Part B (see Note 1 and Note 8 para 4.2)

Please use a separate Part B form for each representation you wish to make

Name or Organisation **(see Note 8 para 4.1)**

Tyler-Parkes Partnership

1. To which part of the BDP does this representation relate?

Page: See attached letter	Paragraph: See attached letter	Policy: See attached letter
Policies Map: See attached letter	Other document: See attached letter	

If your representation does not relate to a specific part of the document, or it relates to a different document, for example the Sustainability Appraisal, please make this clear in your response.

2. Do you consider the BDP is legally compliant? **(see Note 2)**

Yes:☐	No:☑

3. Please give details of why you consider the BDP is not legally compliant. Please be as precise as possible. If you wish to support the legal compliance of the BDP, please also use this box to set out your comments. (Continue on a separate sheet /expand box if necessary)

It does not fully meet the Duty to Cooperate requirements – please see attached letter of representation for full details of reasons for objection

4. Please set out what change(s) you consider necessary to make the BDP legally compliant, having regard to the issue(s) you have identified above. You will need to say why this change will make the BDP legally compliant. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible. (Continue on a separate sheet /expand box if necessary) **(see Note 8 para 4.3)**

Please see letter of representation

5. Do you consider the BDP is sound? **(see Note 3)**

Yes:☐	No:☑

Do you consider the BDP is **unsound** because it is not:

(1) Justified **(see Note 4)**	☑
(2) Effective **(see Note 5)**	☑
(3) Consistent with national policy **(see Note 6)**	☑
(4) Positively prepared **(see Note 7)**	☑

6. Please give details of why you consider the BDP is unsound. Please be as precise as possible. If you wish to support the soundness of the BDP, please also use this box to set out your comments. (Continue on a separate sheet /expand box if necessary)

Please see letter of representation

7. Please set out what change(s) you consider necessary to make the BDP sound, having regard to the test you have identified at 6 above. You will need to say why this change will make the BDP sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible. (Continue on a separate sheet /expand box if necessary) **(see Note 8 para 4.3)**

Please see letter of representation

***Please note** your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change(s), as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.*

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

8. If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination? ***Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.*

No, I do not wish to participate at the oral examination	☐
Yes, I wish to participate at the oral examination	☐

9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary. (Continue on a separate sheet /expand box if necessary)

To be decided

Signature: [redacted] Date: 6th November 2013

tyler
parkes

Planning and Architecture | advice | applications | drawings

Our ref: 10028 LA HRW 01

The Strategic Planning Team
Planning and Regeneration
Bromsgrove District Council
The Council House
Burcot Lane
Bromsgrove
Worcestershire
B60 1AA

By Email: strategicplanning@bromsgrove.gov.uk

6th November 2013

Dear Sir/Madam

Bromsgrove District Plan Proposed Submission Document: Formal Representation in respect of Land East of Birmingham Road, Alvechurch

We act on behalf of Piper Homes in respect of land east of Birmingham Road, Alvechurch. Representations have previously been submitted on behalf of our client by Pegasus Planning Group to the Draft Core Strategy 2 in April 2011 and the site was advanced for consideration in the Strategic Land Availability Assessment (SHLAA). The site is identified in the SHLAA, July 2013, as reference BDC 151.

We welcome the opportunity to make representations on behalf of our client to the Bromsgrove Development Plan (BDP) Proposed Submission Version and set out our formal representations below accompanied by a completed Representations form, and 'Land to the East of Birmingham Road, Alvechurch Background Document, April 2011' produced by Pegasus Group. An Ecology Report prepared by Ecolocation will be submitted as supporting background information, hopefully by 13th November 2013.

We raise **OBJECTION** to the BDP on the grounds that it is not 'sound' and it fails to meet the requirements of the National Planning Policy Framework (Framework) or fully meet the legal Duty to Cooperate.

It is apparent that the approach taken to housing land allocations in the BDP Proposed Submission version is not wholly consistent with the Framework which, amongst other matters, seeks to: provide certainty by planning for the long term; locate development in the most sustainable locations; protect the future viability of settlements; ensure a variety of housing is provided to meet identified needs; ensure a 5 year housing land supply is maintained; alter Green Belt boundaries in exceptional circumstances (such as required to meet housing need) to ensure they are capable of enduring beyond the Plan period; and ensure the legal Duty to Cooperate has been satisfied.

In summary, the BDP is not sound because it -

- fails to provide guidance and certainty over the long term;
- fails to identify sufficient land to meet the housing requirement over the plan period;
- fails to include a 20% buffer in the 5 year housing land supply;
- fails to make an allowance of additional land to meet the identified need for an aging population in specialist accommodation in addition to land required for 'self-contained dwellings' falling within the housing land requirement calculation;
- fails to fully consider the implications on Bromsgrove District of Birmingham City's housing land shortfall under the Duty to Cooperate;
- fails to ensure all land included in the housing land supply calculation is deliverable;
- fails to offer developers housing land allocation choices to ensure a rolling 5 year housing land supply is maintained;
- fails to have undertaken a Green Belt Review despite evidence to demonstrate that homes cannot be delivered without altering Green Belt boundaries;
- fails to alter Green Belt boundaries to meet the identified growth requirement;
- fails to ensure that Green Belt boundaries are capable of enduring beyond the plan period through the identification of 'areas of development restraint' or 'safeguarded land';
- fails to identify a quantum of housing land allocations appropriate to the scale and sustainability of settlements as evidenced by the Council's own research; and
- fails to remove our client's sustainable and deliverable land from the Green Belt and allocate it for residential development.

A more detailed assessment of issues of soundness and legal compliance raised above is set out below:

National Planning Policy Framework (Framework)

1. The Framework, published on 27th March 2012, sets out the government's planning policies for England and how these are expected to be applied. Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. It is therefore vital that the policies and proposals contained within emerging Development Plans are consistent with the objectives and requirements of the Framework.

2. Paragraph 14 states that at the heart of the Framework is a 'presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.' Paragraph 15 requires policies in Local Plans 'to follow the approach of the presumption in favour of sustainable development so that it is clear that development which is sustainable can be approved without delay'.

3. In Paragraph 7, the Framework recognises three dimensions to sustainable development; economic, social and environmental. In respect of the social role, the Framework sees the planning system as needing to perform the role of, 'supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being'.

4. Paragraph 17, sets out 12 core planning principles, including that planning should ensure that, '...Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth...' and '...actively manage patterns of growth to make the fullest possible use of public transport, walking, cycling, and focus significant development in locations which are or can be made sustainable...'

5. Paragraph 47, Delivering a Wide Choice of High Quality Homes, requires local planning authorities to identify '...key sites which are critical to the delivery of the housing strategy over the plan period...' and identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against the identified housing requirement with an additional buffer of 5% to provide a realistic prospect of achieving the planned supply and ensure choice and competition in the market for land. Where there has been a persistent under delivery of housing, local planning authorities should increase the buffer to 20%. It also requires that local planning authorities should identify a supply of specific, developable sites or broad locations for growth, for years 6-10 and where possible, for years 11-15.

6. According to the footnotes in the Framework, to be considered deliverable, 'sites should be available now, offer a sustainable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years and in particular that development of the site is

viable...To be considered developable, sites should be in a suitable location for housing development and there should be a reasonable prospect that the site is available and could be viably developed at the point envisaged.'

7. Paragraph 48 states that local planning authorities may only make an allowance for windfall sites in the rolling 5 year housing land supply if they have compelling evidence that such sites have consistently become available in the local area and will continue to provide a reliable source of supply. Any windfall allowance 'should not include residential gardens' in the calculation.

8. Paragraph 50 requires local planning authorities to, amongst other things, deliver a wide choice of high quality homes, plan for a mix of housing based on current and future demographic trends and the needs of different groups in the community such as older people, ensure that local demand is reflected in the tenure and range of housing, widen opportunities for home ownership and create sustainable, inclusive mixed communities.

9. Paragraph 49 states that, 'Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.'

10. Paragraph 83 notes that 'Green Belt boundaries should only be altered in exceptional circumstances, through the preparation or review of the Local Plan.' Paragraphs 84 and 85 require, when reviewing Green Belt boundaries, that local planning authorities take account of the need to promote sustainable patterns of development. Where necessary, they should identify in their plans areas of 'safeguarded land' between the urban area and the Green Belt, in order to meet the longer-term development needs stretching beyond the plan period. They should 'satisfy themselves that Green Belt boundaries will not need to be altered at the end of the development plan period'

11. Paragraph 182, Examining Local Plans, requires Local Plans to be 'sound' meaning that they must be: positively prepared; justified such that the 'plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence'; effective; and consistent with national policy to enable the delivery of sustainable development.

Bromsgrove District Housing Land Requirement

12. The Framework requires that every effort be made to objectively identify and then meet the housing need. In doing so, local planning authorities need to cooperate with adjoining local authorities and identify key sites which are critical to the delivery of the housing strategy 'over the plan period'.

Quantum of Identified Housing Land for the Plan Period

67/1
BDP3

13. The BDP covers the timeframe 2011 to 2030, with an apparent identified need for 7,000 new homes. On page 23, the supporting text for Policy BDP3 'Future Housing and Employment Growth' acknowledges that land to

accommodate 2,400 of these homes post 2023 cannot be identified until a Green Belt Review has been carried out. Even if the scale of housing land requirement and deliverable site information is accepted, something which we challenge later in this letter of representation, by the Council's own admission, the Plan fails to meet the Framework's unequivocal requirement for key sites to be identified critical to the delivery of the housing strategy over the plan period. For this and other reasons set out in this letter, the BDP is not sound.

14. Paragraph 5 of the Framework requires that local planning authorities should identify a supply of specific, developable housing sites or broad locations for growth, for years 6-10 and where possible, for years 11-15. If it were to be assumed that the BDP proceeded to adoption without undue delay, something which we consider unlikely, the earliest date on which the Plan could be adopted would be late 2014 or sometime in 2015. Therefore, at most there would be only approximately 8 or 9 years identified housing land further demonstrating that the Plan is not sound.

15. It is fundamentally unsound for the BDP to be progressed without undertaking a Green Belt Review to enable identification of sufficient land to meet the identified housing need over the Plan period. Evidence of the unmet housing requirement is an 'exceptional circumstance' to justify Green Belt boundary changes. Undertaking the Green Belt Review now will ensure that the Green Belt boundaries are altered in the most sustainable and appropriate locations through the preparation of the Local Development Plan, rather than as a response to out-of-date housing policies and on an ad hoc basis responding to planning applications.

67/2
BDP4

16. Bromsgrove have 'bitten the bullet' in respect of the cross-boundary housing land requirement from Redditch. Land is proposed for removal from the Green Belt to meet this adjoining local authority's housing land shortfall, however, for reasons unknown, Bromsgrove have failed to undertaken the same exercise in respect of their own (and other adjoining authorities) housing land requirement. The BDP is fundamentally unsound in this regard.

17. Bromsgrove should not only identify Green Belt land to meet their identified need over the Plan period, but they should also identify in the BDP:

    - areas of 'safeguarded land' between the urban area and the Green Belt, in order to meet the longer-term development needs stretching beyond the plan period; and

    - areas of Green Belt needed to meet the cross-boundary requirements for housing land, not only for Redditch, which has already been agreed, but for all adjoining local authority areas, as required under the Duty to Cooperate legislation, in particular, Birmingham City which has an objectively assessed shortfall in housing land supply within its boundary.

It is vital that Bromsgrove should satisfy themselves that Green Belt boundaries will not need to be altered at the end of the development plan period to meet the requirements of the Framework. Currently the BDP is unsound in this respect.

'Deliverable' Housing Land

67/1
BDP3

18. The BDP estimates that it is able to meet the requirement for 4,624 of the overall 7,000 new homes over the duration of the Plan. This relies upon 386 completions in the two years 2011 to 2013; 2,106 coming forward from Bromsgrove expansion sites; 1052 commitments from the Local Plan 'Areas of Development Restraint'; 179 from remaining Development sites; 421 from 'other' Strategic Housing Land Availability (SHLAA) sites and 480 from windfall sites.

19. The 'deliverability' of these sites is questioned on the following basis:

    - Three large expansion sites identified around Bromsgrove town centre are in multiple landownership, require large scale infrastructure delivery, and careful consideration and mitigation of a number of issues such as flood risk, biodiversity and topography which may impact on their development capacity. Therefore deliverability of the scale of housing proposed cannot be guaranteed particularly given that the local planning authority have not produced detailed masterplans for the sites. Given the hurdles which must be jumped to realise planning permission for housing on these sites, this housing land supply should be seen as susceptible to change in terms of the number of units to be delivered and seen as a medium to longer-term prospect;

    - SHLAA sites do not have planning permission. They are generally promoted by landowners or interested parties as potential housing development sites and are assessed by the Local Planning Authority on the basis of a broad overview of criteria rather than a detailed site assessment. The SHLAA conclusion states, 'Information that is contained within the SHLAA may act as a useful indication of opportunities or constraints on a site but applicants will need to undertake their own detailed research to determine the full potential for residential development opportunities on sites within the SHLAA...' Therefore the capacity of sites given in the SHLAA is probably most accurately regarded as an 'estimate' and it would be misleading and unsound to include these figures as absolute 'deliverable' housing capacity under the terms of the Framework.

20. The deliverability of a number of sites in the 'source of supply' is therefore called into question and it is considered 'unsound' that the BDP should promote sites where it has not been possible to satisfy the Framework's test. To be considered deliverable, sites must be available now, be achievable with a realistic prospect that housing will be delivered on the site within five years and that development of the site is viable. To be considered developable, sites should not only be in a suitable location for housing development but there should also be a reasonable prospect that the site is available and could be viably developed at the point envisaged.

21. Not only are the sources of housing land supply identified in the BDP insufficient to meet the 7000 identified housing requirement, but all the

housing land supply included in the BDP cannot be shown to be 'deliverable'. Therefore the plan us 'unsound' in this regard.

Five Year housing Land Supply

22. Under the terms of Framework paragraph 49, where a deliverable 5 year housing land supply cannot be demonstrated none of the housing supply policies are considered up-to-date, even where a Plan has been recently adopted. In these circumstances each housing planning application should be considered in terms of the Framework and the presumption in favour of sustainable development. In order to avoid 'planning by appeal' and protect planning polices and strategies over the plan period it is important for local planning authorities to ensure that a 5 year housing land supply is maintained at all times.

23. The 5 year housing land calculation must provide a 'buffer' under the terms of the Framework of, '...specific deliverable sites sufficient to provide five years worth of housing against the identified housing requirement with an additional buffer of 5% to provide a realistic prospect of achieving the planned supply and ensure choice and competition in the market for land. Where there has been a persistent under delivery of housing, local planning authorities should increase the buffer to 20%...' There is no definition of 'persistent under delivery' and this has largely been left for determination by the Inspectorate.

24. Bromsgrove Council have based the BDP policies on the assumption that they do not have a record of persistent under delivery of housing. However, this is an assumption which evidence of their past housing delivery performance together with a recent interim decision by the Inspector for Staffordshire Moorlands and several planning appeal decisions would challenge.

25. The 'Housing Delivery Performance' paper published October 2013 concludes that the Council has a good track record in meeting the Structure Plan and 2004 adopted West Midlands Regional Spatial Strategy (RSS) housing requirement, early delivery of which resulted in introduction of a housing moratorium 2003 to 2009. However, the Council have failed to meet the more onerous annual housing requirements proposed in the RSS Panel Phase 2 Revision report – 266 per annum between 2006 to 2021 and 400 to 600 per annum for the five years to 2026. Although RSSs have now been revoked, the Panel Report housing requirement calculations have generally been accepted by Planning Inspectors at appeals across the country as the most up to date publically examined housing requirement evidence, in the absence of locally derived and tested figures.

26. According to the BDP, page 21, during the two years 2011 to 2013 only 386 dwelling were completed (ie 193 per annum). This is half the locally calculated housing required for a two year period with a 5% buffer. Taking a five year time-frame prior to this, the Annual Monitoring report, December 2012, shows that: in 2007/08 there were 135 completions; in 2008/09 there were 159 completions; in 2009/10 there were 72 completions; in 2010/11 there were 122 completions; and in 2011/12 there were 256 completions. This equates to an average annual housing completion figure over the seven

years of 161 units. This we believe is a significant and 'persistent' annual under delivery when measured against the annual housing requirement.

27. The 'Five Year Housing Land Supply in Bromsgrove District at 1st April 2013', published as evidence for the BDP, suggests that once the first two years under delivery in the plan period have been taken into account, the residual requirement to 2030 is for 6614 dwellings. This would equate to an annual housing requirement of 389 dwellings plus the buffer over a rolling 5 year period. The document suggests that this would be 2,043 units over five years (409 per annum) if a 5% buffer is added.

28. However, once a 'persistent under delivery' has been proven, which we contend it has, the 5 year housing land requirement would rise to 2,334 units which equates to an annual housing requirement of 467 units.

29. In support of our contention is recent advice from a Development Plan Inspector. As recently as 4th October 2013, the Inspector carrying out an Independent Examination of the Staffordshire Moorlands Core Strategy has published 'Comments and Suggested Amendments to the Main Modifications' which he has advised are required to address issues of soundness. His re-wording has been accepted by the Council in a letter dated 11th October 2013. In respect of the requirement for a housing buffer, he has recommended the following wording be introduced into the Core Strategy,

> '... as a result of the significant underperformance in dwelling completions in years 2011 – 2012, the Council will ensure a supply of deliverable land for 1,320 dwellings to provide a 20% buffer supply, added to the 5 year requirement to 2016.'

30. It would therefore be reasonable to suggest that 'persistent' means at least two accounting years before the current one and 'under delivery' would be where fewer than the projected annual housing unit requirement are completed. Bromsgrove have under delivered on their housing requirement for over two years and therefore we firmly believe that the BDP is unsound without a 20% buffer in addition to the annual housing requirement for a rolling five year period, until such time as the housing target can be met for a minimum of two consecutive years.

31. A number of recent housing appeal decisions in Bromsgrove further support the conclusion that Bromsgrove do not have a five year housing land supply. For example:

- **Feb 2011 -** An appeal against the refusal of permission for 38 dwellings in Hagley was allowed. The site was not in the green belt, but was protected as an Area of Development Restraint (ADR), being reserved as a potential long term housing site. The Inspector found that the housing supply was at best only 2.19 years, and described the shortage of deliverable housing sites in Bromsgrove as an urgent and very serious problem, which could be described as approaching a crisis.
- **Sept 2011** - At an appeal against the refusal of permission for 65 dwellings at Wythall, the Inspector found that only a 1.5 years supply

existed which he described as a serious shortfall. However, that site was in the green belt and the Inspector found that the benefits of the scheme were equal to the harm caused to the green belt, but since the test was that 'other considerations' should outweigh that harm, he dismissed the appeal.

- **Feb 2012** - An appeal against the refusal of development of 212 houses on ADR land in Bromsgrove was allowed.The Inspector found the housing supply position to be 1.5 years, which was described as a very serious deficit, stating that there was an urgent need to address the shortage of sites for housing in Bromsgrove. Costs were awarded against the Council on the grounds that they failed to support the refusal reasons and thereby acted unreasonably.

32. The 'Five Year Housing Land Supply in Bromsgrove District at 1st April 2013' calculates that with a 5% buffer it has a 5.83 year housing land supply. If the assumptions on housing land supply delivery were accepted, this would mean once the 20% buffer is included the authority have 5.1 years. However, as explained above, there must be a question mark over the deliverability of the SHLAA capacity figure of 1212 units, indeed, the report itself states in respect to the SHLAA sites at paragraph 5.10, that '...On several sites it is expected that only a proportion of the total potential housing will be delivered within this five year period with the remaining capacity being delivered in the remainder of the plan period.'

33. The Proposed Submission Version of the BDP is therefore unsound because it does not accept that there is a need under the terms of the Framework to identify sufficient sites for a five year annual housing target of 467 units which includes a 20% buffer. It is also unsound because once this 20% buffer has been added to the requirement, there will be less than a 5 year housing land supply, because the Council's own evidence accepts that a proportion of the housing on the SHLAA sites required to achieve the supply, would not be delivered in the 5 year timeframe.

34. Our clients therefore object to Policy BDP3 'Future Housing and Employment Growth' part BDP3.3 which states that the council will seek to maintain a 5 year housing land supply of deliverable sites .'...plus an additional buffer of 5% moved forward from later in the plan period...'

Additional Housing Need

67/2
BDP4, BDP10, DtC

35. It is important to note that the BDP stated overall requirement for a supply of land to accommodate 7,000 new homes over the duration of the Plan does not include any allowance for land to accommodate residential care homes for the elderly which fall outside the strict definition of 'self-contained dwellings'. Without specific land allocations to address this increasing need it seem inevitable that land identified to meet the C3 housing requirement will be regarded as suitable for accommodating care homes.

36. The effect of this will be to reduce the number of housing units which can be accommodated on the housing land supply sites such that additional land will need to be identified to meet both the housing requirement and the care home requirement.

37. This is borne out by Policy BDP10 'Homes for the Elderly' which states that the Council will identify sites and/or grant planning permission in sustainable locations for, amongst other uses, residential care homes. The failure of the BDP to actually identify additional land, most likely necessary in the Green Belt, to meet this need is unsound and contrary to the requirements of the Framework.

67/2

D+C

38. The cross-boundary requirement for housing land, most notably the outstanding shortfall in Birmingham City, must be accommodated as far as is reasonable and appropriate, within Bromsgrove District administrative boundary. In this regard, it is worth noting that the former East Works site in Longbridge submitted as part of the SHLAA, falls within the Longbridge Area Action Plan (AAP) and it was envisaged in the AAP that any housing within this area will contribute towards Birmingham City's growth needs. However, discussions are apparently on-going because the land lies within Bromsgrove and according to the SHLAA document, Bromsgrove hope to include it within their own housing figures.

39. This would suggest that there is a reluctance to cooperate fully with Birmingham City in trying to find suitable sites within Bromsgrove which would meet some of their shortfall in housing land supply. If Bromsgrove fail to meet the legal requirement under the Duty to Cooperate, the plan would not be legally compliant and would need to be withdrawn. Clearly the Proposed Submission version of the BDP does not make provision for meeting Birmingham's housing land needs confirmed by the inclusion of a paragraph in policy BDP4 'Green Belt' to identify Green Belt land to help deliver objectively assessed housing requirements of the West Midland conurbations. Therefore Bromsgrove have failed in their Duty to Cooperate and the BDP, which covers the period to 2030, is unsound.

40. For this reason and due to soundness issues we advocate that additional work is carried out immediately by Bromsgrove, including a Green Belt review, to enable the BDP to identify suitable land to meet the long-term housing requirements arising from within the local authority area and also from adjoining local authority areas up to 2030 and beyond.

The Case for Identifying More Sustainable Development Sites in Alvechurch, including Land East of Birmingham Road

67/3

BDP 2

41. Our clients welcome the classification of Alvechurch as one of six 'Large Settlements' in Table 2 under the terms of Policy BDP2 'Settlement Hierarchy Policy'. They support the development of Development Sites in or adjacent to large settlements (BD2.3). However, they object to the policy statement that a Green Belt review will be carried out prior to 2023 to enable allocation of further sites as this would be contrary to the Framework requirements. The Green Belt Review should be undertaken now and sites identified for public consideration prior to submission of the BDP to the Secretary of State.

42. The 'Other Development Sites' identified in Policy BDP5B, Table 3, highlights the development sites which will contribute to housing needs in Bromsgrove District. These are primarily the areas that were reserved for future

development in the Local Plan, formerly known as 'Areas of Development Restraint'. According to paragraph 8.61 of the BDP, these development sites are '...located within or close to existing larger settlements which are considered to be sustainable locations and have a good range of existing services available, some of which include for example a railway station, schools and shops.'

43. Our clients support this direction of development towards the most sustainable 'larger settlements'. However, they believe that the scale of new development sites and growth should broadly reflect the relative sustainability of each settlement such that those which score highest in terms of sustainability should accommodate the largest amount of growth. They therefore object to the local planning authority taking the 'easy option' and limiting the identification of development sites to only those which had been 'safeguarded' in the Local Plan.

44. It is also evident from the fact that full or outline planning permission has already been obtained on all the 'larger settlement' proposed housing sites, that there is pent up demand for suitable housing sites in these sustainable settlements. The lack of sufficient land to satisfy the housing requirement over the plan period imposes an artificial constraint on growth and is contrary to the Government's growth initiative and their objective of stimulating the housing market to provide sufficient houses of the right type in the right places to meet need.

45. Supporting evidence 'Settlement Hierarchy Background Paper', September 2012, assesses each settlement in terms of sustainability and attributes an overall 'sustainability score'. In the case of Alvechurch, the score is 53 which means it is ranked third out of the six 'large settlements'. Yet the new housing development allocation for the settlement has been restricted, accommodating only approximately 52 new dwellings on the two identified development sites, both of which already have either full or outline planning permission.

46. This compares to 'large settlements' Barnt Green and Catshill which each have permission for between 80 and 90 dwellings yet both settlements score less in terms of sustainability. The two 'large settlements' which score higher than Alvechurch in terms of sustainability, Wythall and Hagley have significantly more housing development land committed in the BDP with planning permissions for 254 and 201 new units respectively.

47. When compared to the scale of development which has been proposed thus far in other 'large settlements', logic would dictate that, provided suitably located sustainable sites are available adjacent to Alvechurch, it would be reasonable from a planning perspective for land to be allocated for at least an additional 100 new housing units up to 2023 to be in line with the scale of development currently proposed. However, to meet the BDP long term housing target of 7000 units to 2030, the proportion of housing growth which it would be appropriate to direct towards Alvechurch should, we contend, be much higher.

48. The planning case for directing additional housing development towards Alvechurch is further strengthened by the fact that its sustainability criteria are

set to improve as a result of work detailed in the Infrastructure Delivery Plan (IDP), September 2013. This states that a new platform and passing loop is scheduled to be provided by Network Rail by late 2014 to enable the railway station capacity to improve such that the number of trains running every hour will increase from 2 to 3. Additionally a new ticket vending machine will be installed and increased cycle and motorcycle parking provision will be provided at the railway station.

49. At the heart of the Framework is a presumption in favour of sustainable development, which should be seen as a 'golden thread' running through both plan-making and decision-taking. Local Plan policies are required to follow the approach of the presumption in favour of sustainable development so that it is clear that development which is sustainable can be approved without delay. The need to identify Green Belt land has been accepted in principle by Bromsgrove to meet the housing requirement for the Plan period. Therefore, it is entirely appropriate for the most sustainable sites to be allocated without delay as part of the current plan making process. To proceed without identifying sufficient land to meet the housing requirement is unsound.

50. We would strongly recommend allocation of our client's land as a housing site in the current BDP. The site has been assessed by the local planning authority in the SHLAA, site reference BDC 151, and the majority of the site has been subject to more detailed assessment in the 'Area Assessment Study'(AAS), September 2013. The introduction to the AAS states,

> *'In conjunction with the SHLAA this evidence base document was written to help identify the most suitable development sites prior to a Green Belt Review. Whilst the SHLAA primarily considers sites that are promoted to the Council, this assessment goes a step further by assessing all parcels of land around settlements regardless of the availability of the land. This will also ensure that the most sustainable sites are chosen.'*

51. It is unsound that the conclusion of the report for each settlement recommends allocating only those sites not in the Green Belt, such as those previously highlighted in the Local Plan as 'Areas of Development Restraint'. The objective for the BDP evidence should have been to rank those sites with the greatest development potential to enable identification of the most suitable sustainable sites which should have been allocated for housing to meet the need to 2030.

52. In the case of our client's 2.75 hectare site, land east of Birmingham Road, Alvechurch, the AAS has considered only approximately 1.9 hectares nearest to Birmingham Road. The site is referred to as 'Area 4 – Land opposite 119-129 Birmingham Road, Alvechurch'. The assessment concludes that,

> *'The site is well located and is within walking distance to most facilities; however the Green Belt boundary of the site is not clearly defined and the lack of a defensible boundary means that there could be sprawl into the wider countryside. On this basis, the site is currently unsuitable to contribute to the delivery of new housing development...*

However, the SHLAA identifies that the site should be considered as part of any Green Belt review that takes place in the future.'

53. It is unsound for the decision to be deferred. It is our opinion that the site does in fact have clear defensible boundaries comprising the M42 to the north and the River Arrow to the east - if the full extent of the land in our client's ownership is included in the allocation as proposed in the SHLAA submission. The site would be a natural extension to the existing settlement of Alvechurch which it bounds to the west. To the south is the Local Plan 'Area of Development Restraint' site, Birmingham Road/Rectory Lane, recently granted outline planning consent for 25 new dwellings, application number 13/0026 which will soon form part of Alvechurch settlement. Our client's site represents a logical, sustainable extension to the 'larger settlement' of Alvechurch.

54. The site performs well compared to other sites in terms of its suitability for development, something which is also highlighted in the accompanying Pegasus Background document, April 2011. In summary, it is in an extremely sustainable location with excellent links to local retail outlets, schools, health facilities, GP surgery, bus stops and the train station with its imminent increased cycle bay facilities and additional rail services. It is accepted that the site is a 'greenfield' site but this is the same as the majority of the proposed allocations within the BDP.

55. The high landscape quality of the site was not considered to be an overriding impediment for allocation of the adjoining 'development site'. Potential issues including landscape, the public right of way, drainage, habitats, air quality or noise could, we believe, be satisfactorily mitigated through careful design and layout. Indeed, the Public Right of Way which currently connects the site with Alvechurch settlement would afford the opportunity to design a scheme to connect with an area of public open space adjacent to the River Arrow a create a valuable community asset.

56. Our client's site is 'deliverable' under the terms of the Framework. It is available now, achievable has a realistic prospect that housing will be delivered on the site within five years and that development of the site is viable. Indeed, our client and the vendor have a proven track record in the successful delivery of housing in Alvechurch. The site opposite, at 129, Birmingham Road, was granted planning permission on 11th September 2012 for 27 dwellings under planning application reference number 11/0672. All the units have been completed and 26 have been sold with the remaining unit under offer.

57. It is our firm opinion that after balancing all the material planning considerations relevant to the consideration of our client's site as a potential development site, the case for allocating this deliverable site for housing is overwhelming. The housing land shortage represents an exceptional circumstance where removal of the land from the Green Belt is in the public interest.

Summary of Objections to Bromsgrove District Plan Proposed Submission Version Policies

58. Our clients object to the following policies for the reasons explained in the body of this letter of representations and summarised as follows:

67/1

- ***Policy BDP3 'Future Housing and Employment Growth'*** – it is unsound for the identification of land to provide 2,400 new homes within the Green Belt to be postponed until a full Green Belt Review has taken place 'prior to 2023'. The housing figures do not include the full cross-boundary housing requirement arising through the Duty to Cooperate as legally necessary. The full identified housing need should be allocated within the BDP which should provide long-term certainty, particularly in respect of enduring Green Belt boundaries beyond the Plan period. The policy should also make provision for 'safeguarded' land beyond the plan period. It is unsound for the 5 year housing land supply of deliverable sites additional buffer to be 5% where the local planning authority has persistently under provided, as is the case with Bromsgrove, the buffer should be 20% to meet Framework requirements.

67/2

- ***Policy BDP4 Green Belt*** – it is unsound for part BDP4.2 to postpone a decision on Green Belt boundaries which should be altered only in exceptional circumstances. The BDP recognises that there will be a need to identify sufficient Green Belt land to meet: Bromsgrove's current housing requirement; its post 2030 'safeguarded' land requirement; and the requirement for land to meet deficits in housing land supply from adjoining urban areas. In order for the Plan to be sound, it should address these issues now before proceeding towards adoption. It should also identify the need to allocate sufficient additional Green Belt land to accommodate Care Homes for the Elderly which would be in addition to the identified housing land requirement. As it stands, Bromsgrove have failed in their Duty to Cooperate and the Plan is not legally compliant as the Council have failed to identify sufficient land to meet the housing requirements for all the adjoining local authorities who are unable to identify sufficient housing land to meet need within their administrative boundaries.

67/3

- ***Policy BDP5B Other Development Sites*** – is unsound because it fails to identify a quantum of development sites appropriate to the sustainability credentials of Alvechurch. It is unsound because it has failed to identify any Green Belt land for new development. It is unsound because it does not identify our client's 'deliverable' potential housing site on land east of Birmingham Road, Alvechurch as a housing land allocation.

67/4

- ***Policy BDP7 Housing Mix and Density*** – is unsound because it is too prescriptive for a policy which is intended to be relevant for the plan period to 2030. By stating that 'On larger schemes it is accepted that a wider mix of dwelling types will be required' it implies that on all small to medium sized sites '...to ensure mixed and vibrant

communities are created development proposals need to focus on delivering 2 and 3 bedroom properties...' Instead the policy needs to make reference to the need to design schemes which will contribute towards meeting any identified housing needs.

Conclusions

59. It is apparent from the case put forward in this letter of representation that the Bromsgrove District Plan Proposed Submission is not sound and does not satisfactorily meet the tests of soundness in paragraph 182 of the Framework in that it is not consistent with national policy. It also fails in the Duty to Cooperate as sufficient land has not been identified to meet the objectively assessed needs of all adjoining local authority areas. As it stands, the BDP is currently not fit for purpose.

60. In this letter of representation we have highlighted that there is a strong case to demonstrate that the BDP is not sound because it fails to:

- provide guidance and certainty over the long term;
- identify sufficient land to meet the housing requirement over the plan period;
- include a 20% buffer in the 5 year housing land supply;
- make an allowance of additional land to meet the identified need for an aging population in specialist;
- identify housing land to meet the shortfall under the Duty to Cooperate;
- ensure all land included in the housing land supply calculation is deliverable;
- offer developers housing land allocation choices to ensure a rolling 5 year housing land supply is maintained;
- have undertaken a Green Belt Review despite evidence to demonstrate that homes cannot be delivered without altering Green Belt boundaries;
- alter Green Belt boundaries to meet the identified growth requirement;
- ensure that Green Belt boundaries are capable of enduring beyond the plan period through the identification of 'safeguarded land';
- identify a quantum of housing land allocations appropriate to the scale and sustainability of settlements; and
- remove our client's land, and other similarly 'deliverable' sites, from the Green Belt and allocate them for residential development.

61. Identification of our client's land to the east of Birmingham Road, Alvechurch would contribute towards meeting the proven outstanding need for Green Belt land to be allocated for housing development. The shortfall in housing land is an exceptional circumstance which justifies alteration to the Green Belt in this location. Our client's site is deliverable and it is in a sustainable location adjacent to the settlement boundary within easy reach of services and facilities. Development on this site would be a natural extension of the settlement and provide an opportunity to create a more sensitive edge with the M42 and River Arrow providing a strong defensible boundary for the realigned Green Belt boundary.

62. We formally request that the Green Belt boundary be realigned at Alvechurch to exclude our client's land east of Birmingham Road from the Green Belt designation and that the land be allocated for residential development.

We should be grateful if you would confirm receipt of this letter of representation and ensure that it is submitted to the Inspector for his/her consideration.

Kind regards,

Yours sincerely,

[redacted]

Part B (see Note 1 and Note 8 para 4.2)

Please use a separate Part B form for each representation you wish to make

Name or Organisation **(see Note 8 para 4.1)**

Tyler-Parkes Partnership

1. To which part of the BDP does this representation relate?

Page: See attached letter	Paragraph: See attached letter	Policy: See attached letter
Policies Map: See attached letter	Other document: See attached letter	

If your representation does not relate to a specific part of the document, or it relates to a different document, for example the Sustainability Appraisal, please make this clear in your response.

2. Do you consider the BDP is legally compliant? **(see Note 2)**

Yes:☐	No:☑

3. Please give details of why you consider the BDP is not legally compliant. Please be as precise as possible. If you wish to support the legal compliance of the BDP, please also use this box to set out your comments. (Continue on a separate sheet /expand box if necessary)

It does not fully meet the Duty to Cooperate requirements – please see attached letter of representation for full details of reasons for objection

4. Please set out what change(s) you consider necessary to make the BDP legally compliant, having regard to the issue(s) you have identified above. You will need to say why this change will make the BDP legally compliant. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible. (Continue on a separate sheet /expand box if necessary) **(see Note 8 para 4.3)**

Please see letter of representation

5. Do you consider the BDP is sound? **(see Note 3)**

Yes:☐	No:☑

Do you consider the BDP is **unsound** because it is not:

(1) Justified **(see Note 4)**	☑
(2) Effective **(see Note 5)**	☑
(3) Consistent with national policy **(see Note 6)**	☑
(4) Positively prepared **(see Note 7)**	☑

6. Please give details of why you consider the BDP is unsound. Please be as precise as possible. If you wish to support the soundness of the BDP, please also use this box to set out your comments. (Continue on a separate sheet /expand box if necessary)

Please see letter of representation

7. Please set out what change(s) you consider necessary to make the BDP sound, having regard to the test you have identified at 6 above. You will need to say why this change will make the BDP sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible. (Continue on a separate sheet /expand box if necessary) **(see Note 8 para 4.3)**

Please see letter of representation

Please note *your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested change(s), as there will not normally be a subsequent opportunity to make further representations based on the original representation at publication stage.*

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

8. If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination? ***Please note*** *the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.*

No, I do not wish to participate at the oral examination	☐
Yes, I wish to participate at the oral examination	☐

9. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary. (Continue on a separate sheet /expand box if necessary)

To be decided

Signature: [redacted] Date: 6th November 2013

tyler
parkes

Planning and Architecture | advice | applications | drawings

Our ref: 10028 LA HRW 01

The Strategic Planning Team
Planning and Regeneration
Bromsgrove District Council
The Council House
Burcot Lane
Bromsgrove
Worcestershire
B60 1AA

By Email: strategicplanning@bromsgrove.gov.uk

6th November 2013

Dear Sir/Madam

Bromsgrove District Plan Proposed Submission Document: Formal Representation in respect of Land East of Birmingham Road, Alvechurch

We act on behalf of Piper Homes in respect of land east of Birmingham Road, Alvechurch. Representations have previously been submitted on behalf of our client by Pegasus Planning Group to the Draft Core Strategy 2 in April 2011 and the site was advanced for consideration in the Strategic Land Availability Assessment (SHLAA). The site is identified in the SHLAA, July 2013, as reference BDC 151.

We welcome the opportunity to make representations on behalf of our client to the Bromsgrove Development Plan (BDP) Proposed Submission Version and set out our formal representations below accompanied by a completed Representations form, and 'Land to the East of Birmingham Road, Alvechurch Background Document, April 2011' produced by Pegasus Group. An Ecology Report prepared by Ecolocation will be submitted as supporting background information, hopefully by 13th November 2013.

We raise **OBJECTION** to the BDP on the grounds that it is not 'sound' and it fails to meet the requirements of the National Planning Policy Framework (Framework) or fully meet the legal Duty to Cooperate.

It is apparent that the approach taken to housing land allocations in the BDP Proposed Submission version is not wholly consistent with the Framework which, amongst other matters, seeks to: provide certainty by planning for the long term; locate development in the most sustainable locations; protect the future viability of settlements; ensure a variety of housing is provided to meet identified needs; ensure a 5 year housing land supply is maintained; alter Green Belt boundaries in exceptional circumstances (such as required to meet housing need) to ensure they are capable of enduring beyond the Plan period; and ensure the legal Duty to Cooperate has been satisfied.

In summary, the BDP is not sound because it -

- fails to provide guidance and certainty over the long term;
- fails to identify sufficient land to meet the housing requirement over the plan period;
- fails to include a 20% buffer in the 5 year housing land supply;
- fails to make an allowance of additional land to meet the identified need for an aging population in specialist accommodation in addition to land required for 'self-contained dwellings' falling within the housing land requirement calculation;
- fails to fully consider the implications on Bromsgrove District of Birmingham City's housing land shortfall under the Duty to Cooperate;
- fails to ensure all land included in the housing land supply calculation is deliverable;
- fails to offer developers housing land allocation choices to ensure a rolling 5 year housing land supply is maintained;
- fails to have undertaken a Green Belt Review despite evidence to demonstrate that homes cannot be delivered without altering Green Belt boundaries;
- fails to alter Green Belt boundaries to meet the identified growth requirement;
- fails to ensure that Green Belt boundaries are capable of enduring beyond the plan period through the identification of 'areas of development restraint' or 'safeguarded land';
- fails to identify a quantum of housing land allocations appropriate to the scale and sustainability of settlements as evidenced by the Council's own research; and
- fails to remove our client's sustainable and deliverable land from the Green Belt and allocate it for residential development.

A more detailed assessment of issues of soundness and legal compliance raised above is set out below:

National Planning Policy Framework (Framework)

1. The Framework, published on 27th March 2012, sets out the government's planning policies for England and how these are expected to be applied. Planning law requires that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise. It is therefore vital that the policies and proposals contained within emerging Development Plans are consistent with the objectives and requirements of the Framework.

2. Paragraph 14 states that at the heart of the Framework is a 'presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.' Paragraph 15 requires policies in Local Plans 'to follow the approach of the presumption in favour of sustainable development so that it is clear that development which is sustainable can be approved without delay'.

3. In Paragraph 7, the Framework recognises three dimensions to sustainable development; economic, social and environmental. In respect of the social role, the Framework sees the planning system as needing to perform the role of, 'supporting strong, vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being'.

4. Paragraph 17, sets out 12 core planning principles, including that planning should ensure that, '...Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth...' and '...actively manage patterns of growth to make the fullest possible use of public transport, walking, cycling, and focus significant development in locations which are or can be made sustainable...'

5. Paragraph 47, Delivering a Wide Choice of High Quality Homes, requires local planning authorities to identify '...key sites which are critical to the delivery of the housing strategy over the plan period...' and identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against the identified housing requirement with an additional buffer of 5% to provide a realistic prospect of achieving the planned supply and ensure choice and competition in the market for land. Where there has been a persistent under delivery of housing, local planning authorities should increase the buffer to 20%. It also requires that local planning authorities should identify a supply of specific, developable sites or broad locations for growth, for years 6-10 and where possible, for years 11-15.

6. According to the footnotes in the Framework, to be considered deliverable, 'sites should be available now, offer a sustainable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years and in particular that development of the site is

viable...To be considered developable, sites should be in a suitable location for housing development and there should be a reasonable prospect that the site is available and could be viably developed at the point envisaged.'

7. Paragraph 48 states that local planning authorities may only make an allowance for windfall sites in the rolling 5 year housing land supply if they have compelling evidence that such sites have consistently become available in the local area and will continue to provide a reliable source of supply. Any windfall allowance 'should not include residential gardens' in the calculation.

8. Paragraph 50 requires local planning authorities to, amongst other things, deliver a wide choice of high quality homes, plan for a mix of housing based on current and future demographic trends and the needs of different groups in the community such as older people, ensure that local demand is reflected in the tenure and range of housing, widen opportunities for home ownership and create sustainable, inclusive mixed communities.

9. Paragraph 49 states that, 'Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.'

10. Paragraph 83 notes that 'Green Belt boundaries should only be altered in exceptional circumstances, through the preparation or review of the Local Plan.' Paragraphs 84 and 85 require, when reviewing Green Belt boundaries, that local planning authorities take account of the need to promote sustainable patterns of development. Where necessary, they should identify in their plans areas of 'safeguarded land' between the urban area and the Green Belt, in order to meet the longer-term development needs stretching beyond the plan period. They should 'satisfy themselves that Green Belt boundaries will not need to be altered at the end of the development plan period'

11. Paragraph 182, Examining Local Plans, requires Local Plans to be 'sound' meaning that they must be: positively prepared; justified such that the 'plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence'; effective; and consistent with national policy to enable the delivery of sustainable development.

Bromsgrove District Housing Land Requirement

12. The Framework requires that every effort be made to objectively identify and then meet the housing need. In doing so, local planning authorities need to cooperate with adjoining local authorities and identify key sites which are critical to the delivery of the housing strategy 'over the plan period'.

Quantum of Identified Housing Land for the Plan Period

13. The BDP covers the timeframe 2011 to 2030, with an apparent identified need for 7,000 new homes. On page 23, the supporting text for Policy BDP3 'Future Housing and Employment Growth' acknowledges that land to

accommodate 2,400 of these homes post 2023 cannot be identified until a Green Belt Review has been carried out. Even if the scale of housing land requirement and deliverable site information is accepted, something which we challenge later in this letter of representation, by the Council's own admission, the Plan fails to meet the Framework's unequivocal requirement for key sites to be identified critical to the delivery of the housing strategy over the plan period. For this and other reasons set out in this letter, the BDP is not sound.

14. Paragraph 5 of the Framework requires that local planning authorities should identify a supply of specific, developable housing sites or broad locations for growth, for years 6-10 and where possible, for years 11-15. If it were to be assumed that the BDP proceeded to adoption without undue delay, something which we consider unlikely, the earliest date on which the Plan could be adopted would be late 2014 or sometime in 2015. Therefore, at most there would be only approximately 8 or 9 years identified housing land further demonstrating that the Plan is not sound.

15. It is fundamentally unsound for the BDP to be progressed without undertaking a Green Belt Review to enable identification of sufficient land to meet the identified housing need over the Plan period. Evidence of the unmet housing requirement is an 'exceptional circumstance' to justify Green Belt boundary changes. Undertaking the Green Belt Review now will ensure that the Green Belt boundaries are altered in the most sustainable and appropriate locations through the preparation of the Local Development Plan, rather than as a response to out-of-date housing policies and on an ad hoc basis responding to planning applications.

16. Bromsgrove have 'bitten the bullet' in respect of the cross-boundary housing land requirement from Redditch. Land is proposed for removal from the Green Belt to meet this adjoining local authority's housing land shortfall, however, for reasons unknown, Bromsgrove have failed to undertaken the same exercise in respect of their own (and other adjoining authorities) housing land requirement. The BDP is fundamentally unsound in this regard.

17. Bromsgrove should not only identify Green Belt land to meet their identified need over the Plan period, but they should also identify in the BDP:

    - areas of 'safeguarded land' between the urban area and the Green Belt, in order to meet the longer-term development needs stretching beyond the plan period; and

    - areas of Green Belt needed to meet the cross-boundary requirements for housing land, not only for Redditch, which has already been agreed, but for all adjoining local authority areas, as required under the Duty to Cooperate legislation, in particular, Birmingham City which has an objectively assessed shortfall in housing land supply within its boundary.

    It is vital that Bromsgrove should satisfy themselves that Green Belt boundaries will not need to be altered at the end of the development plan period to meet the requirements of the Framework. Currently the BDP is unsound in this respect.

'Deliverable' Housing Land

18. The BDP estimates that it is able to meet the requirement for 4,624 of the overall 7,000 new homes over the duration of the Plan. This relies upon 386 completions in the two years 2011 to 2013; 2,106 coming forward from Bromsgrove expansion sites; 1052 commitments from the Local Plan 'Areas of Development Restraint'; 179 from remaining Development sites; 421 from 'other' Strategic Housing Land Availability (SHLAA) sites and 480 from windfall sites.

19. The 'deliverability' of these sites is questioned on the following basis:

    - Three large expansion sites identified around Bromsgrove town centre are in multiple landownership, require large scale infrastructure delivery, and careful consideration and mitigation of a number of issues such as flood risk, biodiversity and topography which may impact on their development capacity. Therefore deliverability of the scale of housing proposed cannot be guaranteed particularly given that the local planning authority have not produced detailed masterplans for the sites. Given the hurdles which must be jumped to realise planning permission for housing on these sites, this housing land supply should be seen as susceptible to change in terms of the number of units to be delivered and seen as a medium to longer-term prospect;

    - SHLAA sites do not have planning permission. They are generally promoted by landowners or interested parties as potential housing development sites and are assessed by the Local Planning Authority on the basis of a broad overview of criteria rather than a detailed site assessment. The SHLAA conclusion states, 'Information that is contained within the SHLAA may act as a useful indication of opportunities or constraints on a site but applicants will need to undertake their own detailed research to determine the full potential for residential development opportunities on sites within the SHLAA...' Therefore the capacity of sites given in the SHLAA is probably most accurately regarded as an 'estimate' and it would be misleading and unsound to include these figures as absolute 'deliverable' housing capacity under the terms of the Framework.

20. The deliverability of a number of sites in the 'source of supply' is therefore called into question and it is considered 'unsound' that the BDP should promote sites where it has not been possible to satisfy the Framework's test. To be considered deliverable, sites must be available now, be achievable with a realistic prospect that housing will be delivered on the site within five years and that development of the site is viable. To be considered developable, sites should not only be in a suitable location for housing development but there should also be a reasonable prospect that the site is available and could be viably developed at the point envisaged.

21. Not only are the sources of housing land supply identified in the BDP insufficient to meet the 7000 identified housing requirement, but all the

housing land supply included in the BDP cannot be shown to be 'deliverable'. Therefore the plan us 'unsound' in this regard.

Five Year housing Land Supply

22. Under the terms of Framework paragraph 49, where a deliverable 5 year housing land supply cannot be demonstrated none of the housing supply policies are considered up-to-date, even where a Plan has been recently adopted. In these circumstances each housing planning application should be considered in terms of the Framework and the presumption in favour of sustainable development. In order to avoid 'planning by appeal' and protect planning polices and strategies over the plan period it is important for local planning authorities to ensure that a 5 year housing land supply is maintained at all times.

23. The 5 year housing land calculation must provide a 'buffer' under the terms of the Framework of, '...specific deliverable sites sufficient to provide five years worth of housing against the identified housing requirement with an additional buffer of 5% to provide a realistic prospect of achieving the planned supply and ensure choice and competition in the market for land. Where there has been a persistent under delivery of housing, local planning authorities should increase the buffer to 20%...' There is no definition of 'persistent under delivery' and this has largely been left for determination by the Inspectorate.

24. Bromsgrove Council have based the BDP policies on the assumption that they do not have a record of persistent under delivery of housing. However, this is an assumption which evidence of their past housing delivery performance together with a recent interim decision by the Inspector for Staffordshire Moorlands and several planning appeal decisions would challenge.

25. The 'Housing Delivery Performance' paper published October 2013 concludes that the Council has a good track record in meeting the Structure Plan and 2004 adopted West Midlands Regional Spatial Strategy (RSS) housing requirement, early delivery of which resulted in introduction of a housing moratorium 2003 to 2009. However, the Council have failed to meet the more onerous annual housing requirements proposed in the RSS Panel Phase 2 Revision report – 266 per annum between 2006 to 2021 and 400 to 600 per annum for the five years to 2026. Although RSSs have now been revoked, the Panel Report housing requirement calculations have generally been accepted by Planning Inspectors at appeals across the country as the most up to date publically examined housing requirement evidence, in the absence of locally derived and tested figures.

26. According to the BDP, page 21, during the two years 2011 to 2013 only 386 dwelling were completed (ie 193 per annum). This is half the locally calculated housing required for a two year period with a 5% buffer. Taking a five year time-frame prior to this, the Annual Monitoring report, December 2012, shows that: in 2007/08 there were 135 completions; in 2008/09 there were 159 completions; in 2009/10 there were 72 completions; in 2010/11 there were 122 completions; and in 2011/12 there were 256 completions. This equates to an average annual housing completion figure over the seven

years of 161 units. This we believe is a significant and 'persistent' annual under delivery when measured against the annual housing requirement.

27. The 'Five Year Housing Land Supply in Bromsgrove District at 1st April 2013', published as evidence for the BDP, suggests that once the first two years under delivery in the plan period have been taken into account, the residual requirement to 2030 is for 6614 dwellings. This would equate to an annual housing requirement of 389 dwellings plus the buffer over a rolling 5 year period. The document suggests that this would be 2,043 units over five years (409 per annum) if a 5% buffer is added.

28. However, once a 'persistent under delivery' has been proven, which we contend it has, the 5 year housing land requirement would rise to 2,334 units which equates to an annual housing requirement of 467 units.

29. In support of our contention is recent advice from a Development Plan Inspector. As recently as 4th October 2013, the Inspector carrying out an Independent Examination of the Staffordshire Moorlands Core Strategy has published 'Comments and Suggested Amendments to the Main Modifications' which he has advised are required to address issues of soundness. His re-wording has been accepted by the Council in a letter dated 11th October 2013. In respect of the requirement for a housing buffer, he has recommended the following wording be introduced into the Core Strategy,

> '... as a result of the significant underperformance in dwelling completions in years 2011 – 2012, the Council will ensure a supply of deliverable land for 1,320 dwellings to provide a 20% buffer supply, added to the 5 year requirement to 2016.'

30. It would therefore be reasonable to suggest that 'persistent' means at least two accounting years before the current one and 'under delivery' would be where fewer than the projected annual housing unit requirement are completed. Bromsgrove have under delivered on their housing requirement for over two years and therefore we firmly believe that the BDP is unsound without a 20% buffer in addition to the annual housing requirement for a rolling five year period, until such time as the housing target can be met for a minimum of two consecutive years.

31. A number of recent housing appeal decisions in Bromsgrove further support the conclusion that Bromsgrove do not have a five year housing land supply. For example:

- **Feb 2011 -** An appeal against the refusal of permission for 38 dwellings in Hagley was allowed. The site was not in the green belt, but was protected as an Area of Development Restraint (ADR), being reserved as a potential long term housing site. The Inspector found that the housing supply was at best only 2.19 years, and described the shortage of deliverable housing sites in Bromsgrove as an urgent and very serious problem, which could be described as approaching a crisis.
- **Sept 2011** - At an appeal against the refusal of permission for 65 dwellings at Wythall, the Inspector found that only a 1.5 years supply

existed which he described as a serious shortfall. However, that site was in the green belt and the Inspector found that the benefits of the scheme were equal to the harm caused to the green belt, but since the test was that 'other considerations' should outweigh that harm, he dismissed the appeal.

- **Feb 2012** - An appeal against the refusal of development of 212 houses on ADR land in Bromsgrove was allowed.The Inspector found the housing supply position to be 1.5 years, which was described as a very serious deficit, stating that there was an urgent need to address the shortage of sites for housing in Bromsgrove. Costs were awarded against the Council on the grounds that they failed to support the refusal reasons and thereby acted unreasonably.

32. The 'Five Year Housing Land Supply in Bromsgrove District at 1st April 2013' calculates that with a 5% buffer it has a 5.83 year housing land supply. If the assumptions on housing land supply delivery were accepted, this would mean once the 20% buffer is included the authority have 5.1 years. However, as explained above, there must be a question mark over the deliverability of the SHLAA capacity figure of 1212 units, indeed, the report itself states in respect to the SHLAA sites at paragraph 5.10, that '...On several sites it is expected that only a proportion of the total potential housing will be delivered within this five year period with the remaining capacity being delivered in the remainder of the plan period.'

33. The Proposed Submission Version of the BDP is therefore unsound because it does not accept that there is a need under the terms of the Framework to identify sufficient sites for a five year annual housing target of 467 units which includes a 20% buffer. It is also unsound because once this 20% buffer has been added to the requirement, there will be less than a 5 year housing land supply, because the Council's own evidence accepts that a proportion of the housing on the SHLAA sites required to achieve the supply, would not be delivered in the 5 year timeframe.

34. Our clients therefore object to Policy BDP3 'Future Housing and Employment Growth' part BDP3.3 which states that the council will seek to maintain a 5 year housing land supply of deliverable sites .'...plus an additional buffer of 5% moved forward from later in the plan period...'

Additional Housing Need

35. It is important to note that the BDP stated overall requirement for a supply of land to accommodate 7,000 new homes over the duration of the Plan does not include any allowance for land to accommodate residential care homes for the elderly which fall outside the strict definition of 'self-contained dwellings'. Without specific land allocations to address this increasing need it seem inevitable that land identified to meet the C3 housing requirement will be regarded as suitable for accommodating care homes.

36. The effect of this will be to reduce the number of housing units which can be accommodated on the housing land supply sites such that additional land will need to be identified to meet both the housing requirement and the care home requirement.

37. This is borne out by Policy BDP10 'Homes for the Elderly' which states that the Council will identify sites and/or grant planning permission in sustainable locations for, amongst other uses, residential care homes. The failure of the BDP to actually identify additional land, most likely necessary in the Green Belt, to meet this need is unsound and contrary to the requirements of the Framework.

38. The cross-boundary requirement for housing land, most notably the outstanding shortfall in Birmingham City, must be accommodated as far as is reasonable and appropriate, within Bromsgrove District administrative boundary. In this regard, it is worth noting that the former East Works site in Longbridge submitted as part of the SHLAA, falls within the Longbridge Area Action Plan (AAP) and it was envisaged in the AAP that any housing within this area will contribute towards Birmingham City's growth needs. However, discussions are apparently on-going because the land lies within Bromsgrove and according to the SHLAA document, Bromsgrove hope to include it within their own housing figures.

39. This would suggest that there is a reluctance to cooperate fully with Birmingham City in trying to find suitable sites within Bromsgrove which would meet some of their shortfall in housing land supply. If Bromsgrove fail to meet the legal requirement under the Duty to Cooperate, the plan would not be legally compliant and would need to be withdrawn. Clearly the Proposed Submission version of the BDP does not make provision for meeting Birmingham's housing land needs confirmed by the inclusion of a paragraph in policy BDP4 'Green Belt' to identify Green Belt land to help deliver objectively assessed housing requirements of the West Midland conurbations. Therefore Bromsgrove have failed in their Duty to Cooperate and the BDP, which covers the period to 2030, is unsound.

40. For this reason and due to soundness issues we advocate that additional work is carried out immediately by Bromsgrove, including a Green Belt review, to enable the BDP to identify suitable land to meet the long-term housing requirements arising from within the local authority area and also from adjoining local authority areas up to 2030 and beyond.

The Case for Identifying More Sustainable Development Sites in Alvechurch, including Land East of Birmingham Road

41. Our clients welcome the classification of Alvechurch as one of six 'Large Settlements' in Table 2 under the terms of Policy BDP2 'Settlement Hierarchy Policy'. They support the development of Development Sites in or adjacent to large settlements (BD2.3). However, they object to the policy statement that a Green Belt review will be carried out prior to 2023 to enable allocation of further sites as this would be contrary to the Framework requirements. The Green Belt Review should be undertaken now and sites identified for public consideration prior to submission of the BDP to the Secretary of State.

42. The 'Other Development Sites' identified in Policy BDP5B, Table 3, highlights the development sites which will contribute to housing needs in Bromsgrove District. These are primarily the areas that were reserved for future

development in the Local Plan, formerly known as 'Areas of Development Restraint'. According to paragraph 8.61 of the BDP, these development sites are '...located within or close to existing larger settlements which are considered to be sustainable locations and have a good range of existing services available, some of which include for example a railway station, schools and shops.'

43. Our clients support this direction of development towards the most sustainable 'larger settlements'. However, they believe that the scale of new development sites and growth should broadly reflect the relative sustainability of each settlement such that those which score highest in terms of sustainability should accommodate the largest amount of growth. They therefore object to the local planning authority taking the 'easy option' and limiting the identification of development sites to only those which had been 'safeguarded' in the Local Plan.

44. It is also evident from the fact that full or outline planning permission has already been obtained on all the 'larger settlement' proposed housing sites, that there is pent up demand for suitable housing sites in these sustainable settlements. The lack of sufficient land to satisfy the housing requirement over the plan period imposes an artificial constraint on growth and is contrary to the Government's growth initiative and their objective of stimulating the housing market to provide sufficient houses of the right type in the right places to meet need.

45. Supporting evidence 'Settlement Hierarchy Background Paper', September 2012, assesses each settlement in terms of sustainability and attributes an overall 'sustainability score'. In the case of Alvechurch, the score is 53 which means it is ranked third out of the six 'large settlements'. Yet the new housing development allocation for the settlement has been restricted, accommodating only approximately 52 new dwellings on the two identified development sites, both of which already have either full or outline planning permission.

46. This compares to 'large settlements' Barnt Green and Catshill which each have permission for between 80 and 90 dwellings yet both settlements score less in terms of sustainability. The two 'large settlements' which score higher than Alvechurch in terms of sustainability, Wythall and Hagley have significantly more housing development land committed in the BDP with planning permissions for 254 and 201 new units respectively.

47. When compared to the scale of development which has been proposed thus far in other 'large settlements', logic would dictate that, provided suitably located sustainable sites are available adjacent to Alvechurch, it would be reasonable from a planning perspective for land to be allocated for at least an additional 100 new housing units up to 2023 to be in line with the scale of development currently proposed. However, to meet the BDP long term housing target of 7000 units to 2030, the proportion of housing growth which it would be appropriate to direct towards Alvechurch should, we contend, be much higher.

48. The planning case for directing additional housing development towards Alvechurch is further strengthened by the fact that its sustainability criteria are

set to improve as a result of work detailed in the Infrastructure Delivery Plan (IDP), September 2013. This states that a new platform and passing loop is scheduled to be provided by Network Rail by late 2014 to enable the railway station capacity to improve such that the number of trains running every hour will increase from 2 to 3. Additionally a new ticket vending machine will be installed and increased cycle and motorcycle parking provision will be provided at the railway station.

49. At the heart of the Framework is a presumption in favour of sustainable development, which should be seen as a 'golden thread' running through both plan-making and decision-taking. Local Plan policies are required to follow the approach of the presumption in favour of sustainable development so that it is clear that development which is sustainable can be approved without delay. The need to identify Green Belt land has been accepted in principle by Bromsgrove to meet the housing requirement for the Plan period. Therefore, it is entirely appropriate for the most sustainable sites to be allocated without delay as part of the current plan making process. To proceed without identifying sufficient land to meet the housing requirement is unsound.

50. We would strongly recommend allocation of our client's land as a housing site in the current BDP. The site has been assessed by the local planning authority in the SHLAA, site reference BDC 151, and the majority of the site has been subject to more detailed assessment in the 'Area Assessment Study'(AAS), September 2013. The introduction to the AAS states,

> *'In conjunction with the SHLAA this evidence base document was written to help identify the most suitable development sites prior to a Green Belt Review. Whilst the SHLAA primarily considers sites that are promoted to the Council, this assessment goes a step further by assessing all parcels of land around settlements regardless of the availability of the land. This will also ensure that the most sustainable sites are chosen.'*

51. It is unsound that the conclusion of the report for each settlement recommends allocating only those sites not in the Green Belt, such as those previously highlighted in the Local Plan as 'Areas of Development Restraint'. The objective for the BDP evidence should have been to rank those sites with the greatest development potential to enable identification of the most suitable sustainable sites which should have been allocated for housing to meet the need to 2030.

52. In the case of our client's 2.75 hectare site, land east of Birmingham Road, Alvechurch, the AAS has considered only approximately 1.9 hectares nearest to Birmingham Road. The site is referred to as 'Area 4 – Land opposite 119-129 Birmingham Road, Alvechurch'. The assessment concludes that,

> *'The site is well located and is within walking distance to most facilities; however the Green Belt boundary of the site is not clearly defined and the lack of a defensible boundary means that there could be sprawl into the wider countryside. On this basis, the site is currently unsuitable to contribute to the delivery of new housing development...*

However, the SHLAA identifies that the site should be considered as part of any Green Belt review that takes place in the future.'

53. It is unsound for the decision to be deferred. It is our opinion that the site does in fact have clear defensible boundaries comprising the M42 to the north and the River Arrow to the east - if the full extent of the land in our client's ownership is included in the allocation as proposed in the SHLAA submission. The site would be a natural extension to the existing settlement of Alvechurch which it bounds to the west. To the south is the Local Plan 'Area of Development Restraint' site, Birmingham Road/Rectory Lane, recently granted outline planning consent for 25 new dwellings, application number 13/0026 which will soon form part of Alvechurch settlement. Our client's site represents a logical, sustainable extension to the 'larger settlement' of Alvechurch.

54. The site performs well compared to other sites in terms of its suitability for development, something which is also highlighted in the accompanying Pegasus Background document, April 2011. In summary, it is in an extremely sustainable location with excellent links to local retail outlets, schools, health facilities, GP surgery, bus stops and the train station with its imminent increased cycle bay facilities and additional rail services. It is accepted that the site is a 'greenfield' site but this is the same as the majority of the proposed allocations within the BDP.

55. The high landscape quality of the site was not considered to be an overriding impediment for allocation of the adjoining 'development site'. Potential issues including landscape, the public right of way, drainage, habitats, air quality or noise could, we believe, be satisfactorily mitigated through careful design and layout. Indeed, the Public Right of Way which currently connects the site with Alvechurch settlement would afford the opportunity to design a scheme to connect with an area of public open space adjacent to the River Arrow a create a valuable community asset.

56. Our client's site is 'deliverable' under the terms of the Framework. It is available now, achievable has a realistic prospect that housing will be delivered on the site within five years and that development of the site is viable. Indeed, our client and the vendor have a proven track record in the successful delivery of housing in Alvechurch. The site opposite, at 129, Birmingham Road, was granted planning permission on 11th September 2012 for 27 dwellings under planning application reference number 11/0672. All the units have been completed and 26 have been sold with the remaining unit under offer.

57. It is our firm opinion that after balancing all the material planning considerations relevant to the consideration of our client's site as a potential development site, the case for allocating this deliverable site for housing is overwhelming. The housing land shortage represents an exceptional circumstance where removal of the land from the Green Belt is in the public interest.

Summary of Objections to Bromsgrove District Plan Proposed Submission Version Policies

58. Our clients object to the following policies for the reasons explained in the body of this letter of representations and summarised as follows:

- ***Policy BDP3 'Future Housing and Employment Growth'*** – it is unsound for the identification of land to provide 2,400 new homes within the Green Belt to be postponed until a full Green Belt Review has taken place 'prior to 2023'. The housing figures do not include the full cross-boundary housing requirement arising through the Duty to Cooperate as legally necessary. The full identified housing need should be allocated within the BDP which should provide long-term certainty, particularly in respect of enduring Green Belt boundaries beyond the Plan period. The policy should also make provision for 'safeguarded' land beyond the plan period. It is unsound for the 5 year housing land supply of deliverable sites additional buffer to be 5% where the local planning authority has persistently under provided, as is the case with Bromsgrove, the buffer should be 20% to meet Framework requirements.

- ***Policy BDP4 Green Belt*** – it is unsound for part BDP4.2 to postpone a decision on Green Belt boundaries which should be altered only in exceptional circumstances. The BDP recognises that there will be a need to identify sufficient Green Belt land to meet: Bromsgrove's current housing requirement; its post 2030 'safeguarded' land requirement; and the requirement for land to meet deficits in housing land supply from adjoining urban areas. In order for the Plan to be sound, it should address these issues now before proceeding towards adoption. It should also identify the need to allocate sufficient additional Green Belt land to accommodate Care Homes for the Elderly which would be in addition to the identified housing land requirement. As it stands, Bromsgrove have failed in their Duty to Cooperate and the Plan is not legally compliant as the Council have failed to identify sufficient land to meet the housing requirements for all the adjoining local authorities who are unable to identify sufficient housing land to meet need within their administrative boundaries.

- ***Policy BDP5B Other Development Sites*** – is unsound because it fails to identify a quantum of development sites appropriate to the sustainability credentials of Alvechurch. It is unsound because it has failed to identify any Green Belt land for new development. It is unsound because it does not identify our client's 'deliverable' potential housing site on land east of Birmingham Road, Alvechurch as a housing land allocation.

- ***Policy BDP7 Housing Mix and Density*** – is unsound because it is too prescriptive for a policy which is intended to be relevant for the plan period to 2030. By stating that 'On larger schemes it is accepted that a wider mix of dwelling types will be required' it implies that on all small to medium sized sites '...to ensure mixed and vibrant

communities are created development proposals need to focus on delivering 2 and 3 bedroom properties...' Instead the policy needs to make reference to the need to design schemes which will contribute towards meeting any identified housing needs.

Conclusions

59. It is apparent from the case put forward in this letter of representation that the Bromsgrove District Plan Proposed Submission is not sound and does not satisfactorily meet the tests of soundness in paragraph 182 of the Framework in that it is not consistent with national policy. It also fails in the Duty to Cooperate as sufficient land has not been identified to meet the objectively assessed needs of all adjoining local authority areas. As it stands, the BDP is currently not fit for purpose.

60. In this letter of representation we have highlighted that there is a strong case to demonstrate that the BDP is not sound because it fails to:

- provide guidance and certainty over the long term;
- identify sufficient land to meet the housing requirement over the plan period;
- include a 20% buffer in the 5 year housing land supply;
- make an allowance of additional land to meet the identified need for an aging population in specialist;
- identify housing land to meet the shortfall under the Duty to Cooperate;
- ensure all land included in the housing land supply calculation is deliverable;
- offer developers housing land allocation choices to ensure a rolling 5 year housing land supply is maintained;
- have undertaken a Green Belt Review despite evidence to demonstrate that homes cannot be delivered without altering Green Belt boundaries;
- alter Green Belt boundaries to meet the identified growth requirement;
- ensure that Green Belt boundaries are capable of enduring beyond the plan period through the identification of 'safeguarded land';
- identify a quantum of housing land allocations appropriate to the scale and sustainability of settlements; and
- remove our client's land, and other similarly 'deliverable' sites, from the Green Belt and allocate them for residential development.

61. Identification of our client's land to the east of Birmingham Road, Alvechurch would contribute towards meeting the proven outstanding need for Green Belt land to be allocated for housing development. The shortfall in housing land is an exceptional circumstance which justifies alteration to the Green Belt in this location. Our client's site is deliverable and it is in a sustainable location adjacent to the settlement boundary within easy reach of services and facilities. Development on this site would be a natural extension of the settlement and provide an opportunity to create a more sensitive edge with the M42 and River Arrow providing a strong defensible boundary for the realigned Green Belt boundary.

62. We formally request that the Green Belt boundary be realigned at Alvechurch to exclude our client's land east of Birmingham Road from the Green Belt designation and that the land be allocated for residential development.

We should be grateful if you would confirm receipt of this letter of representation and ensure that it is submitted to the Inspector for his/her consideration.

Kind regards,

Yours sincerely,

Land to the East of Birmingham Road Alvechurch

Background Document

April 2011

Prepared by Pegasus Planning Group on behalf of Piper Homes

Land to the East of Birmingham Road, Alvechurch

BACKGROUND DOCUMENT

April 2011

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1 Introduction
2 Site Description and Context
3 Planning Policy Context
4 Suitability for Housing
5 Availability
6 Achievability
7 Conclusions

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Date: April 2011

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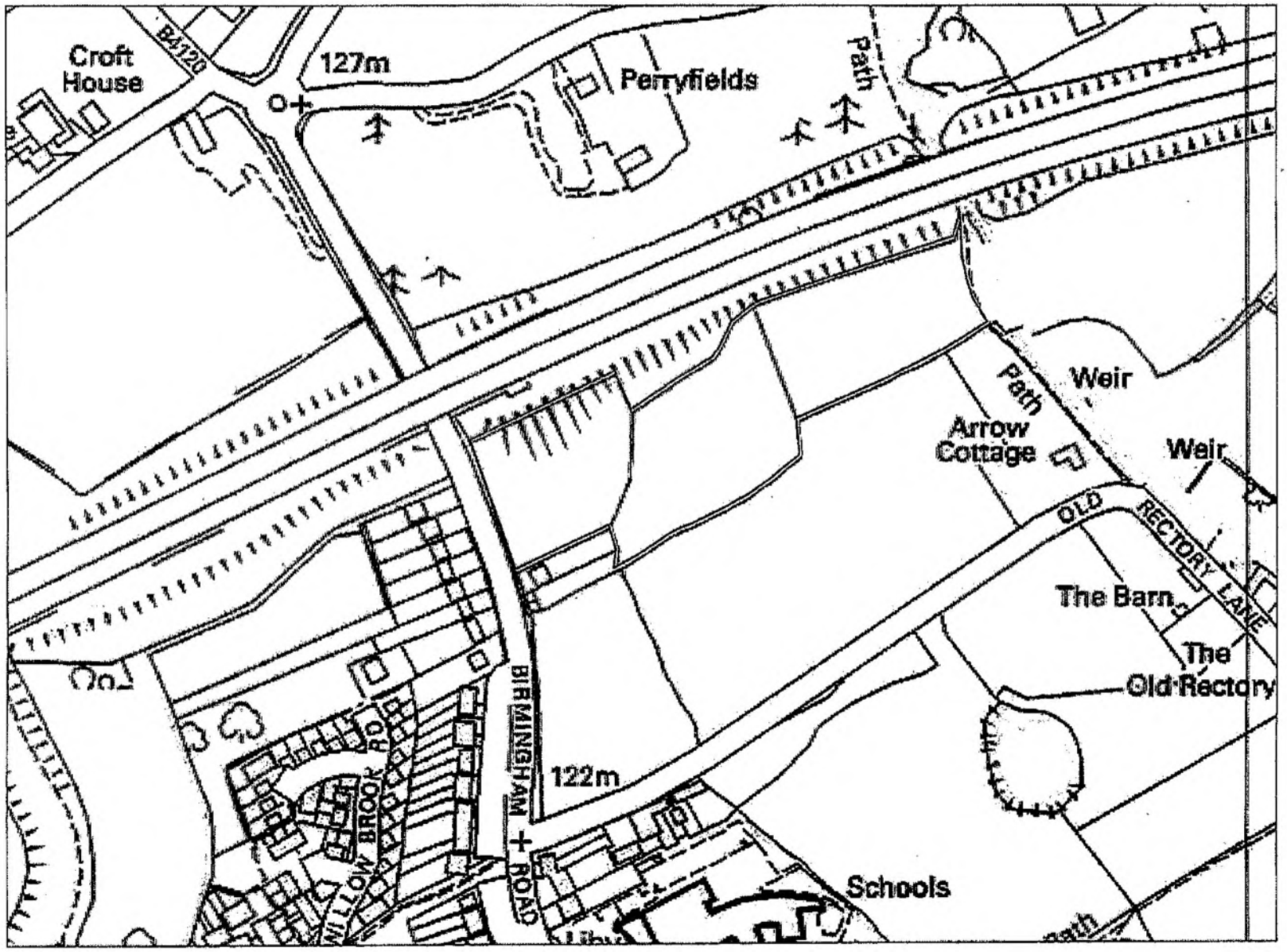


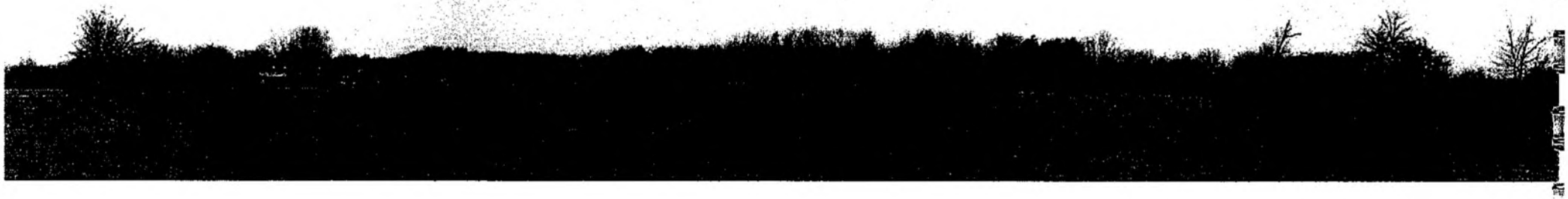
KEY

Site Boundary

1 INTRODUCTION

This background document relates to the site known as Land to the East of Birmingham Road, Alvechurch. This site extends to 2.75 hectares and is identified as a potential site to be removed from the Green Belt. It is considered that the site offers an opportunity to meet key objectives of sustainable development to assist in meeting the needs of Bromsgrove District.

This document has been produced on behalf of Piper Homes and provides a summary of environmental information regarding the site. This has enabled the site's constraints and opportunities to be identified, which in turn has helped formulate potential development proposals. The purpose of this document is to demonstrate the suitability of the site for residential development, its availability and the achievability of bringing forward a comprehensive proposal. Accordingly this document contains initial information to assist the preparation of Bromsgrove District Council's Local Development Framework and to inform the Draft Core Strategy.



2 SITE DESCRIPTION AND CONTEXT

The Site

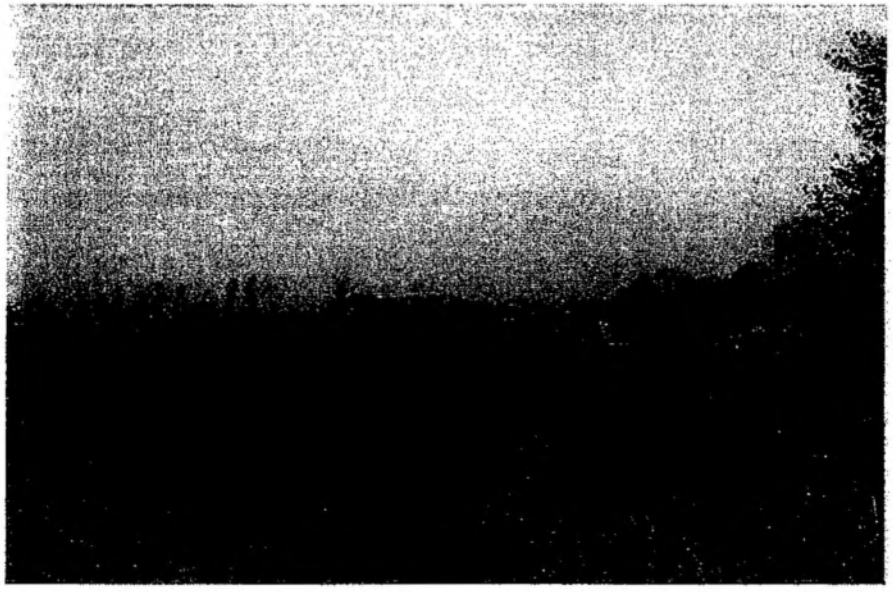
The site lies to the north of the large village of Alvechurch, which lies north of Redditch, as located on the adjacent site location plan. The site is bounded by the M42 motorway to the north and the River Arrow to the east. To the south lies open fields and a single dwelling which is not part of the development proposals, beyond which lies Old Rectory Lane and a new school complex (Alvechurch Middle School & Crown Meadow First School), whilst the western boundary consists of the Birmingham Road.

Alvechurch is a large village which includes a village centre, with various local shops, including a supermarket and pharmacy. Alvechurch railway Station lies to the south west of the village centre and provides frequent trains between Lichfield and Redditch . Birmingham Road runs along the western boundary of the site and runs south into the town centre, then joining the A441 which leads to Redditch, and runs north to Barnt Green. Further facilities and transportation routes are detailed in Section 3 of this document

Landscape Context

The site is visually well connected to the existing settlement to the west and south being located adjacent to the eastern edge of the village. Views are contained from the north by the embankments of the M42 motorway, which is visually screened from the site by semi-mature planting. The River Arrow flows southwards adjacent to the eastern boundary of the site and is lined by mature riparian vegetation which filters and screens views from the east.

The surrounding landscape is gently rolling and characterised by small enclosed pastures and larger arable fields. The landscape is well vegetated with a strong network of hedgerow boundaries containing hedgerow trees and scattered woodland groups. Whilst from within the site the existing urban edge is clearly visible, views from outside the site are contained and largely filtered by the mature boundary vegetation and the network of vegetated field boundaries in the vicinity.



3 Planning Policy Context

The LDF is guided by national and regional policies.

National and Regional Policy

The key impetus of Guidance at the National (PPS1, PPS3 & PPS13 amongst others) and Regional Level (RS11, Jan 2008) is to ensure growth is commensurate with the achievement of sustainable development objectives. This equates, in policy, to a clear steer towards directing future development to main cities and towns.

Regional Policy

It is noted that the Localism Bill intends to remove RS from the Development Plan however at the time of writing the RS retains the full weight of the Development Plan.

With regard to the location of development, the RS pursues a hierarchical and sequential approach, which priorities development within the main cities and towns.

In terms of housing, the Phase 1 Revision had reached an advanced stage where at the EIP the District Council considered that around 4,000 dwellings would enable the District to meet some of its needs and could be accommodated without requiring a Green Belt Review. The Report of the Panel published in September 2009 agreed with the 4,000 figure but recognised that need was likely to be even greater and recommended a review of the Core Strategy to add provision for an additional 2,000 to 3,000 dwellings by 2026.

Policy CF2 provides guidance with regard to housing development beyond the Major Urban Areas. Within the development hierarchy Bromsgrove is classified as a Category C settlement. It is therefore appropriate for 'new' housing development on a smaller scale to be accommodated within and adjacent to other urban areas such as Bromsgrove. Such development will be capable of creating balanced opportunities for housing and employment.

Paragraph 6.25 of the Preferred Option RSS provides direction with regard to determining the most sustainable form of new development. In particular Local Planning Authorities, in their Local Development Documents, should consider whether the release of Green Belt land would provide a more appropriate option than other forms of development.

It is clear that at present the Local Planning Authority does not have sufficient land allocations in order to fulfil the RS requirements for housing. Furthermore, there is limited opportunity to identify such land within the urban area. It is therefore considered that these targets can only be met through the release of greenfield and potentially Green Belt land adjoining the large settlements in the District. This approach is in accordance with the policy outlined above. It is considered that it is wholly appropriate to review the Green Belt as part of the preparation of the Borough's Core Strategy.

Bromsgrove District Council Local Development Framework

At present the Borough Council are preparing their Core Strategy. This is currently at Draft Core Strategy stage with the Preferred Options anticipated to be published in November 2011. Submission to the Secretary of State is expected in February/March 2012, an Examination in Public during July 2012 and the Core Strategy is scheduled to be adopted in December 2012.

Development Strategy

The Draft Core Strategy proposes within Policy CP2 to allocate a number of Strategic Expansion Sites around Bromsgrove and allocate as Development Sites, smaller greenfield sites within the larger settlements, these were reserved for future development in the Local Plan, formerly known as Areas of Development Restraint (ADR). The immediate release of the development sites is proposed within Policy CP4.

It is considered that development focused in and around Bromsgrove and development in sustainable villages is consistent with the existing and emerging RS policy.

The Borough Council acknowledge that greenfield sites will need to be released immediately to achieve a five-year supply of housing and that the immediate allocation of strategic sites around Bromsgrove town will be insufficient to maintain a five-year supply throughout the plan period. Accordingly, the smaller greenfield sites discussed above will also need to come forward in the interim.

It is clear however that there is still insufficient land within the Town or large Settlements to accommodate the proposed statutory requirement for housing. As such greenfield release will be necessary.

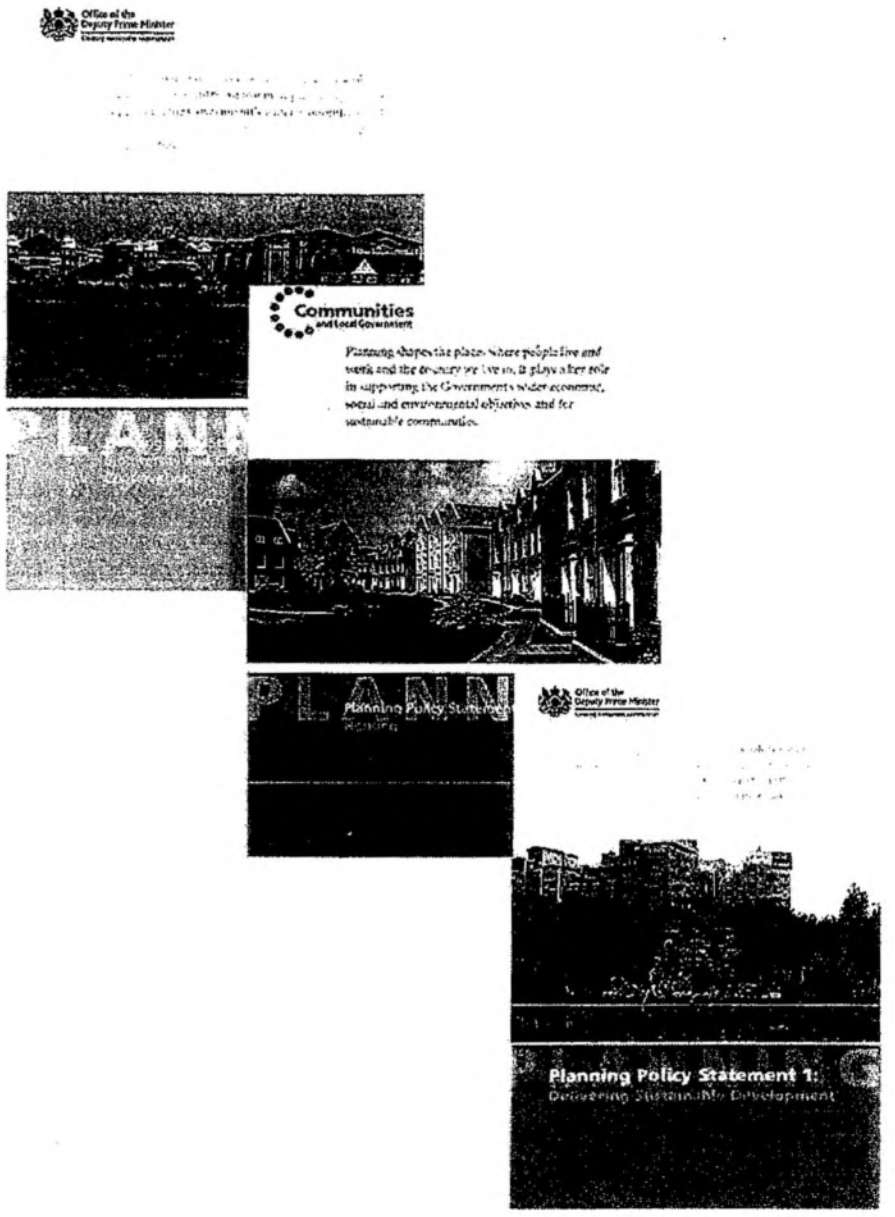
Location for Growth

In terms of appropriate locations for growth it is considered that land East of Birmingham Road, Alvechurch is an appropriate location for future development for the following reasons:-

- Although currently located in the Green Belt, it is considered that development at this location is in accordance with planning policy.
- As outlined above, the RS facilitates the release of land within the Green Belt if it provides a more appropriate option than other forms of development; and
- Further, the Planning White Paper, published in May 2007, outlines that "to ensure that future development takes place in the most appropriate and sustainable locations it is also important that planning authorities should, where appropriate, continue to review previous Green Belt boundaries when they are drawing up their development plans, as current policy allows them to do, and has already been undertaken in some areas". It is therefore wholly appropriate to review the Green Belt as part of preparing the Core Strategy.

Furthermore, the Council have considered the majority of this site within their January 2011 Strategic Housing Land Availability Assessment (SHLAA) as site reference Alvechurch BDC 151. The purpose of the SHLAA is to provide an assessmet of suitability, availability and achievability characteristics of sites to assist the District Council in their consideration of sites across the District.

The information contained within this document is intended to assist the Borough Council's consideration of land East of Birmingham Road, Alvechurch. Our client has engaged in a process of undertaking assessments of the development impacts of the proposal and these are fully set out within Section 4 of this document. Availability is dealt with in Section 5 whilst achievability is dealt with in Section 6 of this document.



4 Suitability for Housing

The suitability of a site for housing is reliant on an appropriate location for development that would contribute to the creation of sustainable, safe communities. The analysis below demonstrates the suitability of the site for residential development by considering relevant environmental factors, including social and sustainable issues, which highlights any opportunities and constraints.

The following issues are discussed; landscape and visual issues, ecology, cultural heritage, flood risk and drainage, noise environment, transportation and accessibility. This initial information has influenced the design of the Landscape Strategy Plan which highlights how the site could be developed taking into consideration the sites constraints and opportunities that have emerged from the various disciplines. The development proposals will continue to evolve as further information is gained through the emerging Core Strategy.

Landscape & Visual Issues

Taking into account the character of the site and surroundings an analysis of the landscape and visual constraints and opportunities has been undertaken to inform the development principles and a framework for a green infrastructure and landscape strategy.

Site Constraints

- Maintain a strong settlement edge to the eastern edge of Alvechurch through sensitive siting of new development that is in keeping with the scale and location of existing residential development and is sensitive to the intrinsic character of the area, this should be achieved in accordance with the policies set out in PPS7;
- Road noise from the M42;
- Retain and strengthen existing landscape features where possible, including boundary hedgerows, trees and water courses and provide an appropriate stand-off from retained features with particular regard to the flood plain constraint of the River Arrow;
- Two public rights of way cross the site, running adjacent to the river corridor and also crossing north-eastwards across the site from Birmingham Road to the River Arrow. Development should protect the existing public footpath links across the site and expand as part of the site's green infrastructure providing buffer zones or active frontages where appropriate to the footpaths.

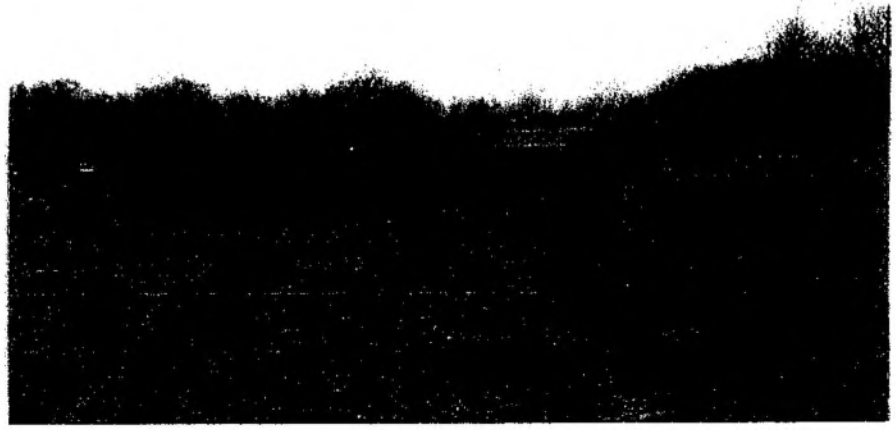
Site Opportunities

- The site lies within the urban fringe context of Alvechurch. The site is well screened from open countryside to the east by established boundary vegetation and the river corridor planting; residential development within the site would add to the existing urban character with limited impacts on views from surrounding open countryside;
- Provide a structured and defensible development boundary with a robust landscape setting to create a defined edge to the revised north-eastern boundary of the built up area of Alvechurch;
- To incorporate elements of local landscape character and local vernacular through the layout of the development proposals and the design and detailing of landscape features such as boundary treatments and structural landscape;
- To provide a green infrastructure network that has the potential to provide informal recreation facilities for the area, enhance wildlife habitats and corridors and links to off-site features;
- Provide sustainable drainage solutions that can be integrated with existing ecological habitats such as hedgerows and the River Arrow to further enhance biodiversity and the wildlife and nature conservation value of the site;
- Secure the long term management of land retained as open space to ensure the long term prosperity of the existing and proposed landscape and wildlife resources associated with the site and provide an attractive are of open space for public use;
- To provide an enhanced setting for the public footpath which crosses the site, new footpath linkages on the site within a green infrastructure network thus promoting sustainable transport links to adjacent areas to enhance links to the rights of way network.

Green Infrastructure and Landscape Principles:

In addition to the landscape and visual strategies detailed above, the Site presents an opportunity to deliver areas of new green infrastructure that will not only serve the new properties but also the wider local environment.

- Development brought forward in accordance with this strategy should provide meaningful areas of open space incorporating an attractive network of footpaths and areas for informal recreation and leisure activities with good physical and visual connections to the adjacent open countryside.
- Existing key landscape features such as the hedgerows which define the field boundaries within the site should be retained and enhanced within the scheme and form the framework for the green infrastructure network linking hubs and destinations such as areas of informal open space, and ecological enhancement around the SUDs features enabling these spaces to be meaningfully connected for both people and wildlife, to promote frequent use and natural surveillance;
- Active and positive management of the river and its corridor for habitat and public access would enhance its conservation and amenity status, integrated into the overall Green Infrastructure Strategy for the site;
- The area of landscaped open space to the north of the Site also acts as a buffer to the new development from the M42; structural landscaping will focus on native trees and shrubs and the enhancement of the wildlife resource of the Site through habitat creation such as species diversity within the grassland areas and swales as part of the SUDs strategy;
- The existing footpaths would be enhanced by the creation of new linkages through the new landscaped open space area running the full length of the northern boundary and part of the combined SUDS/Green Infrastructure of the Site, creating an attractive green corridor link between Birmingham Road and the River Arrow;
- Specimen structural trees would be used along principal streets to emphasise the hierarchy of routes through the development;



Ecology

A Phase I Habitat survey was completed on site in January 2011. This survey found that there were minimal ecological constraints. The site consists of three grassland fields bounded by hedgerows, and boarded by wooded embankments to the north.

The site is not subject to any statutory designations within or surrounding the site. River Arrow Special Wildlife Site (SWS), which has a non-statutory designation lies close to the eastern boundary of the site. This SWS includes a small watercourse bounded by Alder trees. Marginal and aquatic vegetation are largely absent, most likely due to the heavy shading from adjacent trees.

Flora

The fields consist of predominantly grassland, dominated by rank grasses including Yorkshire Fog and Cock's-foot. The eastern field is heavily dominated by ruderal vegetation, including numerous Docks and Thistles. Hedgerows demarcate the majority of the field boundaries and with the exception of a newly planted hedgerow between the western two fields the remaining hedgerows are bushy and well established. These hedgerows are however largely defunct, with large gaps in places and are mostly species poor. With the exception of a mature Oak and a partly dead Ash tree to the east of the site, standard trees are absent.

Fauna

Rough grassland along the field margins, alongside the hedgerows and scattered scrub areas could support reptile species. Similarly the established trees could provide roosting opportunities for bats. It is unlikely that Great Crested Newts (GCN) would be impacted by the site as there are no ponds suitable for breeding on site, as the closest pond lies 170m to the south of the site. No evidence was recorded for badgers on the site. It is also deemed unlikely that the site would support dormouse.

Summary

The survey work to date has not identified any overriding ecological constraints to the development of the site. Indeed the majority of habitats are of relatively poor quality and unlikely to support significant wildlife interest. Significant opportunities have been identified which could provide a range of enhancements and associated benefits for wildlife. It is considered that careful masterplanning of the site is capable of delivering these benefits to wildlife whilst maximising the development potential of the land.

Cultural Heritage

In determining whether there are any statutory or non-statutory designations within the site and the surrounding area the governmental website, MAGIC was examined, alongside a general internet data search. MAGIC contains information on environmental designations supplied by various governmental organisations, including English Heritage.

The examination found that there are no statutory-or non-statutory designations within, or adjacent, to the site. Similarly there are no Scheduled Ancient Monuments (SAM), Historic Parks and Gardens, Registered Battlefields, Areas of Ancient Woodland, World Heritage Sites, Conservation Areas or listed Buildings within, or adjacent, to the site.

The large village of Alvechurch has been of importance since medieval times when the Bishop of Worcester had a palace built to the east of the village. The village continued to be favoured by Bishops to the sixteenth century and it is thought that it is due to their presence and their associated court that Alvechurch was granted a weekly market, an annual fair, and later the status of 'borough'.

The palace is the nearest statutory designation, approximately 850m to the south of the site, and no longer remains in its original form with only the earthworks of the palace remaining; however the moat, fishponds and mill site associated with palace are still identifiable. These are registered as a SAM and the protected area includes the 18th century 'Moat House' which now resides on the area the palace was originally built. Three arms of the moat continue to retain water, whilst the northern arm has been in-filled for access. The Mill that currently resides within close proximity of the site of the Bishops Palace is thought to be post-medieval, but it is assumed to be close to the site of the original medieval mill.

The village centre includes a variety of historic buildings, a number of which date from the 15th century. The village church or St Laurence is a Grade II* listed building and lies to the south of the site. The church is thought to have been built periodically between the 13th and 15th centuries, with various elements built at different times throughout these periods.

Due to the nature of these sites and the distance from the site it can be concluded that there are no major issues which are likely to preclude development. In relation to below ground archaeological remains there is no known evidence to suggest any asset of significance. Further work will be undertaken if deemed necessary to inform and progress the Landscape Strategy Plan in addition to allowing any necessary mitigation measures to be suggested in line with PPS5.

Flood Risk & Drainage

The site lies to the west of the River Arrow, a small river which further south becomes a tributary of the River Avon.

The majority of the site is unaffected by flooding, however, a small proportion of the eastern boundary of the site lies within a small expanse of flood plain. The EA have advised that a narrow area that follows the rivers meandering is classified as Flood Zone 2, as per PPS25, which consists of land having a 1 in 100 and 1 in 1000 annual probability of flooding (between 0.1 and 1%) in any year. The majority of the site lies however within Flood Zone 1 which comprises of a less than 1 in 1000 annual probability (less than 0.1%) in any year. The site is not, therefore at risk of flooding

The Landscape Strategy Plan proposes sustainable drainage solutions that can be integrated with existing ecological habitats and the River Arrow.

Noise Environment

Existing noise sources at the site include the M42 to the north of the site and the Birmingham Road to the west.

Effective design and layout and in particular the incorporation of landscaped open space to the north and set back of development will be developed to ensure appropriate amenity for future occupiers.

Access & Sustainable Transport Links

The site at Alvechurch is ideally situated to offer sustainable transport options for both the existing residents and those from the new development.

Vehicular & Pedestrian Access

The site is well served by the local road network, lying on the B4120 Birmingham Road with easy access to the A441 (Redditch to Birmingham) and the M42. The Birmingham Road is a single carriageway road and is subject to occasional traffic calming measures. The road speed is reduced to 40mph just to the south of the site.

Pedestrian access is good and pavements exist alongside both sides of the Birmingham Road. A public footpath runs diagonally, on a south west to north east axis, across the western section of the site, and then runs along the northern boundary to the River Arrow in the east. A footpath also follows the river, north to south direction, along the eastern border of the site, which leads to the centre of Alvechurch, however the footpath along Birmingham Road provide a more direct route to the village centre.

PPG13 designates that 2km and 5km respectively are appropriate walking and cycling distances for the average person. This site benefits from lying 800m from local services and amenities, with further larger shopping centres and employment centres easily accessible via public transport measures, both buses and trains being within walking distance of the site.

Rail, Bus & Canal Provision

The site lies approximately 1.4km to the north of Alvechurch Railway Station, which lies on the Cross City Line (which runs from Lichfield, Staffordshire in the north to Redditch, Worcestershire in the south). The Cross City line runs through Birmingham New Street station.

Alvechurch is served by a variety of bus services which include;

- Birmingham-Kings Norton-West Heath-Hopwood-Alvechurch-Redditch (146)
- Lickey-Cofton Hackett-Barnt Green-Hopwood-Alvechurch-Rowney Green-Redditch (Sainsbury's)-Redditch (182)
- Redditch-Rowney Green-Alvechurch-Hopwood-Barnt Green-Lickey-Marlbrook-Lickey End-Bromsgrove (183)
- Schools services to South Bromsgrove High (83 and 843)

Northbound and southbound bus stops can be found approximately 200-300m to the east of the site on Birmingham Road.

The Worcester and Birmingham Canal runs through the western section of Alvechurch and includes Alvechurch Marina adjacent to the Railway Station. The marina includes a shop, boats for sale, moorings and the machinery for out of water repairs. The canal runs north to the centre of Birmingham and south to Worcester and the River Severn, or boats can turn off towards Stratford-upon-Avon.

Social Infrastructure and Amenities

Alvechurch has within its vicinity a variety of smaller shops and eating/drinking establishments. The village centre includes a Co-Operative supermarket, a flower shop, restaurants/takeaways, Pubs, Optometrist, Green Grocer, Bank, Pharmacy, Wine Shop, Antiques Shop and Butchers.

The closest schools to the site, Alvechurch Church of England Middle School and Crown Meadow First School and Nursery, share facilities and lie almost immediately to the south of the site (200m).

Alvechurch medical centre lies within the village, within 800m to the south of the site. Medical facilities can also be found in the surrounding villages at Barnt Green and West Heath. The closest hospital lies approximately 3.2 miles to the north, at West Heath.

A residential development on land east of Birmingham Road is considered to provide a sustainable development opportunity taking into account its close proximity to local facilities and available public transport provision. Additionally residential development in this location would assist in supporting the existing services and facilities within Alvechurch and public transport through additional needs arising from future residents.

Summary

The information demonstrates that there are no overriding environmental or physical constraints which could preclude development on this site. Residential development in this location would provide a sustainable addition to Alvechurch and would contribute to the creation of inclusive sustainable communities. It is therefore recognised that the site is physically and technically suitable for development.

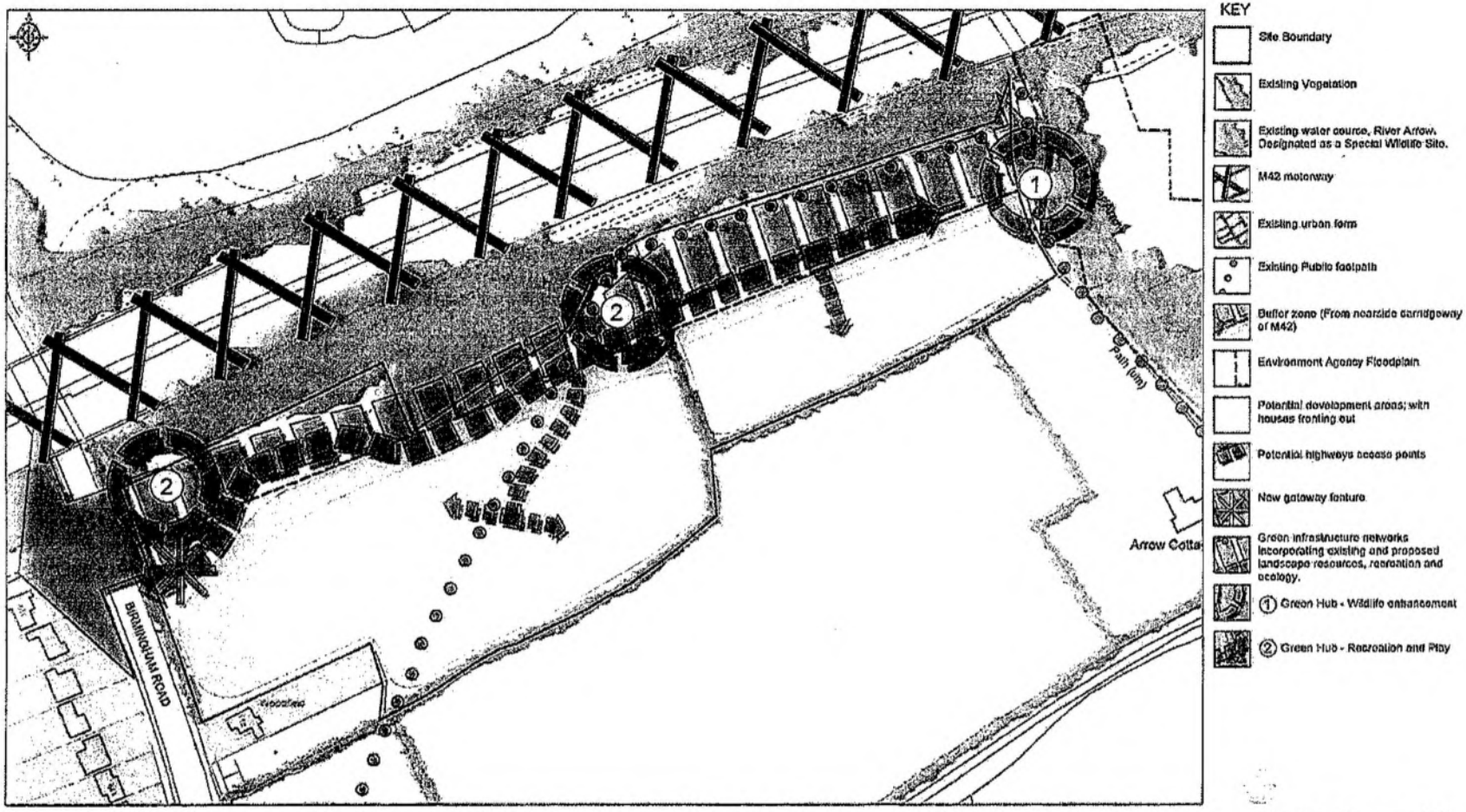
5 AVAILABILITY

Having fully considered the suitability of the site within section 4 of this document, the purpose of this section is to demonstrate that the site is available for housing now and into the future.

Paragraph 39 of the Strategic Housing Land Availability Practice Guidance details how to assess the availability of sites for housing development. A site is considered to be available for development, when, on the best information available, there is confidence that there are no legal or ownership problems, such as multiple ownership, ransom strips, tenancies or operational requirements of landowners. This means that it is controlled by a housing developer who has expressed an intention to develop, of the landowner has expressed an intention to sell.

The site is within the control of two landowners. Two letters of intention are enclosed within **Appendix 1** and which clearly sets out land owners intentions to cooperate with Piper Homes to secure a planning permission for residential development, as soon as possible and that there are no known constraints which would inhibit this.

A Landscape Strategy Plan has been prepared for the site and is enclosed and discussed within section 6 of this document. The initial work that has been undertaken in respect of the consideration of site suitability and the preparation of a strategy plan is further evidence of the Developers intentions for the site.



Landscape Strategy Plan

6 ACHIEVABILITY

The SHLAA Practice Guidance sets out within paragraph 40 that a site is considered achievable where there is a reasonable prospect that housing will be developed on the site at a particular point in time and goes to state that it is essentially a judgement about the economic viability of a site and the capacity of a developer to complete and sell the housing over a certain period of time.

In terms of the assessment that has been undertaken within the preparation of this document consideration has been given to the Practice Guidance and it is considered that the site is achievable as defined in paragraph 40 and 41 in that housing development is an economically viable prospect for the site.

Consideration of the suitability of the site and in particular the site constraints and opportunities as detailed within Section 4 of this document has informed the preparation of a Landscape Strategy Plan. The Strategy Plan illustrates first thoughts on the development of the site and represents a base from which we would welcome further discussion with the Council.

As shown on the Landscape Strategy Plan the form of development could essentially occur in two halves accessed from Birmingham Road. Development would be set back along the northern boundary allowing for the provision of a green infrastructure network that has the potential to provide informal recreation facilities for the area, enhance wildlife habitats and corridors linking to off-site features as detailed in Section 5.

Throughout the development the existing landscape features would be retained and enhanced to create a defined edge to the revised north eastern boundary of Alvechurch.

In respect of achieving sustainable development and mixed communities, an important aspect relating to housing is the need for affordable housing and the ability therefore of sites being able to assist in achieving affordable housing to meet local needs should be a consideration in assessing sites. The site is well placed with Alvechurch which benefits from good sustainability credentials as fully discussed in Section 4 and is a sustainable location for affordable housing to be provided as part of a sustainable mixed community.

On the basis of the information provided it is clear that there is a good prospect that housing will be developed on the site and there are no known constraints to the site coming forward for development now.

7 Conclusions

This document and the work undertaken to date in compiling evidence to support Bromsgrove's Emerging Core Strategy has demonstrated the development potential that the land East of Birmingham Road possesses in the context of the district.

It is considered that the land to the East of Birmingham Road can successfully accommodate development in a sustainable manner and assist Bromsgrove in meeting its development requirements. This document reinforces that the site is suitable, available and achievable for development and accordingly demonstrates the site's potential to meet key objectives for Bromsgrove District. We would welcome further discussions with the District Council and other relevant stakeholders in taking these ideas forward.

APPENDIX 1

James Mathews
The Paddock
Aqueduct Lane
Alvechurch
Worcestershire
B48 7BP

Ref: Land to the East Birmingham Road

25 March 2011

Michelle Simpson-Gallego
Pegasus Planning Group Ltd.
5 Old London Road
Cornwell
Sutton Coldfield
Birmingham
B75 9SH

Dear Ms. Simpson-Gallego

Re: Land to the East of Birmingham Road, Alvechurch.
Land Registry Title No. WR57257

I am pleased to confirm that, together with Mr. Stephen Roy Jones, I own and control the land described as "the land to the East of Birmingham Road, Alvechurch" and shown edged red on the attached plan, as described with in the H.M. Land Registry Title Document WR57257.

I can further confirm that it is our intention to cooperate with Piper Homes to secure a planning permission for residential development. We are committed to delivering this as soon as possible and there are no known constraints that should inhibit this.

Yours faithfully

J. Mathews

Stephen Roy Jones
Red House
Odnall Lane
Stourbridge
West Midlands
DY9 9PP

Ref: Land to the East Birmingham Road

25 March 2011

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Pegasus Planning Group Ltd.
5 Old London Road
Cornwell
Sutton Coldfield
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B75 9SH

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Yours faithfully

S. R. Jones

Land to the East of Birmingham Road Alvechurch

Background Document

April 2011

Prepared by Pegasus Planning Group on behalf of Piper Homes

Land to the East of Birmingham Road, Alvechurch

Background Document

April 2011

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1 Introduction
2 Site Description and Context
3 Planning Policy Context
4 Suitability for Housing
5 Availability
6 Achievability
7 Conclusions

Prepared by Pegasus Planning Group Ltd
on behalf of Piper Homes

Pegasus Planning Group
5 The Priory
Old London Road
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Telephone: 0121 308 9570
Fax: 0121 323 2215

Contact: Michelle Simpson-Gallego
Ref: BIR.3629
Date: April 2011

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Land to the East of Birmingham Road, Alvechurch

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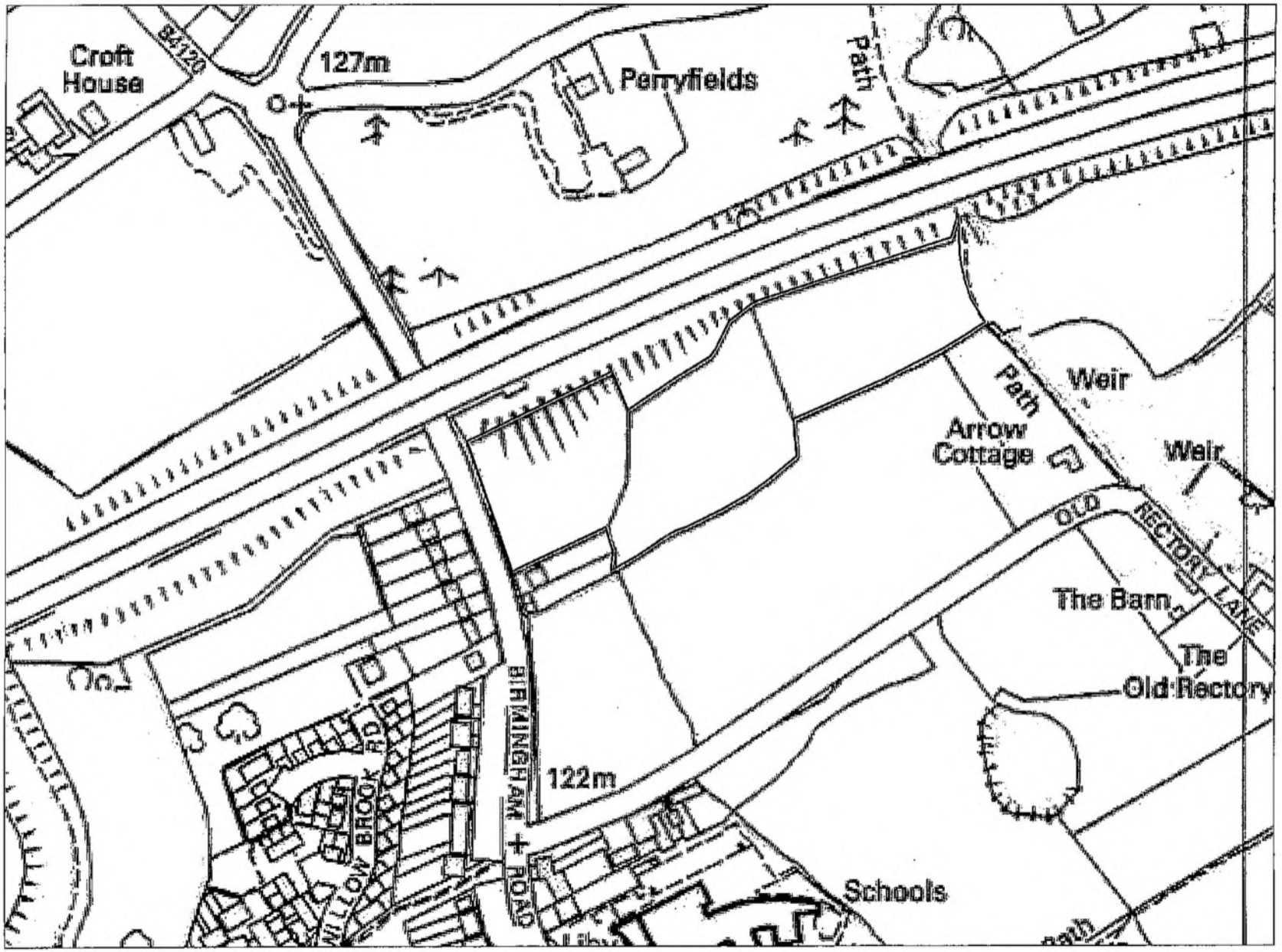

KEY

Site Boundary

1 INTRODUCTION

This background document relates to the site known as Land to the East of Birmingham Road, Alvechurch. This site extends to 2.75 hectares and is identified as a potential site to be removed from the Green Belt. It is considered that the site offers an opportunity to meet key objectives of sustainable development to assist in meeting the needs of Bromsgrove District.

This document has been produced on behalf of Piper Homes and provides a summary of environmental information regarding the site. This has enabled the site's constraints and opportunities to be identified, which in turn has helped formulate potential development proposals. The purpose of this document is to demonstrate the suitability of the site for residential development, its availability and the achievability of bringing forward a comprehensive proposal. Accordingly this document contains initial information to assist the preparation of Bromsgrove District Council's Local Development Framework and to inform the Draft Core Strategy.

2 SITE DESCRIPTION AND CONTEXT

The Site

The site lies to the north of the large village of Alvechurch, which lies north of Redditch, as located on the adjacent site location plan. The site is bounded by the M42 motorway to the north and the River Arrow to the east. To the south lies open fields and a single dwelling which is not part of the development proposals, beyond which lies Old Rectory Lane and a new school complex (Alvechurch Middle School & Crown Meadow First School), whilst the western boundary consists of the Birmingham Road.

Alvechurch is a large village which includes a village centre, with various local shops, including a supermarket and pharmacy. Alvechurch railway Station lies to the south west of the village centre and provides frequent trains between Lichfield and Redditch . Birmingham Road runs along the western boundary of the site and runs south into the town centre, then joining the A441 which leads to Redditch, and runs north to Barnt Green. Further facilities and transportation routes are detailed in Section 3 of this document

Landscape Context

The site is visually well connected to the existing settlement to the west and south being located adjacent to the eastern edge of the village. Views are contained from the north by the embankments of the M42 motorway, which is visually screened from the site by semi-mature planting. The River Arrow flows southwards adjacent to the eastern boundary of the site and is lined by mature riparian vegetation which filters and screens views from the east.

The surrounding landscape is gently rolling and characterised by small enclosed pastures and larger arable fields. The landscape is well vegetated with a strong network of hedgerow boundaries containing hedgerow trees and scattered woodland groups. Whilst from within the site the existing urban edge is clearly visible, views from outside the site are contained and largely filtered by the mature boundary vegetation and the network of vegetated field boundaries in the vicinity.

3 Planning Policy Context

The LDF is guided by national and regional policies.

National and Regional Policy

The key impetus of Guidance at the National (PPS1, PPS3 & PPS13 amongst others) and Regional Level (RS11, Jan 2008) is to ensure growth is commensurate with the achievement of sustainable development objectives. This equates, in policy, to a clear steer towards directing future development to main cities and towns.

Regional Policy

It is noted that the Localism Bill intends to remove RS from the Development Plan however at the time of writing the RS retains the full weight of the Development Plan.

With regard to the location of development, the RS pursues a hierarchical and sequential approach, which priorities development within the main cities and towns.

In terms of housing, the Phase 1 Revision had reached an advanced stage where at the EIP the District Council considered that around 4,000 dwellings would enable the District to meet some of its needs and could be accommodated without requiring a Green Belt Review. The Report of the Panel published in September 2009 agreed with the 4,000 figure but recognised that need was likely to be even greater and recommended a review of the Core Strategy to add provision for an additional 2,000 to 3,000 dwellings by 2026.

Policy CF2 provides guidance with regard to housing development beyond the Major Urban Areas. Within the development hierarchy Bromsgrove is classified as a Category C settlement. It is therefore appropriate for 'new' housing development on a smaller scale to be accommodated within and adjacent to other urban areas such as Bromsgrove. Such development will be capable of creating balanced opportunities for housing and employment.

Paragraph 6.25 of the Preferred Option RSS provides direction with regard to determining the most sustainable form of new development. In particular Local Planning Authorities, in their Local Development Documents, should consider whether the release of Green Belt land would provide a more appropriate option than other forms of development.

It is clear that at present the Local Planning Authority does not have sufficient land allocations in order to fulfil the RS requirements for housing. Furthermore, there is limited opportunity to identify such land within the urban area. It is therefore considered that these targets can only be met through the release of greenfield and potentially Green Belt land adjoining the large settlements in the District. This approach is in accordance with the policy outlined above. It is considered that it is wholly appropriate to review the Green Belt as part of the preparation of the Borough's Core Strategy.

Bromsgrove District Council Local Development Framework

At present the Borough Council are preparing their Core Strategy. This is currently at Draft Core Strategy stage with the Preferred Options anticipated to be published in November 2011. Submission to the Secretary of State is expected in February/March 2012, an Examination in Public during July 2012 and the Core Strategy is scheduled to be adopted in December 2012.

Development Strategy

The Draft Core Strategy proposes within Policy CP2 to allocate a number of Strategic Expansion Sites around Bromsgrove and allocate as Development Sites, smaller greenfield sites within the larger settlements, these were reserved for future development in the Local Plan, formerly known as Areas of Development Restraint (ADR). The immediate release of the development sites is proposed within Policy CP4.

It is considered that development focused in and around Bromsgrove and development in sustainable villages is consistent with the existing and emerging RS policy.

The Borough Council acknowledge that greenfield sites will need to be released immediately to achieve a five-year supply of housing and that the immediate allocation of strategic sites around Bromsgrove town will be insufficient to maintain a five-year supply throughout the plan period. Accordingly, the smaller greenfield sites discussed above will also need to come forward in the interim.

It is clear however that there is still insufficient land within the Town or large Settlements to accommodate the proposed statutory requirement for housing. As such greenfield release will be necessary.

Location for Growth

In terms of appropriate locations for growth it is considered that land East of Birmingham Road, Alvechurch is an appropriate location for future development for the following reasons:-

- Although currently located in the Green Belt, it is considered that development at this location is in accordance with planning policy.
- As outlined above, the RS facilitates the release of land within the Green Belt if it provides a more appropriate option than other forms of development; and
- Further, the Planning White Paper, published in May 2007, outlines that "to ensure that future development takes place in the most appropriate and sustainable locations it is also important that planning authorities should, where appropriate, continue to review previous Green Belt boundaries when they are drawing up their development plans, as current policy allows them to do, and has already been undertaken in some areas". It is therefore wholly appropriate to review the Green Belt as part of preparing the Core Strategy.

Furthermore, the Council have considered the majority of this site within their January 2011 Strategic Housing Land Availability Assessment (SHLAA) as site reference Alvechurch BDC 151. The purpose of the SHLAA is to provide an assessmet of suitability, availability and achievability characteristics of sites to assist the District Council in their consideration of sites across the District.

The information contained within this document is intended to assist the Borough Council's consideration of land East of Birmingham Road, Alvechurch. Our client has engaged in a process of undertaking assessments of the development impacts of the proposal and these are fully set out within Section 4 of this document. Availability is dealt with in Section 5 whilst achievability is dealt with in Section 6 of this document.

4 SUITABILITY FOR HOUSING

The suitability of a site for housing is reliant on an appropriate location for development that would contribute to the creation of sustainable, safe communities. The analysis below demonstrates the suitability of the site for residential development by considering relevant environmental factors, including social and sustainable issues, which highlights any opportunities and constraints.

The following issues are discussed; landscape and visual issues, ecology, cultural heritage, flood risk and drainage, noise environment, transportation and accessibility. This initial information has influenced the design of the Landscape Strategy Plan which highlights how the site could be developed taking into consideration the sites constraints and opportunities that have emerged from the various disciplines. The development proposals will continue to evolve as further information is gained through the emerging Core Strategy.

Landscape & Visual Issues

Taking into account the character of the site and surroundings an analysis of the landscape and visual constraints and opportunities has been undertaken to inform the development principles and a framework for a green infrastructure and landscape strategy.

Site Constraints

- Maintain a strong settlement edge to the eastern edge of Alvechurch through sensitive siting of new development that is in keeping with the scale and location of existing residential development and is sensitive to the intrinsic character of the area, this should be achieved in accordance with the policies set out in PPS7;
- Road noise from the M42;
- Retain and strengthen existing landscape features where possible, including boundary hedgerows, trees and water courses and provide an appropriate stand-off from retained features with particular regard to the flood plain constraint of the River Arrow;
- Two public rights of way cross the site, running adjacent to the river corridor and also crossing north-eastwards across the site from Birmingham Road to the River Arrow. Development should protect the existing public footpath links across the site and expand as part of the site's green infrastructure providing buffer zones or active frontages where appropriate to the footpaths.

Site Opportunities

- The site lies within the urban fringe context of Alvechurch. The site is well screened from open countryside to the east by established boundary vegetation and the river corridor planting; residential development within the site would add to the existing urban character with limited impacts on views from surrounding open countryside;
- Provide a structured and defensible development boundary with a robust landscape setting to create a defined edge to the revised north-eastern boundary of the built up area of Alvechurch;
- To incorporate elements of local landscape character and local vernacular through the layout of the development proposals and the design and detailing of landscape features such as boundary treatments and structural landscape;
- To provide a green infrastructure network that has the potential to provide informal recreation facilities for the area, enhance wildlife habitats and corridors and links to off-site features;
- Provide sustainable drainage solutions that can be integrated with existing ecological habitats such as hedgerows and the River Arrow to further enhance biodiversity and the wildlife and nature conservation value of the site;
- Secure the long term management of land retained as open space to ensure the long term prosperity of the existing and proposed landscape and wildlife resources associated with the site and provide an attractive are of open space for public use;
- To provide an enhanced setting for the public footpath which crosses the site, new footpath linkages on the site within a green infrastructure network thus promoting sustainable transport links to adjacent areas to enhance links to the rights of way network.