



TOWN AND COUNTRY PLANNING ACT 1990

**SUBMISSION IN RESPONSE TO THE
BROMSGROVE DISTRICT PLAN PROPOSED
SUBMISSION VERSION 2011 - 2030**

FINSTALL PARK FARM

ON BEHALF OF TELSTAR LIMITED

NOVEMBER 2013

REF:



1.0 INTRODUCTION

1.1 Telstar Limited are promoters of the land edged red as shown on the plan attached.

1.2 It has been envisaged that the allocation of the land will:

- assist the District's housing need;
- deliver affordable housing;
- improve accessibility and linkages to Bromsgrove.

1.3 The Bromsgrove District Plan Proposed Submission Version (November 2013) fails to achieve the above aims. The evidence suggests that the recommended policies fail to adequately respond to the finding of key evidence documentation such as the Strategic Housing Land Availability Assessment (SHLAA) (July 2013) and the Worcestershire Strategic Housing Market Assessment (SHMA) (February 2012). Therefore it is submitted that the documents are not sound. The deficiency in soundness derives from major deficiencies in the evidence base as to the deliverability of key and essential aspects of the plan.

1.4 It is demonstrated through these submissions how the Bromsgrove District Plan Proposed Submission Version could be made sound. It is acknowledged that the submission advocates for the release of land from the Green Belt. In the balance of planning considerations it is submitted the planning advantage lies firmly in

releasing the land controlled to enable a comprehensive planned development to achieve and deliver new housing.

2.0 THE ROLE OF THE LOCAL PLAN

2.1 The purpose of the planning system is to contribute to the achievement of sustainable development (National Planning Policy Framework 2012 (NPPF) paragraph 6). For plan making this means that local planning authorities should positively seek opportunities to meet the development needs of the area. Local plans should meet objectively assessed need, with sufficiently flexibility to adapt to rapid change (NPPF paragraph 14).

BOP3

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2.2 One of the core objectives of the NPPF, as set out in paragraph 47, is to “*boost significantly the supply of housing.*”

2.3 In order to achieve this aim, Local Planning Authorities should: “*Use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period.*”

2.4 The core land-use planning principles require the planning system to ‘proactively’ drive and support sustainable economic development to deliver the homes, business



and industrial units, infrastructure and thriving local communities the country needs. As stated in the NPPF (paragraph 17): *“every effort should be made objectively to identify and meet the housing business and other development needs to the area, and respond positively to wider opportunities for growth.”* Plans therefore should take account of market signals and set out a clear strategy for allocating sufficient land which is suitable for development in their area (NPPF paragraph 17).

2.5 Furthermore, the NPPF requires Local Planning Authorities to *“ensure that the Local Plan is based on adequate up-to-date evidence and relevant evidence about the economic, social and environmental characteristics and prospects of the area.”*

2.6 Our client wishes to ensure that the Draft District Plan fully responds to these principles in the interests of securing a sustainable future for the District. Our client is concerned that the overarching vision of the Proposed Submission document inadequately makes reference to the provision of development needs that the District requires during the plan period. It is considered that the required development needs derived from objective assessment can be provided while maintaining and enhancing the heritage and green environment of the District.

2.7 On this basis, it is considered that the Draft District Plan fails the tests of soundness identified at paragraph 182 of the NPPF. The plan has not been *‘positively*



prepared as it does not meet objectively assessed development requirement. The Plan specifically some of its key objectives are also not deliverable and therefore the strategy fails the tests of needing to be *effective*.

2.8 The District Draft Plan does not meet the full, objectively assessed needs for market and affordable housing in the housing market area as required by paragraph 47 of the NPPF.

2.9 With regard to housing needs, paragraph 159 of the NPPF sets out that Strategic Housing Market Assessments should assess housing requirements based on household and population projections and cater for housing demand and the scale of housing supply necessary to meet it. Importantly, paragraph 173 states that *“Plans should be deliverable”*.

BDP3 2.10 Draft policy BDP3 states that over the Plan period of 2011 to 2030 the Plan will target the delivery 7,000 new dwellings (368 dwellings per annum (dpa)) and 28 hectares of land for employment development to meet a range of types and sizes of site.

2.11 The proposed housing requirement is considered unsound as it is not justified by the evidence or positively prepared.

BDP3

2.12 The Draft District Plan does not adequately demonstrate why it has not proposed a higher target delivery for dwellings. For the following reasons, the plan should make provision for additional housing in Bromsgrove:

- up to date census data indicates additional housing will be required, up to date ONS data should be used to analyse the proposed needs for housing;
- Bromsgrove has a record of previous under delivery and effectively has a backlog to catch up on early on in the plan period;
- additional housing in Bromsgrove could help the Birmingham conurbation meet its needs;
- affordable housing need is significant and the Local Plan needs to plan positively to significantly boost supply;
- there is an over reliance on windfall rates currently identified; and
- by committing to a Green Belt review in 2023, there is a chance decision making will be delayed in the first 10 years due to local authorities having a delay mechanism in place. The Green Belt must be reviewed as part of the current consultation.

2.13 The Local Plan should respond to the Government's agenda to create conditions for economic growth over the 19 year period (2011 to 2030). A fundamental requirement of the spatial planning system to provide sufficient land to meet development needs to accommodate potential – and sought after – economic growth. The allocation of suitable land to meet potential household growth will lead



delivery. A risk to economic growth is the undersupply of land to meet housing needs.

BDP3 2.14 In summary, the figure of 7,000 houses must be considered very modest and well below that which a recovering economy and less fettered housing market as well as being contrary to the NPPF which seeks to significantly boost housing delivery. Emerging advice and policy would suggest that the Local Plan is failing to meet the challenges set by household increases, pent up demand, the NPPF, the need for affordable housing and population increases.

3.0 THE MERITS OF THE SUBJECT SITE

3.1 It is submitted that the release of the land at is necessary to order to deliver sufficient housing with the District.

BDP4 3.2 The area of land proposed for release from the Green Belt is shown on the plan attached. The land is available, suitable and achievable for housing to form a sustainable development as advocated by the NPPF. 3

3.3 The land is located on the eastern side of St Godwalds Road and is bound to the north by the railway line. The south and east is agricultural land.



- 3.4 The site comprises the northern part of a larger site which has been identified in the SHLAA (July 2013) as a Green Belt Potential Site (BCD79). It could therefore be allocated for residential as part of a larger development site.

- 3.5 There are no third party land ownership matters to complicate the site's delivery. The site is in single ownership. It would therefore be well positioned to contribute to developer contributions that are proven to be necessary to offset the impact of development.

- 3.6 The site is well related to the existing small settlement area of Bromsgrove. The site is located on the eastern side of St Godwalds Road Lane to the rear of existing properties that front onto the road. The site can be developed in a viable manner; it does not have significant development costs associated with it such as contamination or noise mitigation.

- 3.7 The site is located within the designated Green Belt, however it is in a highly sustainable location being only 250 metres from Bromsgrove Station and less than 400 metres from the services and facilities of Finstall. It is also located close to three schools (South Bromsgrove Community School, Rigby Hall School and Aston Field Middle School) and two parks (Aston Fields and Finstall park), and located close to the Bromsgrove Cricket, hockey and tennis club.

- 3.8 The site is well defined with strong defensible boundaries and abuts existing development along St Godwalds Road.

- 3.9 The site is not within or adjacent to conservation area and does not contain any listed buildings. There are no other statutory designations associated with this site.
- 3.10 Overall it is considered that the site is considered to be in a sustainable location within a number of facilities within a reasonable walking distance.
- 3.11 The site is suitable for residential development. New pedestrian and vehicular linkages to Godwalds Road could be created to integrate the proposal into the settlement, which will have a knock on impact of making the settlement more sustainable.
- 3.12 It is submitted that the need to identify additional land for housing development in a sustainable locations amounts to 'exceptional circumstances' that justify the release of this land form the Green Belt (NPPF paragraphs 83, 87 and 88). The site is sustainable in terms of its access to the local centre services and other indicators of sustainability.
- 3.13 The five purposes of the green belt are:-
- to check the unrestricted sprawl of large built up areas;
 - to prevent neighboring town from merging into one another;
 - to assist in safeguarding the countryside from encroachment;
 - to preserve the setting and special character of historic towns; and



- to assist in urban regeneration by encouraging the recycling of derelict and other urban land (NPPF paragraph 80).

3.14 The release of land of the Green Belt will not lead to the unrestrictive sprawl of a large built up area. The development of the site land will not adversely impact upon the setting of Bromsgrove.

3.15 It is acknowledged that the release of land would necessarily result in the encroachment of hitherto undeveloped countryside that is in agricultural use. By allocating the site a defensible long term barrier will be created to the east to complement the transition from settlement to Green Belt and open countryside which will result in a viable development.

3.16 One consideration in the context of this land is whether development at the site would cause neighbouring towns to merge into one another. It is submitted that in reality the release of the site would not result in the actuality or in perception that settlements would merge. There would remain a clear open tract of land to east creating a defensible boundary.

3.17 In conclusion, it is submitted that the release of the land would not harm the underlying purposes of the Green Belt, other than resulting in the encroachment

into the existing countryside, this impact is however outweighed by the need to identify more land for housing to meet the needs of the District.

4.0 CONCLUSIONS

4.1 It has been envisaged by the that the delivery of housing and its associated infrastructure to support future growth within the District would be achieved by the comprehensive allocation of the site, for new development particularly housing that is:

- necessary to provide housing that is needed within the local housing market;
- of sufficient scale to secure the delivery of new infrastructure including open space, and upgraded linkages;
- housing that can be viably constructed at an appropriate density to safeguard the setting of the settlement;
- development which can increase access to the existing settlement; and
- development which can increase public access to the open countryside through the formation of areas of open space.

4.2 It is submitted that the Core Strategy fails the tests of soundness as set out at para 182 of NPPF. Framptons would be pleased to discuss any aspect of the above representations with you to clarify any points of detail. Framptons would welcome



on behalf of our client the opportunity to be involved in the oral part of the Examination into the draft Local Plan.

Our Ref: PF/LS/PF
(Please reply to Banbury office)

louise.steele@framptons-planning.com

11 November 2013

Strategic Planning
Planning and Regeneration
Bromsgrove District Council
Burcot Lane
Bromsgrove
Worcs.
B60 1AA

(by email strategicplanning@bromsgrove.gov.uk)

Dear Sirs

**SUBMISSION TO THE BROMSGROVE DISTRICT COUNCIL PROPOSED
SUBMISSION DOCUMENT
LAND AT FINSTALL PARK FARM**

I enclose on behalf of our client, Telstar Limited representations to the Draft District Plan. These representations are submitted in the form of a single document upon which I have responded to those policies which it is considered to be of relevance to the matters of concern to our client who is promoting land in the Borough.

I have included:

- the representations forms;
- a submission report prepared by Framptons; and
- a red line plan identifying the site to which the representations relate.

I look forward to acknowledge of receipt of these representations. If you have any queries, please contact Louise Steele at Framptons.

Yours faithfully,



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)

FRAMPTON .

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

Page:	Paragraph:	Policy: BDP 2
Policies Map:	Other document:	

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)

PLEASE SEE ATTACHED SUBMISSION .

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 ATTACHED SUBMISSION

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)	<input checked="" type="checkbox"/>
(2) Effective (see Note 5)	<input checked="" type="checkbox"/>
(3) Consistent with national policy (see Note 6)	<input checked="" type="checkbox"/>
(4) Positively prepared (see Note 7)	<input checked="" type="checkbox"/>

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 ATTACHED SUBMISSION

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 ATTACHED SUBMISSION

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	<input type="checkbox"/>
Yes, I wish to participate at the oral examination	<input checked="" type="checkbox"/>

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)

THE ISSUES RAISED ARE COMPLEX.

Signature:  Date: 11/11/05

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)

FRAMPTONS .

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

Page:	Paragraph:	Policy: SDP3 .
Policies Map:	Other document:	

2

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: <input type="checkbox"/>	No: <input type="checkbox"/>
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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)

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Yes: <input type="checkbox"/>	No: <input checked="" type="checkbox"/>
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THE ISSUES RAISED ARE COMPLEX.

Signature:  Date: 11/17.

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)

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

Page:	Paragraph:	Policy: BDP4
Policies Map:	Other document:	

3

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: <input type="checkbox"/>	No: <input type="checkbox"/>
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THE ISSUES RAISED ARE COMPLETED

Signature:  Date: 2/11/13.

Finstall Park Farm



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