

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)

Gallagher Estates

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

Page: 21 - 25	Paragraph: 8.18 – 8.25	Policy: BDP3 and BDP4
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)

The NPPF states that Local Planning Authorities (LPAs) should work with other bodies to ensure that 'strategic priorities' are coordinated across boundaries. This should enable LPAs to work together to meet development requirements which cannot be met within their own area (Paragraph 179). The NPPF expects LPAs to demonstrate evidence of this cooperation when Local Plans are submitted for examination.

No allowance within the Plan has been made for the need to accommodate some of Birmingham City Council's (BCC's) housing requirement under the Duty to Cooperate. It has long been the case that that BCC is not able to meet the City's housing requirements within their administrative boundary and that land for some 30,000 additional dwellings will be required in adjoining authorities. During a BCC Cabinet Meeting on 21st October 2013, it was again acknowledged that BCC would require assistance from neighbouring authorities under the Duty to Cooperate to enable them to meet their target for housing. Particular reference was made during this meeting to BDC absorbing some of this requirement.

Clarity on the exact level of support required from adjoining authorities will be provided through the Greater Birmingham and Solihull Local Enterprise Partnership's Strategic Housing Needs Study, which is anticipated in to be signed off in early February 2014. By failing to give due consideration to the needs of BCC, the BDP is not considered to be legally compliant under Paragraph 182 of the NPPF.

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)

Bromsgrove should put the emerging Plan on hold until such time as the Strategic Housing Needs

Study has been published, in order to ensure that the recommendations within the Study are fully taken into account by BDC when assessing future housing needs to 2030 and beyond.

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)

The National Planning Policy Framework (NPPF) makes it clear that, with regard to plan-making, local planning authorities should positively seek opportunities to meet the development needs of their area, and should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change (para. 14). In addition, local planning authorities should identify a supply of specific, developable sites or broad locations for growth for years 1-5, 6-10 and, where possible, years 11-15 (para.47).

The Council's proposed strategy of only identifying sufficient housing sites to 2023 (i.e. the first 12 years) and suggesting a Green Belt Review in a few years' time is not considered to be a sustainable approach and does not comply with the NPPF; such an approach is not effective as the Plan is not deliverable over the entire Plan period and nor has the Plan been positively prepared (paragraph 182 of the NPPF). As the Council has accepted that it will require a Green Belt Review in order to meet housing needs within the Plan period, within the context of paragraph 14 of the NPPF it has therefore already accepted that there are no adverse impacts that would significantly and demonstrably outweigh the benefits of the Plan meeting its objectively assessed needs. Paragraph 154 of the NPPF states that Local Plans should set out the opportunities for development and clear policies of what will or will not be permitted and where; the paragraph does not contain any reference to "when" development should be delivered and therefore there is no good planning justification to delay the release of Green Belt sites to the latter part of the Plan period.

Given the intention of Government policy, and the acknowledged need for additional land to be released for housing in sustainable locations in the longer term, the opportunity should be taken now to identify suitable additional sites for phased development as part of this District Plan. This change to the Plan would offer both the community and developers the necessary certainty to properly plan development sites and make appropriate provision for infrastructure and community facilities.

The figure of 7,000 new homes to be provided in the Plan period is not accepted. Other

representations being submitted on behalf of Gallagher Estates will address this point in more detail, but we would certainly advise that the residual 2,400 figure for the period beyond 2023 should be treated as a minimum. In addition, we also believe that it may well be premature for the Council to proceed with the District Plan at this stage, bearing in mind Birmingham City needs to find land outside its administrative boundaries for over 30,000 dwellings, and that the Greater Birmingham and Solihull LEP is in the process of preparing a Spatial Plan to determine how Birmingham's requirements will be met; it is understood that the Spatial Plan will be in place by Easter 2014 and Bromsgrove will need to have significant regard to this Plan in terms of assessing future housing needs.

The table at Paragraph 8.22 demonstrates how development will come forward during the period 2011 – 2023 (12 years). This includes an allowance for 480 'windfall' dwellings. Paragraph 8.21 identifies that an allowance for 30 windfall dwellings per annum should be made, based on previous trends. The table includes completions from 2011-2013, therefore, to avoid double counting, the windfall allowance should be taken for the period 2013 – 2023 (10 years). This equates to 300 dwellings, rather than the 480 dwellings outlined within the table. As such, only 4,420 dwellings will be constructed in the period to 2023, leaving a residual minimum requirement of at least 2,580 to be developed on Green Belt land.

The opportunity should be taken now to consider further expanding currently allocated sites as part of the District Plan, to plan for the likely additional requirements beyond 2023, but which could also be brought forward earlier in the Plan period if necessary and in order to cater for "rapid change" in housing requirements, thus providing the LPA with the flexibility required by the NPPF. If planned on a phased basis, such an approach would not prejudice strategic decisions on housing numbers as it would give the Council control on when such development could come forward, whilst allowing an element of flexibility in terms of delivery and which can be monitored through further reviews of the District Plan.

Gallagher Estates control the whole site at Bleakhouse Farm in Wythall shown on plan J025142_1, the current emerging allocation (as shown on Map 7 and referred to at paragraph 8.69 of the District Plan) already has outline planning permission for 178 dwellings. Wythall is designated in the District Plan as a "large settlement" where sustainable growth is to be encouraged. Gallagher Estates consider that the Bleakhouse Farm site could be extended (by 6.9ha) to incorporate additional housing development (in the region of 160 dwellings). Allocation of this additional land now, in what is recognised as a sustainable location, will allow for a holistic approach to be taken to the development of the site and will result in a comprehensively designed scheme.

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)

We would strongly encourage Bromsgrove District Council to consider deferring the submission of the BDP to allow for a full Green Belt Review. This will enable the identification of land to assist BDC in meeting its full housing requirement. Through this, the extension of current emerging and/or committed allocations should be considered to allow additional flexibility.

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.

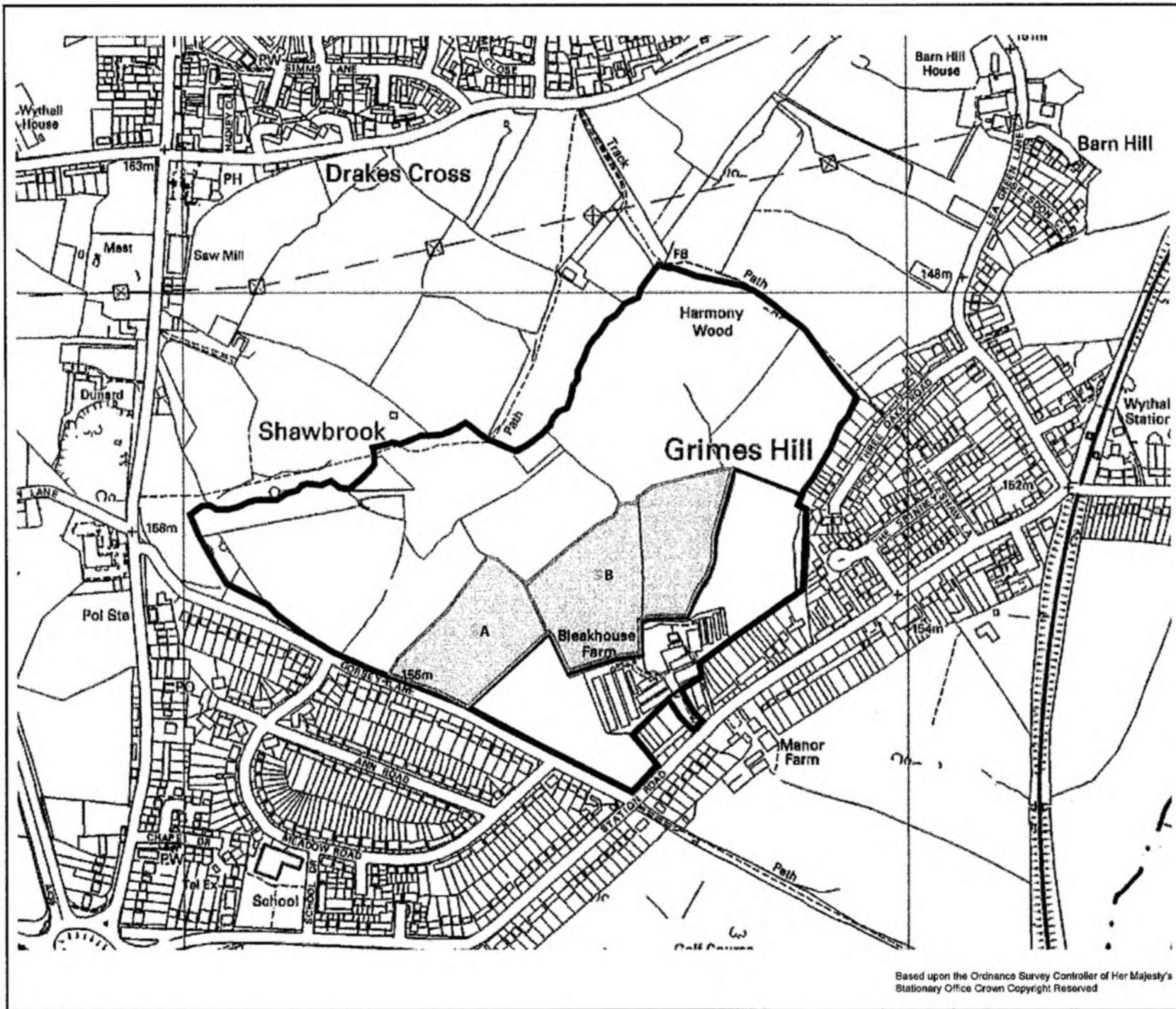
8. If your representation is seeking a change, do you consider it necessary to participate at the oral part of the examination? **Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

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)

Requirement to discuss complex issues associated with housing land supply and deliverability of Green Belt sites.

Signature: 	Date: 7 November 2013
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- Key**
- Land Controlled by Gallagher Estates
 - Current Allocation 6.4ha
 - Additional area to be allocated now 6.9ha
 - A** Area= 2.4ha
 - B** Area = 4.5ha

DRAWING TITLE
Core Strategy Allocation Plan

ADDRESS
Bleakhouse Farm, Wythall

SCALE: **DATE**
NTS April 2011

DRAWING NO:
J025142_1

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