

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)

Tetlow King Planning

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

Page:	Paragraph:	Policy:
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)

FAILURE TO MEET THE DUTY TO COOPERATE. PLEASE SEE ATTACHED LETTER

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)

PROCESS DISTRICT PLAN ON LEA JOINT SHMA HAS BEEN COMPLETED. PLEASE SEE ATTACHED LETTER

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 LETTER

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 LETTER


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)

Signature  Date: 7 / 13



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Date: 8 November 2013

Our Ref: EB/CB M5/0410-06

By email only:

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Dear Sir or Madam

RE: BROMSGROVE DISTRICT COUNCIL PROPOSED SUBMISSION DOCUMENT

We represent the **West Midlands HARP Planning Consortium** which includes all the leading Housing and Registered Providers (HARPs) across the West Midlands. Our clients' principal concerns are to optimise the provision of social/affordable housing and to ensure the evolution and preparation of consistent policies throughout the region.

Our representations on the Proposed Submission District Plan are as follows.

Duty to Co-operate

Our overriding concern is the lack of co-operation between Bromsgrove and Birmingham with regards to assessing a cross-border housing needs and the setting of an appropriate housing target to cater for them. In particular, in terms of the impact that constrained growth will have on housing affordability at a time which this is already stretched. We are of the opinion that it is not appropriate for the Council to postpone such important decisions about cross border growth, or indeed Green Belt Review, to a Plan Review and we consider the Plan to be unsound on that basis. ①

Birmingham and Bromsgrove are intrinsically linked; The Bromsgrove SHMA Overview Report states that:

"The economy of Bromsgrove is characterised by strong commuter links with Birmingham, Redditch and Dudley, with significant levels of out commuting. Almost 25% of people in 2001 living in Bromsgrove worked in Birmingham with 13% of those working in Bromsgrove travelling in from Birmingham" (page 11).

The Birmingham SHMA, by its own admission, does not fully assess the entire housing need of the City. There is recognition for the need of a joint SHMA but Birmingham Council believes that this can be produced by the two authorities at a later date, so as *"to identify the scale of additional housing provision that should be planned for outside Birmingham and to agree a strategy for delivering this"* (paragraph 13.8) ②

We are of the opinion that it is unacceptable to delay a joint SHMA until after the preparation of the District Plan. It does not fulfil paragraph 159 of the NPPF which requires the *"assessment of full housing needs, working with neighbouring authorities where housing market areas cross administrative boundaries"*.

It is also of material consideration that the NPPG (ID 9-001-130729) states that:

"Local planning authorities must demonstrate how they have complied with the duty at the independent examination of their Local Plans. If a local planning authority cannot demonstrate that it

has complied with the duty then the Local Plan will not be able to proceed further in examination"(emphasis added).

The NPPG also requires effective strategic planning for cross border growth "from the outset" of Plan preparation.

BDP 4 Green Belt

We notice that the Council has made some adjustments to its Green Belt on the policies map. Our concern is that this approach is wholly incremental. There has been no robust assessment to justify the arbitrary new additions to Green Belt.

We wish to see the Council progress its Plan on the basis of immediate Green Belt Review.

BDP 8 Affordable Housing

Policy BDP8 causes concern, in respect of the expression of the affordable housing target as "up to" 30% and 40%. Developers will always look to minimise the level of affordable housing and such policy wording offers too much scope for them to seek to negotiate lower provision in any circumstance.

We encourage the Council to change the wording to stipulate that there is a 30% and 40% affordable housing target and that only in exceptional circumstances (and with suitable viability studies) will the Council consider it acceptable to negotiate on the affordable housing level. This is based on paragraph 8.105 of the Core Strategy which displays the evidence produced by the Affordable Housing Viability Assessment and shows that the "Council's aspiration to achieve 40% affordable provision on-site is achievable in most circumstances".

We are also of the belief that because of the identified shortage of affordable housing in Bromsgrove, as outlined in the Bromsgrove SHMA Overview Report, a 40% target should be applied across the majority of the District. The evidence base shows that such an affordable housing figure is generally viable.

Housing Mix

The flexibility allowed in the third paragraph of Policy BDBP8 is not conducive to the effective delivery of social rent in the tenure mix. Paragraph 8.103 of the Core Strategy states that:

"the Worcestershire SHMA identifies that 35% of households in the District would be unable to afford 80% of local market rent. It is therefore apparent that a significant proportion of new affordable housing stock should still be social rented."

Developers will naturally attempt to steer away from social rent as it is the most expensive affordable housing tenure to provide; by allowing such flexibility the delivery of social rent will be harmed. The most effective way of securing social rent is through the inclusion of a tenure split in the District Plan that clearly stipulates the Council's desired affordable housing mix.

BDP 9 Rural Exception Sites

We are pleased to see the Council has revised its Plan to include cross subsidy on rural exception sites. As grant funding has been reduced, it has become important for our clients to find other funding streams and cross subsidy is now widely recognised as the best means of doing so.

BDP 10 Homes for the Elderly

We wholeheartedly support the Council's stance on Policy BDP10 and hold it up as an exemplar policy.

BDP 19 High Quality Design

The Government has indicated its intention to withdraw from its future aspirations for achieving higher levels of the Code for Sustainable Homes across all types of residential development, and replace them with enhanced building regulations instead. It would be worth taking this into consideration when reviewing this policy as the Plan progresses.

RCBD 1 Redditch Cross Boundary Development

Notwithstanding our comments on Birmingham, we consider that these provisions allow the Duty to Co-operate to be met in respect of Redditch.

Our concern is again one regarding the wording of the affordable housing policy which stipulates "up to 40%" affordable housing. On prime greenfield sites the respective councils should be looking to maximise affordable housing delivery and we seek for the policy wording to be amended accordingly.

Concluding Comments

We encourage the Council to rectify the current deficiencies in the District Plan before proceeding, in order that it can be found sound at examination.

Yours faithfully

