

**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)

Mr Michael Hurst

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

Page:5	Paragraph:1.24	Policy: BDP1, BDP5
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: <input type="checkbox"/>	No: <input checked="" 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)

Paragraph 1.24 states that all Local Plans will be tested to make sure that they are legally compliant. These requirements include having regard to the Policies in the National Planning Policy Framework (NPPF) adopted in March 2012. Paragraph 112 of the NPPF requires Local Planning Authorities to take into account the economic and other benefits of the best and most versatile agricultural land. Where significant development on agricultural land is demonstrated to be necessary, the LPAs should seek to use areas of poorer land quality in preference to that of a higher quality.

In the BDP, the majority of the sites identified for development around Bromsgrove Town, and in particular, the largest area, BROM2, are on land which is of the highest agricultural quality, Grade 1 and 2, but there is nowhere in the BDP where this is specifically identified or discussed.

Paragraph 1.2 states that the plan has been developed in the light of, inter alia, National Planning Policy Framework 2012 and Paragraph 1.24 of the BDP states that all Local Plans will be tested to make sure that they are legally compliant, and have regard to National Policy in the NPPF.

Paragraph 4.7 refers to areas where new development will be directed, including to the west of the town, but there is no reference to the fact that the land is Grade 1 and 2 Agricultural land and how this fact relates to the requirement of Paragraph 112 of the NPPF.

Chapter 5. Strategic Objectives, has no reference to or consideration of agricultural land quality, and therefore is not compliant with the NPPF. Paragraph SO9 states that one of the strategic objectives is to "Safeguard and enhance the District's natural resources such as soil, water.....etc". The allocation of Grade 1 and 2 agricultural land in the BDP for development would appear to be contrary to this objective.

Similarly, under BDP1 Policy – Sustainable Development Principles, there is no reference to agricultural land quality or the need to protect the highest quality land. In addition, under PDP5 – Bromsgrove Strategic Site Allocations, there is no regard for the high quality of the agricultural land.

Paragraph 8.59 appears to be the only paragraph which specifically refers to the high quality land around the town. This does accept that the policy performs less favourably against some of the environmental objectives, due to the loss of greenfield land and the loss of high quality agricultural land. It states that this is inevitable due to the lack of brownfield alternatives and the presence of much high quality agricultural land around the town.

However, this appears to be the only reference to agricultural land quality, but makes no mention that these areas are some of the very few areas of high grade agricultural land, and Grade 1 in particular, in the County. This therefore appears to gloss over this fact, by simply assuming that it can be mitigated by the creation of a detailed Masterplan. However, such high quality agricultural land, which the Country should be relying upon in the future, to help feed the Nation's growing population, cannot simply be created elsewhere to mitigate against its loss, if it is developed.

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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)**

<p>In order to be legally compliant, having regard to the issues set out above, the BDP either needs to be reconsidered, to take more account of the requirement of the NPPF, with regard to high quality agricultural land, and/or examined in greater detail with regard to how these areas may be developed, if at all.</p> <p>It is noted that Paragraph 4.12 refers to the distinctive character and identity of Bromsgrove. The agricultural land to the west of the town, in particular, is typical of the landscape character of the area and this should be maintained, if any development is proposed in this area. Similarly, under BDP5A – Bromsgrove Town Expansion Sites, more emphasis should be made on the retention of undeveloped open spaces, in order to preserve the highest grades of agricultural land.</p>
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5. Do you consider the BDP is sound? **(see Note 3)**

Yes: <input type="checkbox"/>	No: <input checked="" type="checkbox"/>
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Do you consider the BDP is **unsound** because it is not:

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

<p>Please see the above comments.</p>
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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)

See 4, above.

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

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Signature 	Date: 11 November 2013
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