicable and desirable in terms of the contribution the buildings make to their setting	
Integrated with the character of the landscape and townscape, provides for archaeological investigation where this is appropriate and conserves and enhances buildings of heritage importance, setting and historic landscape character	
Designed to protect the amenity of the occupiers of residential properties nearby, and any future occupiers of the development through good design and landscaping	
High quality design which incorporates energy efficient considerations and renewable energy technologies	
Developed without incurring unacceptable flood risk or drainage problems and uses Sustainable Drainage Systems (SUDS) where appropriate	
Does not harm biodiversity, but rather enhances it wherever possible, including increasing tree-cover, especially as part of the National Forest	
Creates well designed and located publicly accessible open space	

<p>Would demonstrably help to support the viability of local facilities, businesses and the local community or where new development attracts new businesses and facilities to an area this does not harm the viability of existing local facilities or businesses.</p>	<p>It is hard to see how this condition could be met. One particular local facility that this development would impact on is primary health care. Local GP surgeries are already very stretched. This can only get worse with a facility will make demands on it. When an ambulance is required, local experience is that ambulance crews have great difficulty finding any property in Wychnor. One resident died after several hours of waiting (Feb 2014). Another resident was only saved when by pure coincidence, someone knocked on his door to ask if he knew the property the ambulance crew were looking for. The latest call out in November to Wychnor Hall (the easiest place to find in Wychnor) resulted in a seven hour wait.</p>
<p>Would contribute towards the creation of sustainable communities through the provision of a mix of housing types and tenures</p>	
<p>Uses locally sourced, sustainable, or recycled construction materials (including wood products from the National Forest where this is appropriate), sustainable waste management practices and minimises construction waste uses locally sourced, sustainable, or recycled construction materials (including wood products from the National Forest where this is appropriate), sustainable waste management practices and minimises construction waste</p>	
<p>Safeguards the long-term capability of best and most versatile agricultural land (Grade 1, 2 and 3a in the Agricultural Land Classification) as a resource for the future</p>	<p>As stated above, the area is high grade agricultural land. The scheme proposes that this area of approximately 45 acres will not be used for agriculture again</p>

Strategic Policy 2 (SP2) Settlement Hierarchy

Wychnor appears to be a tier 3 (or lower) small village having very limited facilities and services and therefore are seen as not having sufficient scale to support new housing development other than that linked to agricultural operations or conversions in exceptional circumstances

The council is anxious to ensure good reason to site development in the country and would not support it if better suited to an urban location or benefits little to the countryside of benefits are outweighed by disbenefits

Strategic policy 8 (SP8) Outside Settlement Boundaries

This policy seems very relevant to this proposal in that development will not be permitted unless it is:

Essential to the support and viability of an existing lawful business or the creation of a new business appropriate in the countryside in terms of type of operation, size and impact and supported by relevant justification for a rural location	Not met
Providing facilities for the use of the general public or local community close to an existing settlement which is reasonably accessible on foot, by bicycle or by public transport	Not met
Infrastructure development where an overriding need for the development to be located in the countryside can be demonstrated	An access road is being created but only for use by Kids Village
Development necessary to secure a significant improvement to the landscape or the conservation of a feature of acknowledged importance	Not met
Otherwise appropriate in the countryside	

Proposals falling within one of these categories will be judged against the following criteria where applicable:

The proposed development must not adversely affect the amenities enjoyed by existing land users, including, in the case of proposals for development close to an existing settlement, the occupiers of residential and other property within that settlement	It is being built across a public footpath, impacts on the local wildlife and will add considerable road traffic in a place that cannot support it.
Proposals do not introduce considerable urban form	
The detailed siting of the proposed development and its associated environmental impact are compatible with the character of the surrounding area	
The design of the buildings, structures and materials are visually well-related to the proposed site and its setting with careful choice of materials, landscaping, massing of buildings and attention to local architecture and roofscape design.	
Landscaping associated with the proposal takes into account both the	

immediate impact and distant views of the development	
The proposed development will not have an adverse impact on the transport and highway network and provides adequate access for all necessary users	Detailed above
The need to maintain land of high agricultural value for food production	It is only in the past couple of years when we have had exceptional weather conditions that this field has not provided a valuable harvest, in common with other fields in our location

Strategic policy 15 (SP15) Tourism, culture and leisure development

The new development must constitute a tourism business, as it does not meet any of the requirements for a healthcare facility

New tourism and cultural developments, including the improvement of existing and development of facilities, will be assessed according to the extent to which they support the local economy and promote the distinctive character and quality of the Borough. The Borough Council will maximise opportunities to develop and promote tourism by approving in principle proposals which:

Respect the character and quality of the landscape and built form of the Borough's towns and villages, including heritage assets	<p>The proposed development does not meet any of these criteria.</p> <ul style="list-style-type: none"> - It does not have good access to infrastructure – hence the need for sewage facilities and a new road. - It does impact on the character and appearance of the countryside. The ridgeline above the site offers spectacular views towards Lichfield. Much of this will be lost. - It impacts on a historical site, as it requires a road to be built across the Ancient Monument land - It is being built in an area of significant biodiversity – as already noted. (Buzzards, otters, hares, and badgers) The scheme itself combined with any lighting on site cannot fail to impact upon this.
Champion exemplar design, environmental credentials, and sustainable construction appropriate to their context	
Make positive use of the natural assets of the Borough such as The National Forest, without harming their intrinsic qualities or adversely affecting the natural environment and designated features of the built environment, including their settings, biodiversity, geodiversity, or visual amenity;	
Do not adversely affect the local transport infrastructure or residential amenity or mitigate such effects where they are likely to arise.	
Those activities attracting large numbers of people should be directed towards the accessible locations of the Borough's towns, unless the tourism initiative requires a countryside location or setting or is directly related to a specific tourist destination. <i>Development of tourist facilities in the countryside will be limited to those that make use of the natural environment in a sustainable manner – This needs to be determined</i>	
Tourist accommodation should be provided within existing settlements where it can make use of existing infrastructure and facilities. New	

tourist accommodation outside settlements will only be acceptable where it will have good accessibility to existing infrastructure and will not have an adverse impact on the character and appearance of the countryside, features of historic or landscape value, biodiversity, or the amenities of nearby residents.	
Leisure, cultural and tourism development which supports the existing rail and canal network will be	Not met

Strategic policy 29 (SP29) Biodiversity and Geodiversity

Ensuring that development retains, protects and enhances features of biological or geological interest, and provides for the appropriate management of these features	This needs to be investigated
Ensuring that development produces a net gain in biodiversity in line with UK and/or Staffordshire Biodiversity Action Plan species, and biodiversity opportunities	This needs to be investigated
Supporting proposals which improve the environment by reclaiming and improving derelict, contaminated, vacant or unsightly land for biodiversity value	Not applicable. This site already has significant biodiversity
Supporting developments with multi-functional benefits, particularly those relating to health, education, social inclusion, and environmental protection	
Ensuring development does not disturb or damage soils of high environmental 152 value and, where development is proposed, soil resources are conserved and managed in a sustainable way. Development proposals that would have a direct or indirect adverse effect on European, national, or local designated sites, non-statutory sites or Priority habitats and species will not be permitted unless: They cannot be located on alternative sites that would cause less or no harm	This development would appear to be far more suited to the land reclaimed from gravel quarrying along the A513. This land has good transport links and would be far more accessible by service users and emergency vehicles
The benefits of the development clearly outweigh the impacts on the feature and the wider habitat network	

Detailed policy 5 (DP5) Protecting the Historic Environment: All Heritage Assets, Listed Buildings, Conservation areas and Archaeology

Ancient monument land for road, the policy is Scheduled Monuments are legally protected under the Ancient Monuments and Archaeological Areas Act (1979). No works are to be carried out on Scheduled Monuments without Scheduled Monument Consent. Applications for consent are submitted to English Heritage in their role as advisors to the Secretary of State for Culture, Media & Sport. Scheduled Monuments and other nationally important archaeological sites and their settings should be preserved, and development proposals should take account of undesignated archaeological sites and sites of potential archaeological interest. This should be informed by relevant information including the Historic Environment Record (HER), Historic Environment Assessment (HEA) and the Extensive Urban Survey (EUS) (if relevant). Archaeological sites should be subject to appropriate and relevant assessment and field assessment where appropriate especially to determine whether remains should remain in in-situ or to be excavated.