

**PLANNING AND REGULATORY COMMITTEE
9 JULY 2019**

**PROPOSED PERSHORE NORTHERN LINK ROAD
COMPRISING THE CONSTRUCTION OF A NEW HIGHWAY
AND ROAD BRIDGE TO THE NORTH OF PERSHORE IN
WORCESTERSHIRE. THE SCHEME WOULD PROVIDE A
DIRECT LINK BETWEEN THE EXISTING A44 / B4083
ROUNABOUT (NORTH OF THE OXFORD - WORCESTER –
WOLVERHAMPTON (OWW) RAILWAY LINE) AND THE
B4083 ROUNABOUT (SOUTH OF THE OWW RAILWAY
LINE) TO PROVIDE A CRITICAL CONNECTION BETWEEN
THE A44 AND B4083 WYRE ROAD AND ACCESS TO THE
PERSHORE TRADING ESTATE. AS PART OF THE
NORTHERN LINK ROAD A NEW ROAD BRIDGE WOULD
BE CONSTRUCTED WHICH WOULD CROSS THE OWW
RAILWAY LINE TO THE EAST OF PERSHORE RAILWAY
STATION ON LAND BETWEEN THE A44 / B4083
ROUNABOUT AND THE WYRE ROAD / ASCOT ROAD
ROUNABOUT, PERSHORE, WORCESTERSHIRE**

Applicant

Worcestershire County Council

Local Member

Mrs E B Tucker

Purpose of Report

1. To consider an application under Regulation 3 of the Town and Country Planning Regulations 1992 for proposed Pershore Northern Link Road comprising the construction of a new highway and road bridge to the north of Pershore in Worcestershire. The scheme would provide a direct link between the existing A44 / B4083 roundabout (north of the Oxford - Worcester - Wolverhampton (OWW) railway line) and the B4083 roundabout (south of the OWW railway line) to provide a critical connection between the A44 and B4083 Wyre Road and access to the Pershore Trading Estate. As part of the northern link road a new road bridge would be constructed which would cross the OWW railway line to the east of Pershore railway station on land between the A44 / B4083 roundabout and the Wyre Road / Ascot Road roundabout, Pershore, Worcestershire.

Background

2. The Pershore Infrastructure Improvements Project would upgrade the links between Pershore town centre and the A44 to address issues of congestion on the A44 and improve access to employment and new housing areas. The project comprises three key scheme elements:

- The construction of a Northern Link Road, which would measure approximately 420 metres in length (the subject of this planning application). This would provide a direct link between the existing A44 / B4083 roundabout (north of the railway line) and the B4083 roundabout (south of the railway line). The link road would provide a direct connection between the Keytec Business Park and the A44.
- Improvements to the A44 Pinvin Crossroads junction to complement the delivery of the Northern Link Road by prioritising the A44 link and thus reducing the green signal time on Terrace Road (A4104). This would reinforce the proposed Northern Link Road as the main north to south route between Pershore and the A44. This development was granted planning permission by Members of the Planning and Regulatory Committee on 26 March 2019 (County Planning Authority Ref: 18/000060/REG3, Minute No. 1015 refers).
- Modifications to the junction of A4104 (Station Road) and B4083 (Wyre Road) junction to prioritise the Station Road (south) to Wyre Road movement. This would also reinforce the proposed Northern Link Road as the main north to south route between Pershore and the A44. This would benefit from permitted development rights, falling under Schedule 2, Part 9 of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) and, therefore, would not require the submission of a formal planning application.

The Proposal

3. Worcestershire County Council is seeking planning permission for the construction of Pershore Northern Link Road, which would measure approximately 420 metres in length between the existing A44 / B4083 roundabout to the north of the OWW railway line and the B4083 roundabout to the south of the OWW railway line. The link road would provide a connection between the A44 and the B4083, and provide access to Pershore Trading Estate, Keytec 7 Business Park and Keytec East Business Park. The proposal would also involve the construction of a bridge to cross the OWW railway line.

4. The applicant states that the proposed scheme is required for the following reasons:-

- The A4104 is the main route between the A44 and Pershore. It is a busy mixed-use route providing access to both residential and commercial properties as well as to Pershore High School, Pershore Station and (via Racecourse Road) Pershore Trading Estate and Keytec 7 Business Park. A large site (part of the Pershore Urban Expansion) to the west of the A4104 is allocated for housing via

the South Worcestershire Development Plan Policy SWDP 47/1; hence the A4104 would experience additional traffic pressure in future.

- To address these accessibility issues impacting on the employment area, there is the opportunity to provide a new link parallel to the A4104 that would link the A44 to the B4083 (Wyre Road) and hence back to the A4104 at the Station Road / Wyre Road junction. The new link would provide an improved pedestrian and cycle crossing over the railway.
- The provision of a new link would also provide the opportunity to change the main access route into Pershore to the A44 from the current A4104 to the proposed scheme. This would reduce the turning movement pressure at Pinvin crossroads junction thus increasing the ability of the junction to accommodate A44 through traffic.
- Addressing issues that detract from the attractiveness of the A44 is important in ensuring that the route can better deliver its strategic function and be the main route for movements between Evesham and Worcester.

5. The applicant states that without the proposed scheme, the problems and issues outlined above would continue and, in the longer term, be exacerbated because of the following:-

- Development sites, such as Keytec 7 Business Park employment area would not be attractive and thus planned development would not be realised.
- Economic development would be constrained. Inability to attract private sector investment to realise redevelopment / regeneration opportunities and support increased socio-economic activity. Growth of existing businesses may be compromised.
- Congestion would continue to increase, leading to increased delays and more irregular journey times resulting in cost to both individuals and businesses.
- Poor conditions for pedestrians and cyclists on Station Road / Terrace Road (A4104).
- Traffic would continue to use the B4084 to avoid congestion resulting in traffic levels through sensitive areas of Pershore continuing to rise.

6. The proposed scheme would measure approximately 420 metres in length and consist of a single carriageway highway with a speed limit of 40 miles per hour. The carriageway would measure approximately 7.3 metres wide, with a 3 metre wide shared cycle way / footway on the western side of the carriageway and a verge on the eastern side. The rail overbridge would measure approximately 27 metres long (between abutments) by 12.6 metres wide by 8.9 metres high, with a height clearance above the railway line of approximately 6.25 metres. The bridge parapets would measure approximately 1.8 metres high above the bridge structure. Safety barriers are proposed to run down both sides of the link road for its entire length. Uncontrolled crossings are proposed at each end of the link road.

7. The applicant is proposing the use of earth embankments, with gradients of up to 1 in 2 to minimise the amount of retaining walls that would be visible from public locations. A tapering retaining wall measuring a maximum of 9 metres high is proposed along the majority of the western side of the link road, to the south of the railway line. On the eastern side of the link road, to the south of the railway line, earth embankments are proposed with a small section of retaining wall in the vicinity of the railway line. To the north of the railway line earth embankments with a small section of retaining wall are also proposed.

8. The embankments would be seeded with appropriate mixes that would help stabilise the soil and cope with drier growing soil conditions. Approximately 0.1 hectares of native shrub planting is proposed, together with the planting of approximately 38 trees within the new road verges and embankments. The applicant is also proposing approximately 1.4 hectares of grassland seeding within the landscaping scheme.

9. The applicant is proposing to light the link road using approximately 14 new 10 metre high column mounted LED luminaires, and upgrade and replace the existing lanterns on approximately 18 existing lighting columns. The applicant states that the use of 8 metre lighting columns was considered to match the existing mounting height at the two roundabout junctions, however, the use of 10 metre high lighting columns was considered more appropriate for the road type and geometry. In addition, this would provide an increased spacing and thus a reduction in the number of lighting columns required. This increased spacing between lighting columns also eliminates any clashes with the proposed bridge structure and places the columns further away from the railway line, therefore, reducing any impact on train drivers.

10. To ensure adequate drainage of the new road and embankments, the applicant is proposing to increase the volume of the existing attenuation pond, located to the north-east of the proposal, slight lateral realignment of the existing ditch watercourse south of the railway, and construction of a new balancing pond, located south-east of the proposed link road.

11. The Public Right of Way of Footpath PS-565 crosses the application site, and adjoins Footpath WP-508. The applicant proposes to close these two Public Rights of Way for health and safety reasons throughout the duration of the construction works and reopen them on completion of the development.

12. The applicant states that construction traffic would access the site directly from the highway network. Traffic management and working areas would vary as the scheme progresses. Should planning permission be granted, it is anticipated that construction works would commence in in November 2019. The construction works are anticipated to take approximately 12 months to complete. At the time of the planning application submission the route and siting of haul roads and site compounds are not known.

13. The proposed scheme falls within Schedule 2, Part 10 (f) 'Construction of roads' of the Town and Country Planning (Environmental Impact Assessment (EIA)) Regulations 2017. Following consultation with County Planning Authority, the applicant decided to submit a voluntary Environmental Statement (ES) to accompany the planning application due to the potential for significant

environmental impacts. This is primarily due to an exceptional population of reptiles, located at the site. The submitted ES addresses the following matters: alternatives considered, air quality, cultural heritage, ecology and nature conservation, landscape and visual impacts, ground conditions and contamination, noise and vibration, materials and waste, water environment and road drainage, population and human health, transport, movement and access, and cumulative effects.

The Site

14. The application site, which measures approximately 2.37 hectares in area runs north to south between the existing A44 / B4083 roundabout (located to the north of the railway line) and the B4083 roundabout (located to the south of the railway line). The OWW railway line itself cuts across the site in an east to west direction (approximately in the middle of the site).

15. The application site is located approximately 1.5 kilometres to the north of Pershore town centre, 600 metres to the west of the village of Wyre Piddle, and 400 metres to the south-east of the village of Pinvin.

16. The surrounding area to the east and west of the application site is light industrial and warehouse units within the Keytec 7 Business Park to the west, and Keytec East Business Park to the east, whilst agricultural fields are located to the north and south of the site. The Hill and Moor Landfill site (County Planning Authority Ref: 407626, Minute No. 414 refers), which includes Incinerator Bottom Ash (IBA) processing and recovery facility within the operational landfill cells (County Planning Authority Ref: 16/000032/CM), a Household Recycling Centre (County Planning Authority Ref: 407499, Minute No. 50 refers and amended by 407625), Bulking Bays (County Planning Authority Ref: 18/000056/CM), Waste Transfer Station (County Planning Authority Ref: 10/000030/CM), and Composting Site (County Planning Authority Ref: 12/000046/CM, Minute No. 805 refers) are located approximately 1.1 kilometres to the north-east of the site. Wychavon District Council depot is located adjacent to the north-western boundary of the site. An application for the construction of a new petrol filling station is proposed on agricultural land located to the north-east of the proposed Pershore Northern Link Road, north of Abbey View Road (B4083) (Wychavon District Council Ref: 19/00613/FUL, pending consideration).

17. The nearest Site of Special Scientific Interest (SSSI) is that of Tiddesley Wood SSSI located approximately 2.8 kilometres south-west of the proposal. There are no Special Areas of Conservation (SAC), Special Protection Areas (SPA) or Ramsar designations within the vicinity of the proposal, with the nearest SAC being Bredon Hill SAC, which is located approximately 4 kilometres south of the proposed scheme and is designated for the presence of Violet Click Beetle. Lyppard Grange Ponds SAC, designated for its Great Crested Newts population is located approximately 10.5 kilometres north-west of the site. The proposed development is located approximately 4 kilometres north of Bredon Hill which is within the Cotswolds Area of Outstanding Natural Beauty (AONB).

18. There are a number of non-statutory wildlife designated sites within 1 kilometre of the site. The Piddle and Whitsun Brook Local Wildlife Site (LWS) is located approximately 280 metres east of the application site. The River Avon LWS is

situated about 725 metres south-east of the proposal and the Bow, Shell, Swan and Seeley Brooks LWS is located about 815 metres west of the proposal.

19. The nearest listed structure to the proposal is the Grade II Listed and Schedule Ancient Monument of Wyre Bridge, which is located approximately 650 metres to the east of the site. Wyre Piddle Conservation Area is located approximately 600 metres to the east of the site; and Pershore Conservation Area is located approximately 1.6 kilometres to the south of the application site.

20. Public Right of Way (Footpath PS-565) crosses the site in an east to west direction running parallel to the railway line, later becoming Footpath WP-508, located about 150 metres east of the application site. Footpath PV-530 is located approximately 50 metres west of the application site, and connects to Footpath PS-564 which crosses the railway line over a level crossing, connecting to Footpath PS-566, which runs parallel to the railway line in a westward direction.

21. The site is wholly located within the 'Avon and Carrant Brook Strategic Corridor' in the Emerging Minerals Local Plan. The southern part of the application abuts and is partly within an area of identified mineral deposits (sand and gravel) as identified on the adopted County of Hereford and Worcester Minerals Local Plan (1997) Proposal Map.

22. The proposed development is located within Flood Zone 1 (low probability of flooding) as identified on the Environment Agency's Indicative Flood Risk Map.

23. The nearest residential property to the proposal is that of Bredon View located immediately to the east of the application site, and is accessed off Abbey View Road (B4083). The dwellings of the Park and Sunnymead are located further along Abbey View Road (AB4083), located about 280 metres and 360 metres east of the proposal, respectively. Further residential properties are located along Abbey View Road (A44), located approximately 160 metres north-west of the proposal.

Summary of Issues

24. The main issues in the determination of this application are:

- Principle of the Development
- Alternatives
- Traffic, Highway Safety and Impacts upon the Public Rights of Way
- Ecology and Biodiversity
- Landscape Character and Visual Impact
- Residential Amenity (Air Quality, Dust, Noise and Vibrations)
- Water Environment
- Historic Environment

Planning Policy

National Planning Policy Framework (NPPF)

25. The revised National Planning Policy Framework (NPPF) was updated on 19 February 2019 and replaces the previous NPPF published in March 2012 and July

2018. On the 19 June 2019 the revised NPPF was updated to include a correction slip to remove paragraph 209a relating to on-shore oil and gas development, following the Secretary of State for Housing, Communities and Local Government issuing a Ministerial Statement on 23 May 2019 due to the outcome of a legal judgment. The NPPF and sets out the government's planning policies for England and how these are expected to be applied. The revised NPPF is a material consideration in planning decisions and should be read as a whole (including its footnotes and annexes).

26. Annex 1 of the NPPF states that *"the policies in this Framework are material considerations which should be taken into account in dealing with applications from the day of its publication"*.

27. The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. Achieving sustainable development means that the planning system has three overarching objectives (economic, social and environmental), which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives).

- **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- **an environmental objective** – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

28. These objectives should be delivered through the preparation and implementation of plans and the application of the policies in the NPPF; they are not criteria against which every decision can or should be judged. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.

29. So that sustainable development is pursued in a positive way, at the heart of the NPPF is a presumption in favour of sustainable development. For decision taking, this means:

- approving development proposals that accord with an up-to-date development plan without delay; or

- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - the application of policies in the NPPF that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

30. The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed.

31. The following guidance contained in the NPPF, is considered to be of specific relevance to the determination of this planning application:

- Section 2: Achieving sustainable development
- Section 4: Decision-making
- Section 6: Building a strong, competitive economy
- Section 8: Promoting healthy and safe communities
- Section 9: Promoting sustainable transport
- Section 11: Making effective use of land
- Section 12: Achieving well-designed places
- Section 14: Meeting the challenge of climate change, flooding and coastal change
- Section 15: Conserving and enhancing the natural environment
- Section 16: Conserving and enhancing the historic environment

The Development Plan

32. The Development Plan is the strategic framework that guides land use planning for the area. In this respect, the current Development Plan relevant to this proposal consists of the Adopted Worcestershire Waste Core Strategy, Saved Policies of the Adopted County of Hereford and Worcester Minerals Local Plan, and Adopted South Worcestershire Development Plan.

33. Planning applications should be determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise. The NPPF is a material consideration in planning decisions.

34. With regard to the weight to be given to existing policies adopted prior to the publication of the revised NPPF, Annex 1 states *"existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to*

their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)".

Worcestershire Waste Core Strategy Development Plan Document (WCS)

Policy WCS 17: Making provision for waste in all new development

County of Hereford and Worcester Minerals Local Plan (Saved Policies)

35. The Adopted Minerals Local does not contain any saved policies relevant to the consideration and determination of this planning application. However, the application site lies in close proximity and is partly within an area of identified mineral deposits as shown on the adopted County of Hereford and Worcester Minerals Local Plan (1997) Proposal Map, notified as a Minerals Consultation Area.

South Worcestershire Development Plan

36. The South Worcestershire Development Plan (SWDP) covers the administrative areas of Worcester City Council, Wychavon District Council and Malvern Hills District Council. The SWDP policies that are of relevance to the proposal are set out below:

Policy SWDP 1: Overarching Sustainable Development Principles

Policy SWDP 2: Development Strategy and Settlement Hierarchy

Policy SWDP 4: Moving Around South Worcestershire

Policy SWDP 5: Green Infrastructure

Policy SWDP 6: Historic Environment

Policy SWDP 7: Infrastructure

Policy SWDP 21: Design

Policy SWDP 22: Biodiversity and Geodiversity

Policy SWDP 24: Management of the Historic Environment

Policy SWDP 25: Landscape Character

Policy SWDP 28: Management of Flood Risk

Policy SWDP 29: Sustainable Drainage Systems

Policy SWDP 30: Water Resources, Efficiency and Treatment

Policy SWDP 31: Pollution and Land Instability

Policy SWDP 32: Minerals

Policy SWDP 47: Pershore Urban Extension

Emerging Minerals Local Plan (Fourth Stage Consultation)

37. Worcestershire County Council is preparing a new Minerals Local Plan for Worcestershire, which will be a restoration led plan. This document will set out how much and what minerals need to be supplied, where minerals should be extracted, how sites should be restored and how minerals development should protect and enhance Worcestershire's people and places. Once it is adopted it will replace the existing minerals policies in the County of Hereford and Worcester Minerals Local Plan.

38. The majority of the application site falls within the 'Avon and Carrant Brook Strategic Corridor' of the Emerging Minerals Local Plan (Policy MLP 4). The Emerging Minerals Local Plan Policy MLP 1 directs minerals development within the Strategic Corridors. The site falls within a Minerals Resource Safeguarding Area, as identified by Figure 7.1 'Mineral Safeguarding Areas and Mineral Consultation Areas'. Policy MLP 31: 'Safeguarding Locally and Nationally Important Mineral Resources' seeks to safeguard Worcestershire's locally and nationally important

mineral resources from needless sterilisation by non-minerals development. It requires all non-exempt development within a Mineral Resource Consultation area to provide information about whether the proposed development would result in sterilisation of some or all of the resource; and whether the mineral resource is of economic value.

39. The first stage consultation on Emerging Minerals Local Plan ran from 9 October 2012 to 11 January 2013. The second formal stage of consultation began on 11 November 2013 and ran until 31 January 2014. In summer 2014 the County Council made a call for proposed locations for aggregate extraction that should be considered in the development of the Minerals Local Plan. In summer 2015 the County Council undertook a further call for non-aggregate and aggregate sites and call for resources and infrastructure that should be safeguarded, as well as seeking comments on a suite of background documents. This consultation ran until 25 September 2015, but late submissions were accepted until 27 November 2015.

40. The third formal stage of consultation on the Emerging Minerals Local Plan ran from 14 December 2016 to 8 March 2017, this consultation sought comments on the proposed policy wording and site allocations. The County Council in September 2017 published the Response Document detailing the comments received and the Council's initial response. This highlights that there are not enough mineral workings in Worcestershire to deliver the level of minerals supply required from the County, as required by the national minerals policy and regional supply calculations. Consequently, the County Council undertook a further call for sites, which closed on 26 January 2018.

41. The fourth formal stage of consultation on the Emerging Minerals Local Plan ran from 17 December 2018 to 8 February 2019, with late responses being accepted up to 15 February 2019. A Publication Version of the Minerals Local Plan was considered by Worcestershire County Council's cabinet in June 2019 and is due to be considered by Full Council in July 2019. If approved by Full Council, consultation under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012) (as amended) will be undertaken in order to allow representations to be made under Regulation 20. This consultation is expected to take place during August and September 2019. The Emerging Minerals Local Plan will then be submitted to the Secretary of State for independent examination.

42. The Emerging Minerals Local Plan has not, therefore, been tested at examination or adopted by the County Council. Indeed, there will be further consultation on the document prior to submission to the Secretary of State. Having regard to the advice in the NPPF, Annex 1, it is the view of the Development Management Team Manager that the Emerging Minerals Local Plan should be given limited weight in development management terms in the determination of this application.

Other Documents

South Worcestershire Strategic Flood Risk Assessment Level 1 and 2

43. The South Worcestershire Strategic Flood Risk Assessment Level 1 and 2 (SFRA) documents were published in November 2009 and covers Worcester City Council, Wychavon District Council, and Malvern Hills District Council areas. The

SFRA assists in selecting and developing sustainable site allocations away from areas of greatest vulnerability to flooding in the South Worcestershire area. The SFRA provides guidance for the Local Planning Authorities on the future management of development with respect to flood risk, including suggested development control policy for the different flood zones. Guidance is also provided regarding the requirements for Flood Risk Assessments as well as Sustainable Drainage Systems and flood mitigation measures.

South Worcestershire Strategic Flood Risk Assessment Level 2 Update

44. The South Worcestershire Strategic Flood Risk Assessment Level 2 (SFRA Update). SFRA Update was published in December 2012 and updates the 2009 SFRA. Changes to high level planning, policy and guidance since the previous SFRA have been identified and taken into account in preparing the SFRA Update, including the NPPF.

South Worcestershire Water Management and Flooding Supplementary Planning Document

45. The South Worcestershire Water Management and Flooding Supplementary Planning Document (SPD) was adopted in July 2018 and sets out in detail the South Worcestershire Councils' approach to minimising flood risk, managing surface water and achieving sustainable drainage systems. This applies to both new and existing development whilst ensuring that the reduction, re-use and recycling of water is given priority and water supply and quality is not compromised. It relates to policies SWDP 28 (Management of Flood Risk), SWDP 29 (Sustainable Drainage Systems) and SWDP 30 (Water Resources, Efficiency and Treatment) of the adopted South Worcestershire Development Plan.

South Worcestershire Design Guide Supplementary Planning Document

46. The South Worcestershire Design Guide Supplementary Planning Document (SPD) was adopted in March 2018 and provides additional guidance on how the South Worcestershire Development Plan design related policies should be interpreted, for example through the design and layout of new development and public spaces across South Worcestershire and is consistent with planning policies in the South Worcestershire Development Plan, in particular Policy SWDP 21 (Design).

Planning for Health in South Worcestershire Supplementary Planning Document

47. The South Worcestershire Planning for Health SPD was adopted in September 2017, and primarily focuses on the principle links between planning and health. The SPD addresses nine health and wellbeing principles, one of which is 'air quality, noise, light and water management'. The SPD seeks to address issues relating to air quality, noise, light and water management, and sets out guidance on how these matters can be improved via the planning process.

South Worcestershire Infrastructure Delivery Plan (2016)

48. The South Worcestershire Infrastructure Delivery Plan (SWIDP) was first published in November 2012 and updated in October 2014 and July 2016. The SWIDP sets out details of the infrastructure that is required to support the growth outlined in the South Worcestershire Development Plan. The SWIDP is a "living document" in that it is subject to on-going change. Annex I of the adopted South Worcestershire Development Plan sets out the list of infrastructure considered

necessary to deliver the plan. The Councils updated Appendix Y of the SWIDP to assist in developing the Community Infrastructure Levy Charging Schedule. The SWIDP remains a technical document informing policy rather than policy per se. Appendix Y: 'Appendix on Crucial Infrastructure' includes 'Pershore Northern Link Road – Linking A44 with the B4083 Wyre Road'.

Worcestershire County Council's Worcestershire Green Infrastructure Strategy 2013-2018

49. Green Infrastructure is the planned and managed network of green spaces and natural elements that intersperse and connect our cities, towns and villages. Green Infrastructure comprises many different elements including biodiversity, the landscape, the historic environment, the water environment (also known as blue infrastructure) and publicly accessible green spaces and informal recreation sites.

50. The Green Infrastructure Strategy is a non-statutory county-wide guidance document which aims to direct and drive the delivery of Green Infrastructure in Worcestershire; and inform relevant strategies and plans of partner organisations over the next five years. The Strategy contains high-level priorities which should be explored in more detail at the local and site level.

Worcestershire's Local Transport Plan 4 (LTP4) 2018-2030

51. Worcestershire's Local Transport Plan 4 (LTP4) was adopted November 2017. LTP4 sets out an investment programme for Worcestershire's transport networks, including infrastructure, and technology and services essential to support planned growth, and continued social and economic success.

52. LTP4 consists of a suite of policies, four statutory assessments and the main document, which includes a strategic delivery programme. It sets 5 objectives regarding economic, environment, health and safety, equality, and quality of life. It also sets out a package of strategic transport schemes, in South Worcestershire this includes ID SWST6: Pershore Northern Access Improvements. This states *"the Pershore Infrastructure Improvements scheme is currently being progressed by Worcestershire County Council. An Outline Business Case (Programme Entry) was submitted to the Local Transport Body (LTB) in March 2016 for Programme Entry Approval. Conditional Approval is planned to be obtained in April 2017. The scheme comprises:*

- *Pershore Northern Link: A new single carriageway road link, providing a critical connection between the A44 and B4083 Wyre Road, providing a significantly enhanced connection between the A44 and Pershore Town Centre (this application);*
- *A44 / A4104 / B4082 Pinvin Crossroad Enhancements (granted planning permission on 26 March 2019, County Planning Authority Ref: 18/000060/REG3, Minute 1015 refers).*

53. *The scheme will provide a new north-south route between the A44 and Pershore town centre and enable greater priority to be given to the A44 at Pinvin Crossroads. The scheme will also provide traffic relief on the A4104 Terrace Road/Station Road (north of Wyre Road) and improve connectivity to Keytec Business Park. The scheme is also assumed to support the delivery of Pershore's urban extension, as allocated in the South Worcestershire Development Plan (SWDP)".*

Worcestershire Local Enterprise Partnership (WLEP) Business Plan 2012

54. This sets out the WLEP vision, which is to *"create the right economic environment to inspire businesses, encourage investment and to create lasting and sustainable employment in Worcestershire by 2017 and beyond"*. It also sets their key measures of success; their role; funding sources; and strategic objectives, which includes 'Objective 4: Planning, Development and Infrastructure'.

55. Strategic Objective 4 states that *"transportation through the movement of goods and people creates opportunities to trade and create economic growth. This connectivity and good infrastructure is essential to maximize Worcestershire's potential and to create a competitive environment"*.

Worcestershire Local Enterprise Partnership's World Class Worcestershire Our Strategic Economic Plan (SEP)

56. The Strategic Economic Plan (SEP) was published in March 2014 and sets out the LEP's vision and strategic framework, which is to ensure that Worcestershire's economy grows even more rapidly and makes an increasingly important contribution to the national economy. The SEP aims to grow the local economy by 2025 by generating over 25,000 jobs and to increase GVA by £2.9 billion.

57. The SEP sets three objectives:

- Create a World Class business location
- Provide individuals with World Class Skills, and
- Develop World Class competitive and innovative business.

58. The SEP sets out integrated programme areas, which comprise prioritised projects and initiatives to meet these objectives. Transport Investment Programme is an initiative identified within the SEP to meet the objective of 'create a World Class business location'. The SEP recognises that *"additional investment in Worcestershire's transport infrastructure and services is essential to provide business with improved access to markets and employees and to encourage economic growth"*. The SEP states that *"transport investment will be targeted to unlock the potential of key employment and housing sites to support the overall growth vision. Investment will also improve external linkages (with neighbouring sub-regions and international gateways to enhance access to national and global markets) and enhance accessibility between key economic centres within the LEP area to accommodate the travel demand associated with the growth aspirations"*.

59. The SEP contains a table, titled: showing transport and infrastructure schemes for Worcestershire. The table includes *"Pershore Northern Relief Road and Pinvin Cross Roads"* (Scheme No. 10). The rationale for the scheme includes - enabling access to Strategic Employment Land across three sites, accelerating the delivery of housing units on three sites, and relieving traffic around Pershore to enable growth.

Cotswolds Area of Outstanding Natural Beauty (AONB) Management Plan (2018 – 2023)

60. The Cotswolds Conservation Board has a statutory duty to prepare and review a management plan for the Cotswolds AONB at five-yearly intervals. The Board adopted the Cotswolds AONB Management Plan on 20 September 2018.

61. The Management Plan sets out the vision, outcomes, ambitions and policies to guide the management of the AONB for the period 2018-2023. The Management Plan is a key mechanism for achieving the purposes of: (i) conserving and enhancing the natural beauty of the AONB; and (ii) increasing the understanding and enjoyment of the AONB's special qualities. While having regard to these purposes, it seeks to foster the economic and social well-being of local communities within the AONB. It also seeks to foster a more consistent and coordinated approach across this administratively complex AONB in order to achieve these purposes more effectively.

62. The Management Plan contains 24 policies, which are grouped under each of the 14 themed outcomes. The key policy in relation to this application is considered to be Policy CE1: 'Landscape', Part 2) which states: *"proposals that are likely to impact on, or create change in, the landscape of the Cotswolds AONB, should have regard to the scenic quality of the location and its setting and ensure that views – including those into and out of the AONB – and visual amenity are conserved and enhanced"*.

Consultations

63. **County Councillor Liz Tucker** supports the proposal, and considers that it is essential as the new key road into Pershore, avoiding the problems of traffic along Terrace Road. In the future, it needs to continue behind Allesborough Hill unless the traffic problems at the bottom of Station Road can be resolved.

64. Councillor Tucker would like to be reassured that Wyre Road would be improved, and would be wide enough to accommodate HGVs and heavy traffic, and that footways would be completed / upgraded.

65. **Pershore Town Council** have no objections to the proposal, subject to a footway being provided along Wyre Road, and Wyre Road is upgraded to take account of the additional increase in traffic.

66. **Pinvin Parish Council** have made no comments.

67. **Wyre Piddle Parish Council** have made no comments.

68. **Bishampton and Throckmorton Parish Council (Neighbouring)** supports the proposal.

69. **Drakes Broughton and Wadborough Parish Council (Neighbouring)** have made no comments.

70. **Hill and Moor Parish Council (Neighbouring)** supports the proposal.

71. **Peopleton Parish Council (Neighbouring)** have made no comments.

72. **Wick Parish Council (Neighbouring)** have made no comments.

73. **Wyre Piddle Parish Council (Neighbouring Parish Council)** have made no comments.

74. **Wychavon District Council** have no objections to the proposal, noting that the proposal is supported by policies within the South Worcestershire Development Plan and it would improve access and connectivity to Pershore, supporting business, employment and housing growth. The District Council recommends the imposition of a condition requiring an amended planting scheme removing gorse and elder from the shrub mix.

75. The District Council also make the following detailed comments:-

Principle of the Development

76. The construction of the Pershore Northern Link Road has acknowledged importance to the District Council under the provisions of the Worcestershire Local Transport Plan and Policies SWDP 4 and SWDP 47 of the South Worcestershire Development Plan. Policy SWDP 4 Part G identifies the scheme which is part of a package of transport measures to support the growth of Pershore as one of the most significant transport schemes for the successful implementation of the South Worcestershire Development Plan. Policy SWDP 47 'Pershore Urban Extension' supports two sustainable well designed urban extensions to Pershore. These will be brought forward in accordance with the requirement to enhance the capacity of the Pinvin Road junction, and if justified, provide a new link road between Wyre Road and the A44. Land is safeguarded in the South Worcestershire Development Plan for the delivery of the link road.

Economic Impact

77. A survey of businesses on the local industrial estates, including Keytec Business Park in 2016 demonstrated that concerns about congestion and traffic safety were holding back business investment, activity and employment. There was strong support amongst businesses to see the completion of the proposed Pershore Northern Link Road. This support is shared by many local stakeholders and members of the public. The proposal would improve access and connectivity to Pershore's commercial areas helping to attract businesses to the area, supporting business and employment growth.

Landscape and Visual Impact

78. As requested by the District Council consideration has also been given to the potential visual impact from elevated land at Bredon Hill, however, due to the distance, it was agreed that daytime impacts would be negligible. It is suggested that at dusk, when the proposed 10 metres high lighting columns on top of the elevated road and bridge are illuminated, the new structure would be visible from Bredon Hill, but viewed in the context of lighting that currently exists to either end of the proposed road and adjacent industrial estates.

79. The proposal involves the construction of retaining walls in part with embankments at 1 in 2 gradients. In addition to the elevation of the road to clear the railway, there would be other features visible at a higher level including lighting columns and safety barriers in the vicinity of the railway bridge. However, these would be viewed in the context of adjacent existing and proposed industrial units at a height of approximately 7 to 10 metres for the most part. There is one domestic property to the northern end of the proposal. There is some intervening existing vegetation between the dwelling and the site and additional planting is proposed to further soften the visual impact of the proposals in views from the property. The

submitted Landscape and Visual Impact Assessment acknowledges that even in the longer term, as planting matures there would be a slight adverse visual effect from this property and also that proposed lighting may impact on this property, albeit probably filtered by existing vegetation and proposed planting.

80. The Landscape and Visual Impact Assessment outlines that all trees currently existing on site would need to be removed. Replacement planting proposed would provide a greater numbers of trees and shrubs. Proposed planting is generally agreeable and tree species generally reflect the local landscape character. However, the District Council's Landscape Officer has raised concern about the inclusion of gorse and elder in the native shrub mix. Gorse is not characteristic of this area and elder tends to be a weed and will tend to come in anyway. It is suggested that gorse is deleted from the mix and substituted with 10% blackthorn which is typical of the area, elder reduced to 5% and hawthorn increased to 35% accordingly.

Archaeology

81. The area has a low archaeological potential mainly due to modern dumping on the site. No further archaeological mitigation is, therefore, required.

82. **The Environment Agency** have no objections to the proposal, stating that the proposal is located in Flood Zone 1 (low risk of flooding). They recommend the County Planning Authority consults the Lead Local Flood Authority given the potential for impacts to the Ordinary Watercourse that transects the site and to surface water flows locally.

83. With regard to the Water Framework Directive the application site would drain to the receiving watercourse at Piddle Brook. The Piddle Brook has an overall Poor Water Framework Directive status. Under the Water Framework Directive water bodies are required to meet good or excellent status by 2015 (and in some cases by 2027). To comply with the Water Framework Directive, development should not result in a deterioration of a water body, and wherever possible development should contribute to improving water bodies in order that they reach the required 'good' status. The development should seek opportunity for local betterment.

84. With regard to ground conditions and contamination, the Environment Agency state that given there are no historic high risk previous uses on site they do not intend to make any bespoke comments and refer the County Planning Authority to their 'Land Contamination Guidance Note (West Midlands Area)'.

85. **Worcestershire Regulatory Services (Noise, Dust and Vibration)** have no objections to the proposal, subject to the imposition of conditions requiring Method Statements detailing measures to reduce, minimise and mitigate noise, dust and vibrations during the construction phase. They state that that the submitted draft Construction Environmental Management Plan (CEMP) appears satisfactory. They also consider that the proposed working hours (07:00 to 19:00 hours Mondays to Fridays and Saturday 07:00 to 13:00 hours) are acceptable, however, if the contractor intends to undertake any potentially noisy works outside of these hours then an out of hours consent application should be submitted to Worcestershire Regulatory Services for approval.

86. With regard to the operational phase noise impacts, the submitted Noise Assessment appears satisfactory. It predicts a significant adverse impact at one of the facades of Bredon View with the other three facades predicted to experience a decrease in noise levels. Noise mitigation has been considered for this dwelling, however, the assessment has concluded that *'these would not be practicable to implement in the context of sustainable development'*. Worcestershire Regulatory Services, therefore, raise no objections to the proposal in terms of operational noise impacts.

87. Worcestershire Regulatory Services (Contaminated Land and Air Quality) have no objections to the proposal. With regard to contaminated land, the officer considers that the submitted reports are acceptable. With regard to air quality the officer states that the overall risk of construction dust prior to mitigation is considered to be low risk overall. Following implementation of specific mitigation measures as identified in the Environmental Statement, no significant effects are anticipated during the construction phase.

88. With regard to Nitrogen Dioxide (NO₂) impacts during the operational phase, no exceedances are expected to occur at any of the receptors across the proposed scheme, the modelled results for NO₂ show the majority of receptors in the wider modelled area are expected to experience 'Negligible' effects from the operation of the proposed scheme with a few experiencing a 'Moderate' positive impact.

89. With regard to particulate matter (PM₁₀) impacts during the operational phase, this is expected to be 'Negligible' at all receptors, meaning that the proposed scheme would not have any significant positive or negative effects on PM₁₀ concentrations at assessed receptors. No exceedances are expected to occur at any of the receptors across the proposed scheme.

90. The County Public Health Department supports the proposal but recommends amendments to the cycle connections at both roundabouts to increase safety and ease of access between the cycle route and the road network. The cycle connections need to be such that the ease of cycle access encourages cycling as a mode of transport to the KeyTec site. They also recommended that the shared pedestrian / cycle route marked to indicate that the route is two way and takes into account safe access of young people walking to Pershore High School, safe access for buggies and prams and safe access for disabled people, who may use equipment such as wheelchairs.

91. Natural England wishes to make no comments on this application.

92. The County Ecologist has no objections to the proposal, subject to the imposition of conditions regarding a CEMP; Landscape and Ecological Management Plan (LEMP); lighting design strategy for biodiversity; reptile mitigation strategy, and biodiversity monitoring strategy.

93. The County Ecologist states that the translocation of an exceptional population of reptiles considered to be of regional importance is lamentable, however, he endorses the receptor site selection, design and long-term aftercare programme proposed. The Reptile Mitigation Strategy assumes that an exceptional population can be translocated between July and October 2019, subject to weather conditions. The County Ecologist is not entirely persuaded that this can be undertaken without

resorting to forensic destruction of habitats close-to the reptile hibernation period. For this reason he strongly recommends appropriate provision is embedded within the project timetable for continuation of translocation efforts into 2020, rather than rely on forensic destruction of this important site for reptiles in order to expedite site clearance in the run-up to winter 2019.

94. Ecological studies have highlighted the importance of continuity of plum trees, recommending that 'the inclusion of a succession of plum trees within the landscape planting design will compensate for the loss of the existing habitat resource'. Currently, there appear to be no plum trees shown on landscaping plans, and should be amended accordingly.

95. Bat and bird enhancements have been set out within the proposal and are integral to the impact assessment conclusions. However, the location of these features have not been shown as their installation has been proposed outside the red line boundary. There is currently no landholder agreement to achieve this. There is therefore insufficient certainty that the measures relied on are practical or deliverable. A possible solution could be to install bat / bird boxes on the western concrete retaining wall or the implementation of standalone structure (e.g. post-mounted).

96. **Worcestershire Wildlife Trust** have no objections to the proposal, subject to the imposition of conditions regarding a CEMP, LEMP, lighting strategy, drainage strategy and monitoring protocol, and wishes to defer to the County Ecologist for all on-site detailed ecological considerations.

97. Worcestershire Wildlife Trust are pleased to see that additional information has been sought regarding invertebrates and reptiles, which was requested by them during the pre-application scoping discussions and with that in mind Worcestershire Wildlife Trust consider that the County Planning Authority have sufficient ecological information to determine the application.

98. **The County Landscape Officer** has no objections to the proposal, subject to the imposition of conditions requiring a long-term planting maintenance plan, replacement of any trees which fail within the first 5 years of the scheme, and revised landscaping scheme to include replacement of the bird cherry with plum trees, as recommended by the County Ecologist, subject to the plum trees being located away from any areas of highway or footway and the SuDS pond.

99. The County Landscape Officer states that the proposal falls within an already developed area, in an existing trading estate and is, therefore, already subject to major human influences which have heavily influenced the landscape immediately adjacent to the proposal. The site for the development of the road is currently in variable condition, colonised with willow scrub and not entirely visually attractive. Notwithstanding the above, there are also notable views both into the site and from the site, across the open countryside towards Bredon Hill, which is itself designated as part of the Cotswolds AONB and a National Nature Reserve. From the visual assessment it is clear that the greatest visual impact would be from the lighting columns currently proposed for the new road, and the resulting increase in light pollution in the night time. There seems to be an acceptance of this because of this being within a currently developed area. However, whilst lighting of the road may be necessary for safety reasons proposals should review options to reduce light spill

outside of the road itself, and particularly with regard to the residential property Bredon View. Lighting columns should also be sighted to reduce interruption of the long views, and their positions reviewed in relation to the proposed tree planting to allow for screen of the columns to external view through the use of tree planting.

100. **The Cotswolds Area of Outstanding Natural Beauty (AONB) Conservation Board** have made no comments.

101. **Network Rail** have no objections to the proposal, stating that they are satisfied that a solution in the form of a temporary closure of the Public Rights of Way can be achieved in order to manage the impacts of the proposed development during construction. They request that the applicant pursues a temporary traffic regulation order to achieve this.

102. Separate to this application, Network Rail would welcome the opportunity to continue to work with the County Council with the view to providing betterment to the rail and Public Rights of Way networks, to consider the possibility / merits of seeking closure of the level crossing and the permanent diversion of the Public Rights of Way.

103. **Highways England** have no objections to the proposal, stating that as the proposed link road aims to connect two local road junctions and is located approximately 9 kilometres to the west of the A46, which is the nearest section of the Strategic Road Network, it is unlikely the proposal would have any material impact on the Strategic Road Network.

104. **The County Highways Officer** has no objections to the proposal, stating that the proposal is considered to be beneficial to the local highway network and there are no justifiable reasons to oppose this application on highway grounds.

105. The County Highways Officer states that this scheme is listed in the Local Transport Plan. The proposal does not generate new traffic in its own right, but would result in the reassignment of trips; additionally this proposal needs to be read alongside the consented Pinvin signals junction improvement. The County Highways Officer considers that the proposal would give route choice resulting in a more resilient highways network, and it would provide a more direct access to the Keytech Business Park which would allow HGV's to avoid established residential areas.

106. The County Highways Officer also notes that the proposal also provide for a 3 metre wide shared cycleway / footway, providing opportunities for those who wish to walk / cycle to and from Pinvin, it also ensures that infrastructure is provided to address future demands should they be forthcoming without the need for significant redesign. The County Highways Officer has confirmed that developer contributions are being sought from nearby residential developments to provide an active travel corridor along Wyre Road which would connect to this proposal.

107. **The County Footpath Officer** has no objections to the proposal, and considers that the proposal would have no detrimental effect on the Public Rights of Way, subject to the applicant adhering to their obligations to the Public Rights of Way. The Officer notes that Footpath PS-565 runs through the application site, and is pleased to see that the applicant has considered the impact of the proposal on the Public Rights of Way.

108. **The Ramblers Association** have no objections, stating that they are satisfied that this application make adequate provision for Footpaths PS-565 and WP-508.

109. **The Open Space Society** have made no comments.

110. **The Campaign to Protect Rural England (CPRE)** have no objections to the proposal.

111. **Historic England** have no objections to the proposal on heritage grounds. The proposed works would not result in any harm to the nearby Wyre Bridge Scheduled Monument and has the potential to have a beneficial effect upon this Scheduled Monument due to reduced traffic crossing it. Historic England recommends that the County Planning Authority consult the District Archaeologist on the proposal.

112. **Ancient Monuments Society** have made no comments.

113. **The District Archaeologist** has no objections to the proposal.

114. **The County Archaeologist** has no objections to the proposal, stating that no mitigation measures are required due to the area being largely made ground with negative results from the limited archaeological evaluation undertaken.

115. **The Lead Local Flood Authority** have no objections to the proposal, subject to the imposition of conditions requiring detailed drainage scheme drawings and Sustainable Drainage System (SuDS) management plan. The Lead Local Flood Authority considers the scheme for surface water drainage as set out in the submitted drainage strategy is acceptable in principle.

116. **South Worcestershire Land Drainage Partnership** have made no comments.

117. **Severn Trent Water Limited** have no objections to the proposal but notes that they have apparatus within the application site; therefore, the applicant should contact them to assess the need for any diversion of their apparatus.

118. **Western Power Distribution** comments that their apparatus is located within and adjacent to the application site (electricity); the use of mechanical excavators in the vicinity of their apparatus should be kept to a minimum. Any excavations in the vicinity of their apparatus should be carried out in accordance with the document titled: 'Health & Safety Executive Guidance HS(G)47, Avoiding Danger from Underground Services'. The applicant should contact Western Power Distribution should any diversions be required.

119. **Wales and West Utilities (in their role as a Licensed Gas Transporter)** comment that their apparatus is located adjacent to the application site, running along the highways of Abbey View Road, Ascot Road and Wyre Road. Safe digging practices, in accordance with 'HS(G)47, Avoiding Danger from Underground Services' must be used to verify and establish the actual position of mains, pipes, services and other apparatus on site before any mechanical plant is used. The applicant should contact Wales and West Utilities prior to works commencing to discuss their requirements.

120. **Hereford & Worcester Fire and Rescue Service** have made no comments.

121. **West Mercia Police** have no objections to the proposal.

Other Representations

122. Prior to the submission of the planning application, the applicant undertook public consultation on the proposal and the Pinvin Junction Highway Improvements Scheme (County Planning Authority Ref: 18/000060/REG3, Minute No. 1015 refers) between November and December 2017 lasting 8 weeks. Four staffed public information exhibitions events took place between 9 November and 29 November 2017, which were held in Pershore High School, Pershore Co-op and Pershore Town Hall. One unstaffed exhibition was displayed at Pershore Library from 13 November to 24 December 2017. Posters were distributed in key locations in the area to promote the exhibitions in advance of them taking place. Two press releases were issued during November 2017 to promote the engagement exercise and exhibitions. Emails were distributed to key stakeholders (which included Wychavon District Council, Pershore High School, Worcestershire County Association of Local Councils) signposting them to the dedicated scheme consultation webpage. In total 13 responses were received from a Town and Parish Councillors, local business, and members of the public on topics covering: design of footpaths, filter lanes and traffic flow; speed limits and deterrents; walking and cycling infrastructure provision; Terrace Road; configuration and design of the Pinvin crossroad; pedestrian crossings; Mill Lane egress; environmental impacts; and signage and routing of traffic. The applicant states that overall there was support for the proposal.

123. The application has been advertised in the press, on site and by neighbour notification. To date 5 letters supporting the proposal have been received. These letters of representation are available in the Members' Support Unit. Their main comments are summarised below:

General

- The proposal is much needed improvement to the road network for both businesses and residents of Pershore.
- The residents of Wyre Piddle and Pinvin have waited over 17 years for this proposal.

Traffic and Highway Safety

- This is a logical solution to Wyre Hill (B4083) being the preferred HGV route. Whilst the rest of Wyre Piddle benefited from the bypass, the residents and businesses of Wyre Hill did not.
- Considers the link road part of the scheme is ideal, but queries if access to the footpath to Pershore Railway Station could be incorporated into the design, or provision for it as part of the agreement for the release of the land for development of the remaining plots. In attempting to encourage use of public transport, good access from the site to the Railway Station is required.
- The A4104 should have double yellow lines to stop the constant parking on it which makes this heavily used road into an almost permanent single-alternate direction traffic bottleneck.

Development Management Team Manager's Comments

Principle of the Development

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

125. As stated at paragraph reference ID: 21b-006-20140306 of the Government's PPG, *"the NPPF stresses the importance of having a planning system that is genuinely plan-led. Where a proposal accords with an up-to-date development plan it should be approved without delay, as required by the presumption in favour of sustainable development at paragraph 10 of the NPPF"*.

126. The reason why the Development Plan is at the heart of the planning system is because it is the forum where the need for new development is identified, and also where it would be inappropriate. The plan would have been through public consultation and would have been subject of independent examination. The Development Plan relevant to this proposal consists of the South Worcestershire Development Plan.

127. As shown on the South Worcestershire Development Plan Proposals Map, the route of the Pershore Northern Link Road is safeguarded for transport infrastructure under Policy SWDP 4 of the South Worcestershire Development Plan. Policy SWDP 4, Part G) identifies the transport schemes that are the most significant for the successful implementation of the South Worcestershire Development Plan, which includes: Urban transport packages for the town of Pershore. The Reasoned Justification to this policy states that *"there are a number of important inter-urban routes where peak period congestion is experienced, resulting in journey time unreliability and delay"*, this includes the Evesham – Pershore – Worcester (A44). The Reasoned Justification goes on to states that *"investment in highways and rail infrastructure and services is required if these routes are to be capable of supporting economic growth"*.

128. Policy SWDP 47: 'Pershore Urban Extension' of the South Worcestershire Development Plan states that *"within the areas identified on the Policies Map, two sustainable, well-designed urban extensions are proposed. These sites will come forward in accordance with the requirements in A & B"*. Part A: 'SWDP47/1 Land to the North of Pershore (37.4ha)' states *"on three parcels of land to the west of Station Road, south of Wyre Road and north of the junction of Station Road and Wyre Road, the delivery of approximately 695 new homes to include capacity enhancement of the Pinvin Road junction and, if justified, a new link road between Wyre Road and the A44"*.

129. The Reasoned Justification for this policy states that *"in directing development to the north of the town it is important that infrastructure improvements are secured"*.

These include improvements to the Pinvin crossroads junction and other locations on the A44 (a key link between Pershore and both the M5 and A46 Trunk Road). The provision of the Northern Link Road from the A44 / Wyre Piddle bypass roundabout to Keytec 7 Business Park has strong local support and may also be delivered".

130. The Reasoned Justification in Policy SWDP 46: 'Pershore' of the South Worcestershire Development Plan also identifies a need for infrastructure improvements at Pinvin crossroads, public transport enhancements and local support for the link road between Wyre Road and the A44 bypass (Pershore Northern Link Road).

131. Wychavon District Council supports the proposal and states that the proposed Pershore Northern Link Road is one of the most significant transport schemes for the successful implementation of the South Worcestershire Development Plan.

132. In view of the policy support for this proposal, the Development Management Team Manager considers that the need for and the principle of the scheme has been established.

Alternatives

133. Schedule 4 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 outlines the information for inclusion within Environmental Statements. Paragraph 2 states *"a description of the reasonable alternatives (for example in terms of development design, technology, location, size and scale) studied by the developer, which are relevant to the proposed project and its specific characteristics, and an indication of the main reasons for selecting the chosen option, including a comparison of the environmental effects"*.

134. The Government's PPG states that *"the 2017 Regulations do not require an applicant to consider alternatives. However, where alternatives have been considered, paragraph 2 of Schedule 4 requires the applicant to include in their Environmental Statement a description of the reasonable alternatives studied...and an indication of the main reasons for selecting the chosen option, including a comparison of the environmental effects"* (Paragraph Reference ID: 4-041-20170728).

135. The applicant has confirmed that option development has been undertaken throughout the design process. Jacobs originally produced a Feasibility Report in 2013 that examined two alternative alignments. Both options provided a single carriageway north-south link connecting the A44 to the B4083 via existing or partly formed roundabout arms at each end. The alternative options featured consistent cross-section and similar vertical alignments, however, the horizontal alignments were varied resulting in differing structural features, in particular differing use of embankments and retaining walls.

136. A series of bridge options was also developed, and these included a precast concrete arch option and two integral bridge options, one using precast concrete and the other using a weathering steel.

137. The design of the link road was further reviewed as part of the Preliminary Options Report, which carried out a quantitative scoring system to assess the

different options against key criteria, including environmental impact, deliverability, and highway operation. It considered that the difference between options was negligible in terms of environmental impact and the costs would be similar. The key determinant was deliverability issues associated with an option that required a new culvert beneath the existing railway line which would require a Network Rail license (to take possession of the railway line) and associated potential lead in times of approximately 18 months. Also associated with this option, was the requirement for additional land acquisition, which may ultimately require a Compulsory Purchase Order (CPO).

138. Public consultation was then undertaken on the identified scheme. Since the public consultation the applicant considered the engineering delivery of the scheme and further developed the proposal, resulting in this application.

139. A Bridge Options Report was also conducted which examined a number of bridge designs constructed from reinforced and pre-stressed concrete. Bridge options in steel were discounted as they generally required more maintenance and frequent inspection, which was identified as being difficult and potentially more disruptive considering the structure spans over a live railway line. The bridge structure comprising precast Y beams, an in situ cast slab and piled foundations was identified as the most viable option.

140. In view of the above, the Development Management Team Manager considers that the applicant's approach to the consideration of alternatives is acceptable in this instance.

Traffic, Highway Safety and Public Rights of Way

141. Section 9 of the NPPF promotes sustainable transport, stating at paragraph 102 that *"transport issues should be considered from the earliest stages of plan-making and development proposals, so that:*

- a) the potential impacts of development on transport networks can be addressed;*
- b) opportunities from existing or proposed transport infrastructure, and changing transport technology and usage, are realised – for example in relation to the scale, location or density of development that can be accommodated;*
- c) opportunities to promote walking, cycling and public transport use are identified and pursued;*
- d) the environmental impacts of traffic and transport infrastructure can be identified, assessed and taken into account – including appropriate opportunities for avoiding and mitigating any adverse effects, and for net environmental gains; and*
- e) patterns of movement, streets, parking and other transport considerations are integral to the design of schemes and contribute to making high quality places".*

142. Paragraph 103 of the NPPF recognises that the opportunities to maximise sustainable transport solutions will vary from urban to rural areas and paragraph 109 of the NPPF states *"development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe".*

143. The applicant states that the proposal has been designed to alleviate existing congestion problems on the A44 and accommodate the impact of future planned traffic.

144. The application was accompanied by an Environmental Statement, which contained a 'Transport Movement and Access' Chapter and a supporting Transport Assessment. This assessed the impacts to the junctions of Abbey View Road roundabout, Wyre Road / Ascot Road roundabout, Pinvin junction and Station Road / Wyre Road junction. The assessment states that Pinvin junction is currently operating over capacity, with long queues and delays. The other three junctions are currently operating within capacity. The assessment demonstrates that with the proposed development in operation and the modified Pinvin junction, the impact to these junctions would be that all four junctions would operate within operational capacity.

145. The assessment states that the proposal is not expected to generate trips, however, the additional capacity the proposal would provide, makes it a more attractive route compared to other busier alternatives. The Environmental Statement forecasts that by 2031 with the proposal, there would be an increase of approximately 2,503 (AM peak) and 1,662 (PM peak) trips over these four junctions because there would be a re-assignment of trips to this route from elsewhere on the highway network. The wider area net trip impact would be zero, and the scheme would not only benefit the local area, but the wider highway network by taking trips from other congested routes / junctions.

146. The proposal is in close proximity to good public transport links and would improve pedestrian and cyclist connectivity to the area by providing a new 3 metre wide shared footway / cycleway on the western side of the proposed link road, therefore, providing an enhanced level of pedestrian and cyclist route choices north-south over the railway line. The link road would also provide an alternative route, and increased choice for walking / cycling to / through the area and create opportunity for sustainable mode of access to penetrate Keytec 7 Business Park and Keytec East Business Park.

147. The Environmental Statement also considered the impact of construction traffic, stating that the contractor estimates that approximately 4,815 construction vehicle arrivals would take place over a 12-month construction period. This equates to an average 39 vehicle movements per day. To minimise the impact of this to local communities it is intended to route construction traffic via the A44 and other A roads, which are designed to accommodate HGVs, thus avoiding residential areas. Furthermore, construction traffic would take place on weekdays, with most trips, particularly HGV trips, occurring outside peak hours (between 09:00 hours and 17:00 hours). At peak construction times, it is assumed that there could also be up to 50 to 70 workers operating on the site. The Environmental Statement assumes that construction workers car share with 2 workers per car, therefore, potentially there would be another 25 to 35 smaller vehicles arriving per day to the site. The Environmental Statement concludes that the impact to local communities and the local environment is likely to be minor.

148. Overall, the Environmental Statement concludes that the proposal would provide additional resilience to the highway network, by increasing the available highway capacity and improves traffic flow on the A44, a key corridor from Worcester to Evesham and the M5 Motorway. The proposal would also enhance pedestrian and cycle connectivity and reduce pedestrian and vehicular conflicts and severance over the railway line.

149. The County Highways Officer has been consulted and has raised no objections to the proposal, stating that the proposal is considered to be beneficial to the local highway network and there are no justifiable reasons to oppose this application on highway grounds. Highways England have also raised no objections to the proposal, stating it is unlikely the proposal would have any material impact on the Strategic Road Network.

150. Pershore Town Council have raised no objections to the proposal, subject to a footway being provided along Wyre Road, and Wyre Road is upgraded to take account of the additional increase in traffic. County Councillor Tucker also requests Wyre Road is upgraded. In response to the Town Council's and Councillor Tucker's comments, the applicant states that a separate scheme to look at possible additional work on Wyre Road is currently being commissioned by Worcestershire County Council and decisions on the scope of work will be communicated in due course. It is noted that the County Highways Officer has confirmed that developer contributions are being sought from nearby residential developments to provide an active travel corridor along Wyre Road which would connect to this proposal.

151. A letter of representation queries if access to the footpath to Pershore Railway Station could be incorporated into the design of the proposal. The applicant states that the link road would have footway provision along its entirety and they are looking at connecting in with the Public Rights of Way running alongside the railway line in conjunction with Network Rail.

152. A letter of representation has also been received commenting that the A4104 should have double yellow lines to stop the constant parking on it. The applicant states that the scheme is not making provision to introduce Traffic Regulation Orders to prevent parking along Terrace Road (A4104), as there is no suitable off street parking for local residents, and the construction of the link road would direct traffic away from Terrace Road.

153. The Public Right of Way of Footpath PS-565 crosses the application site, and adjoins Footpath WP-508. The applicant proposes to close these two Public Rights of Way for health and safety reasons throughout the duration of the construction works and reopen them on completion of the development.

154. The County Footpath Officer has been consulted and has raised no objections to the proposal, and considers that the proposal would have no detrimental effect on the Public Rights of Way, subject to the applicant adhering to their obligations to the Public Rights of Way. The Ramblers Association have raised no objections to the proposal, and Open Space Society have made no comments.

155. In view of the above matters, the Development Management Team Manager is satisfied that the proposal would not have an unacceptable impact upon Public Rights of Way, traffic or highway safety, subject to the imposition of an appropriate condition requiring a CEMP for highways, in accordance with Policy SWDP 4 of the South Worcestershire Development Plan.

Landscape Character and Visual Impact

156. The application was accompanied by an Environmental Statement, which contained a 'Landscape and Visual Impact Assessment' Chapter. The application

site is considered to be of low landscape value due to there being no landscape designations afforded to it. The application site is almost entirely surrounded by a long established trading estate consisting of commercial and light industrial premises spreading to both sides of the railway and proposed link road. The extent of the commercial built form is increasing with adjacent plots already laid out waiting to be developed and other sites currently under construction. The commercial buildings typically have a large footprint (warehouse in style), and measure approximately 7 to 10 metres high with shallow pitched roofs. The human influence on the landscape is, therefore, dominant and includes the movement of vehicles on the A44 and Wyre Road and the movement of trains passing through at regular intervals.

157. There are no Tree Preservation Orders (TPOs) covering trees within the application site. The Tree Survey has identified no high value trees within the site. All trees within the site would require removal to facilitate construction of the proposed scheme. The application includes a landscaping scheme that would provide a greater numbers of trees and shrubs than the existing situation.

158. With regard to construction impacts upon landscape character, the Environmental Statement considers that overall, the magnitude of effects would be minor adverse. With a low landscape value and the ability to accept such change the significance of this effect is considered to be negligible adverse. However, these effects would be mostly temporary and short-term, with limited disturbance to the surrounding rural landscape due to the presence of construction vehicles. Whilst the area is not considered to be tranquil, the construction of the proposed scheme would further erode any sense of tranquillity with the addition of the construction machinery and associated movement of noise disturbance within the site.

159. With regards to construction visual impacts, the Environmental Statement considers there would be adverse effects on views from receptors experiencing the views from short distance, and it would not be possible to entirely mitigate these temporary construction visual effects. The effects have been assessed as being moderately adverse with the exception of the dwelling of Bredon View. The effects on views from the wider garden of Bredon View would be substantially adverse. This is due to being adjacent to the site and having open views of the elevated proposals. Views from this property would include construction vehicles and heavy plant including cranes. Retained, existing planting along the western boundary of the property and alongside the rail line would partially limit views to the southern extents of the site. Views experienced by receptors within the dwelling during construction are likely to be contained by the garden vegetation with potentially just a glimpse of construction activity, resulting in a significance of negligible adverse effect.

160. With regard to operational impacts upon landscape character, the Environmental Statement considers that overall, the magnitude of impacts would be negligible adverse. With the landscape having a low sensitivity to this type of change, the significance of this would be neutral.

161. With regard to operational visual impacts, the Environmental Statement considers that views would be limited to the presence of additional highway lighting and the introduction of vehicles using the road. The effects of change during operation would be slight adverse with the exception of views from the wider garden of Bredon View, which would be moderately adverse. Views from the wider garden

of Bredon View would be of the new embankment on the eastern side of the road with groups of native shrub planting and individual native trees. Vehicles using the road, the bridge structure and associated retaining walls would be visible above the vegetation bounding the wider garden. The vegetated embankment would likely obscure or partially obscure the large buff coloured building located in the business park which is a positive change. The lighting of the scheme when compared to the baseline would have some limited negative effects extending visibility of the site into the hours of darkness, albeit views from the property would likely be filtered by intervening garden vegetation, and this impact should be considered within the context of the existing flood lit council depot. After 15 years vegetation and tree planting would have become established resulting in a slight adverse level of effect. The proposal is not likely to be visible from within the dwelling of Bredon View and the associated mitigation planting would be an indiscernible change to the current baseline situation.

162. The applicant states in relation to the design and mitigation measures to minimise impacts upon Bredon View, that the profile of the proposals has considered the balance between the amounts of embankment versus retaining walls. With seeded embankments being proposed as much as possible. Native tree and shrub planting are proposed on the embankments as well as native wildflower grass mixes.

163. With regard to impacts upon views from the Cotswolds AONB, which is located approximately 4 kilometres south of the proposal, the Environmental Statement concludes that changes to the views from Bredon Hill would be barely perceptible and the significance of this is likely to be minimal based on the scale and distance of the panoramic views that are afforded from the hillside, therefore, the proposal is not likely to impact upon people's enjoyment of the AONB.

164. The County Landscape Officer has been consulted and has raised no objections to the proposal, subject to the imposition of conditions requiring a long-term planting maintenance plan, replacement of any trees which fail within the first 5 years of the scheme, and revised landscaping scheme to include replacement of the bird cherry with plum trees, as recommended by the County Ecologist, subject to the plum trees being located away from any areas of highway or footway and the SuDs pond. The Cotswolds AONB Conservation Board have made no comments.

165. Wychavon District Council have no objections, subject to the imposition of a condition requiring an amended planting scheme removing gorse and elder from the shrub mix. They consider that the daytime impacts upon the Cotswolds AONB would be negligible. At dusk, when the proposed 10 metres high lighting columns on top of the elevated road and bridge are illuminated, the new structure would be visible from Bredon Hill, but the proposal would be viewed in the context of lighting that currently exists to either end of the proposed road and adjacent industrial estates. The District Council consider that the proposal would be viewed in the context of adjacent existing and proposed industrial units.

166. The Development Management Team Manager recommends the imposition of conditions requiring a CEMP, planting / landscaping scheme and maintenance plan, lighting scheme; and detailed design of the bridge over the railway should planning permission be granted.

167. In view of the above matters, the Development Management Team Manager considers that, subject to the imposition of an appropriate conditions, the proposal would not have an unacceptable adverse or detrimental impact upon the character and appearance of the local area, including views to and from the Cotswolds AONB, in accordance with Policies SWDP 21 and SWDP 25 of the adopted South Worcestershire Development Plan.

Residential Amenity (Air Quality Dust, Noise and Vibrations Impacts)

168. The nearest residential property to the proposal is that of Bredon View located immediately to the east of the application site, and is accessed off Abbey View Road (B4083). The dwellings of the Park and Sunnymead are located further along Abbey View Road (AB4083), located about 280 metres and 360 metres east of the proposal, respectively. Further residential properties are located along Abbey View Road (A44), located approximately 160 metres north-west of the proposal.

169. The Environmental Statement contains an 'Air Quality' Chapter which assesses the potential air quality impacts of the proposal. The application site is not located within an Air Quality Management Areas (AQMAs), the closest of which is Worcester City Council AQMA, which is located approximately 10 kilometres north-west of the proposal, and is not expected to be affected by construction or operational activities.

170. Overall, the Environmental Statement found that the proposal would not have an adverse impact upon air quality and would have a positive impact in Pershore by reducing Nitrogen Dioxide (NO₂) concentrations by up to 33% and reducing Particulate Matter (PM₁₀) concentrations by 7%.

171. In order to mitigate against air quality impacts during the construction of the proposal, the Environmental Statement recommends the adoption of best practice measures, including the implementation of a CEMP.

172. With regard to vibration impacts, the Environmental Statement states that during construction there is the potential for vibration to arise from the rolling and compaction activities and piling to build the foundations of the proposed bridge. However, since the closest sensitive receptor would be located approximately 70 metres from the physical works, vibration levels are unlikely to be significant or noticeable. Furthermore, the applicant is proposing Continuous Flight Auger piling (commonly known as a rotatory bore piling), which is considered unlikely to give rise to adverse levels of vibration. The Environmental Statement considers that there would not be any adverse vibration impacts during the operation of the proposal.

173. With regard to noise impacts, the Environmental Statement states that most of the construction activities would exceed the relevant day noise threshold at the closest receptor at Bredon View. For the remaining receptors further away from the activities, only a few of the construction phases would exceed the relevant day noise threshold. The works associated with the deck construction of the bridge are proposed during the night time, and the assessment estimates the noise levels associated with this activity are expected to exceed the relevant night time noise threshold at all the receptors within 300 metres from these activities (Bredon View and the dwellings on A44 to the north-west of the scheme). However, noise impacts from construction works would be temporary and would be controlled by standard mitigation measures, in particular the implementation of a CEMP. In addition, the

applicant is proposing to inform local residents, community and landowners in advance of any works taking place. It is anticipated that through implementation of the proposed mitigation measures the predicted impacts would be minimised and / or mitigated, substantially minimising the likelihood of complaints and disruption to local residents.

174. The assessment of operational noise road traffic, predicts that without the scheme all dwellings within the study area would experience negligible noise increases in the daytime, and 61 dwellings would experience negligible night time noise increases.

175. The assessment predicts that with the scheme, the proposal would result in moderate, minor and negligible adverse impacts. Upon opening of the scheme, in the short-term the assessment predicts that about 60% of dwellings within the study area would experience a daytime noise increase, with the majority experiencing a negligible noise change. The assessment also predicts that about 35% of the dwellings would experience daytime noise decreases, with the majority experiencing a negligible noise change. In the long-term with the scheme, the assessment predicates that approximately 70% of the dwellings would experience a negligible daytime noise increase. The assessment also predicts that about 25% of the dwellings would experience daytime noise decreases, with the majority experiences a negligible noise change. These minor and negligible impacts are not considered to result in a significant residual effect.

176. A moderate impact is identified at the nearest residential property of Bredon View. The Environmental Statement assessed the impacts upon the most impacted façade which faces the scheme (south-west façade). However, the absolute noise levels at this façade have been predicted to be below the relevant daytime and night time noise thresholds. Furthermore, the assessment identified that three out of the four façades of the dwelling would experience a noise reduction of up to -4.9 dBA in the short-term and -4.6 dBA in the long-term. This includes the façade which is currently exposed to the highest noise level (north-east façade). The noise decreases occur as a result of the traffic redistribution where less traffic would be using the B4083. In view of this, the assessment concludes that the noise increases at Bredon View is not considered to represent a significant effect. Notwithstanding the fact that three sides of Bredon View are predicted to experience a decrease in noise levels, mitigation has been examined.

177. The Environmental Statement states that the predicted operational traffic speed on the Northern Link Road at the closest point to Bredon View is 60 km/h (37 mph). At this speed a low noise surface is not an effective noise mitigation measure. Therefore, mitigation has been considered in the form of a noise barrier on top of the embankment to the east of the proposal, to the north of the railway line. The moderate noise increase is predicted on the south-west façade of Bredon View, which faces the entire section of the new proposed road. A section of barrier to the north of the railway line would only provide about 1 dBA noise reduction. In order to achieve a greater noise reduction, the only option would be to extend the noise barrier on the bridge structure and to the south of the railway line. Due to engineering constraints this is considered to be impractical. Also mitigation of this form for a single dwelling is not considered worthwhile when viewed in the context of sustainable development. For these reasons, the Environmental Statement ruled out mitigation measures for this property.

178. It is noted that there are no dwellings identified to meet the criteria to be eligible under the Noise Insulation Regulations.

179. Worcestershire Regulatory Services have been consulted in respect of noise, dust, vibration and air quality impacts and raise no objections to the proposal, subject to the imposition of conditions requiring Method Statements detailing measures to reduce, minimise and mitigate noise, dust and vibrations during the construction phase. With regard to the operational phase noise impacts, they state that the submitted Noise Assessment appears satisfactory.

180. With regard to impacts to Population and Human Health, the Environmental Statement concludes that there would be an impact upon Public Rights of Way of Footpath PS-565 and WP-508 due to the closure of these routes to safely facilitate the construction of the proposed scheme. During the operation of the scheme these Public Rights of Way would be reinstated and there would be no long-term adverse impact. There would be a slight adverse impact on local residents and community facilities due to construction traffic, but this would be short-term and with traffic management in place the impact of this would be further reduced.

181. The application was accompanied by a Health Impact Assessment, which concludes that overall the proposed scheme is likely to have a long-term moderate positive impact on health and wellbeing. The greatest positive impact includes increased connectivity and access to employment and other community facilities within the town centre and other areas.

182. The County Public Health Department supports the proposal, but recommends amendments to the cycle connections at both roundabouts to increase safety and ease of access between the cycle route and the road network.

183. In response to the County Public Health Department, the applicant has confirmed that a separate scheme to look at possible additional work on Wyre Road is currently being commissioned by Worcestershire County Council and decisions on the scope of work will be communicated in due course.

184. In view of the above matters, the Development Management Team Manager considers that, on balance, subject to the imposition of appropriate conditions, the proposal would not have an unacceptable adverse or detrimental impact upon residential amenity, in terms of air quality and noise impacts or that of human health.

Water Environment

185. The proposed development is within the Flood Zone 1 (low probability of flooding), as identified on the Environment Agency's Indicative Flood Risk Map. The Government's PPG identifies that all uses of land are appropriate within this zone. As the application site measures approximately 2.37 hectares in area, a Flood Risk Assessment is required to accompany the application, in accordance with Paragraph 163 and Footnote 50 of the NPPF.

186. The Government's PPG at Paragraph Reference ID: 7-033-20140306 states that it should not normally be necessary to apply the Sequential Test to development proposals in Flood Zone 1 (land with a low probability of flooding from rivers or the sea). The PPG at "Table 3: Flood risk vulnerability and flood zone

'compatibility'" indicates that 'Essential Infrastructure', such as this is considered acceptable in Flood Zone 1, without requiring the 'Exception Test'.

187. An existing minor watercourse (ditch) runs north to south on the eastern side of the application site. Piddle Brook watercourse is located approximately 280 metres to the south-east of the proposal, into which the site discharges via the adjacent watercourse. Piddle Brook's confluence with the River Avon is located about 725 metres south-east of the proposal.

188. The submitted Flood Risk Assessment states the proposed development has less than 1 in 1,000 annual probability of flooding from rivers and sea (very low). The Environment Agency's Flood Risk Map for Surface Water shows that there is a low to medium risk of flooding from surface water to the north of the railway line; however, this is constrained to the route of the existing minor watercourse only.

189. The Flood Risk Assessment states that all surface water highway drainage runoff would be attenuated to the equivalent greenfield runoff accommodating up to the 1 in 100-year storm plus 40% climate change events.

190. The catchment areas for the proposed scheme have two distinct areas, north and south of the railway line; therefore, separate attenuation facilities are proposed north and south of the railway. Balancing of the additional road areas north of the railway would be undertaken by making use of the existing Wyre Piddle bypass balancing pond (which currently serves the adjacent roundabout). This existing pond would be increased in volume, either by increasing the height of the bund or by deepening the base (or a combination of these).

191. The south of railway bridge road areas would be attenuated in a new pond (or extended ditch) prior to discharge to the existing watercourse ditch. The proposed new balancing pond would be located immediately north of the spur road to the adjacent Keytec East Business Park. The existing watercourse ditch south of the railway would also need to be diverted east slightly (offset about 10 metres from the existing ditch) due to the new road embankment footprint.

192. Some additional road areas nearest to the Wyre Road roundabout, are downstream of the proposed new pond (or extended ditch), as a result not all of this area can be attenuated via the proposed pond. These areas are proposed to be connected to the existing drainage system discharging to the existing ditch to the east of Wyre Road roundabout (downstream of the proposed scheme). To compensate for this, the applicant is proposing the use of over-sized pipes to ensure adequate capacity. The Environmental Statement concludes that the operational impact upon flooding and drainage would be negligible, resulting in a neutral effect.

193. The existing un-named drain south of the railway would be diverted eastwards due to the proposed new road embankment footprint. The Environmental Statement concludes that the construction and operational impacts upon hydromorphology due to the re-alignment of the un-named drain would be negligible, resulting in a neutral effect, due to the existing ditch being relatively devoid of any features, linear channel with little flow for the majority of the time.

194. The Piddle waterbody at the point where the waterbody would receive discharges from the un-named drain within the Northern Link Road site is

considered to be of 'Poor' status, due to diffuse pollution from agriculture (affecting fish and phosphates), point source pollution from sewage discharge (affecting phosphate) and physical modifications which affect fish.

195. The Environmental Statement states that during construction, impacts may arise from the release of sediment or the use of polluting materials entering the adjacent ditch. To mitigate these short-term construction impacts, the applicant is proposing a CEMP, Emergency Pollution Response Plan, Surface Water Management Plan, Method Statement for activities taking place near to, in or over water, and the implementation of best practice measures relating to the water environment, based upon the guidance contained in the Environment Agency's Pollution Prevention Guidelines (now withdrawn, but still relevant). Subject to the implementation of these mitigation measures and best construction practices, it is considered there would be a neutral effect upon the water environment during construction.

196. During operation, routine runoff from roads and accidental spillages can impact upon water quality. With the implementation of the proposed drainage scheme, the Environmental Statement concludes that the impacts are anticipated to be negligible and the effect neutral upon the water environment. The impact upon groundwater quality and quantity is also considered to be negligible, resulting in a neutral effect.

197. Overall, the Environmental Statement concludes that subject to the implementation of the recommended mitigation measures the proposal would have no significant residual effects upon the water environment.

198. The Environment Agency have raised no objections to the proposal, recommending that the County Planning Authority consults the Lead Local Flood Authority. The Environment Agency also comments that with regard to the Water Framework Directive, development should not result in a deterioration of a water body, and wherever possible development should contribute to improving water bodies in order that they reach the required 'good' status. The development should seek opportunity for local betterment. The applicant has confirmed that the proposal would not cause deterioration to Piddle Brook. Mitigation for attenuation of flows has been included within the design of the proposal, which would provide a water quality mitigation function, thus reducing the impact of runoff from impermeable areas, particularly through the settlement of any sediment bound pollutants. Whilst not contributing directly to the betterment of Piddle Brook, this mitigation would provide an additional water feature in the environment of potentially good quality which would indirectly benefit the wider catchment.

199. The Lead Local Flood Authority have been consulted and have raised no objections to the proposal, subject to the imposition of appropriate conditions requiring detailed drainage scheme drawings and SuDS. Severn Trent Water Limited also raises no objections and South Worcestershire Land Drainage Partnership have made no comments.

200. The Development Management Team Manager considers that there would be no adverse effects on the water environment, subject to the imposition of appropriate conditions regarding mitigation measures to protect the water environment during the construction phase and as recommended by the Lead Local Flood Authority.

Ecology and Biodiversity

201. Section 15 of the NPPF, paragraph 170 states that *"planning policies and decisions should contribute to and enhance the natural and local environment"*, by a number of measures including *"protecting and enhancing...sites of biodiversity...(in a manner commensurate with their statutory status or identified quality in the development plan); minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures"*.

202. Paragraph 175 of the NPPF states that when determining planning applications, local planning authorities should apply four principles (a. to d.), this includes: *"if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused"*; and *"development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity"*.

203. The nearest Site of Special Scientific Interest (SSSI) is that of Tiddesley Wood SSSI located approximately 2.8 kilometres south-west of the proposal. There are a number of non-statutory wildlife designated sites within 1 kilometre of the site. The Piddle and Whitsun Brook LWS is located approximately 280 metres east of the application site. The River Avon LWS is situated about 725 metres south-east of the proposal and the Bow, Shell, Swan and Seeley Brooks LWS is located about 815 metres west of the proposal.

204. The accompanying Environmental Statement addressed ecology and nature conservation and as part of the application, a range of ecological surveys were undertaken. The application site was found to have a negligible value for amphibians (smooth newt), roosting bats and hedgehogs. A low value (local importance) for commuting bats, birds, and invertebrates, and a medium value (County importance) for reptiles. The Environmental Statement states that the site contains an 'exceptional' population of slow worms, and 'low' populations of common lizard and grass snake. No Badger setts were found, but there is potential for setts to be hidden in areas of thick scrub. The applicant is proposing that these areas would be surveyed at the time of any scrub clearance.

205. The Environmental Statement also identifies that without mitigation the proposal has the potential to indirectly impact the Piddle and Whitsun Brook LWS due to dust, polluted surface water runoff and accidental spillage during the construction phase, and levels of surface water runoff are likely to increase relative to the baseline during the operational phase, which could result in increased levels of pollution entering the LWS. The proposal also has the potential to indirectly impact the River Avon LWS during the construction and operational phases, as the application site is hydrologically connected to this LWS via a network of drainage ditches.

206. The applicant is proposing to implement a number of mitigation and compensation measures including: implementation of a CEMP; LEMP; protective

fencing around retained vegetation; timing of vegetation clearance (outside the bird nesting season); appropriate lighting scheme minimising the use of artificial lighting where possible, and directed towards the road and way from vegetation; installation of four bat boxes and five bird boxes; retention of felled trees on site left in piles for invertebrates; compensation planting / landscaping; and the construction and improvement of surface water attenuation lagoons.

207. Due to the importance and density of the reptile populations present, the fact that nearly all of the suitable reptile habitat within the site would be lost to the proposed scheme and the lack of suitable adjacent receptor areas, the applicant is proposing to translocate the reptiles to an external receptor site. The site that has been chosen is Hampton Closed Landfill Site, located approximately 8 kilometres south-east of the proposal. The receptor site measures approximately 7.5 hectares in area, and the habitat suitability for reptiles is good, with only minor enhancements proposed to make it suitable for use as a receptor site.

208. Subject to the implementation of the identified mitigation measures the Environmental Statement identifies that during the construction phase the proposal would have a neutral impact upon Piddle and Whitsun Brooks LWS, River Avon LWS, commuting / foraging bats, invertebrates and reptiles. It also identifies that it would have a slight positive impact upon roosting bats and slight adverse impact upon birds due to disturbance from noise.

209. Subject to the implementation of the identified mitigation measures, the Environmental Statement identifies that the operational impacts of the proposal would have a neutral impact upon Piddle and Whitsun Brooks LWS, River Avon LWS, and reptiles. It also identified that the proposal would have a slight adverse impact upon commuting / foraging bats, birds and invertebrates through the introduction of artificial lighting (subject to confirmation of lighting design for the proposed scheme). If the scheme lighting is designed with bats and invertebrates in mind, residual significant adverse impacts on these species from the scheme lighting could potentially be avoided.

210. The Environmental Statement concludes that overall the proposal would result in a net gain of habitat of ecological value.

211. Natural England has been consulted due to the proximity of the proposal to Tiddesley Wood SSSI and wishes to make no comments on the application. Worcestershire Wildlife Trust have no objections to the proposal, subject to the imposition of conditions regarding a CEMP, LEMP, lighting strategy, drainage strategy and monitoring protocol, and wishes to defer to the County Ecologist for all on-site detailed ecological considerations. The County Ecologist also raises no objections to the proposal subject to the imposition of conditions as requested by Worcestershire Wildlife Trust, but also include a reptile mitigation strategy.

212. In view of the above, the Development Management Team Manager considers that subject to the imposition of appropriate conditions that the proposed development would have no adverse impacts on the ecology and biodiversity at the site or in the surrounding area, and would enhance the application site's value for biodiversity.

Historic Environment

213. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 imposes a general duty as respects to listed buildings in the exercise of planning functions. Subsection (1) provides that *"in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses"*. Section 72 (1) imposes a general duty as respects Conservation Areas in the exercise of planning function stating *"in the exercise, with respect to any buildings or other land in a Conservation Area...special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area"*.

214. With regard to heritage assets, paragraph 190 of the NPPF states that *"local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal"*.

215. Paragraphs 193 and 194 of the NPPF states that *"when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of: ...a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional; b) assets of highest significance, notably schedule monuments...grade I and II* listed buildings...should be wholly exceptional"*.

216. Paragraphs 193 and 194 of the NPPF states that *"when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting) should require clear and convincing justification..."*.

217. Paragraphs 195 and 196 of the NPPF states that *"where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss...Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use"*.

218. The nearest listed structure to the proposal is the Grade II Listed and Schedule Monument of Wyre Bridge, which is located approximately 650 metres to the east of

the site. Wyre Piddle Conservation Area is located approximately 600 metres to the east of the site; and Pershore Conservation Area is located approximately 1.6 kilometres to the south of the application site.

219. The Environmental Statement contained a 'Cultural Heritage' Chapter, which states that the field evaluation (L-shaped trench within the northern half of the application site) did not find any archaeological artefacts of interest. Overall the Environmental Statement concludes that the archaeological potential of the proposal is negligible.

220. With regard to impacts upon the Wyre Bridge Schedule Monument and Grade II Listed Structure, the Environmental Statement concludes that due to the distance and lack of indivisibility between the proposal and this heritage asset, due to intervening established trees and vegetation, the proposal would have no impact upon this heritage asset.

221. Historic England have been consulted and have no objections to the proposal on heritage grounds. They state the proposal would not result in any harm to the nearby Wyre Bridge Scheduled Monument and has the potential to have a beneficial effect upon this Scheduled Monument due to reduced traffic crossing it. Historic England recommends that the County Planning Authority consult the District Archaeologist on the proposal. The District Archaeologist and County Archaeologist both raised no objections to the proposal. The Ancient Monuments Society have made no comments.

222. The Environmental Statement states that there are five non-designated archaeological assets within or partly within the application site (four ridge and furrow cultivations and the former site of Pershore Racecourse), these heritage assets are considered of negligible cultural heritage value due to the absence of any surviving above ground remains and their limited archaeological interest. The Environmental Statement concludes that there would be no impacts to these assets as they are no longer extant.

223. There is one non-designated heritage asset structure within the application site, comprising the course of the OWW railway line, which was built during the mid-19th century and is of low cultural heritage value. The proposal during both construction and operation would have a light impact upon the setting of this asset due to the introduction of a new bridge and road within its setting. The Environmental Statement considers that the magnitude of impact would be minor, resulting in a neutral / slight effect.

224. The Environmental Statement also states that the proposed scheme does not present, or form part of, a coherent or well preserved historic landscape. As such, the historic landscape is considered of low cultural heritage value. However, there would be a slight change to the low value historic landscape character during both the construction and operation of the proposed scheme. The magnitude of impact would be minor and the residual significance of effect would be neutral / slight.

225. Paragraph 197 of the NPPF states that *"the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having*

regard to the scale of any harm or loss and the significance of the heritage asset". In view of this and based on the advice of Historic England and the County and District Archaeologists, the Development Management Team Manager considers that on balance, the impact upon the non-designated heritage assets is not of such significance as to constitute a refusal reason in this instance.

226. The Development Management Team Manager considers that based on the advice of the District and County Archaeologists and Historic England that the proposed development would not have an unacceptable impact upon the historic environment, in accordance with Policies SWDP 6 and SWDP 24 of the South Worcestershire Development Plan.

Other Matters

Safety and Integrity of the railway

227. Network Rail have been consulted and have raised no objections to the proposal, stating that they are satisfied that a solution in the form of a temporary closure of the Public Rights of Way can be achieved in order to manage the impacts of the proposed development during construction. They request that the applicant pursues a temporary traffic regulation order to achieve this. The applicant has confirmed that they are proposing to close Footpaths PS-565 and WP-508 for health and safety reasons throughout the duration of the construction works and reopen them on completion of the development.

228. In view of this, the Development Management Team Manager considers that there would be no adverse impact on the safe operation of the railway.

Contaminated Land

229. The application was accompanied by an Environmental Statement which contained a 'Ground Conditions' Chapter. It examined the embankment / bund running north to south along the length of the application site. The embankment / bund to the south of the railway line was found to comprise Made Ground predominantly described as soft to firm, light brown to dark brown, slightly sandy, and gravelly clay. This Chapter concludes that the use of the site for historical allotments, agriculture, railway line, existing roads, sewer and Made Ground have the potential for hotspots of hydrocarbons, fertilizers, pesticides and herbicides, asbestos, ash, coal tar, sulphates, and pathogens and biological organisms from raw sewage. The investigations undertaken to date do not record any exceedances of the guideline values. However, the ground investigations failed to prove the base of the Made Ground of the embankment / bund. As such the chemical composition of the deeper Made Ground deposits is unknown and, therefore, poses a potential risk.

230. The Environmental Statement identifies a number of mitigation measures, namely the submission of a Soil Resource Plan, and the re-use of soils on site where geotechnically and chemically suitable; should signs of contamination be encountered works must cease; submission of a CEMP and Emergency Pollution Response Plan (as part of the CEMP); use of dust suppression measures; and storage of fuels and oils within bunded areas.

231. The Environmental Statement concludes that the site is considered suitable for its intended use. It is considered that the significance of the effects of the proposal on the geological, hydrogeological and hydrological receptors and any effects to

human health and controlled waters from the presence of existing contamination are likely to be minor.

232. Worcestershire Regulatory Services have been consulted and have raised no objections to the proposal, stating the submitted reports are acceptable. The Environment Agency comments that given there are no historic high risk previous uses on site, they do not intend to make any bespoke comments in relation to contaminated land and refer the County Planning Authority to their 'Land Contamination Guidance Note (West Midlands Area)'.

233. In view of this, the Development Management Team Manager is satisfied that the proposal is acceptable in terms of its impact upon contaminated land, subject to the imposition of appropriate conditions requiring a CEMP, Soil Resource Plan and storage of fuels and oils within bunded areas.

Utilities

234. A Utilities Assessment accompanied the planning application submission, which identified apparatus present from Western Power Distribution, Severn Trent Water Limited, BT Openreach, Wales and West Gas and Instalcom. The Utilities Assessment confirms that there would be various diversions required of statutory undertaker apparatus, with the diversions being minor relocation of utilities into the proposed footways and verges. The applicant has confirmed that ongoing detailed discussions are taking place with the affected statutory undertakers as the scheme progresses.

Cumulative Effects

235. Regulation 4 (2) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 states that the EIA must identify, describe and assess in an appropriate manner, in light of each individual case, the direct and indirect significant effects of the proposed development on a number of factors this includes the interaction between the factors of population and human health, biodiversity, land, soil, water, air and climate, material assets, cultural heritage and the landscape. Schedule 4, Part 5 states in relation to information for inclusion within Environmental Statements, this includes *"the cumulation of effects with other existing and / or approved projects, taking into account any existing environmental problems relating to areas of particular environmental importance likely to be affected or the use of natural resources"*.

236. Cumulative effects result from combined impacts of multiple developments that individually may be insignificant, but when considered together, could amount to a significant cumulative impact; as well as the inter-relationships between impacts – combined effects of different types of impacts, for example noise, air quality and visual impacts on a particular receptor.

237. With regard to inter-relationships between impacts, the Environmental Statement identifies that the dwelling of Bredon View would experience adverse impacts from both noise impacts and landscape impacts during both the construction and operation phases. The noise impacts are limited to the south-west façade of the property during the operation of the proposed scheme and the landscaping would mature to lessen the visual impact, but this would take time to establish. However, this would reduce the operational impact and in the long-term it is predicted that there would not be a cumulative impact at this receptor. The

Environmental Statement does not identify any other individual receptors that could be impacted upon as a result of the proposed development; therefore, no further inter-relationships between impacts have been identified.

238. With regard to combined impacts, the applicant considered a number of projects in their assessment of cumulative effects. The Environmental Statements notes that air quality and noise impacts are inherently cumulative with other known committed developments; therefore, these impacts were considered in the overall assessment for air and noise impacts within the Environmental Statement.

239. The Environmental Statement concludes that no significant adverse cumulative impacts (combined impacts) would result from the proposed development in combination with the developments identified above. However, it does note that with regard to cumulative impacts associated with this proposal and the Pinvin Junction improvements, the current construction schedule indicates that there would be some overlap between these projects (construction of Pershore Northern Link Road is likely to start November 2019, subject to necessary approvals. Pinvin Junction improvements are likely to start September 2019 to spring 2020). Consequently, there is the potential for cumulative impacts whilst the construction programmes for these schemes overlap. Impacts would be related to additional construction traffic, which could result in congestion on the roads, but given the offline nature of the Pershore Northern Link Road, adverse impacts would be minor and temporary.

240. On balance, the Development Management Team Manager does not consider that the cumulative impact of the proposed development would be such that it would warrant a reason for refusal of the application.

EIA Team and Expertise

241. Regulation 18(5) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 requires the applicant to ensure that the Environmental Statement is prepared by competent experts and the Environmental Statement must be accompanied by a statement from the developer outlining the relevant expertise or qualifications of such experts. This is in order to ensure the completeness and quality of the Environmental Statement.

242. The Environmental Statement was compiled and coordinated by Jacobs, a multi-disciplinary planning, environmental and transportation consultancy. As part of the submission the applicant included the CV's of authors of each of the chapters of the Environmental Statement, outlining their qualifications, membership to professional bodies, previous employment and experience / expertise.

243. In view of this, the Development Management Team Manager is satisfied that the applicant has engaged competent experts to prepare the Environmental Statement.

Conclusion

244. Worcestershire County Council is seeking planning permission for the construction of Pershore Northern Link Road, which would measure approximately 420 metres in length between the existing A44 / B4083 roundabout to the north of

the Oxford - Worcester – Wolverhampton (OWW) railway line and the B4083 roundabout to the south of the OWW railway line. The link road would provide a connection between the A44 and the B4083, and provide access to Pershore Trading Estate, Keytec 7 Business Park and Keytec East Business Park. The proposal would also involve the construction of a bridge to cross the OWW railway line.

245. The proposed development gains policy support from Policies SWDP 4 and SWDP 47 of the South Worcestershire Development Plan. The route of the Pershore Northern Link Road is safeguarded for transport infrastructure under Policy SWDP 4. The Reasoned Justification to Policy SWDP 47 states that *"in directing development to the north of the town it is important that infrastructure improvements are secured. These include provision of the Northern Link Road from the A44 / Wyre Piddle bypass roundabout to Keytec 7 Business Park.*

246. The applicant has confirmed that option development has been undertaken throughout the design process. This included a number of rail overbridge bridge options. In view of this, the Development Management Team Manager considers that the applicant's approach to the consideration of alternatives is acceptable in this instance.

247. The application was accompanied by a Transport Assessment, which states that the proposal is not expected to generate trips, however, the additional capacity the proposal would provide makes it a more attractive route compared to other busier alternatives. The wider area net trip impact would be zero, and the scheme would not only benefit the local area, but the wider highway network by taking trips from other congested routes / junctions.

248. The Public Right of Way of Footpath PS-565 crosses the application site, and adjoins Footpath WP-508. The applicant proposes to close these two Public Rights of Way for health and safety reasons throughout the duration of the construction works and reopen them on completion of the development. Based on the advice of the County Footpath Officer and Ramblers Association, the Development Management Team Manager is satisfied that the proposal would not have an unacceptable impact upon Public Rights of Way, traffic or highway safety, subject to the imposition of an appropriate condition, requiring a CEMP for highway.

249. Based on the advice of Wychavon District Council and the County Landscape Officer, it is considered that, subject to the imposition of an appropriate conditions, the proposal would not have an unacceptable adverse or detrimental impact upon the character and appearance of the local area, including views to and from the Cotswolds AONB.

250. Based upon the advice of Worcestershire Regulatory Services, it is considered that, on balance, subject to the imposition of appropriate conditions, the proposal would not have an unacceptable adverse or detrimental impact upon residential amenity, in terms of air quality and noise impacts or that of human health.

251. The Lead Local Flood Authority have raised no objections to the proposal, subject to the imposition of appropriate conditions, and the Environment Agency have also raised no objections. In view of this, the Development Management Team Manager considers that there would be no adverse effects on the water

environment, subject to the imposition of appropriate conditions regarding mitigation measures to protect the water environment during the construction phase and as recommended by the Lead Local Flood Authority (detailed drainage scheme and management plan).

252. Based on the advice of Natural England, Worcestershire Wildlife Trust and the County Ecologist, it is considered that subject to the imposition of appropriate conditions that the proposed development would have no adverse impacts on the ecology and biodiversity at the site or in the surrounding area, and would enhance the application site's value for biodiversity.

253. Based on the advice of the District and County Archaeologists and Historic England it is considered that the proposal would not have an unacceptable impact upon the historic environment, in accordance with Policies SWDP 6 and SWDP 24 of the South Worcestershire Development Plan.

254. Taking into account the provisions of the Development Plan and in particular Policy WCS 17 of the Adopted Worcestershire Waste Core Strategy and Policies SWDP 1, SWDP 2, SWDP 4, SWDP 5, SWDP 6, SWDP 7, SWDP 21, SWDP 22, SWDP 24, SWDP 25, SWDP 28, SWDP 29, SWDP 30, SWDP 31, SWDP 32 and SWDP 47 of the adopted South Worcestershire Development Plan, it is considered the proposal would not cause demonstrable harm to the interests intended to be protected by these policies or highway safety.

Recommendation

255. The Development Management Team Manager recommends that, having taken the environmental information into account, planning permission be granted for proposed Pershore Northern Link Road comprising the construction of a new highway and road bridge to the north of Pershore in Worcestershire. The scheme would provide a direct link between the existing A44 / B4083 roundabout (north of the Oxford - Worcester - Wolverhampton (OWW) railway line) and the B4083 roundabout (south of the OWW railway line) to provide a critical connection between the A44 and B4083 Wyre Road and access to the Pershore Trading Estate. As part of the northern link road a new road bridge would be constructed which would cross the OWW railway line to the east of Pershore railway station on land between the A44 / B4083 roundabout and the Wyre Road / Ascot Road roundabout, Pershore, Worcestershire, subject to the following conditions:

Commencement

- a) **The development must be begun not later than the expiration of three years beginning with the date of this permission;**
- b) **The developer shall notify the County Planning Authority of the start date of commencement of the development in writing within 5 working days following the commencement of the development;**

Approved Drawings

c) The development hereby approved shall be carried out in accordance with the details shown on the submitted drawings, except where otherwise stipulated by conditions attached to this permission:

- PNLR-BUR-ALL-HWY-DR-CH-0000, Rev P6.0 – Series 0000 – General Site Plan;
- PNLR-BUR-ALL-HWY-DR-CH-0100, Rev P5 – Series 0100 – Preliminary Site General Arrangement – ES3.4;
- PNLR-BUR-ALL-HWY-DR-CH-0101, Rev P5.0 – Series 0100 – Preliminary Site Location;
- PNLR-BUR-ALL-HWY-DR-CH-0300, Rev P4.0 – Series 0300 – Fencing General Arrangement;
- PNLR-BUR-ALL-HWY-DR-CH-0305, Rev P2.0 – Series 0300 – Fencing Standard Details;
- PNLR-BUR-ALL-HWY-DR-CH-0400, Rev P4.0 – Series 0400 – Vehicle Restraint General Arrangement;
- PNLR-BUR-ALL-HWY-DR-CH-0500, Rev P4.0 – Series 0500 – Drainage General Arrangement;
- PNLR-BUR-ALL-HWY-DR-CH-0505, Rev P1.0 – Series 0500 – Drainage Standard Details;
- PNLR-BUR-ALL-HWY-DR-CH-0600, Rev P4.0 – Series 0600 – Earthworks General Arrangement;
- PNLR-BUR-ALL-HWY-DR-CH-0700, Rev P5.0 – Series 0700 – Road Geometry – Road Geometry and Pavement General Arrangement;
- PNLR-BUR-ALL-HWY-DR-CH-0701, Rev P2.0 – Series 0700 – Road Geometry – Road Geometry Longsection;
- PNLR-BUR-ALL-HWY-DR-CH-0702, Rev P2.0 – Series 0700 – Road Geometry – Road Geometry Cross Sections Sheet 1;
- PNLR-BUR-ALL-HWY-DR-CH-0703, Rev P2.0 – Series 0700 – Road Geometry – Road Geometry Cross Sections Sheet 2;
- PNLR-BUR-ALL-HWY-DR-C-1005, Rev P2.0 – Series 0100 – Road Pavements Bridge Elevations;
- PNLR-BUR-ALL-HWY-DR-CH-1100, Rev P5.0 – Series 1100 – Kerbs, Footways & Paved Areas General Arrangement;
- PNLR-BUR-ALL-HWY-DR-CH-1105, Rev P2.0 – Series 1100 – Kerbs, Footways & Paved Areas Standard Details;
- PNLR-BUR-ALL-HWY-DR-CH-1200, Rev P5.0 – Series 1200 – Road Markings General Arrangement;
- PNLR-BUR-ALL-HWY-DR-CH-1300, Rev P4.0 – Series 1300 – Street Lighting General Arrangement;
- A066326-PER-SK-001, Rev P0.0 – Rail Overbridge Preferred Option for Planning;
- Figure ES 1.1, Rev P01 – Scheme Location Plan; and
- Figure ES 8.4, Rev 0 – Landscape Proposals;

d) Notwithstanding the submitted details, prior to commencement of development hereby approved, a Construction Environmental Management Plan (CEMP) in accordance with Worcestershire Regulatory Services "*Code of Best Practice for Demolition and Construction Sites*" shall be submitted to the County Planning Authority for approval in writing. The approved

CEMP shall be implemented for the duration of the construction works. The CEMP shall address the following:

Hours of Working

- i. A scheme providing the days and hours of construction operations;

Biodiversity

- ii. Risk assessment of potentially damaging construction activities;
- iii. Identification of “biodiversity protection zones”;
- iv. Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction to be provided as a set of Method Statements for nesting birds, roosting bats, badgers, hedgehog and any other wildlife considered to be at risk;
- v. The location and timing of sensitive works to avoid harm to biodiversity features;
- vi. The times during construction when specialist ecologists need to be present on site to oversee works;
- vii. Responsible persons and lines of communication;
- viii. The role and responsibilities on site of a suitably competent Ecological Clerk of Works (ECoW);
- ix. Use of protective fences, exclusion barriers and warning signs;

Lighting

- x. Details of the proposed construction lighting;

Dust and Air Quality

- xi. A scheme to minimise and mitigate the impacts of dust emissions and impacts to air quality;

Noise and Vibration

- xii. A scheme to minimise and mitigate the impacts of noise and vibration;

Contamination

- xiii. A Method Statement for the control of unexpected contamination;

Water Environment

- xiv. Measures to be undertaken to ensure that any pollution and silt generated by the construction works shall not adversely affect groundwater and surface waterbodies;

Highways

- xv. Measures to ensure that vehicles leaving the site compounds do not deposit mud or other detritus onto the public highway; and
- xvi. Details of site operative parking areas, material storage areas and the location of site operatives facilities;

Ecology and Biodiversity

- e) Notwithstanding the submitted details, within 3 months of the commencement of the development hereby approved, a Landscape and Ecological Management Plan (LEMP) shall be submitted to the County Planning Authority for approval in writing. Thereafter, the LEMP shall be implemented in accordance with the approved details. The LEMP shall include the following:
- i. Description and evaluation of features to be managed;
 - ii. Ecological trends and constraints on site that might influence management;
 - iii. Aims and objectives of management;
 - iv. Appropriate management options for achieving aims and objectives;
 - v. Prescriptions for establishment and aftercare management actions;
 - vi. Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period);
 - vii. Details of the body or organization responsible for implementation of the plan;
 - viii. Ongoing monitoring and remedial measures;
 - ix. Details of any legal and funding implementation of the LEMP will be secured by the applicant with the management bodies responsible for its delivery; and
 - x. An updated planting scheme to include native species of local provenance, locations, numbers, densities, spacing and planting sizes for the development hereby approved. The scheme shall be implemented within the first available planting season (the period between 31 October in any one year and 31 March in the following year) on completion of the development. Any new trees or shrubs, which within a period of five years from the completion of the planting die, are removed, or become damaged or diseased, shall be replaced on an annual basis, in the next planting season with others of a similar size and the same species;
- f) Notwithstanding the submitted details, prior to the commencement of the development hereby approved, including any translocation of reptiles, a Reptile Mitigation Strategy shall be submitted to and approved in writing by the County Planning Authority. Thereafter the development shall be carried out in accordance with the approved details;
- g) Within 3 months of the commencement of the development hereby approved, a Biodiversity Monitoring Strategy shall be submitted to the County Planning Authority for approval in writing. A report describing the results of monitoring shall be submitted to the County Planning Authority at intervals identified in the Strategy. The report shall also set out (where the results from monitoring show that conservation aims and objectives are not being met) how contingencies and/or remedial action will be identified, agreed with the County Planning Authority, and then implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The Biodiversity Monitoring Strategy shall be implemented in accordance with the approved details;

- h) All vegetation clearance at the site shall be undertaken outside the bird nesting season which generally extends between March and September inclusive. If this is not possible then any vegetation that is to be removed or disturbed should be checked by an experienced ecologist for nesting birds immediately prior to works commencing. If birds are found to be nesting any works which may affect them would have to be delayed until the young have fledged and the nest has been abandoned naturally;**
- i) All existing trees, shrubs and hedgerows indicated to be retained shall be protected by suitable fencing in accordance with BS5837:2012. No materials shall be stored, no rubbish dumped, no fires lit and no buildings erected inside the fence. In the event of any trees, shrub or hedgerows being damaged or removed by the development, they shall be replaced in the next planting season;**

Design

- j) Notwithstanding the submitted details, prior to the construction of the Rail Overbridge, detailed design of the Rail Overbridge, shall be submitted to the County Planning Authority for approval in writing. Thereafter, the development shall be carried out in accordance with the approved details;**

Drainage

- k) Notwithstanding the submitted details, no development shall commence until detailed design drawings for surface water drainage have been submitted to, and approved in writing by the County Planning Authority. Thereafter the development shall be carried out in accordance with the approved details;**
- l) No works in connection with site drainage shall commence until a Sustainable Drainage System (SuDS) management plan which shall include details on future management responsibilities, along with maintenance schedules for all SuDS features and associated pipework has been submitted to and approved in writing by the County Planning Authority. This plan shall detail the strategy that will be followed to facilitate the optimal functionality and performance of the SuDS scheme throughout its lifetime. The approved SuDS management plan shall be implemented in full in accordance with the agreed terms and conditions and the SuDS scheme shall be managed and maintained in accordance with the approved maintenance plan thereafter;**

Pollution

- m) Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound shall be at least equivalent to the capacity of the largest tank, vessel or the combined capacity of interconnected tanks or vessels plus 10%. All filling points, associated pipework, vents, gauges and site glasses must be located within the bund or have separate secondary containment. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework shall be located above ground and protected from accidental damage. All filling points and**

tank/vessels, overflow pipe outlets shall be detailed to discharge downwards into the bund;

Lighting

- n) **Notwithstanding the submitted details, within 3 months of the commencement of the development hereby approved, a lighting scheme shall be submitted to the County Planning Authority for approval in writing. The scheme shall include details of the height of all lighting, the intensity of lighting (specified in Lux levels), spread of light, including approximate light spillage levels (in metres), the times when the lighting would be illuminated, any measures proposed to mitigate impact of the lighting or disturbance through glare and upon protected species and habitats, in particular bats. Thereafter, the development shall be carried out in accordance with the approved details; and**

Soil Resource Plan and Waste Management Plan

- o) **Within 1 month of the commencement of the development hereby approved, a Site Waste Management Plan, and Soils Resource Plan, shall be submitted to the County Planning Authority for approval in writing. Thereafter, the development shall be carried out in accordance with the approved details;**

Contact Points

County Council Contact Points

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Worcestershire Hub: 01905 765765

Specific Contact Points for this report

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Background Papers

In the opinion of the proper officer (in this case the Development Management Team Manager) the following are the background papers relating to the subject matter of this report:

The application, plans and consultation replies in file reference 19/000013/REG3.