



**BROMSGROVE DISTRICT COUNCIL**

**MEETING OF THE CABINET**

**WEDNESDAY 20TH OCTOBER 2021**

**AT 6.00 P.M.**

**PARKSIDE SUITE - PARKSIDE**

**MEMBERS:** Councillors K.J. May (Leader), A. D. Kent (Deputy Leader), G. N. Denaro, M. A. Sherrey, P.L. Thomas, M. Thompson and S. A. Webb

**AGENDA**

1. **To receive apologies for absence**

2. **Declarations of Interest**

To invite Councillors to declare any Disclosable Pecuniary Interests or Other Disclosable Interests they may have in items on the agenda, and to confirm the nature of those interests.

3. **To confirm the accuracy of the minutes of the meeting of the Cabinet held on 15th September 2021** (Pages 1 - 10)

4. **Minutes of the meeting of the Overview and Scrutiny Board held on 13th September 2021** (Pages 11 - 20)

(a) To receive and note the minutes

(b) To consider any recommendations contained within the minutes

Members are asked to note that the recommendations detailed in the minutes of the Overview and Scrutiny Board meeting held on 13<sup>th</sup> September 2021 were considered at the last meeting of the Cabinet. There are no outstanding recommendations from this meeting for Members' consideration.

5. **Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020** (Pages 21 - 24)

6. **Mobile Homes Act 2013 - Introduction of Licensing Fees** (Pages 25 - 32)

7. **Engagement Strategy** (Pages 33 - 48)

8. **Bromsgrove District Council's Duty to Co-operate statement with Solihull** (Pages 49 - 64)
9. **Bromsgrove District Council's Approach to the Draft Black Country Plan** (Pages 65 - 74)
10. **Catshill Neighbourhood Plan Adoption** (Pages 75 - 190)
11. **Budget Framework Report** (Pages 191 - 198)
12. **To consider any urgent business, details of which have been notified to the Head of Legal, Democratic and Property Services prior to the commencement of the meeting and which the Chairman, by reason of special circumstances, considers to be of so urgent a nature that it cannot wait until the next meeting**

K. DICKS  
Chief Executive

Parkside  
Market Street  
BROMSGROVE  
Worcestershire  
B61 8DA

12th October 2021

If you have any queries on this Agenda please contact  
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## **GUIDANCE ON FACE-TO-FACE MEETINGS**

Due to the current Covid-19 pandemic Bromsgrove District Council will be holding this meeting in accordance with the relevant social distancing arrangements for holding face-to-face meetings at a local authority.

Please note that this is a public meeting.

If you have any questions regarding the agenda or attached papers, please do not hesitate to contact the officer named above.

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In line with Government guidelines, any member of the public who has received a positive result in a Covid-19 test on the day of a meeting must not attend in person and must self-isolate in accordance with the national rules.

### **Notes:**

**Although this is a public meeting, there are circumstances when Council might have to move into closed session to consider exempt or confidential information. For agenda items that are exempt, the public are excluded.**





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## **BROMSGROVE DISTRICT COUNCIL**

### **MEETING OF THE CABINET**

**15TH SEPTEMBER 2021, AT 6.00 P.M.**

PRESENT: Councillors K.J. May (Leader), A. D. Kent (Deputy Leader), G. N. Denaro, M. A. Sherrey, P.L. Thomas and M. Thompson

Observers: Councillor S. R. Colella (Chairman of the Library Services Changes Task Group) and Councillor C. A. Hotham (Chairman of the Overview and Scrutiny Board)

Officers: Mrs. S. Hanley, Mrs. R. Bamford, Ms J. Willis, Mr O. Paparega, Ms. C. Flanagan and Mrs. J. Bayley-Hill

9/21

### **TO RECEIVE APOLOGIES FOR ABSENCE**

An apology for absence was received on behalf of Councillor S. Webb.

10/21

### **DECLARATIONS OF INTEREST**

During consideration of this item Councillors K. May and M. Thompson declared other disclosable interests in Minute Item No. 15/21 – Community Grant Scheme – as they had both supported an application for grant funding submitted by community groups based in their wards. For this reason, they did not participate in the debate in respect of this item or vote thereon.

Councillor M. Thompson also declared a pecuniary interest in Minute Item No. 18/21 – Zero Carbon Heat Network Route to Market - as his employer, Bromsgrove School, had been one of the organisations providing a financial contribution to support, and would benefit from, the Detailed Design Phase of the Project from the Department of Business, Energy and Industrial Strategy (BEIS) Heat Network Delivery Unit (HNDU). He left the room during consideration of this item and took no part in the debate or voting thereon.

11/21

### **TO CONFIRM THE ACCURACY OF THE MINUTES OF THE MEETING OF THE CABINET HELD ON 7TH JULY 2021**

The minutes of the meeting of Cabinet held on Wednesday 7<sup>th</sup> July 2021 were submitted.

**RESOLVED** that the minutes of the Cabinet meeting held on Wednesday 7<sup>th</sup> July 2021 be approved as a correct record.

12/21

## **MINUTES OF THE MEETING OF THE OVERVIEW AND SCRUTINY BOARD HELD ON 6TH JULY 2021**

The minutes of the meeting of the Overview and Scrutiny Board held on 6<sup>th</sup> July 2021 were submitted.

The Chairman of the Overview and Scrutiny Board, Councillor C. Hotham, was in attendance and explained that during the meeting of the Board held on 6<sup>th</sup> July 2021 Members had discussed the subject of air quality and had been surprised to learn that this was not considered to be too concerning for Bromsgrove District. The situation was being monitored and further action would be taken if needed.

A Motion in respect of car parking charges for Waseley Hill Country Park had also been discussed at this meeting. As agreed by the Board, the Chairman had subsequently written to Worcestershire County Council about the matter.

The Corporate Performance Scrutiny Working Group had been suspended during the period in which the Equalities Task Group investigation had been undertaken but as this had been completed the group would start to meet again. There had been a limited number of Members of the Board who had volunteered to serve on the group but at the latest meeting of the Board the terms of reference for the group had changed and this would create greater flexibility in terms of membership of the group.

**RESOLVED** that the minutes of the meeting of the Overview and Scrutiny Board held on 6<sup>th</sup> July 2021 be noted.

13/21

## **IMPACT OF LIBRARY SERVICE CHANGES TASK GROUP**

The Chairman of the Impact of Library Service Changes Task Group, Councillor S. Colella, presented the group's final report for Cabinet's consideration.

Members were informed that the investigation had been launched into the impact of changes to library services agreed by Worcestershire County Council. During the investigation, Members had interviewed the former Cabinet Member from Worcestershire County Council with responsibility for library services and had learned that Bromsgrove District Council was the only District authority reviewing the matter.

The Task Group had discovered that library services were very dynamic in Bromsgrove District and an excellent service was provided to the public. The review had also highlighted that the libraries served customers from a wide range of demographic backgrounds, including different age groups. Worcestershire County Council's review of library services had involved staff reorganisation and was likely to result in a reduction in financial costs.

The review of library services would potentially result in opportunities for Parish Councils to assist with the delivery of local library services. There was a balance that needed to be struck between meeting local needs and taking into account the impact of service changes on local communities. There was also a need for volunteers to ensure that there was continuity in the delivery of library services.

Councillor Colella concluded by commenting that the group had been reassured by news that there were no plans to close library services in Bromsgrove District. He thanked the Members of the Task Group for their hard work as well as the Democratic Services Officer for her support and the Officers and Members who had submitted evidence during the investigation.

The Portfolio Holder for Leisure, Cultural Services and Community Safety outlined a response on behalf of Cabinet by addressing each recommendation from the Task Group in turn.

In respect of recommendation 1, which proposed that Members should continue to receive up to date information in relation to proposed changes to libraries in their wards, it was noted that this would represent continuation of existing practice at Worcestershire County Council.

The second recommendation proposed that Members should be consulted on potential changes to Strategic Libraries in the District. Cabinet was informed that there was a statutory process that had to be followed by Worcestershire County Council, in terms of consulting with residents about such changes and Members would therefore already be consulted in their capacity as local residents.

The third recommendation proposed a publicity campaign in respect of the facilities available at the libraries in the District. Members commented that this could be brought to the attention of Worcestershire County Council but Bromsgrove District Council could not make this decision on behalf of the County Council.

The final recommendation from the group proposed that Worcestershire County Council should ensure that any grant funding that was received was distributed amongst libraries. Again, Cabinet was informed that this needed to be determined by Worcestershire County Council and Bromsgrove District Council could not influence the matter.

Cabinet subsequently discussed the Impact of Library Service Changes Task Group's final report and recommendations in some detail. Concerns were raised that Cabinet had been asked to resolve to approve the group's recommendations when a number were outside the remit of Bromsgrove District Council. Concerns were also raised about the length of time that had been taken to complete the scrutiny investigation.

**RESOLVED** that the Impact of Library Service Changes Task Group's final report be noted.

14/21

**ADOPTION OF LAND BY BROMSGROVE DISTRICT COUNCIL AND THE MANAGEMENT OF COMMUTED SUMS FOR OFF-SITE PROVISION.**

The Head of Planning, Regeneration and Leisure Services presented a report on the subject of the Adoption of Land by Bromsgrove District Council and the Management of Commuted Sums for Off-Site Provision.

Members were informed that developers could opt to provide open space land to the Council to manage on behalf of the community. However, other options were available to developers, including the potential to request that Parish Councils managed open spaces or for open space land to remain privately owned. The policy that had been developed related to land that was adopted by the Council.

Reference was made to the report and policy and it was noted that inconsistencies had been identified in the report in terms of the length of time which would apply to the maintenance period under the terms of the policy. Officers confirmed that this would be a period of 30 years. Members requested that report authors clearly check the content of their reports in future to ensure that correct information was included in policy documents.

During consideration of this item, the Chairman of the Overview and Scrutiny Board, Councillor C. Hotham, outlined the Board's conclusions in respect of the report, which had been pre-scrutinised at a meeting held on 13<sup>th</sup> September 2021. Members were advised that the Board had unanimously agreed a recommendation which proposed changes to the wording in the Objectives section of the policy. In proposing this recommendation, the Board had identified the need for clarity on the objectives of the Council in relation to this matter, in terms of the Council's preferred approach to managing open spaces. The Board's second recommendation proposed changes to the policy in order to recognise that another body, such as a Parish Council, might manage open spaces, not just Bromsgrove District Council. The Board had concluded that it would be preferable for a local democratic and publicly elected body to adopt open space land, if offered the opportunity.

Cabinet discussed the recommendations that had been made by the Overview and Scrutiny Board on this subject. In doing so, it was noted that the Council did not necessarily have a particular preference in relation to adopting and managing open spaces, which could have financial implications for the authority. In addition, concerns were raised that the proposal with respect to a preference for the authority had not been investigated in detail prior to the Cabinet meeting and there might be wider implications which had not yet been identified. The Council could adopt and manage land but this needed to be on the basis of a satisfactory agreement having been reached. Members noted that

landlords could not be required to involve the Council in the adoption of open space land, though policy clarified that the authority would enter into discussions with developers where appropriate funding would be available. Finally, concerns were raised that some Parish Councils would not have sufficient funds to enable them to assume responsibility for managing open space land and therefore an expectation that this could occur might not be appropriate. For these reasons, Cabinet concluded that the recommendations from the Overview and Scrutiny Board on this subject would not be supported.

**RESOLVED** that, subject to amending the policy to clarify application of the maintenance period for 30 years, the Adoption of Land by Bromsgrove District Council and the Management of Commuted Sums for Off-site Provision Policy be used if the Council should be offered open space land for adoption

15/21

## **COMMUNITY GRANT SCHEME**

The Portfolio Holder for Finance and Enabling Services, as Chairman of the Community Grants Panel, presented a report and recommendations in respect of the Council's Community Grant Scheme.

Cabinet was informed that the Community Grants Panel had considered a number of applications and had made recommendations regarding the funding that should be awarded to certain groups.

During consideration of this item, Members were advised that following on from the Panel meetings, the Portfolio Holder for Finance and Enabling had been made aware that some questions had been raised outside the meeting about the award of funding to the "To Catch a Thief" initiative in Rubery. The police had raised concerns that this initiative could lead to vulnerable people being locked in an old telephone box. In this context, an addition recommendation was made that Cabinet should delegate authority to the Head of Finance and Community Services, following consultation with the Chairman of the Community Grants Panel, to further consider and resolve on the grant funding for this project.

**RESOLVED** that

- 1) The grants, as detailed in the Summary of the Community Grants Panel Recommendations, be agreed with the exception of the proposed grant for "To Catch a Thief" in Rubery;
- 2) Delegated authority be granted to the Head of Finance and Community Services, following consultation with the Chairman of the Community Grants Panel, to determine the outcome of the award for the "To Catch a Thief" project; and
- 3) Should the scheme continue into 2022/23 then a full review of the process be carried out prior to the commencement in future years.

(Prior to consideration of this item Councillors K May and M. Thompson declared an other disclosable interest in the report as they had both supported applications for funding in the Community Grants Scheme from community groups based in their wards. For this reason, they did not participate in the debate on this item nor vote thereon.)

16/21

## **BROMSGROVE TOWN CENTRE MANAGEMENT STRATEGY**

The Leader and Portfolio Holder for Economic Development, the Town Centre and Strategic Partnerships presented the Bromsgrove Town Centre Management Strategy Action Plan for the period April 2021 to March 2022.

Members were advised that the previous Bromsgrove Town Centres Manager had departed the authority and unfortunately it had not been possible to recruit a replacement by the date of the meeting. In the interim period, an events company, Blackberry Productions, were working on managing the town centres on the Council's behalf. The report therefore provided an update on interim measures that would remain in place until a new Bromsgrove Town Centres Manager was recruited.

The Head of North Worcestershire Economic Development and Regeneration explained that a Business Advisor had been recruited who would cover the business engagement duties usually undertaken by the Bromsgrove Town Centres Manager. There were an increasing number of online retailers operating in Bromsgrove District and the Business Advisor would assist these companies with matters such as non-Covid grant applications and the adoption of digital technology. In addition, there had been recent investments in the former St John's Wine Rooms, which indicated that there were signs of confidence in Bromsgrove town centre.

Members discussed the report and in so doing noted that Aston Fields had been added to the list of town centres that were managed by the Council. Members noted that Aston Fields was an important strategic link for Bromsgrove, as Bromsgrove Train Station was located in that ward.

During consideration of this item, reference was made to the Overview and Scrutiny Board's pre-scrutiny of the report at a meeting held on 13<sup>th</sup> September 2021. The Chairman of the Overview and Scrutiny Board explained that Members had raised concerns that the loss of staff had had an impact in the town centres. The Board had agreed that the situation in a number of the town centres had changed since the Action Plan was developed and, therefore, as well as approving the strategy, the Board had recommended that the relevant lead officer should visit all of the town centres to observe the conditions and then subsequently update the Action Plan.



The Overview and Scrutiny Board's recommendation was discussed and it was noted that this proposal would add value to the management of the town centres in Bromsgrove District. For this reason, the recommendation was approved.

**RESOLVED** that

- 1) The Bromsgrove Centres Management Action Plan (April 2021 – March 2022) be approved; and
- 2) At the earliest opportunity the relevant officers revisit the Town Centres to update the plan and offer support.

17/21

**CABINET OUTSIDE BODY APPOINTMENTS**

The Portfolio Holder for Finance and Enabling presented a report outlining appointments to Outside Bodies made by the Cabinet. Members were advised that many of these appointments were made in an ex officio capacity, to reflect the particular roles held by Portfolio Holders.

**RESOLVED** that the nominations to outside bodies detailed at Appendix 1 to the report be approved.

18/21

**ZERO CARBON HEAT NETWORK - ROUTE TO MARKET**

The Portfolio Holder for Finance and Enabling Services presented the Zero Carbon Heat Network – Route to Market report for Cabinet's consideration.

Members were informed that the Council was in the process of developing a zero-carbon heat network project to supply zero-carbon heat to homes, businesses and public buildings in Bromsgrove town centre. A report had previously been considered on this subject by Cabinet when Members had concluded that it would be appropriate to continue with the project through to the Detailed Project Design (DPD) stage. A feasibility study had been produced in respect of this matter in 2019.

In 2020, the Council had secured £227,500 towards the DPD phase of the heat network project from the Government. This had been matched by some additional funding from Bromsgrove District Council, Bromsgrove School and the Worcestershire Health and Care NHS Trust.

In April 2021, a specialist Project Manager had been appointed. The Project Manager had identified that, since the original scheme was approved, there had been a number of changes to the Government's decarbonisation plans. These changes affected the heat network project and therefore required Member endorsement.

Combined heat and power was due to be phased out for new heat networks during 2025. Therefore, the first recommendation in the report

# Agenda Item 3

Cabinet  
15th September 2021

proposed that the Heat Network should become a Zero Carbon Heat Network.

Members were asked to note that the Government had recently consulted on how Planning Authorities could have the powers to encourage both existing and new developments to connect to the network within a zone. The third recommendation in the report therefore proposed that a Heat Network zone should be pursued for the town centre project.

A new concession route to market was now available and there had been acknowledgement that not all local authorities wanted to directly invest in heat networks or to take on the associated risks. The concession approach enabled local authorities to procure a partner organisation in the private sector via a concession model to deliver the heat network. Therefore, the fourth recommendation proposed that the concession route to market should be pursued for Bromsgrove town centre. This route would need to be negotiated and therefore the fifth recommendation proposed that authority should be delegated to relevant officers to negotiate a Concession Agreement.

To ensure appropriate oversight of the project, a further recommendation had been made that a Project Board should be established to oversee the Zero Carbon Heat Network project.

## **RESOLVED** that

- 1) In line with Government Policy, the Heat network becomes a Zero Carbon Heat Network (ZCHN);
- 2) The title "Bromsgrove Zero-Carbon Heat Network" be adopted;
- 3) A Heat Network Zone is pursued for the Town Centre to support and compliment the ZCHN; and

## **RECOMMENDED** that

- 4) The ZCHN project pursues the concession route to market;
- 5) Delegated authority be given to the Head of Community and Housing Services and the Head of Legal, Democratic and Property Services to procure and agree the Concession Agreement with qualifying energy companies;
- 6) Green Heat Network Funding is utilised to fund this route to market; and
- 1) A project board, to assist the Project Manager, be established under the terms of reference attached at Appendix A.

(Prior to consideration of this item, Councillor M. Thompson declared a pecuniary interest as his employer, Bromsgrove School, had been one of the organisations providing a financial contribution to support, and would benefit from, the Detailed Design Phase of the Project from the Department of Business, Energy and Industrial Strategy (BEIS) Heat

# Agenda Item 3

Cabinet  
15th September 2021

Network Delivery Unit (HNDU). He left the room during consideration of this item and took no part in the debate or voting thereon.)

The meeting closed at 6.50 p.m.

Chairman

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## **BROMSGROVE DISTRICT COUNCIL**

### **MEETING OF THE OVERVIEW AND SCRUTINY BOARD**

**13TH SEPTEMBER 2021, AT 6.00 P.M.**

PRESENT: Councillors C.A. Hotham (Chairman), J. Till, S. J. Baxter, A. J. B. Beaumont, S. R. Colella, R. J. Deeming, M. Glass (substitute for Councillor Kriss), R. J. Hunter and C. J. Spencer

Observers: Councillor K. May – Portfolio Holder for Economic Development, the Town Centre and Strategic Partnerships

Officers: Mr. J. Howse, Mrs. R. Bamford, Mr. O. Paparega and Mrs. J Gresham.

15/21 **APOLOGIES FOR ABSENCE AND NAMED SUBSTITUTES**

Apologies for absence were received from Councillor P. McDonald and Councillor A. Kriss with Councillor M. Glass in attendance as named substitute.

16/21 **DECLARATIONS OF INTEREST AND WHIPPING ARRANGEMENTS**

There were no declarations of interest nor of any whipping arrangements.

17/21 **TO CONFIRM THE ACCURACY OF THE MINUTES OF THE MEETING OF THE OVERVIEW AND SCRUTINY BOARD HELD ON 6TH JULY 2021**

The minutes of the Overview and Scrutiny Board meeting held on 6th July 2021 were submitted for Members' consideration.

**RESOLVED** that the minutes of the meeting of the Overview and Scrutiny Board held on 6th July 2021 be approved as an accurate record.

18/21 **ADOPTION OF LAND BY BROMSGROVE DISTRICT COUNCIL AND THE MANAGEMENT OF COMMUTED SUMS FOR OFF-SITE PROVISION**

# Agenda Item 4

Overview and Scrutiny Board  
13th September 2021

The Head of Planning, Regeneration and Leisure Services presented the Adoption of land by Bromsgrove District Council and the Management of Commuted Sums for Off-Site Provision report.

Members were informed that when a new development was planned which included open space provision, that open space would need to be managed appropriately by a developer or other management body in perpetuity. It was explained that there were various types of open space provision on a new development including sports pitches, equipped and unequipped open spaces and off-site open spaces.

The Head of Planning, Regeneration and Leisure Services clarified to Members of the Board that it was not compulsory for developers to offer any open space for adoption by the Council, or any other management body, and that they could choose to manage it themselves. However, it was noted that if the land was adopted by the Council the developer would have to provide the cost of on-going maintenance to the Council in perpetuity, which in this case would be for 30 years.

During a detailed discussion the Board agreed that this report was necessary in order to maintain open spaces now and in the future. Councillor R. Hunter noted that, although the policy was a good one, it needed to go further in order to provide clarity on the objectives of the Council in relation to this matter.

There was a robust discussion regarding whether it would be possible to use Council Tax collected from houses on new developments in order to provide the upkeep of any new open spaces. The Executive Director of Resources explained that although this would seem like a possibility, Council Tax was not all allocated to Bromsgrove District Council and that County Council received a high percentage of the Council Tax collected. It was also noted that it would not be good for financial sustainability for a Local Authority to commit to such long-term funding on a potentially variable or non-recurring income.

After a detailed debate Councillor R. Hunter proposed the following recommendation:

'that the wording within the 'Objectives' section of the policy be amended, and that the word 'preference' be included to read '***it is the preference and the intention of the Council***'.

In addition to this Councillor. R. Hunter wished to include an additional paragraph in the main Officer report as follows:

'Bromsgrove District Council believe that the optimal outcome for the residents and the wider community is for a local, democratically and publicly elected body to adopt the land.'

Although there was a general agreement from Members that these two recommendations would be useful in clarifying the Council's position in this matter, the Board were reminded that, it was within the Officer's gift to write their own report without it being amended and if an additional paragraph needed to be added it should be within the policy not the officer's report.

Therefore, the Board agreed that both recommendations, from Councillor R. Hunter be included in the 'Objectives' section of the policy.

Councillor J. Till suggested that it was important to reflect within the second recommendation that developers were not obliged to offer the land to the Council or any other party to manage. Therefore, it was agreed that 'if offered' be included at the end of the second recommendation.

On being put to the vote both recommendations were agreed.

The Chairman thanked Officers for a detailed presentation and noted that Councillor A. Kent had been invited to attend the Board meeting however, he had not been able to attend and had sent his apologies.

## **RECOMMENDED that**

- a) that the wording within the 'Objectives' section of the policy be amended, and that the word 'preference' be included to read '***it is the preference and the intention of the Council*** and;
- b) that an additional paragraph be included in the policy at the beginning of the 'Objectives' section which states the following: 'Bromsgrove District Council believe that the optimal outcome for the residents and the wider community is for a local, democratically and publicly elected body to adopt the land, if offered'.

# Agenda Item 4

Overview and Scrutiny Board  
13th September 2021

The Chairman invited Councillor K. May who was present in her role as Portfolio Holder for Economic Development, the Town Centre and Strategic Partnerships to introduce the Bromsgrove Centres Action Plan 2021-2022. During the introduction Councillor May explained that it had not been possible to recruit to the role of Town Centres Manager and therefore the Council had engaged an events management company, Blackberry Productions, to provide a full events programme in the District over the coming months. Members were assured that the recruitment process for the Bromsgrove Town Centres Manager role would continue and once completed, the long-term strategy would be for the new Bromsgrove Town Centres Manager to go back out to key local centres and consult with key local stakeholders

The Head of North Worcestershire Economic Development and Regeneration reported that a Business Support Advisor had been recruited in the interim to cover some of the work previously undertaken by the Bromsgrove Town Centres Manager. It was explained that this would include working with local businesses in order to help them to reopen after the pandemic in a safe and resilient way. It was planned that the Business Support Advisor would be available to assist with local businesses across all sectors. The Board was informed that, during the pandemic, consumer behaviours had changed, and online shopping had hugely increased. He confirmed to Members that work in this area would be particularly important over the coming months for the Business Support Advisor.

Councillor S. Baxter queried the plan in respect of the consultation that had already taken place within the local centres. Councillor Baxter stated that she was not aware of any engagement that had taken place in Wythall which was one of the largest centres in the District. It was felt that going back out to local centres was an important part of the Action Plan and needed to be carried out as soon as possible. The Head of Planning, Regeneration and Leisure stated that she would be happy to meet with Members to discuss future opportunities within the key local centres and undertook to arrange a meeting.

Some Members were concerned with the condition of a number of the empty shops in Bromsgrove Town Centre and of the pavement along the High Street. There was agreement that more needed to be done in this respect to attract local spend. It was suggested that pop-up shops could be established to help with this. Councillor K. May explained that these kinds of plans were constantly being explored. However, it was reported some private shop owners did not want their vacant properties used in this way.



The Head of North Worcestershire Economic Development and Regeneration stated that there was still confidence in Bromsgrove Town Centre, and this was apparent with the recent investment at the former St. John's Wine Rooms.

After lengthy debate Councillor S. Baxter proposed that a recommendation be made to Cabinet as follows:

***'that the Cabinet resolves to adopt the Bromsgrove Town Management Strategy – 2021 Action Plan and at the earliest opportunity that the relevant officers revisit the Town Centres to update the plan and offer support'***

On being put to the vote this recommendation was agreed.

**RECOMMENDED that** the Cabinet resolves to adopt the Bromsgrove Town Management Strategy – 2021 Action Plan and at the earliest opportunity that the relevant officers revisit the Town Centres to update the plan and offer support.

20/21

## **EQUALITIES TASK GROUP - CABINET RESPONSE**

The Chairman introduced the Cabinet Response to the Equalities Task Group in Councillor. P. McDonald's absence. It was clarified that the response had been discussed at Cabinet and Council and the consideration of the report by the Board was mainly procedural and for completeness.

**RESOLVED** that the Cabinet Response to the Equalities Task Group be noted.

21/21

## **FLOODING TASK GROUP - CABINET RESPONSE**

The Chairman invited Councillor R. Hunter to present the Cabinet response in respect of the Flooding Task Group.

It was explained that, as with the previous item, this report had been discussed extensively at both Cabinet and Council meetings held in July 2021. Councillor R. Hunter expressed his disappointment at the Cabinet response. In particular, that during the Task Group no mention had been made in respect of the maintenance plan that was currently being undertaken by North Worcestershire Water Management regarding Council owned assets and partners' assets which was due to be considered by Cabinet on its completion at the end of September.

The Chairman suggested that once the maintenance plan had been completed it would be useful for the Flooding Task Group to reconvene and scrutinise the plan prior to its consideration at Cabinet. It was agreed that this would take place and the Democratic Services Officer present explained that, once the plan was available, she would facilitate the process for the Task Group to reconvene.

Councillor K. May wished to clarify that the report had not been commissioned by the Cabinet and that the piece of work was being undertaken by North Worcestershire Water Management separately.

Some members expressed their disappointment that none of the recommendations from the Task Group had been accepted by the Cabinet, as this type of investigation was time consuming from a Member and Officer perspective.

**RESOLVED** that the Cabinet Response to the Flooding Task Group be noted.

22/21

## **TASK GROUP UPDATES - TERMS OF REFERENCE**

During consideration of the item, it was noted that there was one proposed change to the Terms of Reference for the Finance and Budget Scrutiny Working Group and one proposed change to the Terms of Reference for the Corporate Performance Working Group.

These were as follows:

### **Finance and Budget Scrutiny Working Group**

- Named substitute Members may be invited to join the Working Group, however it should be chaired by a permanent Member of the Overview and Scrutiny Board

### **Corporate Performance Working Group**

- Named substitute Members may be invited to join the Working Group, however it should be chaired by a permanent Member of the Overview and Scrutiny Board, and:
- The Working Group will meet on a quarterly basis throughout the municipal year.

The changes were proposed by Councillor C. Hotham and seconded by Councillor J. Till. On being put to the vote the proposals were agreed.

**RESOLVED** that the changes to the Terms of Reference of the Finance and Budget Scrutiny Working Group and Corporate Performance Working Group as detailed in the preamble above be agreed.

23/21

## **FINANCE AND BUDGET WORKING GROUP - UPDATE**

Councillor C. Hotham presented the Finance and Budget Working Group Update for Members' consideration.

He reported that a meeting had taken place on 2<sup>nd</sup> September 2021 and at that meeting the following items were discussed:

- The Enterprise Resource System
- The Aged Debtors Summary
- The Financial Outturn Report
- Covid-19 Grants

Members were informed that the Aged Debtors Summary was being managed appropriately. In addition to this, Councillor Hotham confirmed that approximately £37m in Government grants had been received during the Covid-19 pandemic and associated lockdown. Due to the strict guidelines regarding these grants, which were set out by Central Government, approximately £34.5m had been distributed to those businesses who fulfilled the strict criteria. Councillor Hotham explained that a further £1.4m had been received from Government, however it was noted that the funding was time limited and again, was subject to prescriptive and strict guidelines.

**RESOLVED** that the Finance and Budget Working Group Update be noted.

24/21

## **WORCESTERSHIRE HEALTH OVERVIEW AND SCRUTINY COMMITTEE - UPDATE**

Councillor J. Till presented the Worcestershire Health Overview and Scrutiny Committee (HOSC) update to the Board and explained that she had attended the last meeting in July 2021. During that meeting there had been discussion regarding the recovery from Covid-19 which was progressing well. Councillor Till also stated that the minutes from each HOSC meeting were available on the Worcestershire County Council

website. The Democratic Services Officer present undertook to circulate the relevant minutes to the Board.

It was reported that, at the last meeting of the Board on 6<sup>th</sup> July 2021, Councillor J. Till had indicated that she wished to step down as HOSC representative for the remainder of the municipal year.

Councillor S. Baxter volunteered for the role and her nomination was proposed by Councillor C. Hotham and seconded by Councillor J Till.

On being put to the vote Councillor S. Baxter's appointment was agreed.

**RESOLVED** that

- a) the HOSC update be noted and;
- b) Councillor. S Baxter be appointed as Worcestershire Health Overview and Scrutiny Committee (HOSC) representative for the remainder of the municipal year.

25/21

## **CABINET WORK PROGRAMME**

Members considered the most recent Cabinet Work Programme and in doing so the following items were added to the Board's work Programme in order to pre-scrutinise at the next meeting.

The items identified were as follows:

- Bromsgrove District Council's Duty to Co-operate Statement with Solihull
- Bromsgrove District Council's Approach to the Draft Black Country Plan
- Financial Update Regarding Leisure Services

The Chairman noted that due to the addition of the above items the meeting may be longer than usual, and Members accepted that this might be the case.

**RESOLVED** that the Cabinet Work Programme – 1<sup>st</sup> October 2021 to 31<sup>st</sup> January 2022 be noted and items added subject to the preamble above.

# Agenda Item 4

Overview and Scrutiny Board  
13th September 2021

26/21

## **OVERVIEW AND SCRUTINY BOARD WORK PROGRAMME**

The Overview and Scrutiny Board's Work Programme was presented for consideration by Members. In addition to the items that had been identified during the previous item it was agreed that the Fireworks – Notice of Motion would be postponed until later in the municipal year.

**RESOLVED** that the Overview and Scrutiny Board's Work Programme be noted, and any additional items be added.

The meeting closed at 7.45 p.m.

Chairman

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**Cabinet**  
2021

20th October

**Report title: Electrical Safety Enforcement Charges in the Private Rented Sector**

Relevant Portfolio Holder	Councillor Shirley Webb
Portfolio Holder Consulted	Yes /
Relevant Head of Service	Judith Willis
Report Author Haroon Chaudhry	Job Title: Private Sector Housing Officer Contact email: <a href="mailto:Haroon.chaudhry@bromsgroveandredditch.gov.uk">Haroon.chaudhry@bromsgroveandredditch.gov.uk</a> Contact Tel: (01527) 64252 Ext: 3378
Wards Affected	All Wards
Ward Councillor(s) consulted	No
Relevant Strategic Purpose(s)	Affordable & Sustainable Homes
Key Decision / Non-Key Decision	No
If you have any questions about this report, please contact the report author in advance of the meeting.	

**1. RECOMMENDATIONS**

**The Cabinet RECOMMEND that:-**

- 1. That the proposed financial penalty charges for non-compliance set out within this report are adopted and the respective enforcement powers of the Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020 are delegated to the Head of Community & Housing Services.**

**2. BACKGROUND**

- 2.1 From 1<sup>st</sup> of July 2020 the Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020 apply to all new tenancies. From 1<sup>st</sup> of April 2021 these Regulations became applicable to all existing tenancies.
- 2.2 These Regulations have been introduced to make it mandatory for all private rented properties to ensure that every electrical installation in the residential premises is inspected and tested at regular intervals, not more than 5 years, by a qualified person. The landlord must obtain a report of the inspection but is not routinely required to furnish a copy of a satisfactory report to the Local Authority unless requested in which case the landlord must provide a copy within 7 days. Where the electrical inspection report identifies any non-compliance with electrical standards the landlord has a duty to furnish the Local Authority with a copy of the report and provide evidence to

show the non-compliance issues were rectified by a qualified person within a 28 day period commencing from the date of the original inspection report.

- 2.3 The Local Authority can impose a financial penalty, to a maximum of £30,000, where it is satisfied that beyond reasonable doubt that the landlord has failed in their legal duty. It can also impose more than one penalty if the landlord continues to breach the regulations. It is proposed to set the financial penalty to be £1000 for the first offence. This is in line with the charge for not having a smoke alarm in a privately rented property and the same level of fine set for HMO Management Regulation breaches such as failure to provide Gas Safety certification. The proposed penalty for a second or continued offence by the same landlord is £3000. The Private Sector Housing Team will be enforcing the legislation and will be promoting awareness of these changes through local media, the authority’s website and Landlord Forums.
- 2.3 Properties with potential breaches in the Regulations will be identified reactively by the Private Sector Housing Team from tenant complaints, letting agent enquiries, Councillor enquiries and other agencies such as solicitors and Citizen Advice Bureau.
- 2.4 The recommendation is to adopt the penalty charges structure set out below. While the majority of landlords carry out their legal duties and obligations, the small minority of landlords may disregard their legal obligations if there is no deterrent.

Charges under the Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020. The amount of penalty shall not exceed £30,000 based on the sum of the following

Penalty for first offence requiring a Remedial Notice	£1000
Penalty for any subsequent offences requiring a Remedial Notice by the same landlord	£3000

**3. FINANCIAL IMPLICATIONS**

- 3.1 This work will be continued with in the existing service resources. Any financial penalty from the Electrical Safety Standards Regulations received by the Council, is required by the regulation to meet the local authority’s costs and expenses incurred, or associated with the carrying out its enforcement function within the Private Rented Sector.



#### **4. LEGAL IMPLICATIONS**

- 4.1 Local housing authority has a legal duty to enforce the Electrical Safety Regulations. There is an appeal process to the Residential Property Tribunal. The private rented sector plays an important role in meeting the diverse housing needs that exist in the Council. It is therefore important that the accommodation is regulated effectively to ensure good property standards are maintained and hazards associated with dangerous electrics are effectively addressed.

#### **5. STRATEGIC PURPOSES - IMPLICATIONS**

##### **Relevant Strategic Purpose**

- 5.1 The adoption of a the proposed penalty charges for non-compliance provides a deterrent to discourage landlords from failing their statutory duties to maintain rented properties in a safe and health protective condition, in keeping with the Councils Strategic Purpose of Affordable & Sustainable Homes.

##### **Climate Change Implications**

- 5.2 There are no climate change implications.

#### **6. OTHER IMPLICATIONS**

##### **Equalities and Diversity Implications**

- 6.1 The application of these regulations will have a positive impact on many family households living in private rented sector accommodation as these will reduce the risk and dangers associated with electrical hazards.

##### **Operational Implications**

- 6.2 There are no staffing implications, envisaged at this stage, as the additional enforcement will be undertaken by existing staff in the course of general Private Sector Housing duties. No health and safety implications have been identified to staff by the introduction of new regulations.

#### **7. RISK MANAGEMENT**

- 7.1 There is a risk of legal challenge if the process is not followed correctly, which could result in Residential Property Tribunal over-turning Notices

**Cabinet**  
2021

20th October

and penalty fines imposed by the Council. A Private Sector tenant could apply to the Housing Ombudsman if they feel the council has failed to act in a case of non-compliance.

**8. APPENDICES and BACKGROUND PAPERS**

[Electrical safety standards in the private rented sector: guidance for landlords, tenants and local authorities - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

**9. REPORT SIGN OFF**

Department	Name and Job Title	Date
Portfolio Holder		
Lead Director / Head of Service		
Financial Services		
Legal Services		
Policy Team (if equalities implications apply)		
Climate Change Officer (if climate change implications apply)		

**Cabinet**  
2021

20<sup>th</sup> October

**Mobile Homes Act 2013 – Introduction of Licensing Fees**

Relevant Portfolio Holder		Cllr Shirley Webb
Portfolio Holder Consulted		Yes
Relevant Head of Service		Judith Willis
Report Author	Job Title: Private Sector Housing Officer Contact email: k.sharp-fisher@bromsgroveandredditch.gov.uk Contact Tel: 01527 881437	
Wards Affected		All
Ward Councillor(s) consulted		N/A
<b>Relevant Strategic Purpose(s)</b>		Run and Grow a Successful Business Affordable and Sustainable Homes
<b>Non-Key Decision</b>		
If you have any questions about this report, please contact the report author in advance of the meeting.		

**1. RECOMMENDATIONS**

The Cabinet **RECOMMEND** that:-

- 1) **The Mobile Home Fee Structure is approved and implemented to all relevant sites throughout Bromsgrove District reviewed on an annual basis.**
- 2) **The recovery of expenses through enforcement action is approved and implemented to all relevant sites throughout the District.**

**2. BACKGROUND**

- 2.1 The Mobile Homes Act 2013 came into force on 1st April 2014 and was introduced as an addendum to the Caravan Sites and Control of Development Act 1960, and applies to caravan sites typically known as residential parks, mobile home sites or caravan sites.
- 2.2 Caravan sites must have received planning permission prior to a caravan site licence being granted as determined under the Caravan Sites and Control of Development Act 1960 (as amended).
- 2.3 Table 1 below indicates the number of sites on district, the size of the site and the number of units. In total there are 17 sites with 448 units across the district.

**Table 1**

Mobile Homes per site	Number of Sites	Total number of Units
1-10	10	29
11-30	2	47
31-70	2	97
71+	3	275
<b>TOTAL</b>	<b>17</b>	<b>448</b>

- 2.4 There is currently no provision to charge for such elements of work. It is proposed that Bromsgrove District Council charge fees from September 2021 in accordance with the following proposals.

**Proposed Fee Structure**

- 2.5 The fees and charges set will aim to achieve the full cost recovery of providing the service. Potential enforcement costs will be recovered separately. The fees generated by the Mobile Homes Act 2013 are not designed to include investigation of harassment or matters not related to the site licence, these should be dealt with through Residents Associations or other appropriate channels.
- 2.6 Fees must be transparent and reasonable and should fairly cover costs incurred deliver the function. The proposed fee structure has been developed in line with DCLG 'A Guide for local Authorities on Setting Fees'. If approved the fees and charges will be reviewed annually in line with the corporate fees and charges policy. Fees are non-refundable if the application is refused or withdrawn.
- 2.7 It is proposed that a standard fee would be introduced for each element of work as detailed within the following table (Table 2). For costing detail see Appendix A – Assessment of Costs)

**Table 2**

Fee Type	Proposed Fee amount
Register of Site Rules	£72.25
New Site License Application Fee	£238.00
Licence Amendment Application Fee	£187.00
Transfer of Licence Fee	£136.00

- 2.8 There is no time limit to the Site License; therefore the above situations will arise on an ad-hoc basis.

#### Annual Inspections Fee

2.9 Officers have taken account of the guidance and propose adoption of a 'banded' fee structure. It is considered to offer transparency and fairness to both residents and site owners and reflects actual inspection costs based on existing experiences. Where a Site Owner refuses to pay the fee this may result in the Local Authority referring the case to the First Tier Tribunal (Property Chamber) for the recovery of the charge and potential revocation of the Site License.

2.10 The Mobile Homes Act 2013 does allow the Local Authority to exempt certain sites from charging for licensing functions. It is proposed that small sites with single units are exempt as they are low risk and tend to be owner occupied sites where no business interest or third party duty exists. The cost of an inspection is outweighed by the cost of administering any charges. Where single unit sites are privately rented however it is proposed that these will be included into the annual site license inspection regime and charged at the Band A rate.

2.11 Table 3 indicates the bandings and charges for the annual inspections.

**Table 3**

<b>Annual Site Fee (per number of sites)</b>	<b>Annual Site Fee</b>	<b>Number of sites (excluding exempt sites)</b>	<b>Expected Annual income per band</b>
Band A (2-10 Units)	£256.67	10	£2566.70
Band B (11-30 units)	£274.17	2	£548.33
Band C (31-70 units)	£385.00	2	£770.00
Band D (71-100+ units)	£420.00	3	£1260.00
<b>TOTAL</b>		<b>13</b>	<b>£5145.03</b>

#### Enforcement

2.12 Currently Officers inspect sites and assess compliance with Site Licence Conditions, based upon the national Models Standards. Non-compliance issues are currently difficult to pursue as the only available enforcement tool is prosecution for non-compliance. This does not however ensure that the necessary works are completed. The Mobile Homes Act 2013 provides the Local Authority with additional enforcement tools to tackle site owners over non-compliance issues. The Act has introduced the ability to serve compliance notices detailing breaches and for recovery of enforcement costs. Non- Compliance with the notice may result in a potential fine of up to £5,000.

2.13 Charges for enforcement costs cannot be passed onto the residents pitch fees.

### **3. FINANCIAL IMPLICATIONS**

3.1 Currently the Local Authority cannot levy charges for these functions. The proposals will enable recovery of a substantial portion of service costs where these arise.

### **4. LEGAL IMPLICATIONS**

4.1 The Local Authority has taken into consideration and ensured compliance with the following legislation and guidance: -

- Mobile Homes Act 2013,
- Caravan Site and Control of Development Act 1960
- DCLG Mobile Homes Act 2013
- 'A guide for Local Authorities on Setting Fees'
- The Mobile Homes (Site Rules) (England) Regulations 2014
- Mobile Homes (Site Licensing) (England) Regulations 2014

### **5. STRATEGIC PURPOSES - IMPLICATIONS**

#### **Relevant Strategic Purpose**

5.1 The introduction of charging for annual inspections to mobile home sites enables the local authority to meet its community priority of providing 'Affordable and Sustainable Homes'. Sites regularly are able to be regularly inspected and compliance with model standards monitored and maintained in order to ensure the safety of residents and visitors to mobile home sites throughout the District. Regularly inspecting sites also ensure that site owners are supported in their business by maintaining compliance with Legislation therefore enabling the Local Authority to meet its priority of supporting businesses to 'run and grow successful businesses'.

#### **Climate Change Implications**

5.2 It has been determined that there are no climate change implications.

### **6. OTHER IMPLICATIONS**

#### **Equalities and Diversity Implications**

6.1 It has been determined that there are no direct diversity or equality implications associated with the introduction of license fees.

**Operational Implications**

6.2 The option to not charge fees has been considered, however the functions are still required to be performed. There is no additional demand upon internal IT systems above what is provided currently.

**7. RISK MANAGEMENT**

<b>Risk</b>	<b>Consequence</b>	<b>Controls</b>
Increased number of challenges relating to the introduction of site license fees	Increased officer time dealing with challenges relating to the introduction of annual inspection fees	The charges structure is based upon and in line with the guidance.

**APPENDICES**

**8. APPENDICES and BACKGROUND PAPERS**

- Appendix A – Assessment of costs
- Caravan Sites Control of Development Act 1960
- Mobile Homes Act 2013
- DCLG Mobile Homes Act 2013 ‘A guide for Local Authorities on Setting Fees’
- The Mobile Homes (Site Rules) (England) Regulations 2014
- Mobile Homes (Site Licensing) (England) Regulations 2014

**Cabinet**  
2021

20<sup>th</sup> October

**9. REPORT SIGN OFF**

<b>Department</b>	<b>Name and Job Title</b>	<b>Date</b>
Portfolio Holder		
Lead Director / Head of Service		
Financial Services		
Legal Services		
Policy Team (if equalities implications apply)		
Climate Change Officer (if climate change implications apply)		



Appendix A – Assessment of Costs

	New Site License Application Fee	Licence Amendment Application Fee	Transfer of Licence Fee	Annual Site Fee				park home rules
				Band A(2-10 Units)	Band B (11-30 units)	Band C (31-70 units)	Band D (71-100+ units)	
	Time (mins)							
Initial enquiries	20	20	20	0	0		0	10
Letter writing/ telephone calls etc to make appointments and requesting any documents or other information from the site owner or from any third party in connection with the licensing process;	60	30	30	30	30	30	30	30
Sending out forms;	10	10	10	0	0	0	0	
Updating hard files/ computer systems;	30	10	10	10	10	10	10	10
Processing the licensing fee;	20	20	20	20	20	20	20	20
Land registry searches;	10	10	10	0	0	0	0	
Time for reviewing necessary documents and certificates;	60	40	30	30	30	30	30	30
Downloading photographs;	30	30	30	30	30	30	30	
Preparing reports on contraventions;	0	0	60	80	80	80	80	
Preparing draft and final licences;	60	30	30	0	0	0	0	
Review by manager or lawyers; review any consultation responses from third parties;	60	30	30	30	30	30	30	
Updating public register;	10	0	10	0	0	0	0	10
Carrying out any risk assessment process considered necessary;	0	0	0	30	30	30	30	0
Reviews of decisions or in defending appeals.	60	60	30	0	0	0	0	0

Page 31

Appendix A – Assessment of Costs

	New Site License Application Fee	Licence Amendment Application Fee	Transfer of Licence Fee	Annual Site Fee				Park home rules
				Band A(2-10 Units)	Band B (11-30 units)	Band C (31-70 units)	Band D (71-100+ units)	
A second visit, following the issue of a new licence, to check conditions and occupation of site.	60	0	0	0	0	0	0	0
A site visit to assess the specifics of the application, any implications for the licence or its conditions and to assess whether undertakings need to be given	0	60	0	0	0	0	0	0
A pre- programmed full site inspection;	0	0	0	60	90	120	240	0
A follow – up inspection to check compliance following programmed inspection	0	60	0	60	60	60	60	
Handling enquiries and complaints;	0	0	0	30	30	30	30	30
Travel time – including fuel costs	30	30	0	30	30	30	30	0
<b>TOTAL MINUTES</b>	560	440	320	440	470	500	620	170
<b>TOTAL HOURS</b>	9.3	7.3	5.3	7.3	7.8	11.0	12.0	2.8
<b>Time x Officer Rate</b>	<b>£ 326.67</b>	<b>£ 256.67</b>	<b>£ 186.67</b>	<b>£ 256.67</b>	<b>£ 274.17</b>	<b>£ 385.00</b>	<b>£ 420.00</b>	<b>£ 99.17</b>
<b>Annual Site Fee (per number of sites)</b>								
Band A (2-10 Units) [including Privately rented single units)	10	£ 2566.70						
Band B (11-30 units)	2	£ 548.33						
Band C (31-70+ units)	2	£ 770.00						
Band D (71-100+ units)	3	£ 1260.00						
<b>TOTAL-Annual Income</b>	13	<b>£ 5145.03</b>						

#### Community Engagement Strategy

Relevant Portfolio Holder	Councillor G. N. Denaro, Portfolio Holder for Finance and Enabling (including Governance/Policy and Performance/HR)
Portfolio Holder Consulted	No
Relevant Head of Service	Deb Poole, Head of Business Transformation and Organisational Development
Report Author	Rebecca Green Job Title: Policy Manager Contact email: r.green@bromsgroveandredditch.gov.uk Contact Tel: 01527 881616
Wards Affected	All
Ward Councillor(s) consulted	N/A
Relevant Strategic Purpose(s)	
Key Decision / Non-Key Decision	
If you have any questions about this report, please contact the report author in advance of the meeting.	

#### 1. RECOMMENDATIONS

**Cabinet is requested to RESOLVE that:-**

- 1) that the Community Engagement Strategy attached at Appendix 1 be noted and endorsed.**

#### 2. BACKGROUND

- 2.1 The Community Engagement Strategy has been updated to support the organisation deliver effective engagement over the next 4 years.
- 2.2 A recognition of Covid has also been included in this updated version.

#### 3. FINANCIAL IMPLICATIONS

- 3.1 There are no financial implications arising directly from this report; however, having a robust Community Engagement Strategy will help the Council to understand the needs of residents supporting the design and delivery of more relevant, coordinated and appropriate services, which are generally more cost effective. Working towards the aims of the strategy could also be beneficial in regards of the council's reputation and may help to reduce potential complaints.

**Cabinet**20/10/2021

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**4. LEGAL IMPLICATIONS**

- 4.1 The Community Engagement Strategy addresses the legal standards surrounding consultation, including the doctrine of legitimate expectation (common law) and the Gunning Principles (1985).
- 4.2 Other specific legislation, including the Local Government Act 1999 and the Equality Act 2010 must be taken into account where appropriate.
- 4.3 Certain functions of the Council, including planning and community safety have statutory requirements to consult.
- 4.4 Failure to consult or inadequate consultation could leave the Council open to challenge through a judicial review.
- 4.5 The strategy will be reviewed every four years or sooner to comply with changes to the law or policy and practice.

**5. STRATEGIC PURPOSES - IMPLICATIONS****Relevant Strategic Purpose**

- 5.1 The strategy contributes to the engagement element of the 'High Quality Services' priority, under 'An effective & sustainable Council', as identified in the Council Plan.

**Climate Change Implications**

- 5.2 There are no climate change implications arising from this report.

**6. OTHER IMPLICATIONS****Equalities and Diversity Implications**

- 6.1 The Community Engagement Strategy sets out our approach to enabling residents and customers to be informed, involved, share their opinions and influence decision making. By listening to residents and customers and recognising different needs, the Council will be better placed to design and deliver appropriate, coordinated and relevant services to the communities it serves.
- 6.2 The strategy supports the Council's approach to equality and diversity and will form overarching principles for how we engage all members of our community. Consultation and engagement are a key process in considering the equality impacts that decisions and policies may potentially have on the public.

**Operational Implications**

6.3 There are no operational implications directly arising from this report; the strategy details clearly our organisational responsibilities and provides clarity at an operational level.

**7. RISK MANAGEMENT**

7.1 There are no risks directly arising from this report.

**8. APPENDICES and BACKGROUND PAPERS**

Appendix 1                      Draft Community Engagement Strategy 2021

**9. REPORT SIGN OFF**

Department	Name and Job Title	Date
Portfolio Holder	Councillor G. N. Denaro, Portfolio Holder for Finance and Enabling (including Governance/Policy and Performance/HR)	
Lead Director / Head of Service	Deb Poole Head of Business Transformation and Operational Development	28/04/21
Financial Services	N/A	
Legal Services	N/A	
Policy Team (if equalities implications apply)	Rebecca Green Policy Manager	29/09/21
Climate Change Officer (if climate change implications apply)	N/A	

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# **Bromsgrove District Council Community Engagement Strategy**

## **2021-2025**

Title	Bromsgrove District Council Community Engagement Strategy 2021-2025
Description	This Strategy sets out our commitment for progressing engagement over the next four years.
Created by	Engagement and Equalities Advisor
Date created	September 2021
Maintained by	Engagement and Equalities Advisor
Next Review Date	April 2025

Page 38

Version number	Modified by	Modifications made	Date modified	Status



# 1. Introduction

Bromsgrove District Council wants to ensure that local people feel well informed about local issues, have opportunities to get involved, influence local decision making and to tell the Council what they think about its policies, procedures, service delivery and work with partner organisations. For Council services to be delivered effectively, particularly in times of reducing resources, it is vital that these services are shaped and prioritised by the people who live in the District of Bromsgrove.

The purpose of this Community Engagement Strategy is to continue building on the good practices and the positive relationships that already exist within the Council. This Strategy seeks to improve the quality of our activities, learn from our experiences by evaluate the ways we are engaging with local people, especially following the impact of Covid, and to continue increasing the number and diversity of people who engage with the Council.

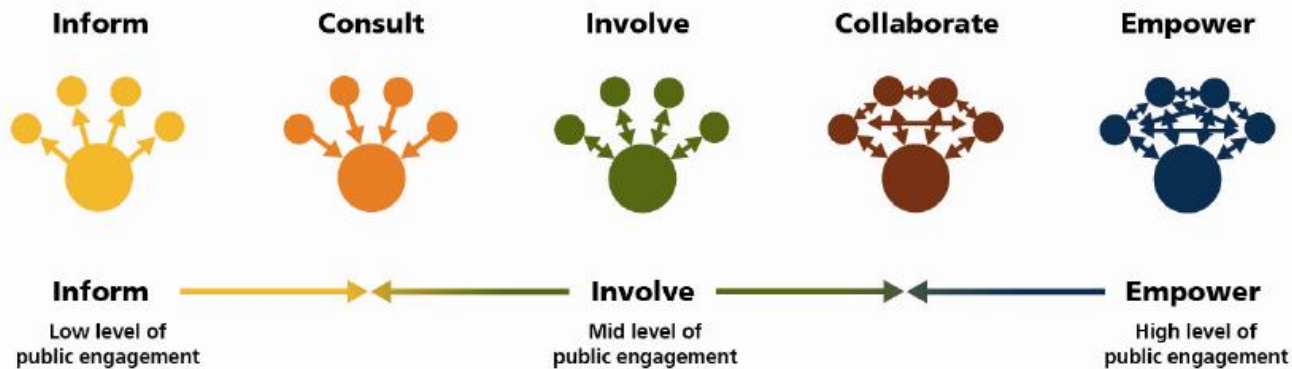
For the Council to understand different views within the community, ensuring that the needs of groups or areas that are under-represented or do not traditionally engage with us are not overlooked, is important. By identifying the gaps in data, the Council can start to understand the barriers that might be stopping certain voices being heard. We also need to use the most appropriate engagement technique/s so we get meaningful data to make better decisions and meet the needs of our communities more effectively.

Community engagement is a powerful tool that can provide invaluable information and help to build confidence within the community but only if it is conducted in a meaningful manner; engagement must always have a purpose and we must be able to demonstrate the impact the responses have had on our decision making. So, by undertaking meaningful engagement and encouraging community involvement the Council and the community can work together to improve and sustain services that matter most locally.

## 2. Definitions

### a) What do we mean by community engagement?

Community engagement is about giving people the confidence, skills, and power so they can get involved, shape and influence the planning, development, and delivery of services. Delivering engagement activities can take many different forms and the level of involvement can vary greatly. One way to think about community engagement is as a set of five steps ranging from informing e.g., providing information, right up to empowering e.g., having decision making responsibilities.



Every type of involvement is important in the community engagement process and different methods will be used depending on the activity and circumstances. Sometimes it may be appropriate to inform or consult on some activities, while at other times involving communities and individuals in much greater depth would be more appropriate.

### The Five Steps of Engagement

Informing	Consulting	Involving	Collaborating	Empowering
Providing information to communities to enable them to understand problems, alternatives, opportunities, and solutions.	Obtaining community feedback to inform decision making. Obtaining feedback on formal proposals.	Working directly with the community to ensure that issues, concerns, and aspirations are understood and considered.	Working in partnership with the community on all aspects of decision-making including development of options and identifying preferred solutions.	Placing final decision making in the hands of the community.
The intention is to...				
Keep the community informed.	Keep the community informed, listen to their views and provide feedback on how their input influenced decision making.	Engage with the community to ensure that concerns and aspirations are reflected in decisions and service delivery. Provide feedback to the community on how their input influenced decision making.	Look to the community for advice and innovation to find solutions. We will incorporate locality contributions to the maximum extent.	Facilitate communities to take responsibility for designing and delivering services themselves.
Techniques...				
Brochures, websites, news releases and newsletters to raise awareness. For example: Council Tax	Annual surveys, questionnaires, focus groups, telephone, postal or face to face (interview) surveys, using social media, e-	User panels e.g., planning for area forums, public meetings, citizens panel, local	Community needs analysis, focus groups or service user forums.	User led commissioning e.g., delegated budgeting, community asset transfer or direct service delivery.

information leaflet, council website, Facebook, or Twitter	mail, website, SMS mobile or Facebook surveys.	member/councillor surgeries or network meetings.		
--	--	--	--	--

## b) What do we mean by community?

A community is not always determined by a geographical area; therefore, understanding how the community is defined is key to planning and delivering effective engagement. Ways to define a community include:

**Community of place or neighbourhood:** A community linked to a particular geographical location such as a ward, village, market town or a housing estate. This location will usually have physical boundaries although they are not always obvious to people who do not live there.

**Community of interest:** A group of people with a shared interest or experience. A community of interest includes service users (for example, tenants of the council) as well as people interested in a particular issue (for example climate change).

**Community of identity:** A community that is defined by how people identify themselves or how they are identified by society, usually by demographic characteristics (for example, young people, faith groups, older people, black and minority ethnic people, lesbian, gay, Bisexual, and transgender people).

Page 41

Generally, people do not associate themselves to just one community, but to several different communities at any one time. This can relate to where they live, work and their interests. So, it is important to let people define for themselves which communities they wish to be identified with.

## 3. Legal standards

Certain functions of the Council are subject to statutory requirements to consult and there is specific legislation that needs to be taken account of, including the Local Government Act 1999 and the Equalities Act 2010. Community Engagement is particularly important when making difficult financial decisions; if we are proposing to stop, reduce or change a service then we need have relevant evidence as to how we have engaged with communities who are potentially affected by the proposal.

### **Common Law (Doctrine of legitimate expectation) taken from New Conversations 2.0 LGA Guide to Engagement 2019**

It is now seen as common law that consultees have the right to expect a fair process which incorporates guidance and management promises.

The legitimate expectation applies:

- When there has been a clear promise of consultation.
- Where official guidance or policies imply a promise to act in a particular way.

- Where there is a withdrawal of a benefit with significant impacts to be considered.
- Where the nature of the relationship would create unfairness if there were to be inadequate consultation.

Where people have come to legitimately expect a process of consultation there are grounds for a judicial review should a public consultation not take place. A consultation must also be conducted properly should the choice be taken to embark on one (whether a legal requirement exists for it or not).

The Gunning Principles (1985) define that a consultation is only legitimate when these four principles are met:

1. **Proposals are still at a formative stage.**

A final decision has not yet been made, or predetermined, by the decision makers.

2. **There is sufficient information to give ‘intelligent consideration’.**

The information provided must relate to the consultation and must be available, accessible, and easily interpretable for consultees to provide an informed response.

3. **There is adequate time for consideration and response.**

There must be sufficient opportunity for consultees to participate in the consultation. The length of time given for consultee to respond can vary depending on the subject and extent of impact of the consultation.

4. **‘Conscientious consideration’ must be given to the consultation responses before a decision is made.**

Decision-makers should be able to provide evidence that they took consultation responses into account.

The Gunning Principles have formed a strong legal foundation from which the legitimacy of public consultations is assessed and are frequently referred to as a legal basis for judicial review decisions.

## 4. Benefits of effective community engagement

There are benefits to both the council and the community when engagement activities are delivered well.

### Community engagement helps the Council to:

- better understand and respond to the needs of local people.
- be more accountable to local people.
- plan and deliver better services.
- make more efficient use of public resources.

- take transparent decisions based on strong evidence.
- build strong and positive relationships within and between local communities.
- test out ideas and explore emerging issues.
- measure the performance of the Council in delivering services.

**The local community will:**

- have a greater say and choice in the design and delivery of local services.
- develop new skills and expertise.
- become better informed about the Council’s work.
- have better and more accessible conversations about the issues that matter to them.
- build trust and confidence with the council.
- know how their participation and engagement has contributed to decision making processes.

However, engagement activities which are done badly can lead to misleading results, undermine the whole process and reduce the prospect that people will engage again. Engaging with the public when a decision has already been made is pointless and could mean that relevant and potentially costly issues are missed. It is much easier to address issues before decisions have been made as they can be incorporated into a new service design or policy proposal.

There are also times when community engagement is not appropriate, for example:

- If the decision is under strict direction from Government.
- If we have already recently asked for views on a similar topic.
- If the Council is in the process of implementing plans that have previously been adopted and to which it has committed significant resources.

## 5. Delivering this strategy

### a) Our aim and objectives

The aim of the strategy is to ‘ensure that local people feel well informed about local issues, have opportunities to get involved, influence local decision making and to tell the Council what they think about its policies, procedures, service delivery and work with partner organisations’.

The following objectives set out how we are going to make certain that our engagement activity is flexible, focused, and appropriate for the diverse needs of the communities. Together the council will:

1. **Plan and co-ordinate** activities, the use of resources and, where possible, work collaboratively.
2. **Actively encourage involvement** from all communities, including those from traditionally under-represented groups/areas.
3. **Be open and creative** to the most appropriate methods to consult and engage making the experience interesting, relevant, and worthwhile for participants.
4. **Be transparent and build trust** by communicating results and ensure that the outcomes are used to inform the Council's policies and decision-making processes.
5. **Use the information** from our engagement activities, alongside other evidence, to inform the design and delivery of effective and efficient services, within our current financial constraints.
6. **Build relationships with communities** so sustained engagement can be established.

## b) Roles and responsibilities

Community Engagement is the responsibility of the whole Council because ensuring that we understand the issues affecting our residents and customers is essential if we are to deliver effective and targeted services. This is particularly relevant when making difficult financial decisions; if we are proposing to stop, reduce or change a service then we must have the relevant evidence to justify this. This is where community engagement linked to other areas such as system performance, communications, equalities, and customer service.

**Corporate engagement activities** will involve key officers and stakeholders to ensure that these opportunities provide the Council with the most relevant and timely evidence possible.

**Targeted community engagement** must be led by the relevant service area as they are the experts in their field, enabled by the Policy Team, who can support with the development, implementation, and analysis of engagement activities. Community engagement also forms a statutory requirement for service areas such as community safety and planning (articulated through the Statement of Community Involvement).

**Elected Members** are a key part of engagement with communities; managers and the Policy Team can support Councillors with engagement activities and the scrutiny process allows formal consultation and engagement to inform and influence decision making.

## c) Delivering community engagement after Covid

During the COVID-19 crisis, Bromsgrove District Council, along with many others, has had to find new ways to communicate and deliver its services at an unprecedented level and pace. Whether it is supporting officers to work from home, holding online meetings, recruiting volunteers to support the shielding, helping local communities respond to the challenges or engaging with business about decisions on opening, the council has had to adapt to a new way of working and technology has played a big part in this.

### Issues that have affect our communities

The pandemic has affected people in many ways. For some the impact will be less and short lived but for others the effect of the pandemic may be ongoing; mentally, physically and/or financially. This could manifest itself through increased feelings of isolation, poor mental and physical health, financial difficulties, or rising unemployment levels. For the council, undertaking community engagement with all community groups and across geographical areas is important now more than ever. Gathering information and data, from now and over the coming years, will enable us to direct services and resources ensuring that those most in need are supported.

### The use of technology for community engagement

Since the beginning of 2020, the advance in the use of new platforms to communicate has been profound, with many people using digital methods to communicate, hold meetings and enable ongoing learning. As we move forward, many businesses and organisations are reviewing how they conduct their work and how the use of technology will continue. For the council, one area these platforms will enhance is its future delivery of community engagement activities.

**Digital Engagement** uses digital tools and techniques to find, listen to and mobilise a community around an issue or to start a conversation.

Alongside the more traditional methods such as paper/online surveys or face to face meetings, the method of digital engagement has and will be a tool that the Council makes much more use. We have found by using methods such as online community meetings, there has been an increase in engagement and levels of participation. People can access from wherever they are located, utilising computers or mobile technologies, which has made previous barriers such as travel, childcare or working hours easier to overcome. Despite this, we are very mindful of digital exclusion and will not be using digital methods as the only tool to ensure that certain people or groups are not being left behind and have an opportunity to engage with us.

## 6. Measuring our progress

It is important to know whether this strategy is making a difference and that we are working to meet our aim and objectives. To help know this we have set out the following action plan which will shape the detailed activity we undertake over the next 4 years:

### Our Aim

‘Ensure that local people feel well informed about local issues, have opportunities to get involved, influence local decision making and to tell the Council what they think about its policies, procedures, service delivery and work with partner organisations’.

#### Objectives

#### Key Actions

**Plan and co-ordinate** activities, the use of resources and, where possible, work collaboratively.

- Identify a key officer from each council departments that will support and inform the Policy Team about departmental engagement activities.
- The Policy Team to map out departmental and corporate engagement activities and keep key officers, managers and Heads of Service updated.
- Undertake regular horizon scanning.

**Actively encourage involvement** from all communities, including those from traditionally under-represented groups/areas.

- Undertake stakeholder mapping, working with the voluntary and community sector.
- Tailor our methods of engagement to meet the specific needs of communities.
- Undertake engagement at a local, sub-district level, in partnership with Elected Members and communities.

**Be open and creative** to the most appropriate methods to consult and engage making the experience interesting, relevant, and worthwhile for participants.

- Go to where the communities are and use platform they use and formats they are comfortable with.
- Provide support to council officers through an engagement toolkit.
- Where appropriate use the Asset Based Community Development (ABCD) Approach.

**Be transparent and build trust** by communicating results and ensure that the outcomes are used to inform the Council’s policies and decision-making processes.

- The results of all engagement activities are made available to the public.
- Improve how the council demonstrates the impact of engagement on the decision-making process.

**Use the information** from our engagement activities, alongside other evidence, to inform the design and delivery of effective and efficient services, within our current financial constraints.

- Undertake key corporate consultations including an annual community survey to inform key strategic planning.
- Improve how we utilise engagement data in the delivery of our services.

**Build relationships with communities** so sustained engagement can be established.

- Support the ongoing delivery of the Bromsgrove Engagement & Equalities Forum
- Support the development of a Bromsgrove Youth Forum, in partnership with the Hub.
- Maintaining an ongoing dialogue with representatives of our communities to build unconditional and mutually supportive relationships.



## 7. How to contact us

If you would like to give us your views, get involved or for any further information please contact the Policy Team at

[equalities@bromsgroveandredditch.gov.uk](mailto:equalities@bromsgroveandredditch.gov.uk) or 01527 548284.

To find out about the council's engagement activities please contact us or just go to [www.bromsgrove.gov.uk/consultations](http://www.bromsgrove.gov.uk/consultations)

**If you need this information in another language or format, please contact us to discuss how we can best meet your needs.**

Email: [equalities@bromsgroveandredditch.gov.uk](mailto:equalities@bromsgroveandredditch.gov.uk) or Phone: 01527 548284



**Cabinet**  
2021

20<sup>th</sup> October

### Solihull Local Plan Statement of Common Ground

Relevant Portfolio Holder	Councillor Adam Kent
Portfolio Holder Consulted	Yes
Relevant Head of Service	Ruth Bamford
Report Author Mike Dunphy	Job Title: Strategic Planning and Conservation Manager Contact email: m.dunphy@bromsgroveandredditch.gov.uk Contact Tel: 01527 881325
Wards Affected	All Wards
Ward Councillor(s) consulted	No
Relevant Strategic Purpose(s)	<ul style="list-style-type: none"> <li>• Affordable and Sustainable Homes</li> <li>• Communities which are Safe, Well Maintained and Green</li> <li>• The Green Thread runs through the Council Plan</li> </ul>
Non-Key Decision	
If you have any questions about this report, please contact the report author in advance of the meeting.	

#### 1. **RECOMMENDATIONS**

**The Cabinet RECOMMEND to Council that:-**

- 1.1 The Statement of Common Ground at Appendix A, is signed by the Leader of the Council and submitted to Solihull Metropolitan Borough Council.**

#### 2. **BACKGROUND**

- 2.1 Solihull Metropolitan Borough Council (SMBC) submitted the Solihull Local Plan (SLP) to the Planning Inspectorate on 13<sup>th</sup> May 2021. BDC has submitted a number of representations to this plan which focussed on gaining a better understanding of the impacts of the plan on Bromsgrove District.
- 2.2 Following these representations officers from BDC, Worcestershire County Council (WCC) and SMBC have worked together to address any concerns that existed. A requirement of the National Planning Policy Framework is for the authority responsible for preparing a Local Plan to prepare a Statement of Common Ground (SoCG) with other plan making authorities. The purpose of the SoCG identifies the matters which Councils have in common or in dispute, and helps the

Planning Inspector to form a judgement on the matters for the examination to focus on, and whether or not the Duty to Cooperate has been met. The SoCG at Appendix A has been prepared by officers at SMBC and BDC and shows an agreed position. A separate but very similar SoCG has been agreed between SMBC and WCC. The SoCG reflects the agreed changes which have previously been discussed with members at the Strategic Planning Steering Group.

- 2.3 BDC has submitted a previous consultation response to SMBC which highlighted the need to explain both the local implications of development within Solihull Borough on the infrastructure of Bromsgrove District, and also further explanation of the housing requirements. The draft version of the plan which SMBC published in November 2020 contained both an explanation of the housing requirement and information on the infrastructure implications. Some concern did still exist about the local impact of development as expressed in this Council's response to SMBC:

'The particular concern is, the accessibility of Whitlocks End station for pedestrians accessing it from these new sites, and the overall capacity and safety of the road junctions in this broad location particularly along Tilehouse Lane. Whilst the plan does have policies in place to manage these issues it was felt by BDC for the plan to be sound, that they needed to be strengthened, to that end we have worked with officers at Solihull MBC and Worcestershire CC to agree a set of changes which will allay our concerns.'

- 2.4 The Council's response was presented to and discussed with members at the Strategic Planning Steering Group (SPSG) which took place on the 26<sup>th</sup> November 2020, where it was agreed that the response should be submitted to SMBC and a SoCG entered into in due course. There has been no change in the situation since the SPSG considered this issue in November 2020. The full response can be seen at Appendix A of this report as an appendix to the SoCG.
- 2.5 The Duty to Cooperate session of the Solihull Local Plan examination took place on the 28<sup>th</sup> September 2021. BDC officers observed this session, SMBC outlined the engagement that has taken place and the fact that the wording of the SoCG was agreed by officers, but yet to be endorsed by BDC members. The inspectors requested that they are informed of the progress of the SoCG through BDC's formal processes. The examination is currently scheduled to close in December 2021.

### **3. FINANCIAL IMPLICATIONS**

- 3.1 There are no financial implications associated with this report

### **4. LEGAL IMPLICATIONS**

- 3.2 SMBC has submitted its plan in accordance with Regulation 22 of the Town & Country Planning (Local Planning) (England) Regulations 2012.
- 3.3 It is important that Bromsgrove District Council continues to engage in this process, and also beyond the adoption of the SLP when the plan is implemented by SMBC; we have agreed to this ongoing engagement.

## **5. STRATEGIC PURPOSES - IMPLICATIONS**

### **Relevant Strategic Purpose**

- 5.1 The SoCG in itself does not have any direct implications for the strategic purposes. Although the ongoing process of the Duty to Cooperate with other councils will help to ensure that all authorities aim to plan in a coherent way which does not adversely affect the aims and objectives of other councils.

### **Climate Change Implications**

- 5.2 The SoCG focuses on ensuring that the traffic impacts of the SLP are mitigated in a sustainable manner. This includes providing better access to Whitlocks End train station, encouraging more trips to be made by rail as opposed to private car, which will help to address the required decrease in carbon emissions.

## **6. OTHER IMPLICATIONS**

### **Equalities and Diversity Implications**

- 6.1 The SoCG has no Equality or Diversity implications.

### **Operational Implications**

- 6.2 There are no operational implications.

## **7. RISK MANAGEMENT**

- 7.1 The risks associated with not signing the SoCG are that it will render the current officer agreement with SMBC irrelevant, and BDC may lose any control over the implementation of the SLP.

## **8. APPENDICES and BACKGROUND PAPERS**

Appendix A – Statement of Common Ground SMBC and BDC

**Cabinet**  
2021

20<sup>th</sup> October

**9. REPORT SIGN OFF**

<b>Department</b>	<b>Name and Job Title</b>	<b>Date</b>
Portfolio Holder	Adam Kent	6 <sup>th</sup> October
Lead Director / Head of Service	Ruth Bamford	6 <sup>th</sup> October
Financial Services	James Howse	6 <sup>th</sup> October
Legal Services	Claire Felton	6 <sup>th</sup> October
Policy Team (if equalities implications apply)	N/A	
Climate Change Officer (if climate change implications apply)	N/A	

## STATEMENT OF COMMON GROUND (SOCG) BETWEEN: SOLIHULL MBC (SMBC) and BROMSGROVE DC (BDC)

### 1. Introduction

1. The content of this SOCG is to inform the submission of the SMBC local plan and ongoing works associated with the delivery of The UKC Hub development proposals in particular.
2. This SOCG has been prepared in accordance with national guidance and is intended to cover matters of strategic importance relevant to the signatories to this SOCG. It covers both areas of agreement and areas that remain subject to further discussion.

#### Period Covered by SOCG

3. From July 2015 when SMBC commenced work on updating the current adopted development plan (the Solihull Local Plan Dec 2013) and it remains a live document to be updated as necessary.

### 2. Areas Solihull MBC & BDC are in Agreement

#### Solihull Local Plan Review

4. It is acknowledged that SMBC have published consultation material relating to its Local Plan review process at the following dates and stages:
  - Scope, Issues and Options – November 2015
  - Draft Local Plan – November 2016
  - Draft Local Plan Supplementary Consultation – January 2019
  - Draft Submission Plan – October 2020
5. In each case BDC have been consulted on these documents and have engaged as they felt appropriate at the time.

#### Housing Need

6. Both Solihull MBC and Bromsgrove DC are authorities that form part of the Birmingham and Black Country Housing Market Area (HMA).
7. Solihull MBC Council and BDC have been active members of the GBSLEP HMA Technical Officers Group since it was created and have contributed to all discussions relating to the delivery of unmet housing need with the HMA
8. This engagement has been ongoing and effective in so far as it has resulted in unmet housing need (to 2031) within the HMA being reduced from 37,572 dwellings in 2015 to 2,597 dwellings as at 2019. This is as documented in the HMA Position Statement no. 3 July 2020. Whilst BDC have not formally endorsed the position statement, they do not dispute any of the factual positions set out in the statement.
9. BDC have not raised any concerns through the R19 consultation to Solihull's approach to dealing with unmet need from elsewhere in the HMA.

#### Employment Land

10. BDC has not approached SMBC to ask for assistance in accommodating employment land that cannot be accommodated within BDC.

## Policy BL1 and Infrastructure Development Plan

11. The only representations BDC made on Solihull's Draft Submission Plan were in relation to policy BL1 (the site allocation for a residential development of some 350 dwellings on land west of Dickens Heath close to the boundary with Bromsgrove district) and the Infrastructure Delivery Plan (IDP).
12. The concerns relate to the accessibility of Whitlock End train station for pedestrians accessing it from the site, and the overall capacity and safety of the road junctions in this broad location particularly along Tilehouse Lane.
13. The representations indicate that BDC believe that the plan is legally compliant and complies with the duty to cooperate. In relation to soundness, BDC believe that subject to changes the plan is sound.
14. The changes outlines in BDC's representation helpfully highlight suggested changes to Policy BL1 parts (2) and (3) through the provision of additional text that relates to safe access to the train station and potential highway improvements along Tilehouse Lane. The former issue is also covered in suggested amendments to the IDP at section 3.1.6.
15. It is agreed the SMBC endorse these changes and suggest a modification to the Solihull Local Plan.

## Duty to Cooperate

16. BDC agree with SMBC that the Council has complied with its legal obligations under the duty to cooperate and if there is a difference between Solihull and other authorities in the HMA, this is around the issue of the soundness of the plan.

## 3. Areas Subject to Ongoing Discussion

17. Both SMBC and BDC will continue to engage through the examination process with a view to supporting the Inspector in identifying appropriate and justified amendments to Policy BL1 (and any associated supporting text/documents) to ensure that (a) safe accessibility for pedestrians using Whitlocks End station is achieved and (b) that the policy highlighted the potential for appropriate highway improvements along Tilehouse Lane.
18. This continued engagement will be undertaken alongside Worcestershire County Council.

## 4. Areas Subject to Disagreement

19. There are no areas of disagreement outstanding at this stage.



## APPENDICES

Appendix A - Bromsgrove District Council publication stage representation



## Solihull MBC Local Plan Publication Stage Representation Form

**Ref:**  
  
**(For official use only)**

**Name of the Local Plan to which this representation relates:**

**Please return to [psp@solihull.gov.uk](mailto:psp@solihull.gov.uk) or Policy and Engagement, Solihull MBC, Solihull, B91 3QB BY Monday 14<sup>th</sup> December 23:59**

*Our Privacy Notice can be found at <https://www.solihull.gov.uk/About-the-Council/Data-protection-FOI/Solihull-Council-Statement/Economy-and-Infrastructure/Policy-Engagement>*

This form has two parts –

Part A – Personal Details: need only be completed once.

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

## Part A

1. Personal Details*		2. Agent's Details (if applicable)
<i>*If an agent is appointed, please complete only the Title, Name and Organisation (if applicable) boxes below but complete the full contact details of the agent in 2.</i>		
Title	<input style="width: 90%;" type="text" value="Mr"/>	<input style="width: 90%;" type="text"/>
First Name	<input style="width: 90%;" type="text" value="Mike"/>	<input style="width: 90%;" type="text"/>
Last Name	<input style="width: 90%;" type="text" value="Dunphy"/>	<input style="width: 90%;" type="text"/>
Job Title (where relevant)	<input style="width: 90%;" type="text" value="Strategic Planning and Conservation manager"/>	<input style="width: 90%;" type="text"/>
Organisation (where relevant)	<input style="width: 90%;" type="text" value="Bromsgrove District Council"/>	<input style="width: 90%;" type="text"/>
Address Line 1	<input style="width: 90%;" type="text"/>	<input style="width: 90%;" type="text"/>
Line 2	<input style="width: 90%;" type="text"/>	<input style="width: 90%;" type="text"/>
Line 3	<input style="width: 90%;" type="text"/>	<input style="width: 90%;" type="text"/>
Line 4	<input style="width: 90%;" type="text"/>	<input style="width: 90%;" type="text"/>
Post Code	<input style="width: 90%;" type="text"/>	<input style="width: 90%;" type="text"/>
Telephone Number	<input style="width: 90%;" type="text" value="01527 881325"/>	<input style="width: 90%;" type="text"/>
E-mail Address	<input style="width: 90%;" type="text" value="m.dunphy@bromsgroveandredditch.gov.uk"/>	<input style="width: 90%;" type="text"/>

(where relevant)

## Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph  Policy  Policies Map

4. Do you consider the Local Plan is :

4.(1) Legally compliant	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
4.(2) Sound	Yes	<input checked="" type="checkbox" value="X (subject to changes)"/>	No	<input type="checkbox"/>
4 (3) Complies with the Duty to co-operate	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Bromsgrove District Council has concerns about the implications of development sites adjacent to the Councils boundaries in the Blythe Valley area. The particular concern is, the accessibility of Whitlock end station for pedestrians accessing it from these new sites, and the overall capacity and safety of the road junctions in this broad location particularly along Tilehouse lane. Whilst the plan does have policies in place to manage these issues it was felt by BDC for the plan to be sound, that they needed to be strengthened, to that end we have worked with officers at Solihull MBC and Worcestershire CC to agree a set of changes which will allay our concerns.

This response is an officer only this at stage

*(Continue on a separate sheet /expand box if necessary)*

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or 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.

# Agenda Item 8

As highlighted above BDC has discussed changes to policy BL1 and the IDP to ensure that concerns of the transport infrastructure in and around Wythall are adequately addressed through the policies in the plan, these changes can be seen on the additional sheet.

We would suggest that the changes can be considered as appropriate modifications to the plan.

The Councils including Worcestershire county Council will work together on a Statement of Common Ground to formally agree a shared position.

(Continue on a separate sheet /expand box if necessary)

**Please note** In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

**After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.**

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

**No**, I do not wish to participate in hearing session(s)

**Yes**, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

If felt necessary we would like appear at the EIP to explain Bromsgrove District Councils concerns in more detail, and explain why it is felt the modifications are required.

**Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

9. Signature:

Michael Dunphy

Date:

10.12.20

Changes highlighted in red text

## Policy BL1 - West of Dickens Heath

1. The site is allocated for 350 dwellings.
2. Development of the site should be broadly consistent with the principles as shown in the concept masterplan below, which include:
  - i. A pedestrian link north of the hedgerow along Tythe Barn Lane is proposed in order to provide a safe route to Whitlocks End Station. Likewise opportunities to connect to the public footpath over the Stratford Canal are promoted.
  - ii. Pedestrian access improvements to provide a safe crossing of Tilehouse Lane and safe walking access to both platforms at Whitlocks end station.
  - iii. Connection to proposed Dickens Heath to Solihull town centre cycle route.
  - iii. Provision of 2.3ha of public open space, including children's play.
  - iv. Relocation of the existing sports provision south of Tythe Barn Lane to a suitable site in the vicinity;
  - v. Retention of Local Wildlife Sites, with potential for enhancement and appropriate buffer to Tythe Barn Coppice ancient woodland.
  - vi. Retention of trees and hedgerows within the site and along Tythe Barn Lane to conserve the character of this approach into Dickens Heath;
  - vii. Provision of suitable SuDS and flood risk management;
  - viii. On site accommodation for older people in accordance with Policy P4E
  - ix. 5% of open market dwellings to be provided in the form of Self and Custom Build Plots in accordance with Policy 4D
3. Likely infrastructure requirements will include:
  - i. Financial contribution to education provision as required by the Local Education Authority;
  - ii. Developer contributions to primary care health services in the vicinity and appropriate UHB secondary care services in the wider CCG.
  - iii. Relocation of the existing sports provision;

iv. Highway improvements as required including junction improvements, speed reduction measures and access improvements along Tilehouse Lane from its junction with Haslucks Green Road to its junction with Birchy Leasowes Lane..

v. Provision of above ground SuDS features and deculverting of existing watercourse through site where feasible.

vi. Appropriate measures to promote and enhance sustainable modes of transport including safe pedestrian and cycle connectivity towards Dickens Heath, Whitlocks End Station and the Stratford upon Avon Canal towpath in accordance with the Council’s LCWIP.

4. Green Belt enhancements will include:

i. Enhancement of public right of way towards canal towpath.

ii. Positive management of Local Wildlife sites

iii. Replacement sports provision with enhanced facilities

5. To support sustainable development within the area, the site should be promoted in a comprehensive basis supporting the positively planned relocation of the existing sports facilities south of Tythe Barn Lane to alternative locations within the surrounding area. Until such time as these facilities are appropriately relocated or robust plans have been confirmed to secure a timely relocation that would prevent the closure of any associated clubs (either for a short period of time or permanently), development of the site will not be supported.

6. The Concept Masterplan document should be read alongside this policy. Whilst the concept masterplans may be subject to change in light of further work that may need to be carried out at the planning application stage, any significant departure from the principles outlined for Site 4 will need to be justified and demonstrate that the overall objectives for the site and its wider context are not compromised.

## IDP Changes

<b>3.1.6 RAIL SERVICES</b>	
<b>Lead Agency</b>	Department for Transport Network Rail West Midlands Rail Executive Train operating companies
<b>Evidence Base</b>	West Midlands Rail Executive Rail Investment Strategy Control Period 6 Delivery Plan (2019-2024)

# Agenda Item 8

<p><b>Strategic Issues</b></p>	<p>The management of the UK rail industry has changed significantly during 2020 largely as a result of the covid-19 pandemic. All services are now believed to be covered by Emergency Measures Agreements.</p> <p>Network Rail own and manage the country’s rail infrastructure, e.g. the tracks, signalling systems, tunnels.<sup>49</sup></p> <p>Network Rail has a Delivery Plan, which was updated in 2019. This focuses on a variety of factors, including safety, increasing rail capability, e.g. during extreme weather events and running more trains, more punctually for passengers and freight.</p>
<p><b>Existing provision</b></p>	<p>The rail network in the Borough is provided by five rail franchises operating from eleven rail stations. A number of long distance rail services serve the borough particularly from Birmingham International.</p> <p>The network tapers off during the evening and is more restricted on Sundays. The map below sets out the rail network in the Borough.</p> <p>Three railway lines run through the Borough:</p> <p>1) The West Coast Mainline which stops at:</p> <ul style="list-style-type: none"> <li>• Marston Green</li> <li>• Birmingham International</li> <li>• Hampton-in-Arden</li> <li>• Berkswell</li> </ul> <p>The West Coast Mainline is the busiest line in the country, already with high speed capacity for 125mph trains.</p> <p>2) The Chiltern Railway line which stops at:</p> <ul style="list-style-type: none"> <li>• Olton</li> <li>• Solihull</li> <li>• Widney Manor</li> <li>• Dorridge</li> </ul> <p>3) Stratford-upon-Avon line which stops at:</p> <ul style="list-style-type: none"> <li>• Shirley</li> <li>• Whitlocks End</li> <li>• Earlswood (on Borough boundary)</li> </ul>
<p><b>Gaps in provision</b></p>	<p>Prior to Covid-19 the rail network across the West Midlands was suffering from scarcity of track capacity, network bottlenecks, overcrowded trains, poor access to the rail network, gaps in network of existing services, low frequencies, long journey times, inferior station facilities, stations with poor accessibility for passengers with reduced personal mobility, inadequate parking for cars and cycles and inadequate integration with bus links.</p>
<p><b>Planned provision</b></p>	<p>The Avanti West Coast contract includes commitments to new</p>

# Agenda Item 8

	<p>trains, replacing first class accommodation with standard and providing additional 200 car parking spaces at Birmingham International. The West Midlands Trains contract includes a proposal to significantly improve Sunday services from May 2021 along with improvements to station facilities, which has yet to be implemented.</p> <p>The Chiltern Railways contract comes to an end during 2021. It is not known how the Department for Transport intends to respond to this, but this could be an opportunity to lobby for infrastructure and service proposals.</p> <p>The Urban Growth Company is leading on an upgrade to Birmingham International railway station and Solihull Council is leading on an upgrade to Solihull railway station. Behind both of these schemes is a desire to deliver much improved, modern passenger facilities capable of accommodating passenger growth over the next 30 years, whilst providing improved integration with other modes of travel.</p>
<p><b>Impact of development proposals</b></p>	<p>The development proposals should generate additional pressures on the railway network as passenger numbers rise – for example pressure on capacity and car parking and general pressure on the road network around railway stations.</p>
<p><b>Delivery potential</b></p>	<p>Potential expansion of Whitlocks End Park and Ride, close to Site BL1 <a href="#"><u>and measures to improve pedestrian access to and around Whitlocks End Station.</u></a></p> <p>Increased parking capacity at Berkswell Station as part of Site BC1 Barretts Farm.</p> <p>Birmingham International and Solihull railway station schemes.</p> <p>Improvements to encourage active travel from proposed Local Plan sites to Whitlocks End, Berkswell and Dorridge stations.</p>
<p><b>Role of Local Plan</b></p>	<p>The Submission Draft Local Plan encourages a more sustainable pattern of transport use. There may be a need to support growth to railway stations within the context of respecting wider environmental considerations.</p>
<p><b><u>Opportunities for Ongoing Cooperation as part of delivery</u></b></p>	<p><b><u>As part of delivering the draft Local Plan SMBC are committed to continue working constructively and actively with neighbouring authorities and infrastructure providers to support local and cross boundary infrastructure improvements, as appropriate to the growth aspirations of the Borough and its neighbours. In this case SMBC will work with neighbouring authorities, TFWM, Network Rail and rail providers to support the upgrade and delivery of rail services.</u></b></p>



# Agenda Item 8

	<p><u>By way of example this will include the requirements outlined above but also further network improvements such as joint working with BDC and WCC in particular to secure long term improvements to the Stratford-upon-Avon line.</u></p>
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### Bromsgrove District Council – Response to the Draft Black Country Plan

Relevant Portfolio Holder	Councillor Adam Kent
Portfolio Holder Consulted	Yes
Relevant Head of Service	Ruth Bamford
Report Author Mike Dunphy	Job Title: Strategic Planning and Conservation Manager Contact email: m.dunphy@bromsgroveandredditch.gov.uk Contact Tel: 01527 881325
Wards Affected	All Wards
Ward Councillor(s) consulted	No
Relevant Strategic Purpose(s)	<ul style="list-style-type: none"> <li>• Affordable and Sustainable Homes</li> <li>• Communities which are Safe, Well Maintained and Green</li> <li>• The Green Thread runs through the Council Plan</li> </ul>
Non-Key Decision	
If you have any questions about this report, please contact the report author in advance of the meeting.	

#### 1. **RECOMMENDATIONS**

The Cabinet **RECOMMEND** to Council that:-

- 1.1 The Council endorses the officer response to the Draft Black Country Plan (as attached at Appendix A) and that it is confirmed with the Black Country Authorities as such.**

#### 2. **BACKGROUND**

- 2.1 On the 16<sup>th</sup> August 2021 the Black Country Authorities published the Regulation 18 version of the Black Country Plan (BCP), more commonly known as the Preferred Option. This is the first full plan with polices and development allocations that has been published as part of the BCP review. Previous consultation was undertaken in 2017 on the issues and options for the BCP, BDC responded to this earlier consultation at that time.
- 2.2 The BCP covers the whole of the Black Country geography, of Dudley, Sandwell, Walsall and Wolverhampton local authority areas. The plan is a considerable document with strategic policies which apply to the

whole of the Black Country, and more detailed and specific policies and allocations for each of the individual authority areas.

- 2.3 As with most Local Plans perhaps the most keenly viewed section is the development targets identified in the plan, particularly the housing and employment development. The housing and employment levels for the BCP have been reproduced below.

	Housing Units	Employment Hectares
Capacity within Black Country	47,837	355
Capacity to be exported	28,239	210
Total Requirement	76,076	565

- 2.4 The levels of housing and employment have been established using the government's standard method for calculating housing need, and well-established practices of identifying employment development needs. The significant point to note when considering the development requirements, is not only the overall needs identified, but also the capacity which cannot be accommodated within the Black Country. What is clear is that the Black Country Authorities will be looking to other Local Authorities to accommodate a significant proportion of their growth.
- 2.5 The 47,837 dwellings and 355 hectares of employment land which are to be accommodated within the Black Country are largely being met on brownfield land. The BCP also includes a review of the Green Belt surrounding the Black Country, the outcome of this review is to release Green Belt land for 7720 homes and 48 hectares of employment land.
- 2.6 The Green Belt in Dudley Borough adjacent to Bromsgrove District has not been allocated for development, except for one site for 115 dwellings north of Hagley. The majority of the land between the edge of the Black Country and the Bromsgrove administrative boundary is deemed to be both significant in terms of the function of the Green Belt, and also due to the high historic landscape character, BDC has no reason to dispute these conclusions.
- 2.7 There are two main points which form the substance of the suggested response to the Black Country;
- The approach the plan takes to addressing wider housing needs;
  - The evidence to support the proposed housing allocation north of Hagley.
- 2.8 The additional land required to meet the development needs of the Black Country is something which the BCP does not attempt to resolve to any great extent in this plan. The small indication that the plan does give on where it would support growth identifies that it should be in locations adjacent to the administrative boundaries. The ruling out of land adjacent to the Bromsgrove administrative boundary, in terms of Green Belt harm and historic landscape character, would appear to suggest that Bromsgrove District, adjacent to

Dudley Borough is not a location which the BCP supports for additional growth. As the land on the Black Country side of the boundary has been judged as being not suitable for development, any development on the Bromsgrove side would be in the isolated countryside and therefore also not suitable for development. BDC's response on this matter is expressed in para's 2-6 of appendix A to this report.

- 2.9 As stated above, one site north of Hagley has been identified as a possible allocation for 115 dwellings. Officers have reviewed the evidence supporting the allocation of this site and have found some discrepancies in the assessment that has been undertaken. Further to this, the full infrastructure impacts of this site are not fully explained or evidenced in this version of the plan. As with the approach taken to other local authorities plans, it is suggested that BDC officers will liaise with the Black Country Authorities, to understand these issues fully before the next version of the plan is published. BDC's response on this matter is expressed in para's 7-11 of appendix A to this report.

### **3. FINANCIAL IMPLICATIONS**

- 3.1 There are no financial implications associated with this report

### **4. LEGAL IMPLICATIONS**

- 4.1 The Black Country Authorities have published this plan in accordance with Regulation 18 of the Town & Country Planning (Local Planning) (England) Regulations 2012.
- 4.2 It is important that Bromsgrove District Council continues to engage in this process under the Duty to Cooperate as the plan progresses to its next stage.

### **5. STRATEGIC PURPOSES - IMPLICATIONS**

#### **Relevant Strategic Purpose**

- 5.1 The response to the BCP in itself does not have any direct implications for the strategic purposes at this stage. Ensuring that BDC is engaged and where appropriate influence plan making activities of adjoining authorities will ensure that the strategic purposes are not undermined by the plans of other local authorities.

#### **Climate Change Implications**

- 5.2 Understanding the infrastructure requirements of the potential allocation north of Hagley will allow the Council to make a fuller

assessment of the impacts on the district, including any impact from additional traffic generated from this development.

**6. OTHER IMPLICATIONS**

**Equalities and Diversity Implications**

6.1 The response has no Equality or Diversity implications.

**Operational Implications**

6.2 There are no operational implications.

**7. RISK MANAGEMENT**

7.1 The risks associated with not submitting a representation is that BDCs views will not be taken into account by the Black Country Authorities when progressing the BCP

**8. APPENDICES and BACKGROUND PAPERS**

Appendix 1 – BDC response to Black Country Plan

**Cabinet**  
2021

20<sup>th</sup> October

**9. REPORT SIGN OFF**

<b>Department</b>	<b>Name and Job Title</b>	<b>Date</b>
Portfolio Holder	Adam Kent	6 <sup>th</sup> October
Lead Director / Head of Service	Ruth Bamford	6 <sup>th</sup> October
Financial Services	James Howse	6 <sup>th</sup> October
Legal Services	Claire Felton	6 <sup>th</sup> October
Policy Team (if equalities implications apply)	N/A	
Climate Change Officer (if climate change implications apply)	N/A	

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1. Bromsgrove District Council (BDC) welcomes the opportunity to comment on the Draft Black Country Plan (BCP). The BCP appears to be based around appropriate aims and objectives and provides a solid foundation on which to plan the future of the Black Country (BC) albeit BDC does have some reservations. BDC has reviewed the policies and proposals and has the following detailed comments to make.

## **Policy CSP1 – Development Strategy**

2. The Council notes the development levels identified within policy CSP1 and the supporting text, in particular the 28,239 dwellings and 210 hectares of employment land to be accommodated outside of the plan area through the Duty to Cooperate.

3. The Council also note the comments made at para's 3.23, 3.25 and 3.27 and would wish to make the following observations

*3.23 National planning policy requires this unmet housing and employment land need to be provided for across the Housing Market Area, Functional Economic Market Area (FEMA) and other areas with which the Black Country has a physical or functional relationship.*

*3.25 The BCA recognise that this approach may only address a proportion of the housing and employment shortfall, as it is inappropriate and beyond the powers of the BCA to establish the limits of sustainable development in neighbouring authorities.*

4. Whilst the requirements of the national guidance are acknowledged it is also accepted that the BCP cannot physically allocate development for the needs of the BC in other local authorities development plans. However the current strategy in the BCP appears to be a very hands off approach at this stage. It is accepted that para 3.24 identifies that the Black Country Authorities (BCA) have worked under the duty to cooperate and that para 3.26 commits the BCA to further engagement to find the most appropriate and sustainable locations for housing and employment growth. As it stands the draft plan provides no guidance to other local authorities on any requirement for accommodating unmet BC growth, or any methodology for distributing the requirement between authorities, and only very limited information on where the growth should be located. To expect neighbouring authorities to consider whether its appropriate to provide growth for the BC with little or no guidance from the exporting authority falls short of what could be described as constructive engagement under the duty to cooperate.

5. Notwithstanding the above comments about the lack of direction the BCP plan gives on meeting the wider housing need at 3.25, para 3.27 then appears to suggest locations where the BCA are supportive of appropriate and sustainable locations for housing and employment growth which is suitable for the needs of the BC.

*3.27 Reflecting the efforts of those neighbouring authorities who are supporting the delivery of the Black Country's wider housing and employment land need, where it is shown to be desirable, appropriate, sustainable and deliverable the BCA will support their neighbours in bringing forward land for housing and employment that sits adjacent to the existing administrative boundaries, and will work in partnership to ensure infrastructure needs are met in full across administrative boundaries.'*

6. BDC notes the findings of the various studies which form the evidence base supporting the BCP. In particular the findings of the Black Country Green Belt Study, Landscape Sensitivity Assessment and Historic Landscape Characterisation Study. The outcomes of these studies which BDC has reviewed and has no reason to dispute at this stage, have effectively ruled out development on the southern edge of the BC in Dudley Metropolitan Borough adjacent to Bromsgrove District, With the exception of sites DUH206,207 and 209. The ruling out of this land means that the administrative boundary between Bromsgrove and the BC is not able to accommodate appropriate, sustainable and deliverable development, therefore the ability of BDC to accommodate the needs of the BC is critically damaged. BDC will continue to engage with all local authorities under the Duty to Cooperate but the Council is now struggling to see how it can now help meet the needs of the BC other than in locations which are not supported by the draft Black Country Plan.

### Policy HOU1 and CSP3

7. Sites DUH206, DUH207 and DUH209 are being proposed to be taken out of the green belt and allocated for development of 115 houses. This has been done irrespective of the fact that (DUH209) was rated as causing very high harm to the GB, and all three sites are found to be within an Area of High Historic Landscape Value. This development is in close proximity to the settlement of Hagley which is within Bromsgrove District. Table 14 indicates that policy CSP3 provides further information regarding these allocations. CSP3 provide little detail on how it is expected that this site will be developed, it not clear how these allocations relate to the requirements of CSP3. BDC is aware that there is a significant policy base by which this allocation will be determined should a planning application be submitted, subject to the site being allocated.

8. BDC has also reviewed the site assessment work (Appendix A pages 96-107) accompanying these three sites, and would wish to understand the full impact on the infrastructure in the surrounding area, before forming a view on the suitability of these sites for allocation.

9. It is noted that the sites have been ranked as follows with the following comments in relation highways access and transportation and impact on the wider road network.

	Site Known as	Highways access and transportation		Impact on the wider road network	
		RAG Rating	Text	RAG Rating	Text
SA-0010-DUD-A / DUH206	Worcester Lane North	Green	Access via Worcester Lane,	Green	Potential junction improvement Racecourse Lane / Worcester Lane to North. To south Park Rd/ Worcester Rd
SA-0010-DUD-B / DUH207	Worcester Lane Central	Green	Access via Worcester Lane, potential mitigation junction improvement Racecourse Lane / Worcester Lane to North, To south Park Rd/ Worcester Rd	Green	Further information would be required to assess this
SA-0018-DUD-C / DUH209	Worcester Lane South	Green	Access via Worcester Lane. Loss of hedgerow should be kept to a minimum.	Green	If developed with call for sites site to north (SA-0010-DUD A and B) potential junction

# Agenda Item 9

					improvements Racecourse Lane/Worcester Lane to the north and to the south Park Rd/ Worcester Rd.
--	--	--	--	--	--

10. For these sites to be ranked green, it is a requirement of the published methodology that they have for:

- highway access and transportation - No / negligible access constraint (Site Assessment Report – page 23)
- impact on the wider network - No / negligible impact (Site Assessment Report – page 24)

11. There is inconsistency in the narrative which accompanies these site assessments:

- Does the mitigation at the junctions north and south of the sites get assessed under the highways access and transportation section, or impact on the wider transport network section ? At the moment this is not clear or consistent.
- Irrespective of the point above, for a potential mitigation scheme to be identified, that would suggest that there is some form impact under either of the categories which is more than negligible, and therefore an amber rating would be more suitable.
- For site DUH207/SA-0010-DUD-B it appears no assessment has been carried out of the impact of the wider network and still the site is ranked green, it is concerning that this ranking can be determined without any assessment taking place.

12. BDC would suggest this assessment is re-run and the outcomes shared with BDC and other interested parties prior to the publication of the next stage of plan making.

13. Other elements of the infrastructure assessment also require clarification, the assessment of: Primary schools, Secondary Schools, GP/Health Centre/Walk in Centre, Strategic Centre/Employment areas, and Centre/Foodstore all refer to walk times which are achieved 'following any viable mitigation'. BDC would like clarification on what this mitigation is and that it is in fact viable. Unviable mitigation is not considered to be appropriate mitigation.

14. These comments are officer only comments at this stage, BDC members will be considering the formal response at committee meetings following the deadline for submission of comments, should any additional comments be required officers will submit them following these meetings.

15. Bromsgrove District Council remains committed to successful plan making and will continue to engage with the BCA under the Duty to Cooperate. Upon receipt of these and any additional comments, officers will be happy to meet with BCA representatives to discuss all the points raised in further detail.

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#### Adoption of Catshill and North Marlbrook Parish Neighbourhood Plan

Relevant Portfolio Holder	Councillor Adam Kent, Deputy Leader and Portfolio Holder for Planning and Regulatory Services
Portfolio Holder Consulted	Yes
Relevant Head of Service	Ruth Bamford, Head of Planning, Regeneration and Leisure Services
Report Author	Matt Stanczyszyn Job Title: Senior Planning Officer Contact email: <a href="mailto:matt.stanczyszyn@bromsgroveandredditch.gov.uk">matt.stanczyszyn@bromsgroveandredditch.gov.uk</a> Contact Tel: 01527 587010
Wards Affected	Catshill North, Catshill South, Marlbrook
Ward Councillor(s) consulted	Yes
Relevant Strategic Purpose(s)	<ul style="list-style-type: none"> <li>• Run and Grow a Successful Business</li> <li>• Affordable and Sustainable Homes</li> <li>• Communities which are Safe, Well Maintained and Green</li> <li>• The Green Thread runs through the Council Plan</li> </ul>

#### 1. RECOMMENDATIONS

The Cabinet RESOLVE that:-

- 1) The result of the referendum on the Catshill and North Marlbrook Parish Neighbourhood Plan, held on 7<sup>th</sup> October 2021, is duly noted
- 2) A recommendation is made to the next meeting of Council that the Catshill and North Marlbrook Parish Neighbourhood Plan be 'made' (formally adopted) immediately, in accordance with the relevant legislation<sup>1</sup>.

#### 2. BACKGROUND

- 2.1 The Catshill and North Marlbrook Parish Neighbourhood Plan (CNMNP), which is attached at Appendix 1, was submitted by Catshill and North

<sup>1</sup> As set out in the 'Legal Implications' (Section 4) section of this report.

Marlbrook Parish Council ('the qualifying body') to the District Council in January 2021.

- 2.2 Following Cabinet approval (February 2021), the plan was subject to a statutory six-week representations period from 25<sup>th</sup> February – 8<sup>th</sup> April 2021 and was subsequently examined by an independent neighbourhood plan examiner.
- 2.3 The final examiner's report, attached as Appendix 2, was received in June 2021 and recommended that the CNMNP met the 'basic conditions'<sup>2</sup>, subject to a series of minor modifications, and should therefore proceed to a public referendum.
- 2.4 A referendum for the CNMNP was held on Thursday 7<sup>th</sup> October 2021 within the Parish. The 'Declaration of Result' is attached at Appendix 3. This shows a majority 'Yes' vote (88% of those who voted) to the referendum question posed.

### **3. FINANCIAL IMPLICATIONS**

- 3.1 Work already carried out by Officers in assisting the Parish Council in preparing the CNMNP has been incorporated into ongoing workloads for the Strategic Planning and Conservation team.
- 3.2 Following the decision to proceed to referendum, the District Council became eligible for funding of £20,000 from the Ministry of Housing, Communities and Local Government's (MHCLG) neighbourhood planning grant. Once received, the grant will allow the Council to recoup departmental costs as well as fund examination and referendum costs.
- 3.3 The overall cost of the referendum is estimated by the Electoral Services Manager to be £8,819.12. The total cost of the independent examination was £3,966.65.

### **4. LEGAL IMPLICATIONS**

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<sup>2</sup> As defined at paragraph 8(2) Schedule 4B of the 1990 Town and Country Planning Act.

- 4.1 The CNMNP has been produced in accordance with the relevant neighbourhood planning legislation arising from the Localism Act 2011 and the Neighbourhood Planning (General) Regulations 2012 (as amended).
- 4.2 Following submission of the CNMNP to the District Council in January 2021, officers reviewed all submission documents and were satisfied that, with the approval of Cabinet, the neighbourhood plan was able to proceed to a statutory representation period, independent examination, and referendum, should the plan be deemed to meet the basic conditions. Subsequently, the independent examination into the CNMNP confirmed that the basic conditions were met subject to a small number of minor modifications to the plan.
- 4.3 An information statement was published on 27<sup>th</sup> August 2021 declaring that a referendum on the CNMNP was to be held. This ensured that no fewer than 28 days', excluding weekends and bank holidays, notice was provided as required by Regulation 4(1) of the Neighbourhood Planning (Referendums) Regulations 2012.
- 4.4 The question asked in a neighbourhood planning referendum is standardised as set out in Schedule 1(1) of the Neighbourhood Planning (Referendums) Regulations 2012. To comply with this legislation, the question therefore posed for the referendum was:

*Do you want Bromsgrove District Council to use the Neighbourhood Plan for Catshill and North Marlbrook Parish to help it decide planning applications in the neighbourhood area?*

- 4.5 The referendum area, on the advice of the independent examiner, was identical to the designated neighbourhood area of the CNMNP; that is, coterminous with the boundary of Catshill and North Marlbrook Parish. As a result, eligibility to vote in the referendum consisted of anyone who was 18 years of age or above on the date of the referendum, and who was registered to vote within the referendum area.

- 4.6 From a total of 5,198 eligible voters, 822 ballot papers were issued (a turnout of 15.81%) with one ballot being rejected. The result of the referendum was as follows:
- Yes – 723 (87.96%)
  - No – 98 (11.92%)

The 'Declaration of Result' for the referendum is included at Appendix 3 for information.

- 4.7 Within a previous report to Cabinet in February 2021, with reference to the neighbourhood plan process, it was stated "*Should a referendum result in a 'Yes' vote that the CNMNP be made, it is proposed that the CNMNP be brought back to meetings of both Bromsgrove District Cabinet and Full Council to approve the adoption of the Catshill and North Marlbrook Parish Neighbourhood Plan*".

- 4.8 In light of the above, this report seeks a recommendation from Cabinet that the meeting of Council on 3<sup>rd</sup> November 2021 approves the CNMNP to be 'made' in accordance with the relevant legislation, in particular Section 38A paragraph 4(a) of the 2004 Planning and Compulsory Purchase Act, which states that, "*A local planning authority to whom a proposal for the making of a neighbourhood development plan has been made...must make a neighbourhood development plan to which the proposal relates if in each applicable referendum under that Schedule (as so applied) more than half of those voting have voted in favour of the plan*".

## 5. STRATEGIC PURPOSES - IMPLICATIONS

### Relevant Strategic Purpose

- 5.1 The CNMNP, being a plan for the development and use of land, supports the following District Council strategic purposes:
- *Run and Grow a Successful Business* – the neighbourhood plan includes planning policies within the topic area of 'commerce and community'. Objectives of these policies include supporting local businesses and retail outlets by improving shopfront appearances (Policies COM1 and



COM2) and supporting local employment opportunities through business start-ups and home working (Policies COM3 and COM4).

- *Affordable and Sustainable Homes* – the neighbourhood plan includes planning policies within the topic area of ‘housing and infrastructure’. Objectives of these policies include providing housing which meets the needs of local residents and ensuring priority is given to affordable homes, the elderly and homes for first time buyers (Policy H2).
- *Communities which are Safe, Well Maintained and Green* - the neighbourhood plan includes planning policies within the topic area of ‘environment’, and specifically the protection and enhancement of the local green infrastructure network. Objectives of these policies include developing a green infrastructure plan for the parish (Policies ENV1, ENV2 and ENV3) and protecting existing formal open spaces and newly designated local green spaces from loss or encroachment (Policies ENV4 and ENV5).

### Climate Change Implications

- 5.2 A green thread runs through the Bromsgrove District Council Plan. The CNMNP supports this green thread with the neighbourhood plan’s environment topic area objective to “promote and support measures to assist in combatting climate change”. It seeks to do this specifically through policies on sustainable design and construction (H3 and ENV8), sustainable drainage systems for major developments (ENV9) and the need for permeable surfacing where parking proposals are made at the front of properties (ENV10) to reduce the risk of flooding from surface water runoff.

## 6. OTHER IMPLICATIONS

### Equalities and Diversity Implications

- 6.1 The CNMNP has been subject to numerous Parish Council led events and public meetings to publicise the preparation of the plan and inform its development. One of the stated aims of the Parish Council’s consultation process was, “To engage with as wide a range of people as possible, using a variety of approaches, communication and consultation methodologies”.

- 6.2 A pre-submission (Regulation 14) public consultation was also undertaken to enable further community engagement and allow changes to the plan to be made prior to its submission to the District Council. Further detail of all engagement can be found in the CNMNP Consultation Statement listed within the background papers section at the end of this report.

#### **Operational Implications**

- 6.3 Despite responsibility for the production of the CNMNP belonging to the qualifying body (Catshill and North Marlbrook Parish Council), the District Council has worked closely with the neighbourhood plan steering group in the preparation of the plan, since designation of the neighbourhood area in October 2016.
- 6.4 During this time, considerable officer resource has been spent advising and supporting members of the neighbourhood plan steering group. Officers have advised on matters concerning planning legislation and regulations, alignment with the District Council's statutory planning framework, and provided information to help comply with other legal requirements such as strategic environmental assessment (SEA) and habitat regulation assessment (HRA).
- 6.5 Officers from the Strategic Planning and Conservation team have worked with the BDC Electoral Services team to arrange the referendum in line with all statutory requirements.

#### **7. RISK MANAGEMENT**

- 7.1 The CNMNP is not a plan produced directly by the District Council, however when 'made' it will become part of the statutory development plan for decisions made by the local planning authority within Catshill and North Marlbrook Parish (the designated neighbourhood area).
- 7.2 The District Council has met its duty to support the progression of the CNMNP, including publicising the statutory consultation and arranging independent examination and referendum. It now has a duty to formally 'make' the neighbourhood plan as outlined at paragraph 4.8 above.

- 7.3 Implementation of the CNMNP will make a positive contribution to the achievement of sustainable development within Catshill and North Marlbrook Parish. It will provide a complementary part of the development plan alongside the Bromsgrove District Plan, for planning decisions taken within the designated neighbourhood area.

**8. APPENDICES and BACKGROUND PAPERS**

Appendices

Appendix 1: CNMNP referendum version, August 2021

Appendix 2: CNMNP Examiner's Report, June 2021

Appendix 3: Declaration of Result of Poll, October 2021

Background Papers

CNMNP Basic Conditions Statement, December 2020

CNMNP Consultation Statement, December 2020

**9. REPORT SIGN OFF**

<b>Department</b>	<b>Name and Job Title</b>	<b>Date</b>
Portfolio Holder	Cllr Adam Kent	6 <sup>th</sup> October
Lead Director / Head of Service	Ruth Bamford	6 <sup>th</sup> October
Financial Services	James Howes	6 <sup>th</sup> October
Legal Services	Claire Felton	6 <sup>th</sup> October
Policy Team (if equalities implications apply)	N/A	
Climate Change Officer (if climate change implications apply)	Anna Wardell Hill / Kath Manning	Ongoing consultation as plan was prepared.

# Catshill and North Marlbrook Neighbourhood Plan



Worcestershire

**CATSHILL**

Please drive carefully

In the Parish of Catshill and North Marlbrook

Plan period 2016 - 2030

## Table of contents

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### SECTION 1 - BACKGROUND

1. Introduction	6
2. Neighbourhood Plans and the Planning System	8
3. The Scope of the Neighbourhood Plan	10
4. The Local Environment	11

### SECTION 2 - THE VISION

5. Initial Consultation (Phase 1) and Vision Statement	17
6. Consultation Phase 2 - Developing the Plan	19
7. Consultation Phase 3 - Finalise the Plan	28

### SECTION 3 - NEIGHBOURHOOD PLAN POLICIES

8. Housing and Infrastructure	31
8.1 Introduction	31
8.2 Local Plan Review	31
8.3 Addressing Housing Requirements	35
8.4 Housing Needs Assessment	36
8.5 Type and Size of housing	39
8.6 Tenure and Affordability	40
8.7 Quality Design	41
8.8 Traffic and Infrastructure	42
8.9 Relevant Bromsgrove Local Plan Policies	43
8.10 Housing and Infrastructure Objectives and Policies	49
9. Commerce and Community Policies	52
9.1 Retail	52
9.2 Commercial and Employment	53
9.3 Community Facilities	53
9.4 Relevant Bromsgrove Local Plan Policies	55
9.5 Commerce and Community Objectives and Policies	56



9.4	Relevant Bromsgrove Local Plan Policies	55
9.5	Commerce and Community Objectives and Policies	56
10.	Environment Policies	59
10.1	Green Infrastructure	58
10.2	Local Green Infrastructure	58
10.3	Blue/Green Corridors	62
10.4	Health and Well Being	62
10.5	Designation of Local Green Spaces	62
10.6	Formal open spaces	64
10.7	Significant Views	67
10.8	Climate Change and Water Management	69
10.9	Sustainable Drainage Systems	69
10.10	Permeable hard surfaces	70
10.11	Conclusions	70
10.12	Relevant Bromsgrove Local Plan Policies	71
10.13	Environment Objectives and Policies	72
11.	Community Actions	79
12.	Implementation, Monitoring, Review and Revision of NP	80
13.	List of Policies	81
14.	Policies Map	86
	Appendices	87
	Glossary	88



## Figures

---

Figure 1.	The Neighbourhood Plan area	7
Figure 2.	The Green Belt in the Parish	9
Figure 3a.	Catshill and North Marlbrook Services and Facilities	13
Figure 3b.	Catshill and North Marlbrook Local Centre Services and Facilities	14
Figure 4.	Strategic Parcels of Land around Catshill and North Marlbrook	23
Figure 5.	Rate of change in the age structure in the Parish population, 2001-2011	33
Figure 6.	Housing Tenure (households) in the Parish, 2011	37
Figure 7.	Most important topics	40
Figure 8.	Bromsgrove Local Plan Development Sites 2004	41
Figure 9.	Current Parish footpaths	44
Figure 10.	Significant Views	45
Figure 11.	Green Infrastructure	61
Figure 12.	Water Courses	68
Figure 13.	Policies Map	77





# SECTION 1 - BACKGROUND



## 1. Introduction

- 1.1 The Catshill and North Marlbrook Neighbourhood Plan (NP) is a community-led document which forms part of the planning regime that was introduced by the Government in 2012 under the 'Localism Act'. A NP provides an opportunity for local people to influence how matters should be determined by the local planning authority and planning inspectors when decisions are made on land use issues that, in this instance, affect the Catshill and North Marlbrook Parish (Parish) area.
- 1.2 This Plan sets out policies promoting and regulating how land will be used in the Parish. These have been arrived at following consultation with residents and local businesses between 2017 and 2020 through questionnaires, workshops and interviews. The consultation process forms part of the NP process and further details can be found on the Neighbourhood Plan website: [www.catshillandnorthmarlbrookplan.org.uk](http://www.catshillandnorthmarlbrookplan.org.uk)
- 1.3 Work commenced on the Catshill and North Marlbrook Neighbourhood Plan in September 2016, when a Steering Group was formed consisting of both parish councillors and residents of the Parish.
- 1.4 Bromsgrove District Council (BDC) actively supports the development of NPs as the following paragraph from its Local Plan indicates:

*“The local people of Bromsgrove will be more actively involved in decision making for their communities and neighbourhood plans will have an increased role to play in planning the future of these communities.”*

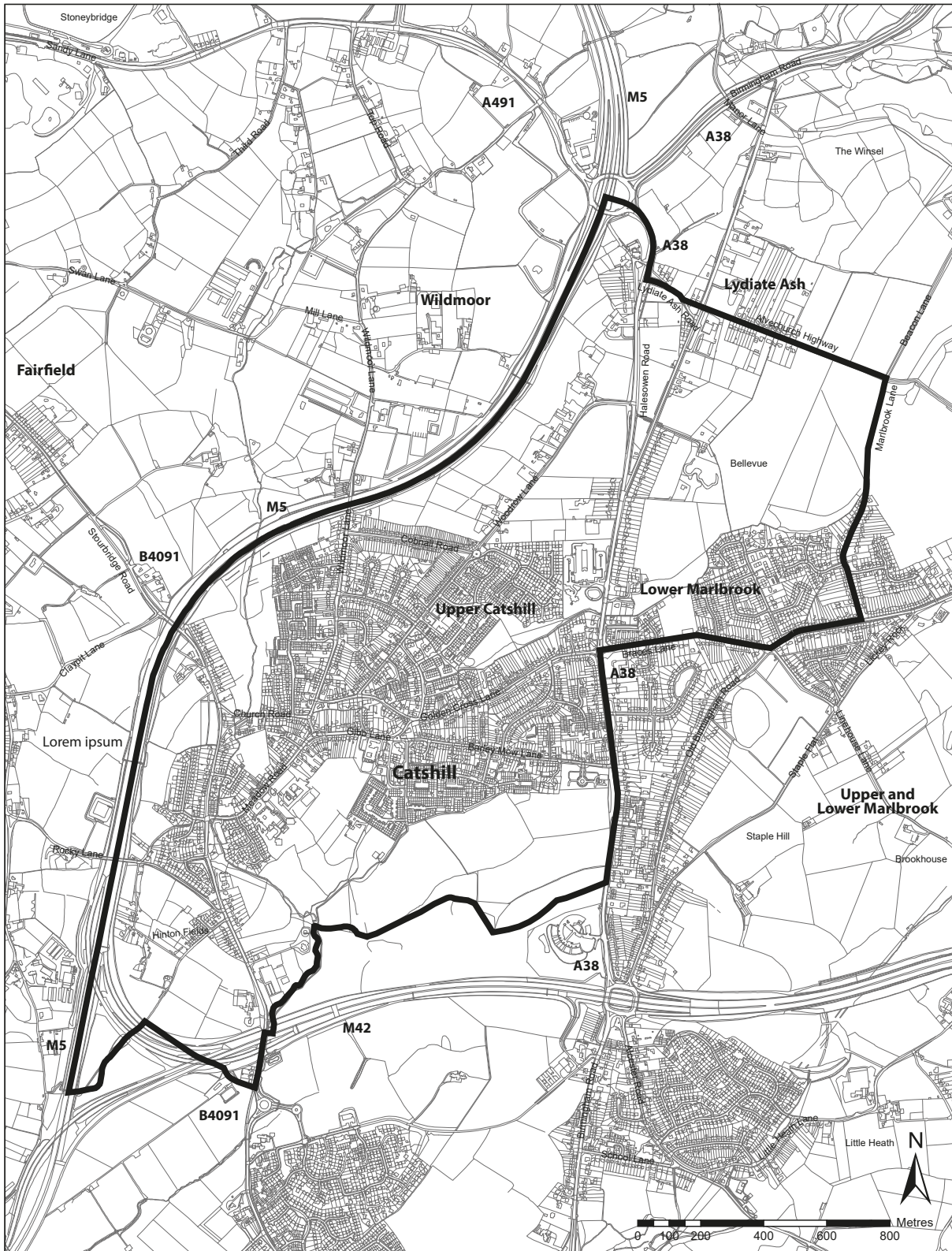
**Source: BDP (2017) paragraph 4.11**

- 1.5 Bromsgrove District Council approved the designation of the Parish as a neighbourhood area in October 2016. This was in accordance with “The Neighbourhood Planning (General) Regulations 2012 (as amended)”. The map of the agreed neighbourhood area is shown on the following page.
- 1.6 It is intended that this document will provide the planning framework for the Parish to 2030. However, should conditions change it may be necessary to update parts of the Plan to reflect new circumstances.
- 1.7 The District Council is, for instance, undertaking a series of investigations as part of its review of the adopted Bromsgrove District Plan (BDP). This includes district-wide reviews of Green Belt coverage, flood risk and transport issues. A housing needs study is also in progress and site assessment work will commence in due course. The outcome of this work will show how it intends to meet its housing requirements to 2030 (and potentially beyond to 2040). This includes accommodating some of the development needs of the conurbation authorities. The outcome of this work could have implications for this Neighbourhood Plan or its successor.






## CATSHILL AND NORTH MARLBROOK NEIGHBOURHOOD PLAN



Catshill and North Marlbrook Neighbourhood Plan  
**Neighbourhood Plan Area**

 Catshill and North Marlbrook Neighbourhood Plan Area



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**Fig 1. The Neighbourhood Plan area**

## 2. Neighbourhood Plans and the Planning System

- 2.1 In providing local policy a NP must be consistent with other planning documents. Of particular relevance is national policy which is contained in the National Planning Policy Framework (NPPF)<sup>1</sup> and, in Bromsgrove District, the Council's Local Plan (BDP) adopted in January 2017.<sup>2</sup>
- 2.2 The BDP provides strategic direction for new development in the District as well as detailed policies intended to control the form and type of development. In the period to 2030 Bromsgrove District Council has to provide sufficient land in order to deliver 7,000 new homes. To date, 4,700 have either been developed, committed or allocated. In addition, a total of 19.9 hectares of employment land will be required across the District.
- 2.3 Approximately 90% of Bromsgrove District is designated Green Belt which has enabled the District Council to limit inappropriate development, particularly outside the larger built-up areas. Unfortunately, the tightly drawn Green Belt boundaries are now a major constraint because there are insufficient sites in urban areas or ones which have previously been used ('brownfield sites') to meet future needs. To enable the District Council to satisfy its remaining housing targets a study of the area covered by the green belt is being undertaken as part of District Council's revisions to its Local Plan.<sup>3</sup>

*"It is clear that a full Green Belt Review will be required following the adoption of this Plan to ensure that land can be identified and allocated via a Local Plan Review to ensure that the remaining 2,300 homes can be delivered and additional sites then allocated in a Local Plan Review."*

**Source: BLP paragraph 8.15**



**The Meadow**

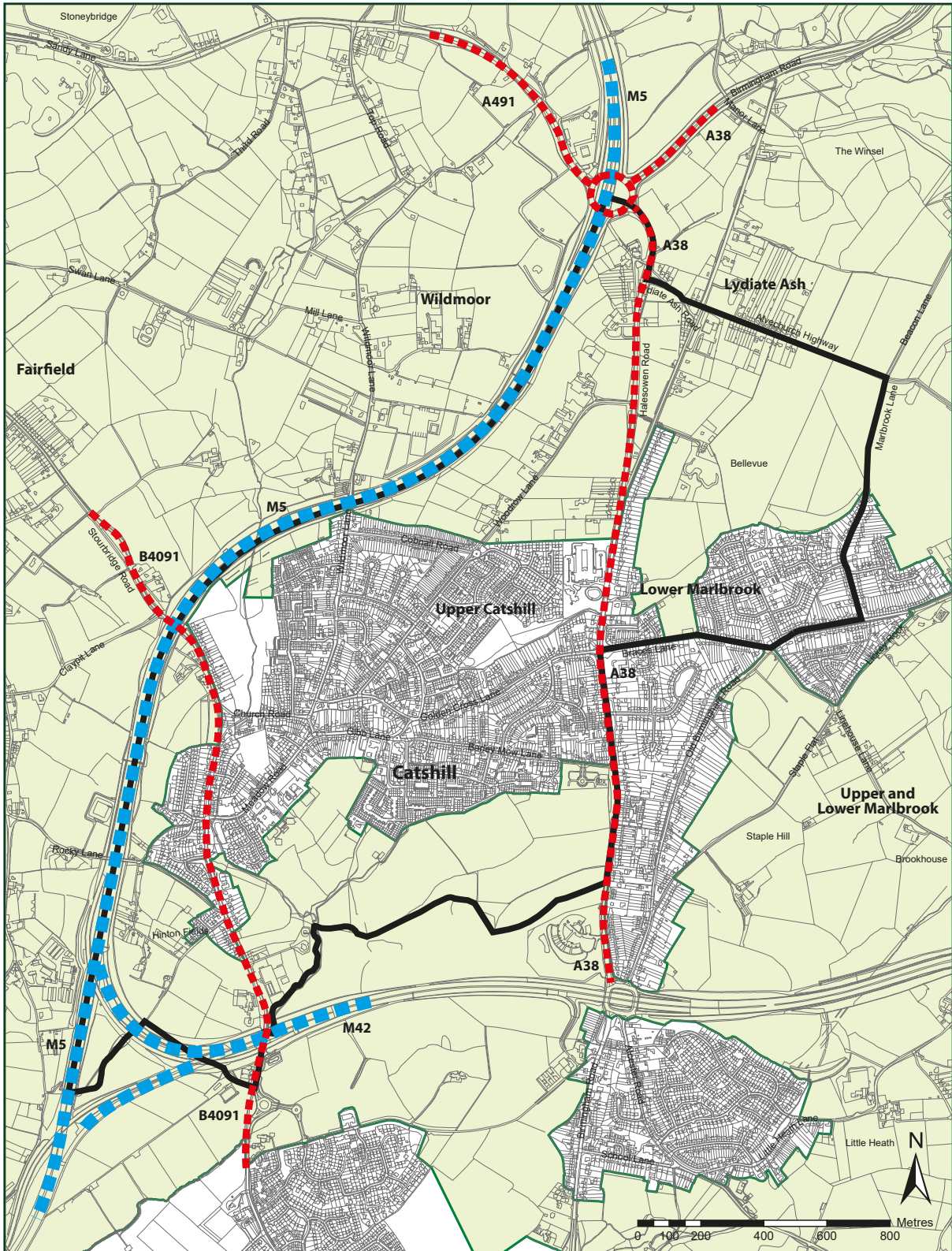
<sup>1</sup> National Planning Policy Framework February 2019

<sup>2</sup> Adopted Bromsgrove District Plan 2011 - 2030 on January 2017

<sup>3</sup> Bromsgrove District Council Green Belt Purposes Assessment: Part 1 August 2019



## CATSHILL AND NORTH MARLBROOK NEIGHBOURHOOD PLAN



Catshill and North Marlbrook Neighbourhood Plan  
**Green Belt in the Parish**

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-  Catshill and North Marlbrook Neighbourhood Plan Area
-  Green Belt
-  Large Volume Traffic Motorways
-  Large Volume Traffic A and B Roads



**Fig 2. The Green Belt in the Parish**

- 2.4 Remaining land allocations in the BDP, such as those on the edge of Bromsgrove Town, will need to be augmented through the identification of further sites. The majority of these are expected to be found in or adjacent to large settlements (Policy BDP2.1). Catshill is one of six identified 'large' settlements where the District Council says further housing will be required after 2023.
- 2.5 Currently a target of 2,300 dwellings would need to be built in Bromsgrove District by 2030, the majority of these likely to be allocated to the six 'large settlements' excluding Bromsgrove Town. This requires the identification and use of land currently in the green belt land as this is the only source left which is capable of providing the amount of housing needed elsewhere in the District including this Parish.
- 2.6 In the absence of a NP, the District Council would make decisions regarding the amount, type and location of further development with limited opportunity for local residents to influence the process. Through the adoption of a NP, however, it is possible for the local community to have a more significant input into the planning process by influencing where further housing might go and setting out how other matters should be addressed. These include, for instance, the local environment and wildlife. Where appropriate, assessments have been carried out to develop policies from issues raised by local people through the questionnaires and workshops which have taken place. Copies of these studies can be found on the NP website. (Appendices 1,2 and 5)
- 2.7 It should be recognised that all policy provisions in this NP must reflect sustainability principles and other requirements in relevant legislation. Similarly, it is important to understand that while it is possible for a NP to provide more than the required amount of housing it cannot provide for less. However, BDC has not set a precise housing target for the Parish to accommodate or an indicative housing figure which has been requested by the Parish Council and is a requirement under paragraph 66 of the NPPF. It is however undertaking a number of studies (see para. 1.7) to provide the evidence to support a future strategy.

### 3. The Scope of the Neighbourhood Plan

- 3.1 Deciding where new housing should go is a key component of the NP but opportunities exist to shape other aspects of the local area. For this reason, the NP has addressed a wide range of issues in response to the views expressed by residents and businesses at workshops and through responses to questionnaires which formed the basis of the consultation process. The results and analysis of these questionnaires are contained in Appendices 1, 2 and 5. Among the matters raised were:

- Protecting the environment;
- A requirement for community facilities to meet the needs of both young and old people;
- Improvements to walking and cycling routes;
- Improvements to parking facilities;
- Provision of new open/green space;
- The need to address traffic congestion, speed and flows at key junctions;
- Safeguarding and improving the existing shopping area;
- Improving bus services, especially in North Marlbrook;
- Improving local employment prospects.



## 4. The Local Environment

- 4.1 The earliest record of Catshill dates from the 13th century. During the industrial revolution the village became a centre for nail-making which developed as a cottage industry. By the end of the 19th century it was in decline, yet nails continued to be produced until the end of the Second World War.
- 4.2 The current parish of Catshill and North Marlbrook is formed of the entire Catshill settlement west of the A38 and includes part of Marlbrook to the east and north of the junction between the A38 and Braces Lane; the latter largely consists of post war residential development.
- 4.3 The parish population increased steadily during the second half of the 20th century with 6,858 residents recorded in the 2011 Census. With the exception of 0.9% living in communal establishments, the remaining 99.1% were in households. The average (mean) age of residents was 41.3 years. The Census also showed that out of 5,022 residents (aged 16 to 74), 3,614 were economically active.<sup>4</sup> A local business survey in 2017 found there were approximately 250 jobs available in the Parish. The majority of businesses employ less than 5 full time staff and 1-2 part time staff with the biggest employers being the Essential Marketing offices located in Golden Cross Lane, the Bromsgrove Hotel and Spa adjacent to the A38 (see Appendix 2).
- 4.4 The increase in population has affected the local environment. In particular, the prevalence for people to travel greater distances for employment, social and leisure purposes and the proximity of the Parish to the motorway system means there is considerable out-commuting and large numbers of vehicles passing through the area to reach motorway junctions or other locations.
- 4.5 The Parish has three schools ('First', 'Middle' and 'Special Education'), a doctors' and dentists' surgery, five churches, several public houses, shops and offices. The main shopping area is located along Golden Cross Lane, with a small public car park situated at its western end and limited frontage parking. The post office is based in the Spar shop and the pharmacy shop is located by the public car park. More recently a small supermarket has replaced a public house opposite the Baptist Church in Barley Mow Lane and is attracting custom and traffic. There are a few shops and offices at the A38 intersection with Golden Cross Lane and a small supermarket is located in North Marlbrook at the junction between Braces Lane and Old Birmingham Road.
- 4.6 There are a number of commercial uses and activities with direct access onto Stourbridge Road and Meadow Road. Both of these roads are part of the main highway network through Catshill. The former contains a garden centre, greengrocer, farm/abattoir, retail shop (carpets), water pumping station, residential care home and public house. The latter has three schools, coach operators and a boutique all of which have limited parking. At the top of Woodrow Lane there is a modest commercial area hosting a garage, black smithy making gates and fences and two landscape/gardening businesses.

<sup>4</sup> <https://www.nomisweb.co.uk/reports/localarea?compare=E04010279>







**Dental Surgery**



**Catshill Middle School**

- 4.7 Community activities take place in the village hall, local churches of which Catshill Baptist Church has recently added an extension providing ground and first floor facilities and the Catshill Social Club. These activities cater for both young and older age groups. The library has been relocated to a building attached to the 'Middle' school. This periodically provides activities to assist reading and learning.
- 4.8 Catshill is linked by bus services to Birmingham, Worcester, Halesowen and Stourbridge as well as some local destinations. The nearest railway stations are at Bromsgrove, Barnt Green and Longbridge. In contrast North Marlbrook has a single convenience store and a more limited bus service and fewer bus stops.
- 4.9 Two small streams or brooks (Battlefield and Marl) meet in Catshill and are tributaries of the River Salwarpe, the latter ultimately joining the River Severn north of Worcester. The area is generally free draining and water abstraction from the underlying aquifer has led to reduced flows in the brooks. There have been no reports of groundwater flooding.
- 4.10 The Spadesbourne and Battlefield Brook watercourses are important habitats for both flora and fauna; in particular, the water vole, which is an endangered species and nationally protected. It has known habitats along the Battlefield Brook in Catshill which provides a migration route while the Marlbrook also has the potential as water vole habitat.



## CATSHILL AND NORTH MARLBROOK NEIGHBOURHOOD PLAN

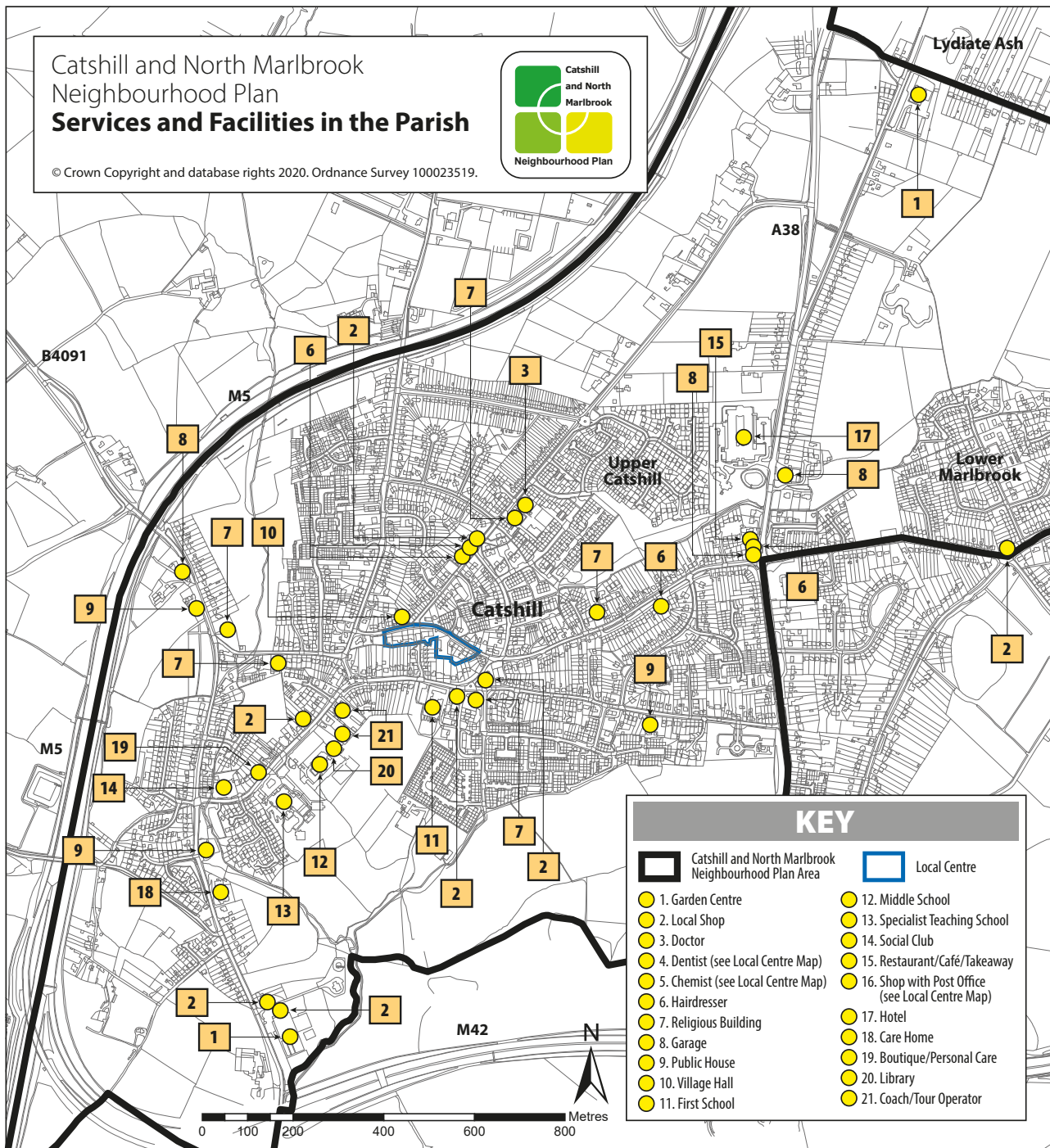
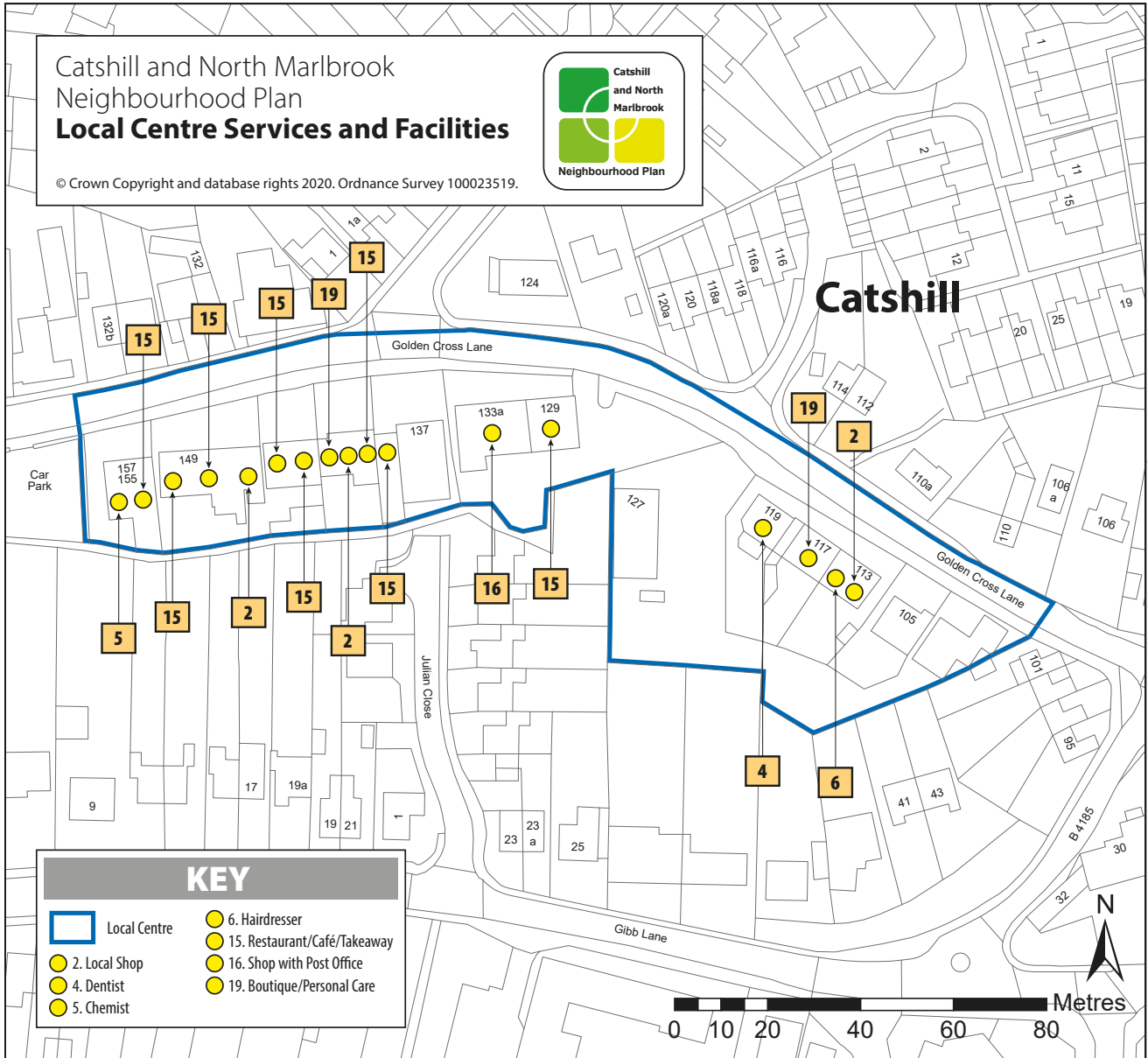


Fig 3a. Catshill and North Marlbrook Services and Facilities



**Fig 3b. Catshill and North Marlbrook Local Centre Services and Facilities**





**Battlefield Brook**



**Local Green Spaces**

- 4.11 Catshill and Marlbrook have suffered from flooding which is usually associated with run-off from short-duration, high intensity storms. This has occurred along much of the stream courses in both parts of the Parish with the most recent flooding events occurring in 1998/99, 2007 and 2012. The District Council attributes high run-off problems to the adjacent motorways and developments in the catchment and has constructed a large detention pond to provide greater flood protection to residents close to the Marlbrook. Further details on the local hydrology can be found in the evidence supporting the NP (Appendix 4).
- 4.12 There are four grade II listed buildings - Christ Church, Lydiate House, Gate Piers east of No.61 and the War Memorial, in the Parish, as well as other non-designated buildings and landscape.



**Christ Church**



**Lydiate House**



# SECTION 2 - THE VISION



## 5. Initial Consultation (Phase 1) and Vision Statement

5.1 Consultation Phase 1 lasted from October 2016 to September 2017. The main aims of the initial phase of the Neighbourhood Plan were to:

- Communicate and raise awareness across the Parish concerning NP;
- Carry out an initial collection of data for the evidence base;
- Review and analyse evidence collected;
- Identify the main issues and decide how to follow up with further work;
- Set up working groups;
- Draft initial objectives;
- Reflect these objectives in a Vision Statement for the Neighbourhood Plan.

**The dates of the main activities were:**

Prepare presentation media	October 2016 - March 2017
Consultation with public and businesses	April 2017 - June 2017
- Workshops	Held in May and June 2017
- Level 1 questionnaire for residents and business questionnaire	
Analyse results (in Appendices) and set up Working Groups	July/August 2017
Present results to Steering Group and sign off	September 2017

5.2 As part of the first phase of consultation, workshops were organised to explain the purpose and process behind NPs. These were held in May and June 2017 to coincide with the release of a questionnaire and leaflets which were distributed to all households in the Parish. The aim was to gauge both resident and business attitudes and perception of issues and concerns that affected them whether in living or working in the Parish. The questionnaire was also made available online via the Parish Council’s Neighbourhood Plan website ([www.catshillandnorthmarlbrookplan.org.uk](http://www.catshillandnorthmarlbrookplan.org.uk)).



**Workshop May 2017**



**Workshop June 2017**

5.3 A total of 263 completed questionnaires were received and analysed. These showed that people were seriously concerned by traffic problems, particularly peak hour volumes where drivers use Catshill as a 'rat-run' to connect with the A38, the motorway network and routes to the south and west of Bromsgrove. In combination with school traffic and local trips this results in high numbers of vehicles passing through the Parish.

5.4 In addition to traffic-related issues other matters were identified. The main points to emerge are summarised below.<sup>5</sup>

- the impact of traffic on the local environment;
- the shortage of parking provision, particularly acute in the shopping area and parents on school runs;
- the discrepancy in the number of shops and businesses between Catshill and North Marlbrook;
- a need for improvements to public transport, lighting and parking;
- the value of 'wildlife' and protection of the Green Belt as key features of the local environment;
- issues arising from anti-social behaviour and crime;
- the need for community and recreational facilities;
- fears associated with further housing provision in Bromsgrove and the Parish, both seen as likely to exacerbate existing traffic problems and locally impacting on services and facilities;
- the positive value placed on 'community spirit' which was the main reason why people liked living in the parish.

5.5 The results of this consultation process then formed the basis for the following vision statement:

***“By 2030 the Parish will have sustained and strengthened its community feel through good quality development and community amenities whilst maintaining its distinctive character and environment.”***

Catshill and North Marlbrook Vision Statement

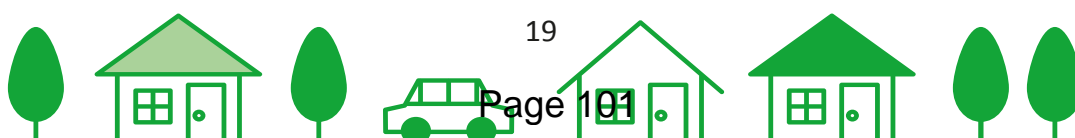
<sup>5</sup> Full results and analysis can be found in Appendix 1



## 6. Consultation Phase 2 - Developing the Plan

6.1 Consultation Phase 2 lasted from October 2017 to December 2019. The main aims of the second phase of the Neighbourhood Plan were to:

- refine objectives and policy options in the working groups based on the agreed Vision Statement;
- obtain grant money and conduct a Landscape Character Assessment Study using independent consultants;
- identify land parcels that had the potential for housing use;
- develop criteria for housing site selection using available evidence including Local Character Assessment Study, Flood Risk and Hydrology Study and Ecology Assessment;
- obtain grant money to design, publish and distribute a detailed questionnaire;
- develop a detailed questionnaire incorporating the findings of the Working Groups and potential housing sites derived from the housing sustainability assessment;
- consult with all the residents of the Parish, using the detailed household questionnaire, on the Vision Statement, Plan Objectives and Preferred Policy Options, together with consideration of preferred housing sites for development;
- analyse the results of the questionnaires and identify the objectives and policies which were supported;
- undertake a 'Call for Sites' exercise with landowners and developers;
- review site assessments taking into account the results of the questionnaire and the impact on traffic volumes from proposed developments at Whitford Road and Perryfields, both in Bromsgrove;
- obtain technical support packages provided by independent consultants through Locality to provide a site assessment review, housing needs assessment and building design codes;
- identify preferred sites for housing development based on results of the questionnaires, the detailed site assessment study and the site assessment review;
- undertake a study to gauge public support for green spaces in the village;
- make full use of the evidence base to generate and provide support for the policy base.





**The dates of the main activities were:**

Working groups develop objectives and policies	October 2017 to March 2018
Undertake Landscape Character Assessment Study	November 2017 to February 2018
Undertake site appraisals for land development	October 2017 to March 2018
Design, publish and distribute level 2 questionnaire	April to July 2018
Collate and analyse results of questionnaires and produce findings. Present results to Steering Group and sign off	August to September 2018
Undertake Call for Sites and analyse comments and feedback received	October to December 2018
Review site assessments	January to June 2019
Progress technical studies	June to December 2019
Undertake local green spaces study	October to December 2019
Draft policies and review	September to December 2019

6.2 The outcomes of the initial consultation (phase 1) helped three working groups to identify the main objectives for each of the topic areas. These objectives were:

***Housing and Infrastructure<sup>6</sup>***

- Ensure sufficient new housing is provided in the most sustainable locations to prevent speculative residential development for the rest of the plan period;
- Provide housing which meets the needs of local residents;
- Prioritise affordable housing, homes for first time buyers and for the elderly;
- Ensure the design of new development is compatible with the character of the Parish.

***Commerce and Community<sup>7</sup>***

- Support local businesses and retail outlets in the Local Centre,
- Support local employment opportunities through business start-ups and home working;
- Protect and enhance, where possible, facilities for all local people in order that the community can take advantage of a full social and active lifestyle;

***Environment***

- Protect the Green Belt and minimise further reduction in its area;
- Protect existing green spaces against encroachment;
- Develop a coherent Green Infrastructure Plan for the Parish;
- Protect wildlife and habitats;
- Promote and support measures to assist in combating climate change.

<sup>6</sup> Originally called Housing

<sup>7</sup> Originally called Infrastructure and Commerce





- 6.3 The policies included in the NP have also had regard to the constraints affecting the Parish. Principal amongst these is that of Green Belt designation which covers all land outside the built-up parts of the settlement. This has prevented coalescence between Catshill and Bromsgrove town, but the modest gap between these settlements has become increasingly vulnerable because of recent and planned developments on the northern and western edges of Bromsgrove.<sup>8</sup>
- 6.4 High quality agricultural land can be found across much of the Parish while open land in North Marlbrook forms part of the backdrop to the Lickey Hills. This area, together with the gap between Catshill and Bromsgrove, is potentially sensitive to change because of its visibility in the wider landscape.



**Lydiate Ash**

- 6.5 There are few buildings of architectural or historic interest and little in the way of a discernible building style. Future development provides an opportunity to create a more distinctive appearance. To this end a study was commissioned of urban form and design by AECOM and provides the basis for securing improvements in the built environment. The few areas of designated open space are locations where development should be resisted and have been included as important features in a Green Infrastructure Network Study.<sup>9</sup>
- 6.6 In formulating policies to address the objectives set out above and to influence the way in which land is used in the Parish a number of key principles were established. These formed the basis against which policy initiatives were tested. The principles are as follows:
1. Avoid changes to Green Belt boundaries that are likely to have an adverse impact on the purposes of Green Belt designation as set out in the NPPF;
  2. In particular, seek to maintain existing boundaries where development would seriously erode important gaps between adjacent settlements or small outlying collections of buildings within the Parish;
  3. Avoid reliance on a single large site for housing purposes to limit the physical impact of new housing, particularly in relation to the landscape, flood risk and traffic generation;
  4. Avoid the use of sites which are distant from the widest range of services and facilities;
  5. Support new housing where the effect on traffic movements and congestion (major issue from questionnaire responses) would be least pronounced;

<sup>8</sup> Land at Norton Farm, Perryfields Road and Whitford Road, Bromsgrove

<sup>9</sup> AECOM Design Guide Study Appendix 13



6. Generally, avoid housing where access to the main road system would exacerbate congestion and be likely to adversely affect highway safety;
7. Have due regard to the outcome of the Landscape Character Assessment study (Appendix 3) and the local topography in relation to all development proposals;
8. Seek improvements to bus services, particularly in North Marlbrook and encourage alterations to routes and additional or relocated bus stops to better serve the community;
9. Encourage measures by the Highway Authority to reduce traffic flows through the Parish by more appropriate signage, speed restrictions, weight limits and similar measures;
10. Ensure protection and enhancement, wherever possible, of existing green spaces;
11. Promote measures to protect and support wildlife, including green corridor linkages, throughout the Parish;
12. Ensure development does not add to known flooding risks in the Parish;
13. Secure adequate provision of community facilities and services for youths and elderly people.

6.7 A series of policies were drafted and tested against these principles through the three working groups covering housing, commerce and the environment.



- 6.8 Policies also took account of local objectives identified by residents and businesses insofar that they were reasonable and deliverable. Measures were included to encourage highway improvements, where possible, safeguard existing employment areas and prevent the proliferation of further 'fast-food outlets'. Steps to increase open space and wildlife habitats were included to develop a Green Infrastructure Network. Following this process, a series of policies were tested through a second round of consultation.
- 6.9 A more detailed level 2 questionnaire was sent to all households in the Parish in June 2018 asking for views on the proposed Vision Statement, objectives and draft policies.
- 6.10 A total of 432 completed questionnaires were received from the 2865 households in the Parish. Statistically this means that the results have confidence intervals of better than + or- 5% at 95% confidence levels.
- 6.11 Detailed information on the results of the questionnaire can be found in Appendix 5. In summary, there was strong support for the Vision Statement (13.9% disagreeing with the statement), objectives and policies on housing, infrastructure and the environment.
- 6.12 Providing new housing was the most contentious issue although 83.1% acknowledged that more dwellings would need to be accommodated in the Parish. There was less consensus regarding site preferences. A number of respondents advocated the use of 'brownfield' land (22.2%) with almost 39% opposed to any housing development.
- 6.13 The continued absence of a housing target for the Parish or any information on local housing needs led NP members to conclude that further work was needed to improve its evidence base. This was regarded as essential given that the District Council was engaged in an extensive Green Belt review to identify land capable of meeting its outstanding housing requirements and needs beyond 2030. Its task was complicated by changes to the government's housing methodology, a requirement for it to accommodate some of the housing needs of the conurbation authorities and for housing needs evidence at a district/parish level.
- 6.14 The NP Steering Group therefore took advantage of technical support packages to commission three studies using consultants (AECOM).<sup>10</sup>
- independently assess potential housing sites;
  - examine housing needs and numbers;
  - examine design characteristics in the parish.
- 6.15 A further study was undertaken by the Steering Group to garner support for the designation of local green spaces as part of a Green Infrastructure Strategy for the Parish. Information on each of these studies can be found in the next chapter with full details provided in the Appendices 8, 9, 12 and 13.

<sup>10</sup> <https://neighbourhoodplanning.org/about/technical-support/>



## 7. Consultation Phase 3 - Finalise the Plan

---

7.1 The third Phase of Consultation lasted from January 2020 to February 2021. The main aims of the third phase of the Neighbourhood Plan were to:

1. Finalise the draft report and submit to the Parish Council for approval;
2. Prepare for 'regulation 14' six week consultation;
3. Undertake a 6 week consultation with workshops and events;
4. Collate responses and feedback;
5. Review policies and all documentation;
6. Finalise NP Report and other required documentation;
7. Submit statutory documentation to the District Council.

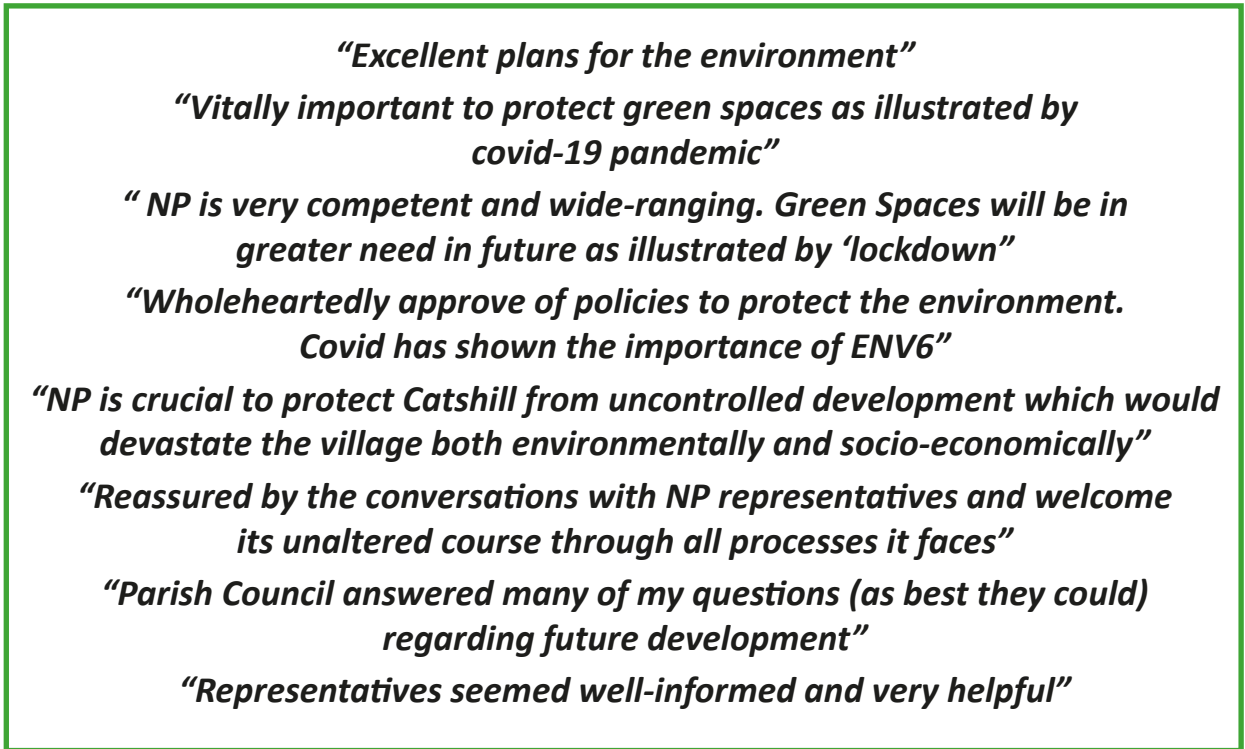
**The dates of the main activities were:**

Finalise draft NP report and submit for approval to Parish Council	January 2020 - April 2020
Prepare for 'Regulation 14' six week consultation	May 2020 - August 2020
Undertake 6 week consultation with workshop and events	21st September 2020 - 2nd November 2020
Collate responses and feedback - Review policies and all documentation - Finalise NP report and other required documentation	December 2020
Submit statutory documentation to Parish Council	January 2021
Parish Council submit statutory documentation to BDC	February 2021

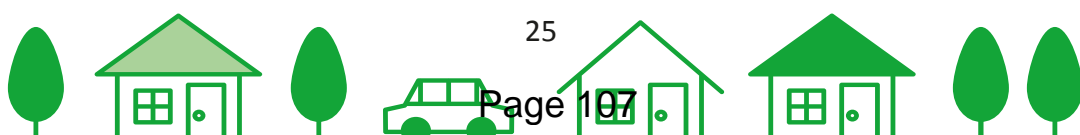
7.2 The 'Regulation 14' six week consultation period was held between 21st September and 2nd November 2020. Three exhibition events were held during this period in the local village hall under Covid conditions. They were attended in total by over 50 residents of Catshill and North Marlbrook Parish. The pre-submission NP Report, together with the evidence base (13 Appendices), was made available for scrutiny during these events and on the NP website. Responses were received on a comments form. Statutory consultees and interest groups were also asked for responses during the consultation period.



- 7.3 In total, 62 responses were received. As a result of these, mostly minor revisions were made to the pre-submission NP report. However, policies H2 and H3, together with the supporting justification to each, were modified to provide more explanation of the factors to be considered in any development.
- 7.4 Many of the comments received were influenced by the Covid pandemic and the increased need for the protection of the environment, particularly green and open spaces. Support was also shown for the Neighbourhood Plan and the people involved in producing the Plan.



- 7.5 The statutory documentation for ‘regulation 15’ was finalised, including this submission Neighbourhood Plan report, consultation statement, basic conditions statement and a map identifying the area to which this neighbourhood plan applies. The consultation statement included the 62 consultation responses from the ‘regulation 14’ consultation. After the Neighbourhood Plan report was adopted by the Parish Council it was sent to Bromsgrove District Council for ‘regulation 16’ consultation.





# SECTION 3 - NEIGHBOURHOOD PLAN POLICIES



## 8. Housing and Infrastructure

### 8.1 Introduction

- 8.1.1 New housing in the Parish can contribute towards the dwellings that Bromsgrove District Council (BDC) requires to satisfy its outstanding needs following the examination of the District Plan in 2016.<sup>11</sup> The NP has an important role in influencing where such housing is located and what types and sizes of properties are most suitable to meet the needs of existing and future residents.
- 8.1.2 The amount of housing to be provided is unclear. Difficulties have been compounded by changes to the government's housing methodology, demands on BDC to find land to meet some of the housing needs of the conurbation authorities and for evidence on housing needs at District/Parish level. BDC is reviewing its BDP to take these matters into account.
- 8.1.3 In these circumstances BDC has been unable to provide a figure or an estimate of the number of dwellings the Parish may be required to accommodate.
- 8.1.4 A number of studies were undertaken for the NP in order to obtain sufficient evidence to identify and justify a basic level of housing provision. From this work it was possible to consider where land for housing might be found during the current Plan period to 2030. This end date adheres to that for the adopted BDP. In the absence of any known strategy or level of growth, extending the lifespan of the NP is not possible.
- 8.1.5 Furthermore, it is apparent that traffic is an issue which has and will continue to have a significant effect on the Parish. Concerns have been heightened because of planned developments on the western periphery of Bromsgrove Town. These schemes are likely to generate large number of vehicular movements with many residents from these developments adding to those already using Catshill as a through route to the M5 motorway.

### 8.2 Local Plan Review

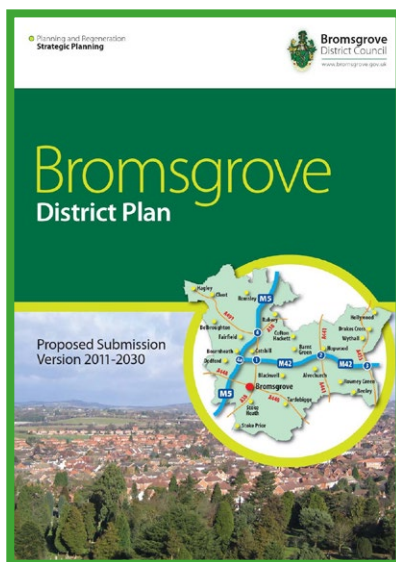
- 8.2.1 BDC commenced a review of its Local Plan in 2019. The draft timetable shows BDC expects to adopt the revised Plan in 2023 and that its original end date of 2030 will be extended to 2040. This is consistent with national policy (NPPF para. 22) which says that plans should look ahead over a minimum 15 year period from the date of adoption. To date the minimum housing requirement for the district, from 2023 to 2040, is 6443 new homes based on the methodology used. This is likely to be adjusted upwards to align with ambitions for economic growth and to meet the need for specialist accommodation (minimum of 379 homes per year).<sup>12</sup>

<sup>11</sup> Inspectors Report 16th December 2016.

<sup>12</sup> The Bromsgrove Development Plan Review Update and Further Consultation (September 2019)  
[https://www.bromsgrove.gov.uk/council/policy-and-strategy/planning-policies/bromsgrove-district-plan-review/plan-review-update-and-further-consultation-\(2019\).aspx](https://www.bromsgrove.gov.uk/council/policy-and-strategy/planning-policies/bromsgrove-district-plan-review/plan-review-update-and-further-consultation-(2019).aspx)



- 8.2.2 The Birmingham Development Plan (January 2017) found that 37,900 homes were required in the Greater Birmingham Housing Market Area (which covers adjacent authorities, including Bromsgrove) to meet the shortfall in the city.<sup>13</sup> It requires neighbouring Councils to work together to contribute towards Birmingham's housing needs. The District Council has a duty to co-operate on planning issues that cross administrative boundaries.
- 8.2.3 Bromsgrove District Council consulted on a range of issues and options in 2018 as part of its preparatory work for reviewing the Local Plan.<sup>14</sup> The responses to the Issues and Options identified made clear that extensions to existing settlements were favoured over large scale interventions such as new settlements. The delivery of a new settlement (of some 10,000 - 15,000 dwellings) and its associated infrastructure by 2040 was considered to be unrealistic. There was also little support for a new settlement. Instead, it is the intention that the BDP Review will focus on a range of sites which can be delivered within the plan period. The final distribution will be determined using the evidence gained from a number of studies (see para. 1.7), including a 'Call for Sites' exercise.<sup>15</sup> The latter was undertaken in 2019 and resulted in 23 sites being identified in Catshill and North Marlbrook. These cover 101.29 acres, the majority of Green Belt land in the Parish.
- 8.2.4 It is evident that land has to be released from the Green Belt to meet the District's housing targets because there are few other options, including a lack of 'brownfield' sites. When reviewing Green Belt boundaries national planning policy (NPPF para.139) requires local planning authorities to consider the need to safeguard land between the urban area and the Green Belt in order to meet development needs beyond the plan period. Complying with this requirement would mean that additional land would need to be taken out of the Green Belt for the post 2040 period.



<sup>13</sup> [https://www.birmingham.gov.uk/info/20054/planning\\_strategies\\_and\\_policies/78/birmingham\\_development\\_plan](https://www.birmingham.gov.uk/info/20054/planning_strategies_and_policies/78/birmingham_development_plan)

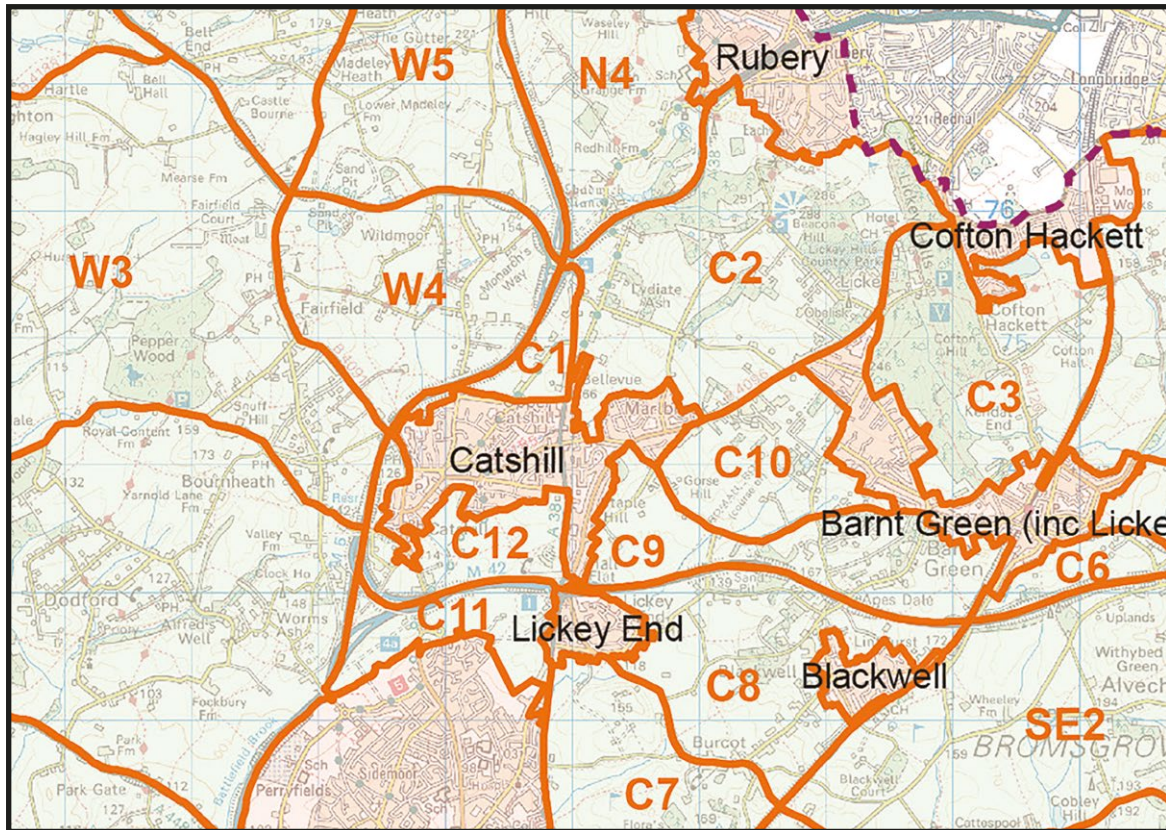
<sup>14</sup> <https://www.bromsgrove.gov.uk/council/policy-and-strategy/planning-policies/bromsgrove-district-plan-review/issues-and-options-consultation.aspx>

<sup>15</sup> N.B. This is a separate 'Call for Sites' exercise than the one undertaken by the Parish Council for the Neighbourhood Plan





8.2.5 Consequently, BDC has undertaken an assessment of all Green Belt areas through a two-stage process.<sup>16</sup> Part 1 examined 60 strategic areas of the Green Belt; Part 2 will assess individual sites. Both elements of the study will have regard to the role and purposes of the Green Belt as defined in the NPPF (para. 134). Three strategic parcels of Green Belt land are relevant to this Parish; parcel C1 (North of Catshill, East of M5); part of parcel C2 (South of A38, Lydiate Ash) and parcel C12 (South of Catshill, north of M42). The following diagram shows these parcels of land:



**Fig 4. Strategic Parcels of Land around Catshill and North Marlbrook  
(taken from BDC Study)**

**Strategic Parcel Ref. C1**

	Purpose	Comments	Strength of Contribution
1	To check the sprawl of large built-up areas	Parcel does not play a role in preventing sprawl.	No Contribution
2	To prevent neighbouring towns from merging	The parcel is not pivotal in providing a gap between Catshill and Rubery.	Weak
3	To assist in safeguarding the countryside from encroachment	The parcel has a limited rural sense.	Weak

<sup>16</sup> <https://www.bromsgrove.gov.uk/council/policy-and-strategy/planning-policies/bromsgrove-district-plan-review/evidence-base/green-belt-purposes-assessment.aspx>

### **Strategic Parcel Ref. C2**

	<b>Purpose</b>	<b>Comments</b>	<b>Strength of Contribution</b>
<b>1</b>	To check the sprawl of large built-up areas	Parcel plays a significant role in preventing the uncontrolled spread of Rubery.	Moderate
<b>2</b>	To prevent neighbouring towns from merging	Parcel plays a strategic role in retaining the separation between the settlements of Catshill and Rubery and Barnt Green.	Strong
<b>3</b>	To assist in safeguarding the countryside from encroachment	Parts of the parcel have countryside characteristics and there is a rural sense mainly in the areas from Marlbrook towards Monument Lane/Lickey Hills and the back of Lydiate Ash.	Moderate

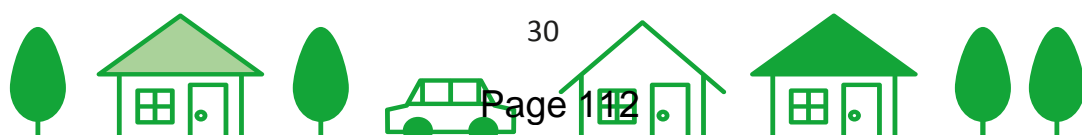
### **Strategic Parcel Ref. C12**

	<b>Purpose</b>	<b>Comments</b>	<b>Strength of Contribution</b>
<b>1</b>	To check the sprawl of large built-up areas	Parcel does not play a role in preventing sprawl	No contribution
<b>2</b>	To prevent neighbouring towns from merging	The parcel constitutes the majority of the gap between Catshill and Bromsgrove Town.	Strong
<b>3</b>	To assist in safeguarding the countryside from encroachment	The parcel has a rural sense and exhibits countryside characteristics, but there are some urbanising features.	Moderate

- 8.2.6 BDC’s assessment shows that parcel C1 makes a limited contribution to the purposes of the Green Belt, whereas both parcels C2 and C12 make more significant contributions, particularly in preventing neighbouring towns merging with Catshill.
- 8.2.7 When altering Green Belt boundaries to identify land for housing purposes it is estimated that a minimum of 379 new homes per year will be required to 2040, a figure derived using the Government’s standard methodology. As noted above (para. 8.2.3) the District Council favours extensions to existing settlements. This would enable development to be focused on more sustainable locations such as transport corridors and places with good transport links, rather than large scale new settlements.<sup>17</sup>
- 8.2.8 To investigate the range and feasibility of potential housing sites BDC has undertaken a ‘Call for Sites’ exercise.<sup>18</sup> This led to 23 sites in Catshill and North Marlbrook being submitted covering 101.29 acres of land, a figure representing the majority of Green Belt land across the Parish.

<sup>17</sup> <https://www.bromsgrove.gov.uk/council/policy-and-strategy/planning-policies/bromsgrove-district-plan-review/issues-and-options-consultation.aspx>

<sup>18</sup> Bromsgrove District Council 'Call for Sites' Exercise, Autumn 2019



### 8.3 Addressing Housing Requirements

- 8.3.1 The current 'settlement hierarchy' (BDP2) in the BDP identifies Catshill as one of six large settlements which will be allocated a proportion of housing development after 2023. Bromsgrove Town sites have already been allocated and few housing schemes will be permitted in smaller, more rural settlements. It is therefore anticipated that the majority of the 2,300 remaining dwellings (for the current plan period to 2030) will be allocated to the six large settlements.
- 8.3.2 The distribution of these homes to the six settlements is not detailed in the District Plan, which explains that “at this stage it is not considered appropriate to apportion a particular number or percentage of dwellings to tiers within the settlement hierarchy or individual settlements. Instead, it is more important to focus on identifying the most suitable and sustainable sites for growth” (para 8.20).
- 8.3.3 In the absence of a figure for the Parish, a number of studies were undertaken by and on behalf of the Parish Council to ascertain the amount and type of dwellings that could be justified. A Site Assessment Study was carried out by the Neighbourhood Plan Group to examine the suitability of all potential sites in the Parish. Appendix 14 provides summary details of these studies and their outcomes. (More detailed site assessment analysis is contained in Appendices 7, 9 and 10). It is not intended that the conclusions reached should substitute for the ongoing work being carried out by the District Council on housing need or the extent of Green Belt within the District, rather that they should be seen as contributions to those exercises. The policies in this Neighbourhood Plan are not directly impacted by any of the detailed conclusions of these studies. Policy H1 provides criteria on which to assess major new housing development in the Parish.



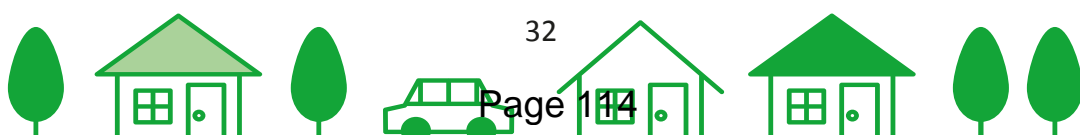
## 8.4 Housing Needs Assessment

- 8.4.1 The 2012 Worcestershire Strategic Housing Market Assessment (SHMA) found the proportion of older person households (those over the current working age) in the county was forecast to grow from 21.4% to around 33% of the total population.<sup>19</sup> This suggests that there will be high demand for smaller properties suited to meeting the needs of older person households. In the Parish 30% of the population is aged over 60 (Census 2011).
- 8.4.2 As development opportunities arise, evidence from the Worcestershire SHMA, community consultations and the Amion Housing Needs Assessment<sup>20</sup> supports the view that accommodation should be one or a combination of the following smaller types:
- a. Affordable housing for rental or shared ownership only by those with a local connection;
  - b. Properties aimed at those elderly residents downsizing, young families or first-time buyers, with an emphasis on smaller houses of the two to three bedrooms;
  - c. Properties built to the latest technical standards, with a proportion of ground floor single-storey dwellings located close to key facilities, suitable for more elderly residents.
- 8.4.3 The adopted Bromsgrove District Plan requires provision of up to 40% affordable dwellings on greenfield sites or any site accommodating 200 or more dwellings (policy BDP8). The policy says the focus should be on smaller units because of the existing high proportion of 4 and 5 bedroom homes. This is reinforced in policy BDP7 (Housing Mix and Density) which highlights the need to deliver more 2 and 3 bedroom properties in order to help create mixed and vibrant communities.
- 8.4.4 These findings and policy position in the local plan were echoed by local residents in the initial consultation who felt that the 'balance of housing types' and the 'mix of housing sizes' were equally important housing matters to be addressed. The provision of 'affordable homes' was a further significant response, including the need for homes for 'first time buyers'. The second round of consultation also elicited a high number of comments regarding the type of housing needed. This suggested affordable homes, homes for the elderly and social housing should be the first priority when developing a housing strategy.<sup>21</sup>
- 8.4.5 In order to understand local conditions, a Housing Needs Assessment was carried out by AECOM to determine whether the SHMA and Local Plan policies were relevant for the Parish (Appendix 8). The intention was that this study would provide the evidence needed to ensure the correct housing types, sizes, tenure and affordability were identified to meet the needs of the local community.

<sup>19</sup> <https://www.swdevelopmentplan.org/?page id=3602>

<sup>20</sup> Amion Housing Needs Assessment – Report in response to Inspector’s Interim Conclusions -29th August 2014

<sup>21</sup> <http://catshillandnorthmarlbrookplan.org.uk/results-of-level-2-questionnaire-survey/>





## 8.5 Type and Size of housing

- 8.5.1 The composition of Catshill and North Marlbrook households reflects its stock of medium-to-large housing; more than half of the dwellings in Catshill have three-bedrooms. Although there has been an increase in the number of very large homes in the area, families with dependent children have fallen, and with home owners between the ages of 25 and 44.
- 8.5.2 Between the 2001 and 2011 Censuses, the number of young people in Catshill and North Marlbrook declined much faster than those in Bromsgrove but there was an increase in the older population. It is reasonable to expect the ageing population of the Parish will be even more marked than that of Bromsgrove.

Age group	Catshill and North Marlbrook	Bromsgrove	England
0-15	-12.3%	-2.6%	1.2%
16 -24	10.4%	20.5%	17.2%
25-44	-12.3%	-8.2%	1.4%
45-64	4.9%	10.9%	15.2%
65-84	27.2%	23.4%	9.1%
85 and over	55.2%	46.9%	23.7%

**Fig 5. Rate of change in the age structure in the Parish population, 2001-2011**

- 8.5.3 The main demographic challenge for the Parish is the significant loss of younger people and the growth in the elderly population. As noted in the tenure section below, affordability has hindered many who are looking for a home. The decline in young people could be attributed to the lack of a sufficient supply of affordable dwellings and, if so, this shortfall should be addressed as a matter of urgency. Alternatively, younger age groups may move away for other reasons and the stock of housing should be rebalanced to suit the growing retirement-age cohort. In either case, an increase in the number of smaller dwellings should be sought.
- 8.5.4 The AECOM report concludes that the unmet demand for more affordable dwellings, such as flats, should be addressed. To meet needs, it recommends that 7.2% of new dwellings should have one bedroom and 39.5% should have two bedrooms. There is no requirement for 3-bedroom houses during the remainder of the plan period. Conversely, a need does exist for larger dwelling sizes, of four or more dwellings, where there is currently under provision. It is also suggested that bungalows should be built, if possible, to meet the needs of an ageing population and because other smaller dwelling types, such as flats, may not in practice be popular market propositions in Catshill and North Marlbrook.



## 8.6 Tenure and Affordability

8.6.1 Housing tenure is broadly spilt between two categories, affordable and market housing. The mix of tenures in Catshill and North Marlbrook is shown in the following table:

Tenure	Catshill and North Marlbrook	Bromsgrove	England
Owned; total	73.5%	79.5%	63.3%
Shared ownership	1.5%	0.6%	0.8%
Social rented; total	16.5%	10.0%	17.7%
Private rented; total	7.5%	8.8%	16.8%

**Fig 6. Housing Tenure (households) in the Parish, 2011**

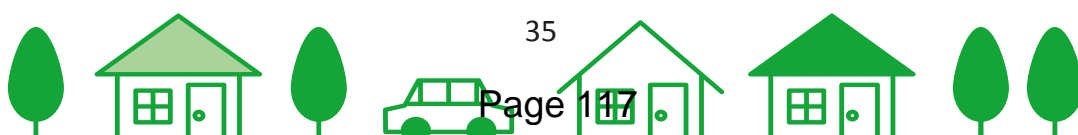
- 8.6.2 Catshill and North Marlbrook has a higher proportion of those who own their own home than the national average, and a corresponding lack of affordable dwellings for rent. The proportion of those in social rented accommodation is higher than that of the District, while private rented accommodation remains lower.
- 8.6.3 The rates of private renting and shared ownership across Bromsgrove suggest that these tenures are becoming more common tenures for those priced out of market housing. The latter is not close to being affordable for most people on average incomes, although 25% shared ownership and social rent are feasible for these households. Those whose earnings are in the lower quartile bracket are unable to afford any of the tenures described, pointing to an overwhelming issue of affordability in the area.
- 8.6.4 Emphasis should therefore be placed on maximising the provision of affordable homes while ensuring that development sites are viable. More affordable houses for market sale and market rent would also reduce affordability pressures on these tenures and expand the options available to households at all income levels.
- 8.6.5 AECOM estimates that 73 households in Catshill and North Marlbrook are currently unable to access housing that meets their needs, and that a further 38 households will be in need of affordable homes over the plan period.
- 8.6.6 Providing new development in the parish is compliant with local plan policy (i.e. 40% affordable home provision), and sufficient sites come forward above the minimum size threshold for affordable housing delivery (10 dwellings), this should be sufficient to meet the needs of the community, which amounts to 111 dwellings.
- 8.6.7 A move away from the high proportion of owner-occupation to achieve a more balanced housing profile for the Parish is desirable if the housing needs of both younger and elderly households is to be met. More emphasis should be placed on building properties that are generally smaller and are affordable to most households (such as Social and Affordable Rent). Achieving or exceeding Bromsgrove's target of 40% affordable homes on greenfield developments of 10 units or more should therefore be encouraged wherever possible.
- 8.6.8 Policy H2 requires new housing development to provide a mix of size, type and tenure consistent with the findings of the AECOM Housing Need Assessment summarised above.



## 8.7 Quality Design

- 8.7.1 The first round of consultation (2017) on the NP process found that the 'character of properties' was important to many residents and that it should be taken into account in new house design, along with the need for developments to be sustainable. Good design standards were also mentioned in a significant proportion of the comments received in a second round of consultation the following year (2018). Consequently, the NP Vision Statement is underpinned by a presumption that development should be of good quality which helps retain the character of the village.
- 8.7.2 National planning policy encourages local communities to participate in the process of developing design policies which reflect local aspirations and are grounded on an understanding of each area's defining characteristics (NPPF para.125). Neighbourhood plans therefore have an important role in identifying the special qualities of each area and explaining how this should be reflected in new development through their policy content (NPPF para.29). This is reinforced by the direction that planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions (NPPF. Para 130).
- 8.7.3 Similarly, the supporting text to BDC Policy BDP19 (High Quality Design). para. 8.189, explains that good design is a key aspect of sustainable development which can help to create well-built and connected places where design contributes to a robustness that will last well beyond the construction of any particular building. Local distinctiveness (para. 8.191) can be enhanced by local features including street pattern, green spaces, building layout and architectural styles. Details such as building materials, trees and boundary treatments also play an important role in defining the character of an area.
- 8.7.4 AECOM was commissioned to provide design guidelines having regard for the existing character and context of the Parish in line with NPPF and BDC's good design principles. These guidelines advocate character-led design by employing ten design codes which are intended to respond to the existing pattern and form of development. These cover various aspects of the built and natural environment including the style, form and appearance of new buildings, the space around them and their connections to footpaths, cycle routes and the road network. The Design Guide (Appendix 13) also addresses more detailed matters such as building materials, architectural details and how energy efficient technologies can be incorporated into buildings.<sup>22</sup>
- 8.7.5 Policies H3, H4 and H5 require new housing development and extensions to existing houses to be designed and planned with regard to the existing character and context of the Parish consistent with the findings of the AECOM Design Guide summarised above.

<sup>22</sup> Catshill and North Marlbrook Design Guide, March 2020 AECOM



## 8.8 Traffic and Infrastructure

- 8.8.1 Consultation events in 2017 and 2018 found that traffic was the most significant source of concern for residents. Traffic volumes, congestion and pollution figured prominently in responses while parking difficulties were mentioned because the number of vehicles exceeded the capacity of the present infrastructure. The diagram (**Fig.7**) on the following page, from the initial consultation in 2017, shows the dominance of traffic as the most contentious issue in the Parish.
- 8.8.2 Residents identified 'traffic volume', 'speeding traffic' and 'traffic noise' as the top reason that 'detracted from living in the village'. Numerous comments supported this view:

***"Horrendous traffic congestion - Catshill is a cut through"***  
***"Increasing traffic through village, gridlock"***  
***"High volume of traffic along Stourbridge Road"***

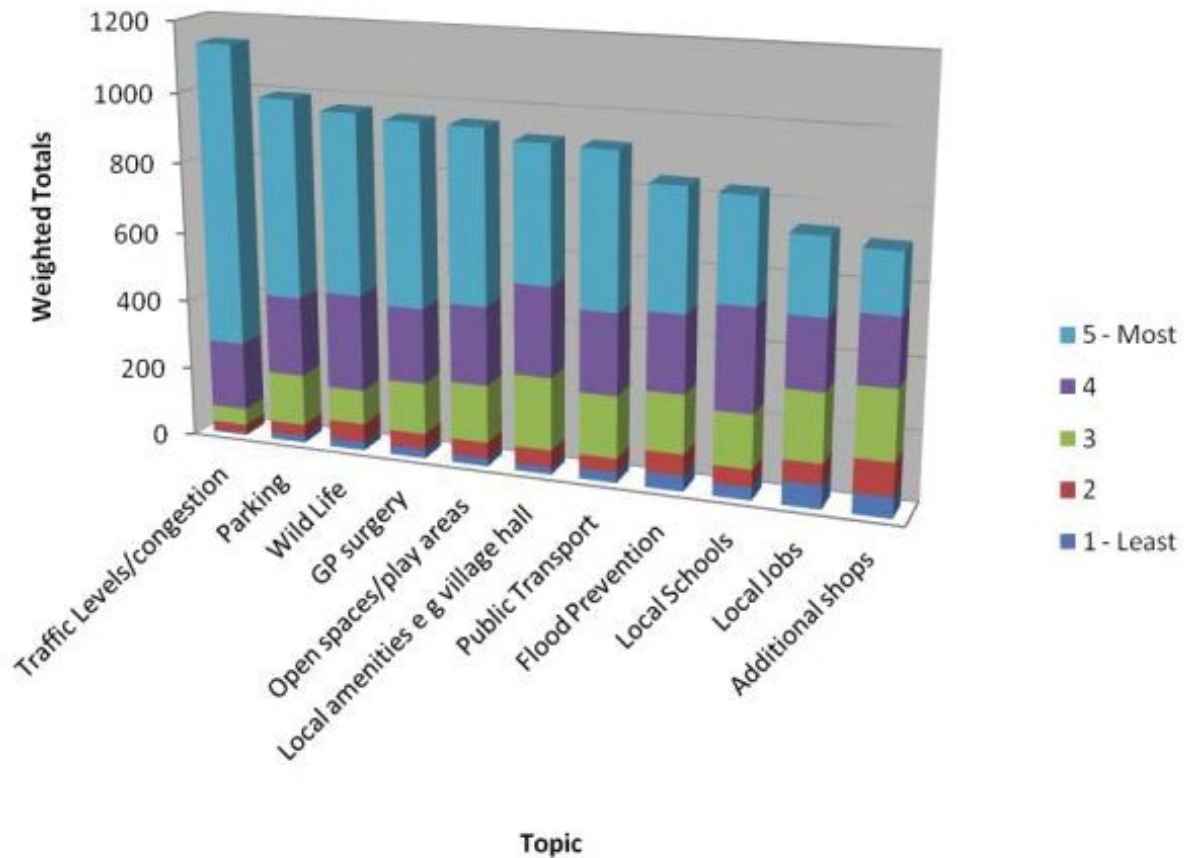
- 8.8.3 Stourbridge Road, Meadow Road, Gibb Road, Golden Cross Lane and Woodrow Lane are under most pressure. Traffic and parking issues are compounded on Meadow Road, which has three schools and two coach services, and Golden Cross Lane where the majority of shops are located. In Meadow Road parking close to the schools created difficulties because of inadequate parking facilities, leading to blocked pavements. Road and pavement maintenance is also considered to be poor. Resident's frustrations can be summarised in these views:

***"Parking around local schools - safety issue"***  
***"Traffic speed and noise on Golden Cross Lane"***  
***"Problems parking during school hours"***



**Catshill First School on Meadow Road**





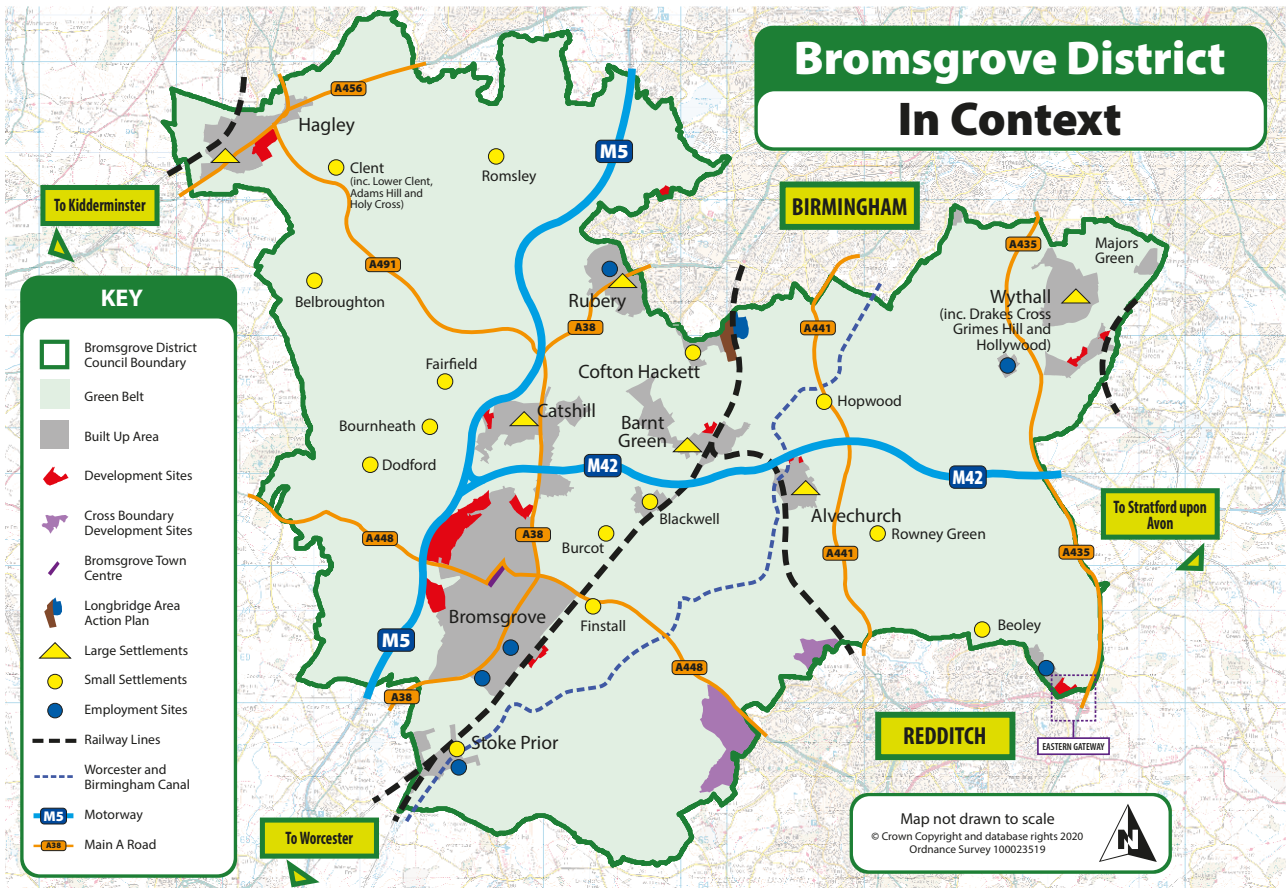
**Fig 7. Most important topics**

8.8.4 The proximity of the Parish to the motorway network has been a 'double edged sword' leading to a high volume of traffic through Catshill at peak times. Many residents in the District commute to work in and around Birmingham. (para.2.8 - Bromsgrove Adopted Plan Jan 2017). Catshill lies on an obvious route from the west and south of Bromsgrove to the M5 (junction 4) so that motorists use the village as the most direct route to the motorway.



**Intersection of Stourbridge Road and Meadow Road**

8.8.5 It is inevitable that the pressure on the local road network will increase once three sites identified on the western and northern edge of Bromsgrove Town are completed. These sites will provide more than half of the District Council's planned delivery of 4700 dwellings by 2023 and are included in its local plan (policy BDP5). One of these sites at Norton Farm, Birmingham Road (BROM1) is under construction and expected to provide 316 houses. This will increase traffic primarily on the A38. Two other sites at Perryfields Road (BROM2) and Whitford Road (BROM3) are the subject of planning applications and expected to provide approximately 1800 dwellings. These urban extensions can be seen on the following diagram:



**Fig 8. Bromsgrove Local Plan Development Sites 2004**

8.8.6 Applications for BROM2 and BROM3 are subject to strong opposition from local residents and action groups like 'Whitford Vale Voice' and 'Perryfields New Development' who are concerned that the existing road network cannot cope with the traffic expected to be generated by these schemes. Both developments will also have implications for traffic through Catshill as they will reinforce the cross-town movement of vehicles heading towards the motorway (M5, junction 4).

- 8.8.7 A technical note published by Whitford Vale Voice on likely traffic flows from the Whitford Road and Perryfields sites says in connection with the applicant's figures:

***"With regards to the impact of development in Catshill, the Applicant assigns 33.2% of Whitford Road residential development vehicle trips plus 32.6% of residential and 28.4% of employment development vehicle trips from Perryfields to the Catshill Area."***

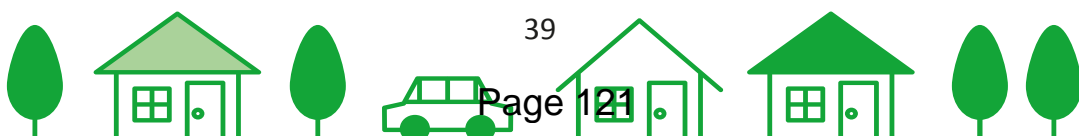
***"Concerned about impact of development vehicle trips at the Perryfields Road / Stourbridge Road and Stourbridge Road / Barnsley Hall Road junctions on the grounds that development at the Whitford Road site will introduce in excess of 100 additional vehicle trips at these locations." <sup>23</sup>***

- 8.8.8 Traffic flowing north from both sites (1800 dwellings) towards the motorway will travel via Perryfields Road to Stourbridge Road, before turning into Meadow Road in Lower Catshill on towards the A38 via Gibb Lane or Woodrow Lane. While work is proposed by the developers at the appropriate junctions to mitigate the impact of extra traffic this will not increase road capacity. Improvements are also planned by the County Council to the main junctions along the A38 corridor from Lydiate Ash (M5, Junction 4) to Hanbury Turn (junction with B4091 Hanbury Road).<sup>24</sup> However, it is unlikely that these will provide a satisfactory solution to Bromsgrove's road infrastructure problems and there have been consistent calls for the building of a Western Distributor Road.
- 8.8.9 Whatever mitigation measures are taken to enhance junctions and reduce congestion it is evident that traffic volumes and pollution will increase in Catshill once the Bromsgrove Town expansion sites are built-out. Traffic has a serious impact on local residents and it must be a guiding principle that housing development in the village should minimise its contribution to traffic volumes and pollution. This is particularly so for Stourbridge Road as far as its junction with Meadow Road, which is the principal route for traffic from the south entering the village. The results from the second questionnaire (2018), showed that opposition to future housing was in part a response to the expectation that traffic problems would get worse if more housing was permitted.

<sup>23</sup> Technical Note WVV BDC 45 Planning Application 16/1132

Site A Land off Whitford Road Traffic Study Area Review June 2019

<sup>24</sup> Worcestershire County Council's 4th Transport Plan and <http://www.worcestershire.gov.uk/ltp4>  
<http://www.worcestershire.gov.uk/a38improvements>



- 8.8.10 Residents also saw 'public transport', as an area which required improvement. Improvements sought included direct connections to Bromsgrove rail station, more frequent buses to Bromsgrove, more frequent trains to Birmingham and bus services to the hospitals. An improved bus service was also needed to serve residents living in North Marlbrook. Among comments received were:

***"Better public transport for North Marlbrook.  
It seems adequate for Catshill"  
Younger people want bus services to run later in the  
evening, especially from Birmingham;  
"Bus services that run later than 10pm during the week"***

- 8.8.11 Poor public transport was one of the reasons that 'detract from living in the parish' according to consultation responses. The lack of evening buses and poor services for North Marlbrook were highlighted once again. One respondent commented that public transport was poor after 5pm while another complained about the disrepair of bus shelters:

***"Some bus shelters on the A38 are in need of cleaning or mending as they  
are covered in algae and shabby when I walk past"***

- 8.8.12 Improvements to public transport have the potential to reduce the use of cars by local residents and it is one of the BDC's objectives to encourage more sustainable modes of travel including a more reliable public transport network across the District.<sup>25</sup> However, the most strategic bus service (No. 144) passing through the Parish and linking Birmingham and Worcester has been reduced in frequency from two to one bus per hour in each direction discouraging, for example, those who might use the service to get to work.<sup>26</sup>
- 8.8.13 Community Action CA2 looks to work with the relevant authorities to encourage reductions in speed through the Parish and better management of traffic. Community Action CA3 seeks to improve local bus service provision and connectivity, particularly for North Marlbrook residents and for improvements in services in the evenings and on Sundays.

<sup>25</sup> Bromsgrove District Local Plan Strategic Objective 6

<sup>26</sup> <https://www.bromsgrovestandard.co.uk/news/bromsgrove-to-birmingham-your-phenomenal-response-to-144-bus-cuts/>





## 8.9 Relevant Bromsgrove Local Plan Policies

**BDP2 Settlement Hierarchy:** explains there are ‘four facets to the delivery of housing’ within the district, including ‘Development sites in or adjacent to large settlements’ which identifies Catshill as one of six large settlements.

**BDP3 Future Housing and Employment Growth:** confirms 4,700 homes are to be provided outside of the Green Belt and 2,300 homes within the Green Belt following a Green Belt Review.

**BDP4 Green Belt:** states that a Green Belt Review will be carried out before 2023 to find sufficient land to accommodate 2,300 dwellings. The review will take into account up to date evidence and any proposals in Neighbourhood Plans. The policy sets out the criteria for which development would be acceptable within the Green Belt.

**BDP5 Other Development Sites:** includes a site allocated for 80 dwellings in Catshill which has been completed.

**BDP7 Housing Mix and Density:** requires housing proposals to take account of identified housing needs in terms of size and types of dwellings. On schemes of 10 or more dwellings a wider mix of dwelling types may be required. The density of new housing will make the most efficient use of land whilst maintaining character and local distinctiveness.

**BDP8 Affordable Housing:** Affordable housing will be required on sites providing a net increase of 11 or more dwellings: On greenfield sites up to 40% affordable housing will be required or on any site accommodating 200 or more dwellings. For brownfield sites affordable requirements are for up to 30% where there would be less than 200 dwellings.

**BDP10 Homes for the Elderly:** the District Council will encourage the provision of housing for the elderly and for people with special needs, where appropriate.

**BDP16 Sustainable Transport:** development should comply with Worcestershire County Council’s policies, design guide and car parking standards, incorporate safe and convenient access and be well related to the wider transport network.

**BDP19 High Quality Design:** provides a set of principles to safeguard the local distinctiveness of the District and ensure a high quality, safe and distinctive design throughout the development.



## 8.10 Housing and Infrastructure Objectives and Policies

HOUSING OBJECTIVES	NEIGHBOURHOOD PLAN POLICIES RELATING TO OBJECTIVE	BROMSGROVE LOCAL PLAN POLICIES RELATING TO OBJECTIVE
Ensure sufficient new housing is provided in the most sustainable locations to prevent speculative residential development for the rest of the plan period.	H1	BDP2
Provide housing which meets the needs of local residents.	H2	BDP7
Priority should be given to affordable homes, the elderly and dwellings for first time buyers.	H2	BDP7 BDP8 BDP10
Ensure the design of new development is compatible with the character of the Parish.	H3 H4 H5	BDP19

### H1. Criteria for major new housing development

Proposals for major residential development of ten or more dwellings should demonstrate that they accord with all other policies of the Neighbourhood Plan and, in particular, they should satisfy the following criteria:

- a) Ensure that revised Green Belt boundaries are defensible in the longer-term, especially the maintenance of existing gaps between:
  - i. Catshill and Bromsgrove Town
  - ii. North Marlbrook and Lydiate Ash
- b) Ensure housing is not located where it would have an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe;
- c) Development is located to provide sustainable access to the local shopping centre on Golden Cross Lane;
- d) Development endeavours to minimise its visual impact in the wider topography and has appropriate regard on the capacity of the landscape to accept change;
- e) Ensure suitable landscaping is provided on-site and, wherever possible, provide linkages to the Green Infrastructure Network.

#### Justification

*The objective of this policy is to minimise the impact of new housing on the most sensitive parts of the Green Belt and landscape within the Parish. In accordance with NPPF para. 109, development should not be located where the residual cumulative impacts on the road network would be severe. This is most likely to arise on core parts of the main road network. Schemes should also avoid locations which are distant from local services and facilities because this is more likely to encourage the use of motor vehicles.*



## H2. Housing mix in major new developments

New residential development in the Parish of more than 10 dwellings will be supported where it provides a mix of housing types, tenures and sizes in a way which broadly reflects the findings of the AECOM Housing Need Assessment or subsequent studies. In particular, schemes that would provide some or all of the following will be supported in principle:

- a) smaller dwellings of one and two bedrooms;
- b) properties suitable for the elderly;
- c) a mix of housing tenures including social and affordable rent and shared ownership;
- d) sufficient affordable housing to achieve the BDC target for affordable housing specified in the adopted local plan.

### Justification

*The release of land for housing development before 2030 will contribute to the District Council's overall housing target. The AECOM Housing Needs Assessment (Appendix 8) found that the limited supply of smaller homes was leading to a steady decline in young adults, including those with families, and that there was a need for smaller homes in preference to larger properties. New housing should address these issues by providing a mix of accommodation including different types of social housing tenure and homes for the elderly. Phased development will be supported, particularly where this leads to more variety in the built form. Should subsequent housing need studies be completed, such as that being undertaken by District Council, development proposals should reflect any revisions to the amount, mix and housing tenure types that are required.*

## H3. Design principles

New housing should be designed to meet relevant energy and construction standards and have regard to the design principles set out in the Catshill and North Marlbrook Design Guide. Development proposals should demonstrate that they have considered and applied the following design principles:

- a) they harmonise with and enhance the existing settlement in terms of physical form, pattern and movement;
- b) they relate to the local topography and landscape features, including prominent ridge lines and long distance views;
- c) they enhance the established pattern of streets and other public spaces;
- d) they integrate with existing vehicular and pedestrian routes and linkages;
- e) they respect surrounding buildings in terms of scale, height, form and massing;
- f) they make suitable provision for sustainable waste management, including collection points, without having an adverse impact on the streetscene;
- g) they integrate energy efficient technologies as part of the design process;
- h) they promote social inclusion by ensuring social housing is fully integrated with the overall design;
- i) through design they minimise the potential for crime and anti-social behaviour.

*Continued on next page*



### **Justification**

*There is little in the way of a coherent building style in the Parish. However, there is the potential to better reflect features and elements of the local architectural environment with new development by reference to the Design Codes contained in the AECOM Design Guide for Catshill and North Marlbrook (Appendix 13), the District Council's High Quality Design Supplementary Planning Document (2019) and 'Secured by Design' Development Guides. Doing so would assist in integrating new buildings with their surroundings and help to maintain a sense of place and crime-free space for the community and visitors.*

#### **H4. Windfall sites**

**Proposals for windfall development will be supported providing they do not detract from the existing street scene, result in cramped building forms, have an unacceptable visual impact or adversely affect the living conditions of neighbouring residents.**

### **Justification**

*Proposals for small-scale housing developments in the urban part of the Parish will be treated positively providing they respect the existing character of the area and have regard to the design and layout requirements as set out in the District Council's 'High Quality Design Supplementary Planning Document (2019)' and the AECOM Design Guide.*

#### **H5. Extensions and alterations to properties**

**Proposals for extensions and alterations should take into account the character, size and scale of the existing building to ensure they complement and enhance the building and its setting.**

### **Justification**

*Depending on circumstances, it is possible to carry out extensions and alterations to existing properties without the need for planning permission (Permitted Development). Where permission is required it is important that the proposals do not detract from the fundamental form or appearance of the original building.*





## 9. Commerce and Community Policies

### 9.1 Retail

9.1.1 Consultation with businesses and residents showed that local shops and amenities were valued (Appendices 1 & 2). Nevertheless, there was a widely held view that the shopping area suffered many shortcomings, including inadequate parking, lighting and signage and there was poor access to premises. A need for more quality, independent shops and businesses was highlighted such as vets, delicatessens, fruit and vegetable and flower shops. The prevalence of fast food outlets was another matter that needed to be addressed given that seven takeaways and two restaurants dominate the local centre.

***"Too many takeaways/fast food outlets"***

Consultation comment

9.1.2 A business survey (Appendix 2) reinforced this view pointing out the inadequacies of the shopping area, the loss of independent shops in recent years and a corresponding decrease in footfall during traditional working hours as fast food outlets have replaced them.



**Catshill local centre**

9.1.3 Most residents valued the availability and accessibility of local services and facilities such as the schools, churches, the pharmacy and GP surgery. Residents in North Marlbrook were less fortunate with only a mini supermarket within easy access of those living in this part of the Parish.

9.1.4 Despite support for local shops an analysis of those using local services showed that the majority of respondents 'never or 'infrequently' used the butchers, the dentist, hairdressers, the fast food outlets in Golden Cross Lane or the coach services in Meadow Road. Instead the most frequently used services were the mini supermarkets, a Spar and Co-op store, and corner shops, closely followed by the pharmacy. This pattern of usage may also contribute to the increased traffic and pressure for parking coming from those living outside the village.

9.1.5 Changes to planning regulations limits the scope for restricting more takeaways in the village's local centre, but policy COM1 promotes initiatives to improve the shopfronts and forecourts to these premises reflecting advice in the AECOM Design Guide.

## 9.2 Commercial and Employment

- 9.2.1 The business survey (Appendix 2) confirmed that commerce in Catshill is mostly based in shops and offices, providing retail, personal and professional services. Each business employs 6 staff on average (including full time and part time staff) with the highest number of employees at the Essential Marketeer (Golden Cross Lane) with 21 staff and the Garden Centre (Stourbridge Road) with 18 staff. Approximately 160 jobs were identified in the survey suggesting that the total number of jobs in the village is likely to be less than 200 (although businesses immediately adjacent to the Parish at the Marlbrook crossroads means this may increase the total to the 250 jobs identified in the business survey in 2017 (Appendix 2).
- 9.2.2 Most businesses did not expect to expand, move to new premises or leave the Parish in the next five years although the two main employers said they would be providing new job opportunities during this period. Retaining businesses within Catshill and North Marlbrook is important for the well-being of the village and the community spirit which is evident from the consultation results.
- 9.2.3 Policy COM2 supports and protects local businesses and retail units from change of use.
- 9.2.4 New sources of employment should be encouraged particularly where local jobs lead to a reduction in car usage by encouraging sustainable economic development. Home working is the most likely way of achieving this and has the potential to reduce traffic movements in the Parish. Initiatives that encourage people to live and work will therefore be supported. This approach would reflect the increase in home working reported by the Office for National Statistics (ONS) during the last 20 years.<sup>27</sup>
- 9.2.5 Policies COM3 and COM4 support new business and home start-ups.

## 9.3 Community Facilities

9.3.1 The neighbourhood area has a number of community facilities which are highly valued by local residents. Local community facilities are shown on fig 3a and these provide a range of events and classes covering all age groups and include:

- **Catshill Village Hall** regular events covering, fitness classes for both adults and children, dance classes, social group for elderly people, ante and prenatal classes for mothers, and Women's' Institute meetings;
- **Catshill Baptist Church** food bank, 'PULSE' youth club, craft group, coffee mornings, cinema with latest films (free of charge) and regular coffee mornings;
- **Catshill Evangelical Church** baby and toddlers group, coffee morning, activities for children over 7;
- **Catshill Methodist Church** youth club, toddlers club, social group, men's group, carers group;
- **Catshill Social Club** regular dancing classes for children;
- **St Luke's Church Centre** pre school classes for children aged 2 to 5, and the hall is open for hire.

<sup>27</sup> Characteristics of Home Workers, ONS, June 2014





**Village Hall**



**Baptist Church**

- 9.3.2 The need for a community centre was expressed in both rounds of consultation (Appendices 1 & 5) partly because older people felt that youth clubs or groups based in a centre would help to reduce anti-social behaviour and the threat imposed by groups of youths hanging around on street corners. Recently Catshill Baptist Church has built a well-appointed extension to the church expressly for the needs of the community. Since this facility has been open the PULSE youth club has been meeting regularly and a cinema showing the latest films is now available on alternate Sundays.
- 9.3.3 The improved facilities at Catshill Baptist Church together with other venues means there are sufficient community facilities for all age groups. This removes the need for another community centre although the focus on providing more organised youth activities must not be lost.
- 9.3.4 Policies COM5 and COM6 are intended to protect existing community facilities and support improvements to enhance the health and well-being of local residents. Community action CA1 looks to provide an overall strategy detailing the facilities available and of benefit to all age groups.

***“We need to maintain local facilities, particularly a good range of shops, cafés and restaurants”.***

Consultation response



## 9.4 Relevant Bromsgrove Local Plan Policies

**BDP12 Sustainable Communities** will ensure provision is made for services and facilities to meet the needs of the community. It will also seek to retain existing services and facilities that meet a local need or ensure adequate replacement is provided. New developments that individually or cumulatively add to requirements for infrastructure and services will be expected to contribute to the provision of necessary improvements in accordance with BDP6.

**BDP13 New Employment Development** Sustainable economic development in rural areas through proportionate extensions to existing business or conversion of rural buildings taking into account the potential impact on the openness and the purposes of including the land in Green Belt. Proposals that can demonstrate significant benefits to the local economy and/or community will be considered favourably.

**BDP14 Designated Employment** The regeneration of the District will continue through maintaining and promoting existing employment provision in sustainable, accessible and appropriate locations.

**BDP15 Rural Renaissance** The Council will support proposals that satisfy the social and economic needs of rural communities by encouraging: g) Rural diversification schemes, as well as the provision of live-work units and the principle of home working.

**BDP18 Local Centres** The District Council recognises the important function of retail facilities and their contribution to community life across all settlements within the District. In order to maintain the concentration of shopping facilities in the large settlements, the District Council has identified the area where the majority of retail and related uses are located. Where new retail uses are proposed in this area, the District Council will expect the schemes to be compatible with the scale and form of the original buildings to which they apply. The loss of retail units within the shopping frontages may jeopardise the strength of the shopping area as a whole. The District Council will be keen to retain these facilities wherever possible.

**BDP25 Health and Well Being** Bromsgrove District Council will support proposals and activities that protect, retain or enhance existing sport, recreational and amenity assets, lead to the provision of additional assets, or improve access to facilities, particularly by non-car modes of transport. This will include maintaining greater access to and enjoyment of the countryside.





## 9.5 Commerce and Community Objectives and Policies

OBJECTIVES	NEIGHBOURHOOD PLAN POLICIES RELATING TO OBJECTIVE	BROMSGROVE LOCAL PLAN POLICIES RELATING TO OBJECTIVE
Support local businesses and retail outlets and encourage initiatives to improve the appearance of shopfronts in the local centre.	COM1 COM2	BDP14 BDP18 BDP19 BDP25
Support local employment opportunities through business start-ups and home working.	COM3 COM4	BDP12 BDP13
Protect and enhance, where possible, facilities for all local people in order that the community can take advantage of a full social and active lifestyle.	COM5 COM6	BDP25

### COM1. Golden Cross Lane local centre: design of shopfronts and external areas

Proposals for new or replacement shopfronts in the local centre in Golden Cross Lane should accord with the principles outlined in the Catshill and North Marlbrook Design Guide. In particular shopfront frontages should:

- a) be in keeping with the whole building façade and reflect the character of the immediate area;
- b) where possible, introduce vertical emphasis in the shopfront (for instance through the use of pilasters and mullions);
- c) use signage that is proportionate to the scale of the overall shopfront and the building in which it is set;
- d) use quality materials that relate well to the building;
- e) where necessary for security purposes, use transparent shutters in preference to solid ones to avoid the creation of ‘dead’ frontages;
- f) provide suitable access for people with disabilities;
- g) include provision for refuse storage away from the public realm.

In addition, proposals to unify and improve the service/parking/operational areas in front of the shops will be supported. Modest improvements to provide a more consistent appearance by, for instance, removing stub walls, providing a single level with marked parking spaces and minimising the range of materials used would contribute significantly to the appearance of the streetscene and make the area more useable for customers.

*Continued on next page*



## **Justification**

*There is little consistency in the style and appearance of shopfronts in the main shopping area in Catshill. Where new shopfronts or replacements of existing ones are being proposed retailers should have regard to the design principles outlined above and those found in the Catshill and North Marlbrook Design Guide. Adopting these principles would lead to a more harmonious appearance for the shopping area and the immediate environment. In particular, improving the open areas in front of the shopfronts would help considerably to unify its overall appearance while making it easier for customers to use.*

## **COM2. Support for existing business uses**

**Business uses, including those involving retail outlets, will be supported, enhanced and, as far as possible, protected from alternative uses, subject to changes to the Use Class Order 2020, unless it can be demonstrated that there is no demand to retain the existing use (consistent with policy BDP14 of the BDP). An alternative use should not detract or adversely impact on neighbouring occupants or activities.**

## **Justification**

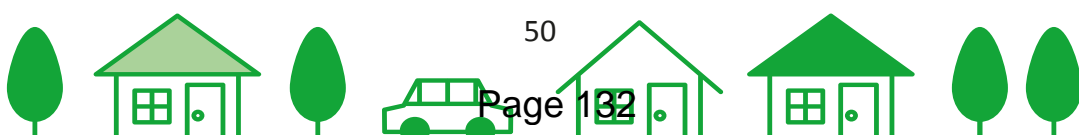
*Catshill has a modest range of retail units and small businesses providing a number of services and jobs. These will be supported particularly where new jobs are likely to be created. A broader range, particularly of shops, would be welcomed consistent with the objectives of paragraph 28 of the NPPF. It is recognized, however, that economic factors and social trends will influence the introduction of new or alternative facilities.*

## **COM3. New start-up businesses**

**Proposals for new start-up businesses will be supported within the existing urban area where this does not adversely affect the living conditions of neighbouring occupiers or compromises highway safety.**

## **Justification**

*To encourage more sustainable lifestyles and reduce the need for residents to travel outside the parish for work, new business uses will be supported. This may involve, for instance, making better use of available space where there are other business activities or through the re-use or redevelopment of old premises. It will be necessary to ensure the proposed activity does not adversely affect neighbouring or nearby residents. Problems can arise because of the parking requirements for customers and delivery vehicles, noise generated by the activity and general disturbance.*



## COM4. Homeworking

**Proposals involving home working which require planning permission will be supported in principle, providing the activity will not adversely affect the living conditions of neighbouring residents.**

### Justification

*The opportunity for starting a business by working from home has increased with improvements in technology. It can contribute to more sustainable lifestyles and bring more people into work. Where planning consent is required schemes will be supported providing the activity would not adversely affect neighbouring residents because of parking requirements, the delivery of materials, noise, pollution or other forms of disturbance.*

## COM5. Retention of community facilities

**The community facilities listed below will, wherever practicable, be retained unless it can be demonstrated that a facility is no longer economically viable or that an equivalent or enhanced facility will be provided on the same site or in a more appropriate location:**

- Catshill Village Hall
- Catshill Baptist Church
- Catshill Evangelical Church
- Catshill Methodist Church
- Catshill Social Club
- St Luke’s Church Centre

## COM6. Enhancement of community facilities

**Proposals to enhance the facilities listed in Policy COM5 will be supported providing there is sufficient space on the existing site to avoid a cramped development and that the scheme would not have an adverse impact on the character of the surrounding area or on the living conditions of nearby residents.**

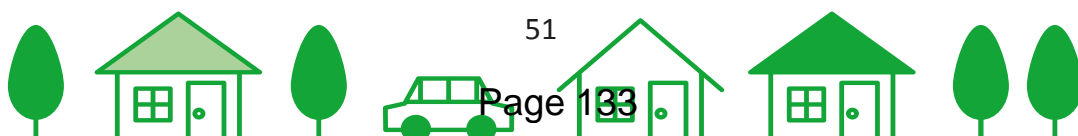
### Justification

*There are a number of community facilities across the Parish. These provide meeting rooms and host a range of activities. Wherever possible these should be retained, unless alternative provision can be provided in a suitable location. Proposals to enhance existing facilities will be supported providing they do not have a detrimental impact on the surrounding area.*

***“Generally well-maintained facilities”***

***“Good local amenities I use the Village Hall a lot”***

***“Need to find places for our youth so they feel involved”***



## 10. Environment Policies

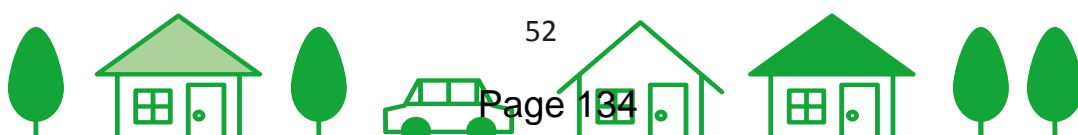
### 10.1 Green Infrastructure

- 10.1.1 Green Infrastructure (GI) is the term used to describe a network of green spaces, both in urban and rural areas, which have the potential to provide a wide range of environmental benefits and improve the quality of life and health for local communities. GI covers the landscape, green spaces, informal and formal areas for recreation as well as historic and water environments and is vital in maintaining and improving habitats for wildlife.
- 10.1.2 The contribution of GI is recognised in national planning guidance and it is an important element in addressing climate change (NPPF para. 150). The key to understanding the concept of GI is that green spaces can (and should) perform multiple functions. GI can therefore help to mitigate climate change by providing routes for walking and cycling, thereby encouraging less reliance on vehicles. It also a source for recreational use and is crucial in providing habitats for local wildlife.
- 10.1.3 GI also underpins sustainable development. For instance, it can help manage flood risk arising from new development, provide new green spaces for residents and wildlife and offset the impacts of climate change using planting for cooling and shading. The Worcestershire Green Infrastructure Partnership has produced a GI Strategy for the County which sets out principles to enable a coherent approach to delivery across a range of initiatives.<sup>28</sup>

### 10.2 Local Green Infrastructure

- 10.2.1 Approximately half of the Parish lies within the Green Belt which extends around most of the Parish. Two small, but important stream/brook courses, 'the Battlefield Brook' and 'The Marl Brook', meet in Lower Catshill near to Church Road and provide both habitats and natural corridors for wildlife.
- 10.2.2 The village has an extensive network of public rights of way which could provide better access for cycling, walking-to-school, dog walking and similar community activities. They also connect to the open countryside beyond the parish boundary. A number of these footpaths are either unknown, underused or unsuitable because they are poorly maintained, unsuitably surfaced and may be regarded as potentially unsafe (refer Appendix 11).
- 10.2.3 The most used of these important community assets is the popular Milton Road cycle path noted as FP 515(C) and 516(C) between Stourbridge Road and Milton Road. This is wide, often tree lined, has an all-weather surface, is illuminated and in many places affords pleasant open views to the surrounding countryside. Footpath 523(B), which starts near the War Memorial in Lower Catshill, also links to a major Worcestershire County Council (WCC) county network of footpaths known as the Royal Hunters Walks, a set of three routes that start in Sanders Park, Bromsgrove. These are known as the 'Hedgelayner Walk', the 'Chartists Walk' and the 'Foresters Walk' and were created several years ago in partnership with WCC. There are, however, many other, more localised footpaths/blue/green corridors which could be improved to provide more accessible and safer pedestrian/cycle routes for the benefit of residents and wildlife.

<sup>28</sup> [http://www.worcestershire.gov.uk/info/20015/planning\\_policy\\_and\\_strategy/1002/planning\\_for\\_green\\_infrastructure](http://www.worcestershire.gov.uk/info/20015/planning_policy_and_strategy/1002/planning_for_green_infrastructure)







**Showing good integration of houses, open green spaces and cycle ways/footpaths.**



**Showing cycle way/footpath with good security and natural boundaries.**

10.2.4 Wildlife ranked highly in community responses (First Phase Consultation 2017 – see fig. 7), together with protection of the green belt and open spaces. Residents said that these were important reasons why the parish is an attractive place to live. The creation of more green spaces and improvements and the protection of existing ones and the wider green belt were regarded as important considerations in developing planning policies, particularly as there was a strong feeling that these spaces should be protected against future housing development.

Typical responses were:

***“Preserve green space and plant more trees, encouraging more wildflowers”***

***“Feel really strongly about open and green spaces being developed for housing”***

consultation responses

10.2.5 A Green Infrastructure Survey of parishioners in November 2019 found that many respondents highlighted the poor conditions of footpaths (Appendix 11). It was felt that footpaths should not only be maintained but also enhanced and new footpaths and cycle routes developed.

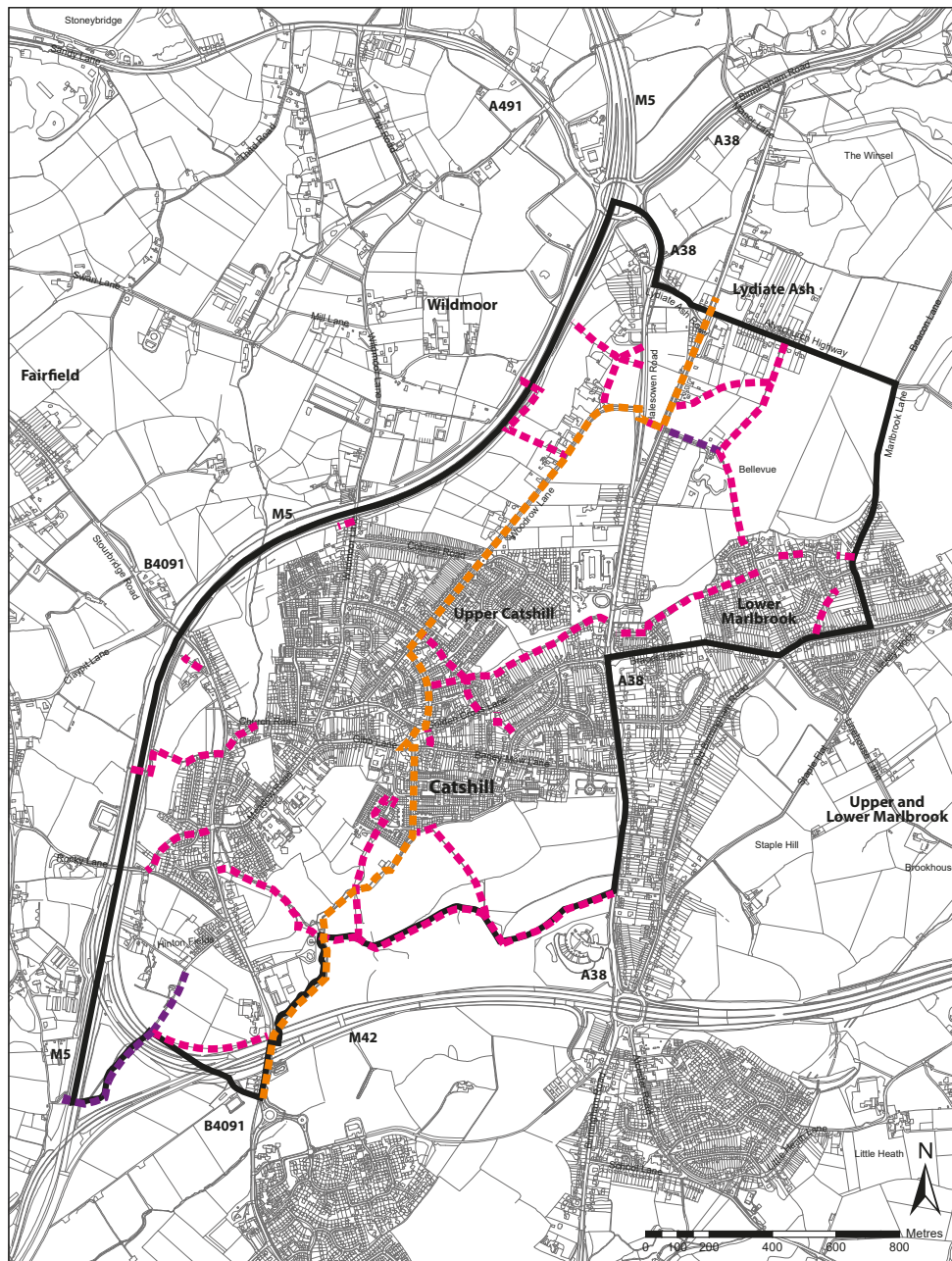
Typical responses were as follows:

***“Some of the footpaths are uneven and overgrown and don't make for pleasant walking.”***

***“Footpaths are important to maintain to encourage people to walk to shops and amenities and not use their cars on our overused roads.”***

***“Need connecting cycle path to get to Bromsgrove. Don't feel safe cycling to Bromsgrove from Marlbrook on the road.”***

## CATSHILL AND NORTH MARLBROOK NEIGHBOURHOOD PLAN



Catshill and North Marlbrook Neighbourhood Plan  
**Footpaths, Bridlepaths and Cycle Routes**

Catshill and North Marlbrook Neighbourhood Plan Area  
 Footpaths  
 Bridlepaths  
 Cycle Routes



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**Fig 9. Current Parish footpaths**

- 10.2.6 New and improved footpaths and cycle routes are therefore seen as an essential part of a Green Infrastructure plan the Parish wishes to develop. The Parish Council has an important role in taking responsibility for the Green Infrastructure Strategy, in particular the funding and support for the public footpaths and cycle routes as described in Community Action CA 4.
- 10.2.7 Policy ENV1 requires new housing proposals to show how they will integrate within the footpaths and cycle links in the network as described in Appendix 11. Policy ENV2 ensures that housing development enhances the character and distinctiveness of the local green infrastructure and natural environment, incorporating tree planting and soft landscaping connecting to existing tree cover for the benefit of future residents and local wildlife.

## 10.3 Blue/Green Corridors

- 10.3.1 Green infrastructure is vital for the resilience of wildlife, which is under increasing stress from habitat loss. Blue/green corridors linking fragmented green spaces allows for the movement of wildlife through the landscape. Supporting wildlife is essential in maintaining and enhancing its ability to provide the wealth of ecosystem services that we rely on – air purification, water retention and climate regulation.
- 10.3.2 Policy ENV3 seeks to enhance the GI network including blue/green corridors which are identified on the Policies Map, when development proposals come forward to ensure the connectivity and function of these corridors.

## 10.4 Health and Well Being

- 10.4.1 Ensuring the health of communities across the District is a major priority for Bromsgrove District Council (BDP25) and a key aim of national planning guidance (NPPF para. 8). It is essential that land use policies are put in place that enables healthy lifestyles to be maintained and improved. It is the responsibility of planners, developers and policy makers to ensure that our communities have access to homes, environments, facilities and amenities that will enable them to lead healthy and productive lives.
- 10.4.2 An important component of health and wellbeing is open space, sport and recreation provision (BDP25). High quality, accessible open space, sport and recreation facilities in the right areas can have significant benefits in relation to health, community cohesion and general well-being.

## 10.5 Designation of Local Green Spaces

- 10.5.1 There is growing evidence that green spaces are vital to people's physical and mental health. Research has shown that lower levels of mental distress and higher degrees of life satisfaction are associated with those living in greener areas.<sup>29</sup> Similarly asthma rates among children aged four and five fell by a quarter for every extra 343 trees per km<sup>2</sup> while street trees were linked to a 29% reduction in early childhood asthma.<sup>30</sup> Better access to woods and green spaces therefore features in achieving healthier lives in Worcestershire.<sup>31</sup>
- 10.5.2 The NPPF acknowledges that neighbourhood plans allow local communities to identify green areas and open spaces that are of particular importance and to designate them as Local Green Spaces to give them greater protection (para. 99). Paragraph 101 of the NPPF also goes on to confirm that "policies for managing development within a Local Green Space should be consistent with those for Green Belts".
- 10.5.3 Following consultation events at workshops, held in May and June 2017, and a Landscape Character Assessment Study (January 2018) six local green spaces were identified which exemplified 'the distinctive character and environment' of the Parish - an important requirement of the NP Vision Statement. They also protect and enhance the blue/green corridors identified in the Green Infrastructure Plan and provide 'stepping-stones' for wildlife and plants.

<sup>29</sup> Mark Kinver BBC News (2013), [www.bbc.co.uk/news/science-environment-24806994](http://www.bbc.co.uk/news/science-environment-24806994)

<sup>30</sup> GS Lovasi, JW Quinn, KM Neckerman, Ms Perzanowski, and A.Rundle, Children Living In Areas With More Street Trees Have Lower Asthma Prevalence (2008)

<sup>31</sup> Planning for Health in Worcestershire Technical Research Paper, March 2015.



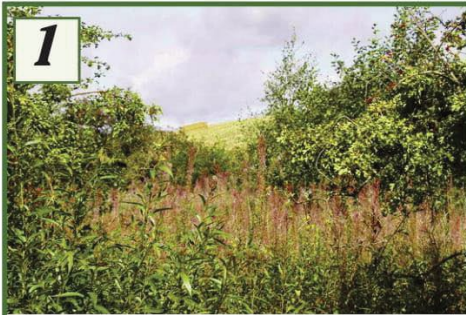


10.5.4 The identified green spaces passed the initial assessment of whether they were 'Local in Character' i.e. a space that is a local facility and not part of open countryside; and an extensive tract of land in 'Close Proximity' i.e. a reasonable walking distance, from the centre of the village (on Golden Cross Lane).

10.5.5 Detailed information for each green space can be found in Appendix 12 while in summary the areas are as follows:

### *Local Green Spaces*

**1**



*Natural area near Cottage Lane, North Marlbrook at the side of the Marl Brook.*

**2**



*Natural ground to the north of Braces Lane sports ground.*

**3**



*Open area to the north of Lingfield Walk sports ground and balancing pond.*

**4**



*Small area of woodland adjacent to the M5 near Woodrow Lane.*

**5**



*Wooded area to the rear of Cowslip Close off Church Road near M5.*

**6**



*Wooded area to the south east of M5, near 'The Piggeries' to the rear of the cemetery.*

- 10.5.6 The proposed local green spaces were endorsed by a majority of respondents to a Green Infrastructure Survey undertaken in November 2019 as 'demonstrably special' in accordance with NPPF guidance (See Appendix 12 for the detailed survey results).
- 10.5.7 There was enthusiastic support for these local green spaces with the following comments typical of those received:

***“The green areas connect everyone together, gives a space to breathe when the world gets too much.”***

***“The biodiversity of our green spaces is so important now and for future generations.”***

***“Regularly use all green spaces and green corridors identified. Need to encourage people to get out and walk or cycle to be fitter and healthier.”***

***“Need as many green spaces as we can for our children and grandchildren to experience the outdoors.”***

***“I run, walk and cycle a lot so all of the local open spaces are important to me.”***

***“Woodland areas crucial to wildlife and acts as a barrier to noise and pollution in the area.”***

***“Green spaces are a great value to the community and a meeting place for people to meet when walking dogs.”***

***“We have seen badgers, deer, foxes, owls, buzzards, green and great spotted woodpeckers and bats in our local green spaces. It is imperative that everything is done.”***

- 10.5.8 Policy ENV 4 seeks to designate identified sites which are not located in the Green Belt as Local Green Spaces in accordance with the requirements set out in the NPPF. (para. 100)

## 10.6 Formal open spaces

- 10.6.1 The premise behind the Worcestershire Access and Informal Recreation Strategy 2009-2019 is to ensure that local people and visitors are informed, provided for and welcomed to the countryside. Young people have their own needs, and for those without transport local provision should be available. Similarly, one of the principles and values underpinning the Worcestershire Play Strategy<sup>32</sup> is to make certain that children and young people have safe and easy access to a range of outdoor play opportunities within a reasonable distance of their homes. This means that children's' needs should be taken into account in planning and maintaining sites.
- 10.6.2 It has also been suggested that better access to parks and open spaces could reduce NHS costs of treating obesity by more than £2 billion while reducing mental health admissions securing further savings for the NHS.<sup>33</sup>

<sup>32</sup> Worcestershire Play Strategy 2007 2010

<sup>33</sup> <https://www.kingsfund.org.uk/projects/improving-publics-health/access-green-and-open-spaces-and-role-leisure-services>



10.6.3 The Environment Working Group highlighted the well-used and formal open spaces in the Parish. Bromsgrove District Council identifies them as 'parks and playgrounds' on their webpage.<sup>34</sup> The descriptions and utility of these open spaces can be summarised in the following table:

<b>CATSHILL &amp; NORTH MARLBROOK GREEN SPACES - FORMAL OPEN SPACES</b>				
<b>LOCATION</b>	<b>DESCRIPTION</b>	<b>QUALITY OF FACILITY</b>	<b>DESIGNATION</b>	<b>COMMUNITY VALUE</b>
1. Lower Marlbrook Play Area & Recreation Ground, Braces Lane	Open, flat area of formal grasses for football and similar use. There is a children's play area to the north of the ground which is bordered by the Marl Brook and Braces Lane to the south. This has on-site parking facilities.	Generally well maintained open managed grass area.	Recreation Ground - Bromsgrove District Council	Medium
2. Lingfield Walk Recreation Ground	Recreation Ground and play area. Used for a variety of community sports, events, play and leisure activities.	Well managed general sports field and children's playground with relatively new equipment.	Recreation Ground - Bromsgrove District Council	Medium
3. The Meadow Recreation Ground, Meadow Road (George Wagstaff Memorial Meadow)	Approximately 1.5 ha. of recreational sports field. Children's play area, changing facilities and pathways for recreational walking, etc. The Meadow is an area of recreation and leisure and provides a more diverse selection of activities for all residents of Catshill. Bounded by houses to all sides and is delineated to the west by the Battlefield Brook and the Marl Brook to the north.	Well managed and maintained grassland with some planting areas. Has small surfaced parking to the front and sports changing facilities. Good security.	The Meadow is entrusted to the North West Ward Association (NWWA), a charity that brought the land in 1951 and who represent the residents of Catshill.	High
4. School Sports Fields to rear of Catshill First and Middle Schools	Private, managed open grassland areas to the rears of Catshill Middle School and Catshill First School and Nursery. Used for school sports and a local football team.	Well maintained sports field and recreational area.	School Sports fields - Worcestershire County Council	High
5. Play Area/ Recreation Ground to the rear of Shelley Close on Milton Road cycle path.	Recreation ground and children's play area. Open managed grass area. Leads on to open countryside and good surfaced cycle route to Stourbridge Road.	Generally well maintained play area and informal football/sports field.	Recreation Ground - Bromsgrove District Council	Medium

<sup>34</sup> <https://www.bromsgrove.gov.uk/things-to-do/parks-and-outdoors/parks-and-play-areas/catshill,-marlbrook,-lickey-end-and-nearby.aspx>



10.6.4 In addition there are other formal open spaces associated with burial grounds and graveyards. These are:

- Christ Church, Churchyard and Cemetery, Stourbridge Road/Church Road.
- Municipal burial ground, Barley Mow Lane.
- Churchyard and Cemetery, Catshill Baptist Church, Barley Mow Lane.

Detailed information on each site showing the precise boundaries of each identified formal open space can be found in Appendix 12.

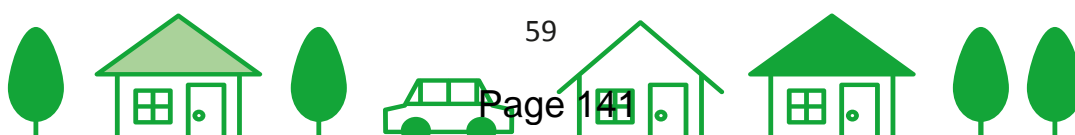
10.6.5 A Green Infrastructure Survey was undertaken in November 2019 and overwhelming support was recorded for each of the formal open spaces. A number of comments were received. (See below and Appendix 12 for detailed survey results).

***“Sports field off Braces lane is essential open space for our community in Marlbrook and is heavily used by local families as only park within walking distance.”***

***“Must never see development on the Meadow - it is a peaceful area used by children, the elderly and dog walkers who meet for a daily chat. I love walking around the Meadow by myself or with my grandchildren.”***

***“Local spaces to meet our friends in the fresh air”***

10.6.6 Policy ENV5 seeks to protect the identified formal open spaces from development unless equivalent or better provision is provided.





## 10.7 Significant Views

10.7.1 The Landscape Character Assessment Study (see Appendix 3) found that two significant views were valued by residents, footpath users and dog walkers. Both were identified in the Study to be of high sensitivity and susceptibility to change. These views are:



**Local Landscape Area 1** - Looking south and west from Alvechurch Highway

10.7.2 The Alvechurch Highway is the highest area in the Parish from where there are open views looking south over Marlbrook. There is good inter-visibility with the landscape beyond. Partial screening occurs because of the undulating land form and the hedgerows defining field boundaries. Open views of this area are possible from public right ways (PRoW). The landscape is of high local value albeit undesignated and is reasonably quiet with few detracting features. The footpath is well used by local walkers and is an area where development would have a significant impact.

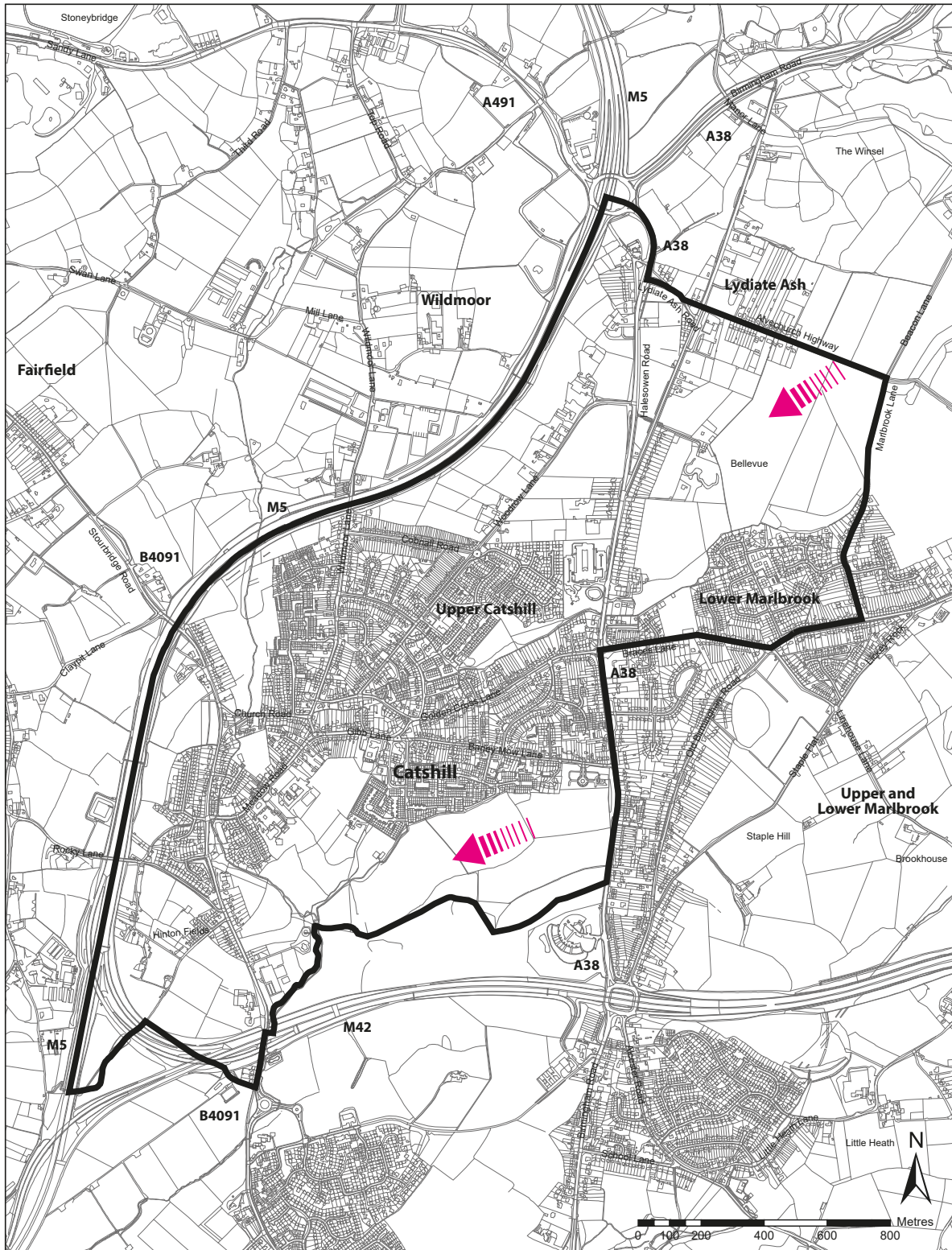


**Local Landscape Area 27** - Land on the southern fringes of Catshill

10.7.3 The elevated nature of much of this land makes it visible from a wide area including the M42 to the south as well as the countryside beyond the motorway. The fields to the east are prominent from existing development along the A38 although the residential area immediately to the north is screened by mature hedgerows and the landform. Distant views of the Malvern Hills can be seen to the southwest. Vegetation on the south side of the M42 provides partial screening to the countryside beyond. There are clear views of the Topaz Business Park to the south east. The PRoW and the permissive footpaths crossing the area together with the residents overlooking it to the east means it is highly sensitive and susceptible to change.



## CATSHILL AND NORTH MARLBROOK NEIGHBOURHOOD PLAN



Catshill and North Marlbrook Neighbourhood Plan  
**Significant Views**

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 Catshill and North Marlbrook Neighbourhood Plan Area  
 Significant Views



**Fig 10. Significant Views**

10.7.4 Guidance in the NPPF para.170, requires the planning system to contribute to and enhance valued landscapes which is reflected in BDC's Local Plan. The latter looks to secure better management of Bromsgrove's natural environment by expecting developments to protect and enhance the distinctive landscape of the District taking into account the landscape character assessments carried out by WCC.

10.7.5 Through policy ENV6 the NP therefore seeks to protect locally significant views by requiring development proposals to demonstrate how, through good design, these views will be protected.

## 10.8 Climate Change and Water Management

10.8.1 Climate projections for Worcestershire suggest that the average daily maximum summer temperature could increase by 7.5°C by 2050. Rainfall is also likely to be affected, with a potential increase of up to 33% over the same period.<sup>35</sup> People need to find ways to mitigate the impact of a changing climate while, at the same time, adapt to the changes which occur.<sup>36</sup>

10.8.2 In order to support climate change objectives and improve energy and resource efficiency, developments should promote sustainable design. Suitable measures could include the following:

- Natural ventilation to reduce the power requirement for mechanical ventilation;
- Green roofs to slow rainwater run-off during intense periods of rainfall and reduce the risk of flooding;
- Wide gutters with emergency overflow points to provide for periods of sudden intense rainfall;
- Outdoor shading to improve liveability in hot weather and flexible shading to windows to regulate internal temperatures.

10.8.3 Policy ENV7 seeks to promote energy efficiency measures. Development proposals for new housing should include suitable energy efficiency measures and employ low carbon technologies in order to contribute towards affordable heating, health and wellbeing, and wider climate change objectives.

## 10.9 Sustainable Drainage Systems

10.9.1 Appropriate flood alleviation measures vary depending on the source(s) of flooding. For example, some risks can be minimised by designing in flood storage, infrastructure upgrades and some simply through regular maintenance. The District Council expects sufficient land is set-aside in new developments to accommodate Sustainable Drainage Systems (SuDS) and improve the river environment by adopting measures that work with natural processes (BDP23). This includes restoring watercourses, removing culverts, where possible, and ensuring that an appropriate buffer zone is provided between watercourses and any development.<sup>37</sup>

<sup>35</sup> Worcestershire County Council (2014) "Worcestershire Climate Change Strategy 2012-2020". Projections is based on medium emissions scenario for 2020s using 90% probability level. [http://www.worcestershire.gov.uk/info/20235/sustainability/1092/county\\_strategies](http://www.worcestershire.gov.uk/info/20235/sustainability/1092/county_strategies)

<sup>36</sup> Committee on Climate Change (2012) "How local authorities can reduce emissions and manage climate risk". Committee on Climate Change

<sup>37</sup> A minimum of 8 metres of public space is normally required but could be more if it helps deliver the multiple benefits of green infrastructure



10.9.2 SuDS should be designed as an integral part of green infrastructure proposals, so that it is a positive feature of a development. The system should effectively mitigate any adverse effects from ground water and surface water run-off and flooding on people, property and wildlife. A surface water sewer should be a last resort and surface water must not enter the public foul sewage network.

10.9.3 Policy ENV8 seeks to minimise the risk of surface water flooding particularly in susceptible areas as identified in the Flooding and Hydrology Survey (Appendix 4).

## 10.10 Permeable hard surfaces

10.10.1 The primary role of permeable pavements is to let water filter through to the underlying soil. In design terms they should also:

- Respect the material palette;
- Help to frame the building;
- Create an arrival statement;
- Be in harmony with the landscape treatment of the property;
- Help define the property boundary.<sup>38</sup>

Where planning permission is required to install hard surfacing these principles should be taken into account.

10.10.2 Policy ENV9 advocates the use of permeable materials in any driveway/ paving development to stop adverse effects on the environment including surface water flooding.

## 10.11 Conclusions

10.11.1 Climate change and the threat to the environment is of increasing concern but steps can be taken at a local level to mitigate its impact. This is particularly relevant when new development is proposed. Policies in this Plan therefore seek to:

- Encourage sustainable design and energy efficient construction (H3 and ENV7);
- Improve existing and provide new footpath and cycle routes (ENV1, ENV3);
- Address the threat from flooding events through the use of sustainable drainage systems (ENV8) and permeable paving materials (ENV9).

10.11.2 These measures can improve the home environment for residents while encouraging better connections which reduce the need to use vehicles for local journeys. Incorporating adequate flood alleviation systems into new schemes is important to help reduce the frequency of flooding events which have occurred more regularly since the beginning of the century. In addition, developers should have regard to other issues, such as air quality, where environmental legislation has effect. Air quality has particular relevance for the local community given the proximity of three major roads (M5, M42 and A38) and the high volume of traffic passing through the Parish to access these routes.

<sup>38</sup> AECOM Design Guide



## 10.12 Relevant Bromsgrove Local Plan Policies

**BDP 19 High Quality Design:** encourages the use of sustainable construction methods and materials, protecting and enhancing important local and longer-distance visual corridors and ensuring permeable, safe and easy to navigate street layouts.

**BDP21 Natural Environment:** expects development to protect and enhance core areas of high nature conservation value, protect and create corridors and 'stepping stones'.

**BDP 22 Climate Change:** delivers viable low carbon climate resilient developments.

**BDP23 Water Management:** delivers safe developments with low environmental impact, requires developments to set aside land for Sustainable Drainage Systems (SuDS) and this includes maximising opportunities for restoring watercourses, deculverting, delivering multiple benefits in line with BDC24 Green Infrastructure and ensuring that an appropriate buffer zone is provided between the watercourse and any development.

**BDP24 Green Infrastructure:** delivers a high quality multi-functional Green Infrastructure network by ensuring developments adopt a holistic approach to deliver the multiple benefits and vital services of Green Infrastructure, with priorities determined by local circumstances.

**BDP25 Health and Well Being:** supports proposals and activities that protect, retain or enhance existing sport, recreational and amenity assets, lead to the provision of additional assets, or improve access to facilities, particularly by non-car modes of transport. This will include maintaining greater access to and enjoyment of the countryside.





## 10.13 Environment Objectives and Policies

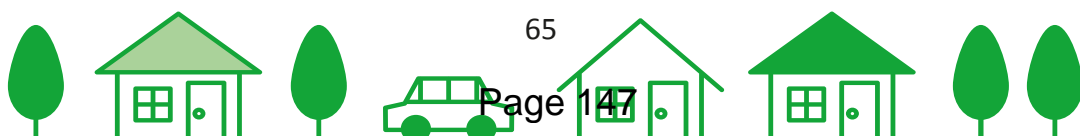
ENVIRONMENT OBJECTIVES	NEIGHBOURHOOD PLAN POLICIES RELATING TO OBJECTIVE	BROMSGROVE LOCAL PLAN POLICIES RELATING TO OBJECTIVE
Develop a coherent Green Infrastructure Plan for the Parish.	ENV1 ENV2 ENV3	BDP16 BDP19 BDP21 BDP24
Protect wildlife and habitats.	ENV1 ENV2 ENV3	BDP21 BDP24 BDP25
Protect existing local green spaces and formal open spaces against encroachment.	ENV4 ENV5	BDP21 BDP24 BDP25
Support the health and well being of the community.	ENV6	BDP21 BDP24 BDP25
Promote and support measures to assist in combating climate change.	ENV7 ENV8 ENV9	BDP19 BDP21 BDP22 BDP23

### ENV1. Green infrastructure network

***A Green Infrastructure Network for the Parish is shown on the Policies Map. Development proposals that are immediately adjacent to or would directly affect it must demonstrate how they maintain and/or enhance its integrity and value such as the incorporation of internal footpath/cycle links to the Network.***

**Justification**

*The Green Infrastructure Network shown on the Policies Map and detailed in Appendix 11 identifies a variety of natural assets in the Parish. These should be protected and improved and, where opportunities arise, created. This collection of open spaces, recreational areas, sports pitches and amenity land can be accessed by footpaths and cycle routes; woodland and water bodies provide important corridors allowing wildlife to move throughout the Parish. It is crucial that any development proposals within, or immediately adjacent to the network complement it by providing new linkages including, where appropriate, cycle links to that part of the existing national cycle route (Sustran) which passes through Catshill.*



## ENV2. Landscaping in major new housing proposals

**Comprehensive landscaping proposals, including arrangements for long-term loss replacement, should accompany all major development schemes of 10 or more dwellings, promoting wherever possible ‘soft’ boundary edges using native trees, hedgerows and shrubs while preserving existing trees and hedgerows.**

### Justification

*Design Code 7 highlights the importance of open space and how front gardens can add to the quality of the environment.<sup>39</sup> The provision of well-designed landscaping schemes as part of a development is therefore of significant benefit both for local residents and wildlife. The predominant use of native plants in such schemes will be important as a source of food and habitat for wildlife and can help to improve or create new wildlife corridors. If any tree or shrub forming part of a landscape scheme should die or become seriously distressed in the first five years after planting it must be replaced by an equivalent tree or shrub no later than the next planting season.*

## ENV3. Enhancements of Green Infrastructure corridors

**Development proposals should seek to enhance, where appropriate, the connectivity and function of existing green infrastructure corridors shown on the Policies Map. There are a number of areas of locally significant ecological importance in the Parish:**

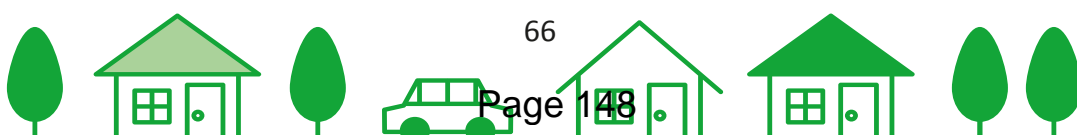
- **Battlefield Brook Corridor (GI-A);**
- **Marl Brook Corridor (GI-B);**
- **Wooded land to the west of Mayfield Close and the M5 motorway (GI-C).**

**Development schemes must clearly demonstrate how they have incorporated appropriate measures to secure the connectivity of the corridor and the freedom of movement of species.**

### Justification

*Development proposals should not compromise the movement of wildlife but instead seek to protect and enhance areas of ecological importance/potential in accordance with the objectives of policy BDP25 of the BDP. The Green Infrastructure network includes water course corridors where appropriate measures should be taken to improve and ensure connectivity with adjacent ‘blue/green corridors’ to help enhance drainage, leisure opportunities and wildlife habitats. Where there are clear advantages that justify the loss of an existing corridor, alternative provision will be required. Replacement corridors will need to fully replace the original corridor and be provided within an agreed time period as part of the proposed development.*

<sup>39</sup> Catshill and North Marlbrook Design Guide, March 2020 AECOM



## ENV4. Local green spaces

The parcels of land shown as LGS3 and LGS5 on the Policies Map are designated as Local Green Spaces to be protected from development. Development that would detract from their openness or special character will not be supported unless it can demonstrate that the benefits of the scheme would outweigh the harm to the Local Green Spaces. Further sites will be considered for protection under this policy following the completion of the Bromsgrove District Plan Review.

### Justification

Green spaces are an important part of a vibrant and healthy community and contribute to the character and identity of a place through their visual amenity, recreational value, richness of wildlife and tranquillity. The NPPF (para. 99) confirms that neighbourhood plans can designate areas of Local Green Space (LGS) for special protection, meaning development can be resisted unless there are sound reasons not to do so. This could for instance, include the development of flood resilience schemes within local green spaces. A survey of residents showed a majority of residents identified two or more factors that made a number of green spaces special to the community (See Appendix 12 for the survey results). Together with LGS3 and LGS5, four other sites (LGS1, LGS2, LGS4 and LGS6) were originally considered for inclusion but it would be premature to designate these before the completion of the district-level studies for the Bromsgrove Local Plan. However, in the interim, they all remain in the Green Belt and so continue to be protected from inappropriate development.

## ENV5. Existing open spaces and outdoor facilities

Existing areas of formal open space, sports and recreational land include:

- A. Braces Lane Recreational Grounds;
- B. Lingfield Walk play and recreational area;
- C. The Catshill Meadow;
- D. First and Middle School Playing Fields;
- E. Milton Road Playground/sports field.

These should be maintained free of any development unless there are exceptional reasons justifying any change. In these circumstances the area of formal open space must be replaced by equivalent or better provision (both in quantity and quality) in a suitable location as close as possible to the existing facilities.

### Justification

NPPF (para. 96) says that access to high quality open spaces and opportunities for sport and recreation can make an important contribution of the health and well-being of communities. Survey work undertaken for the NP confirmed there was overwhelming support for formal areas of open space which were regarded as 'highly valued and important to the community'<sup>40</sup>. These areas should be protected in accordance with the provisions in para. 97 of the NPPF.

<sup>40</sup> Green Infrastructure Questionnaire Parish wide survey, October November 2019





## ENV6. Significant views

**New development should not compromise the outlook and features that contribute to significant views in the Parish. These are the extensive views from Alvechurch Highway, Marlbrook and land on the southern edge of Catshill. These areas are shown on the Policies Map. Development adversely affecting such views will not be supported unless it can be demonstrated that the scheme is well-sited and has been carefully designed to have regard to such views.**

### Justification

*Significant views within, across and out from the Parish which are important to the character of the area should be protected. These views are part of the valued landscapes in the Parish where protection is justified in the wider public interest as set out in the NPPF para. 170. The views can be appreciated from public footpaths, rights of way, roadsides or other land accessible to the public.*

## ENV7. Sustainable design and construction

**New development should deliver a high level of sustainable design and construction being optimised for energy efficiency to achieve zero or very low carbon emissions.**

### Justification

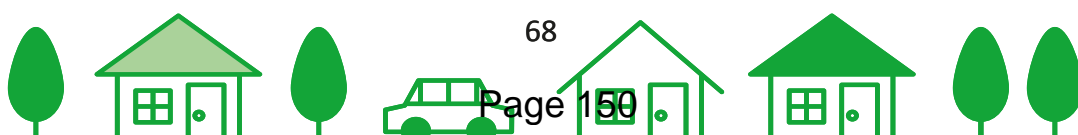
*Considerable importance is attached to the design and construction of new development in the NPPF (see Section 12). It is important that developments should, as a minimum satisfy national standards and, ideally, seek to achieve as close as possible, zero carbon emissions.*

## ENV8. Sustainable drainage

**Major development proposals of ten or more dwellings should include the provision of Sustainable Drainage Systems (SuDS) to minimise the risk of surface water flooding and contribute to the provision of green infrastructure. Provision should be made within the boundaries of the site unless alternative measures are agreed with relevant organisations.**

### Justification

*Major development proposals must provide appropriate drainage to negate surface water flooding, particularly in identified flood risk areas in accordance with the NPPF (para. 165) and BDP23. This will normally be achieved through SuDS unless it can be clearly demonstrated that a SuD is not technically viable, that alternative means of mitigation would be effective and that there would be no adverse impact on drainage capacity downstream of the development. Surface water drainage detention/balancing ponds associated with any planned development should also be capable of being colonised by local fauna and flora while maintaining their primary design purpose. Management and maintenance arrangements must be put in place for the lifetime of the SuD.*

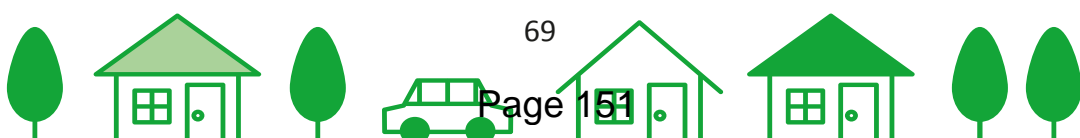


## ENV9. Hard surfacing in householder proposals

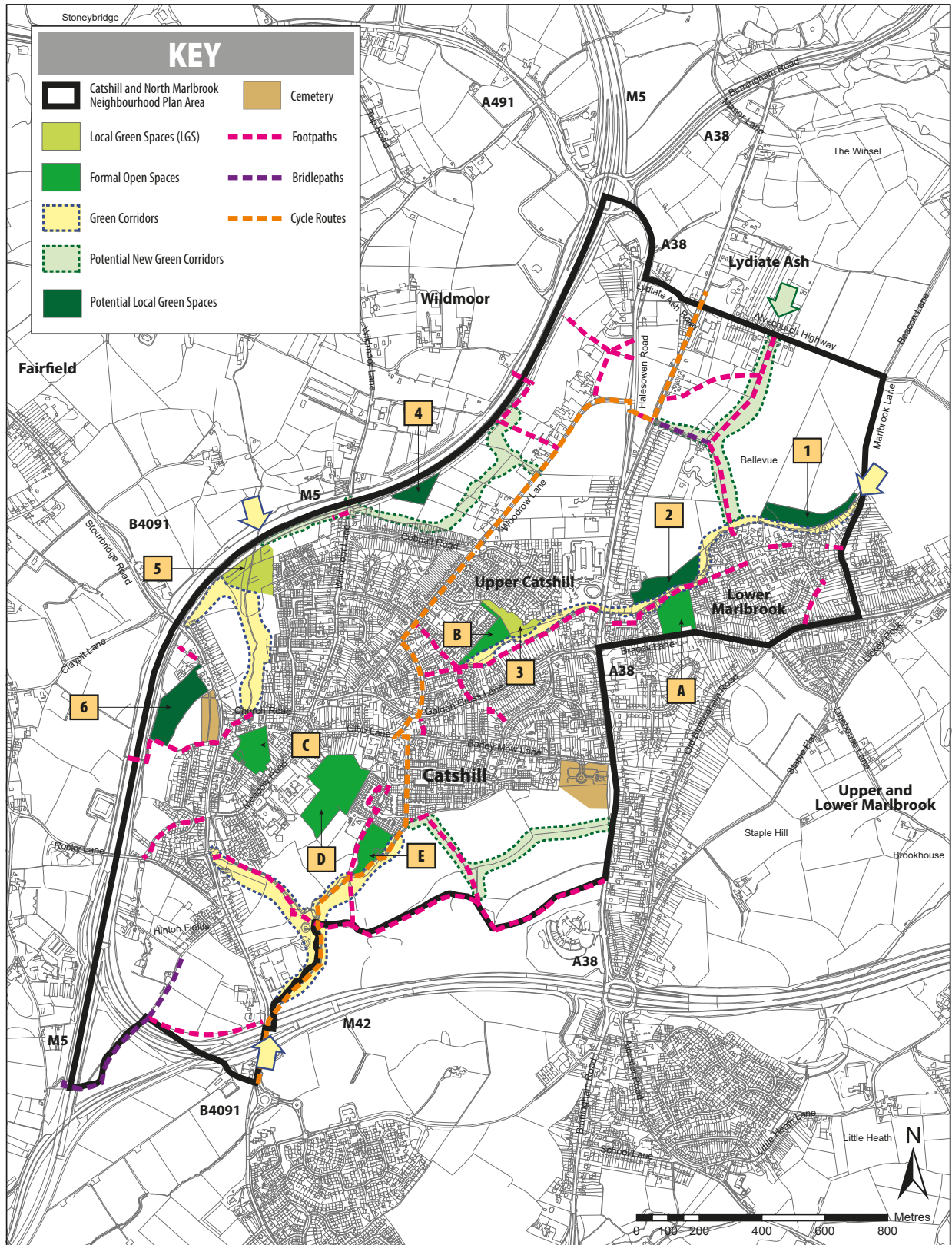
**The introduction of hard surfacing to the front of properties should avoid the use of materials which are not permeable in order to reduce the risk of flooding through surface water runoff.**

### **Justification**

*Where householders introduce hard surfaces to provide improved/additional parking space in front of their property the use of non-permeable materials should be avoided. This applies for areas of more than five square metres which requires planning permission. The purpose of this measure is to reduce the likelihood of flooding and prevent oil, petrol and other substances polluting the environment.*



## CATSHILL AND NORTH MARLBROOK NEIGHBOURHOOD PLAN

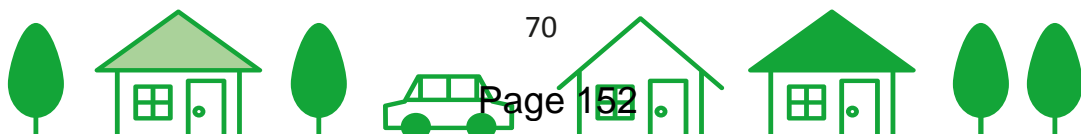


Catshill and North Marlbrook Neighbourhood Plan  
**Green Infrastructure**



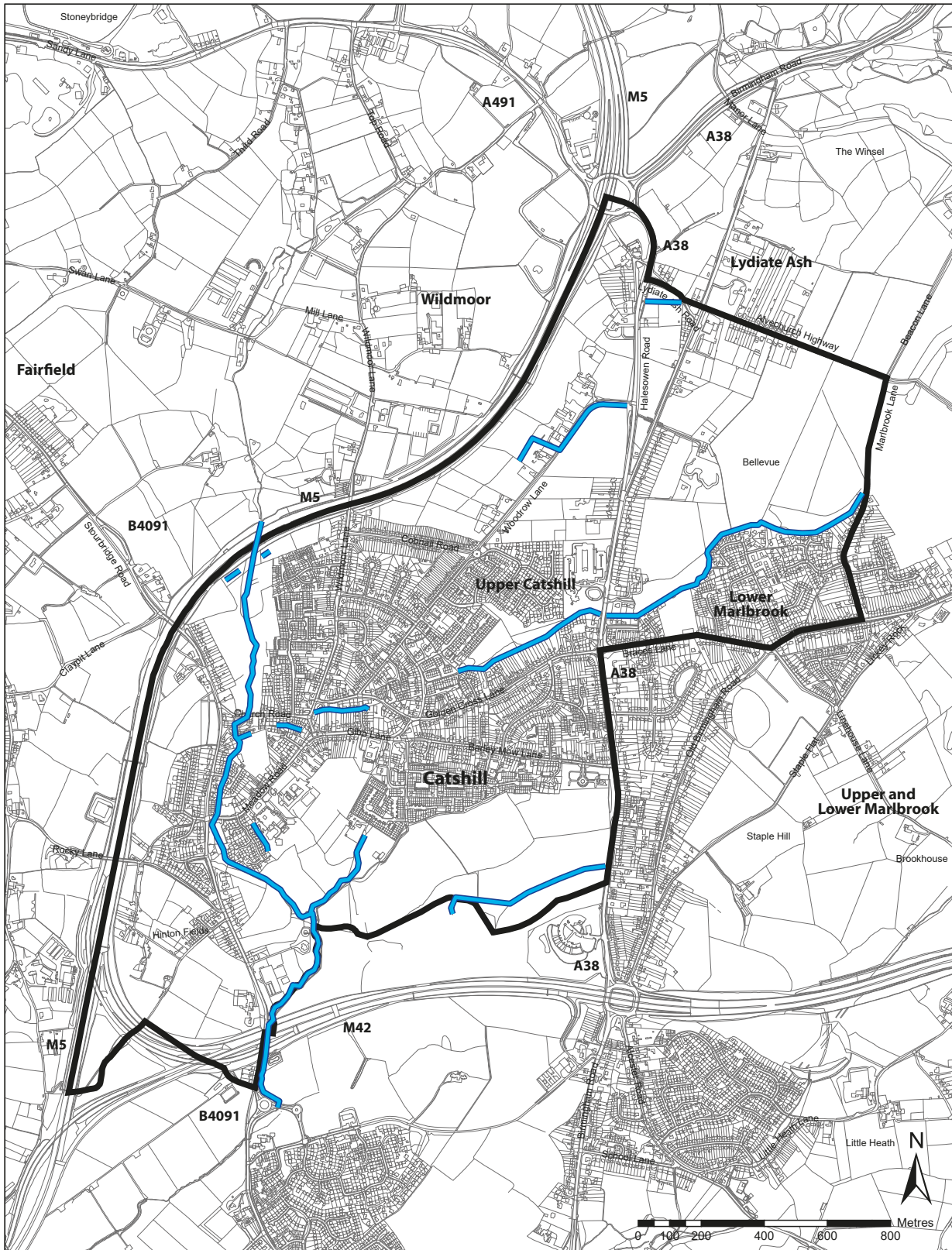
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**Fig 11. Green Infrastructure**





## CATSHILL AND NORTH MARLBROOK NEIGHBOURHOOD PLAN



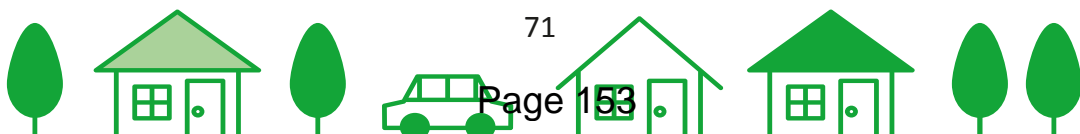
Catshill and North Marlbrook Neighbourhood Plan  
**Water Courses**

-  Catshill and North Marlbrook Neighbourhood Plan Area
-  Water Courses



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**Fig 12. Water Courses**



## 11. Community Actions

11.1 There are areas of community concern which fall outside the focus of a Neighbourhood Plan on land use matters. However, it is feasible to identify 'Community Actions/projects' in the NP which can be supported by Catshill and North Marlbrook Parish Council. These proposals can also be delivered in conjunction with other local organisations. Four Community Actions have emerged through the preparatory work undertaken for this NP and are set out below.

**CA1. A recreation and community strategy should be developed for the Parish in order to maintain and improve existing facilities and to provide a focus for coordinating and advertising local events and services.**

**Justification**

*A coordinated approach should be developed so that residents are made aware of the range of facilities and types of activities that are available at the various venues in the local area.*

**CA2. The introduction of speed restrictions and traffic calming measures will be supported, particularly on all main roads through Catshill and North Marlbrook.**

**Justification**

*Traffic-related issues were the most common matters raised during consultation events for the NP. Congestion, speeding vehicles and 'rat-running' were regarded as the most serious problems. Measures to reduce such concerns should be pursued wherever possible including the use of developer contributions to fund appropriate works.*

**CA3. The Parish Council will support improvements in local bus service to provide more sustainable travel to meet the needs of local residents.**

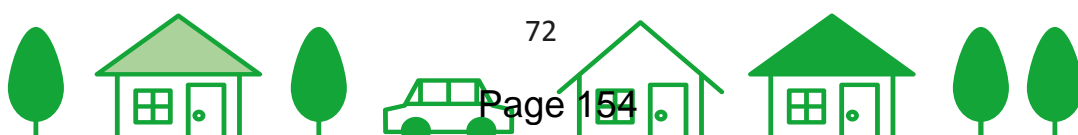
**Justification**

*To assist in combating climate change and to promote more sustainable and environmental travel the Parish Council will encourage and support improvements to bus services including those serving Marlbrook. These could include better connections to local railway stations, health facilities and retail centres. The introduction of new bus stops or changes to existing ones should be reviewed when new housing development takes place. Bus operators will also be encouraged to improve service provision during evenings and Sundays.*

**CA4. The Parish Council will endeavour to further the Green Infrastructure Network by raising and providing funds to maintain and improve existing footpaths, develop new ones, enhance blue/green corridors and promote better linkages between green spaces.**

**Justification**

*To enable a coherent network of footpaths, cycleways, blue/green corridors and recreational areas are available for the benefit of the community the Parish Council will endeavour to secure funding to improve existing features and enable gaps in the network to be completed.*



## 12. Implementation, Monitoring, Review and Revision of NP

- 12.1 Catshill and North Marlbrook Parish Council will ensure there is compliance with the NP and that it is regularly reviewed. In order that the NP is actively managed the Parish Council will carry out an annual review which, on completion, will be placed on the Parish Council's website and made available as a hard copy version at the Parish Council Office and the local library.
- 12.2 The annual report will monitor progress of the NP and outcomes in the previous year and include:
- details on planning applications for the neighbourhood area;
  - the effectiveness of NP plan policies in the determination of these applications;
  - outcomes of discussions with developers in producing and agreeing design briefs for preferred sites prior to planning submissions;
  - implementing the Green Infrastructure Network and monitoring results;
  - implementing Community Action Projects and monitoring results.
  - effect of changes to national and District Council planning policies on the NP.
- 12.3 A full review of the NP will be undertaken every 5 years (or sooner if circumstances warrant). The first review is likely to take place in 2023/24, and a second review in 2028/29 unless these timings are affected by the review of the current Bromsgrove District Plan. Notwithstanding this the purpose of these reviews will be to:
- engage with the public to gather evidence about local opinion to ensure the plan remains relevant to community aspirations;
  - gauge the effectiveness of NP policies in reaching desired, social, economic and environmental outcomes;
  - consider whether if, in light of the above, the NP needs to be revised.
- 12.4 The reviews will be undertaken by a steering group who will be members of the Parish Council. Volunteers from the local community will also be invited to participate in the review process including evidence gathering for updates to the plan. Depending on the extent of revisions to the plan a further referendum may be necessary.
- 12.5 No later than the review in 2028/29 the Parish Council will consider the need for a subsequent NP, and if so desired, establish the means for undertaking the work.



## 13. List of Policies

### Housing

#### H1. Criteria for major new housing development

Proposals for major residential development of ten or more dwellings should demonstrate that they accord with all other policies of the Neighbourhood Plan and, in particular, they should satisfy the following criteria:

- a) Ensure that revised Green Belt boundaries are defensible in the longer-term, especially the maintenance of existing gaps between:
  - i. Catshill and Bromsgrove Town
  - ii. North Marlbrook and Lydiate Ash
- b) Ensure housing is not located where it would have an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe;
- c) Development is located to provide sustainable access to the local shopping centre on Golden Cross Lane;
- d) Development endeavours to minimise its visual impact in the wider topography and has appropriate regard on the capacity of the landscape to accept change;
- e) Ensure suitable landscaping is provided on-site and, wherever possible, provide linkages to the Green Infrastructure Network.

#### H2. Housing mix in major new developments

New residential development in the Parish of more than 10 dwellings will be supported where it provides a mix of housing types, tenures and sizes in a way which broadly reflects the findings of the AECOM Housing Need Assessment or subsequent studies. In particular, schemes that would provide some or all of the following will be supported in principle:

- a) smaller dwellings of one and two bedrooms;
- b) properties suitable for the elderly;
- c) a mix of housing tenures including social and affordable rent and shared ownership;
- d) sufficient affordable housing to achieve the BDC target for affordable housing specified in the adopted local plan.

#### H3. Design principles

New housing should be designed to meet relevant energy and construction standards and have regard to the design principles set out in the Catshill and North Marlbrook Design Guide. Development proposals should demonstrate that they have considered and applied the following design principles:

- a) they harmonise with and enhance the existing settlement in terms of physical form, pattern and movement;

*Continued on next page*





- b) they relate to the local topography and landscape features, including prominent ridge lines and long distance views;
- c) they enhance the established pattern of streets and other public spaces;
- d) they integrate with existing vehicular and pedestrian routes and linkages;
- e) they respect surrounding buildings in terms of scale, height, form and massing;
- f) they make suitable provision for sustainable waste management, including collection points, without having an adverse impact on the streetscene;
- g) they integrate energy efficient technologies as part of the design process;
- h) they promote social inclusion by ensuring social housing is fully integrated with the overall design;
- i) through design they minimise the potential for crime and anti-social behaviour.

#### H4. Windfall sites

Proposals for windfall development will be supported providing they do not detract from the existing street scene, result in cramped building forms, have an unacceptable visual impact or adversely affect the living conditions of neighbouring residents.

#### H5. Extensions and alterations to properties

Proposals for extensions and alterations should take into account the character, size and scale of the existing building to ensure they complement and enhance the building and its setting.

### *Commerce and Community*

#### COM1. Golden Cross Lane local centre: design of shopfronts and external areas

Proposals for new or replacement shopfronts in the local shopping centre in Golden Cross Lane should accord with the principles outlined in the Catshill and North Marlbrook Design Guide. In particular shopfront frontages should:

- a) be in keeping with the whole building façade and reflect the character of the immediate area;
- b) where possible, introduce vertical emphasis in the shopfront (for instance through the use of pilasters and mullions);
- c) use signage that is proportionate to the scale of the overall shopfront and the building in which it is set;
- d) use quality materials that relate well to the building;
- e) where necessary for security purposes, use transparent shutters in preference to solid ones to avoid the creation of 'dead' frontages;
- f) provide suitable access for people with disabilities;
- g) include provision for refuse storage away from the public realm.

*Continued on next page*



In addition, proposals to unify and improve the service/parking/operational areas in front of the shops will be supported. Modest improvements to provide a more consistent appearance by, for instance, removing stub walls, providing a single level with marked parking spaces and minimising the range of materials used would contribute significantly to the appearance of the streetscene and make the area more useable for customers.

## COM2. Support for existing business uses

Business uses, including those involving retail outlets, will be supported, enhanced and, as far as possible, protected from alternative uses, subject to changes to the Use Class Order 2020, unless it can be demonstrated that there is no demand to retain the existing use (consistent with policy BDP14 of the BDP). An alternative use should not detract or adversely impact on neighbouring occupants or activities.

## COM3. New start-up businesses

Proposals for new start-up businesses will be supported within the existing urban area where this does not adversely affect the living conditions of neighbouring occupiers or compromises highway safety.

## COM4. Homeworking

Proposals involving home working which require planning permission will be supported in principle, providing the activity will not adversely affect the living conditions of neighbouring residents.

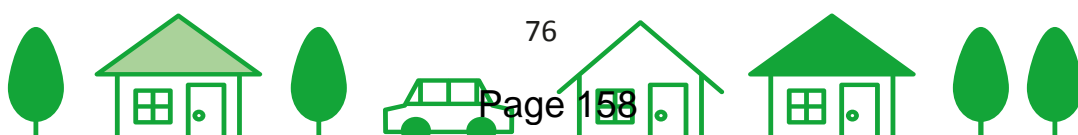
## COM5. Retention of community facilities

The community facilities listed below will, wherever practicable, be retained unless it can be demonstrated that a facility is no longer economically viable or that an equivalent or enhanced facility will be provided on the same site or in a more appropriate location:

- Catshill Village Hall
- Catshill Baptist Church
- Catshill Evangelical Church
- Catshill Methodist Church
- Catshill Social Club
- St Luke's Church Centre

## COM6. Enhancement of community facilities

Proposals to enhance the facilities listed in Policy COM5 will be supported providing there is sufficient space on the existing site to avoid a cramped development and that the scheme would not have an adverse impact on the character of the surrounding area or on the living conditions of nearby residents.



## ***Environment***

### **ENV1. Green Infrastructure Network**

A Green Infrastructure Network for the Parish is shown on the Policies Map. Development proposals that are immediately adjoining or close to the Network must demonstrate how they maintain and/or enhance its integrity and value such as the incorporation of internal footpath/cycle links to the Network.

### **ENV2. Landscaping in major new housing proposals**

Comprehensive landscaping proposals, including arrangements for long-term loss replacement, should accompany all major development schemes promoting wherever possible 'soft' boundary edges using native trees, hedgerows and shrubs while preserving existing trees and hedgerows.

### **ENV3. Enhancements of Green Infrastructure corridors**

Development proposals should seek to enhance, where appropriate, the connectivity and function of existing green infrastructure corridors shown on the Policies Map. There are a number of areas of locally significant ecological importance in the Parish:

- Battlefield Brook Corridor (GI-A);
- Marl Brook Corridor (GI-B);
- Wooded land to the west of Mayfield Close and the M5 motorway (GI-C).

Development schemes must clearly demonstrate how they have incorporated appropriate measures to secure the connectivity of the corridor and the freedom of movement of species.

### **ENV4. Local green spaces**

The parcels of land shown as LGS3 and LGS5 on the Policies Map are designated as Local Green Spaces to be protected from development. Development that would detract from their openness or special character will not be supported unless it can demonstrate that the benefits of the scheme would outweigh the harm to the Local Green Spaces. Further sites will be considered for protection under this policy following the completion of the Bromsgrove District Plan Review.

### **ENV5. Existing areas of formal open space, sports and recreational land include:**

- A. Braces Lane Recreational Grounds;
- B. Lingfield Walk play and recreational area;
- C. The Catshill Meadow;
- D. First and Middle School Playing Fields;
- E. Milton Road Playground/sports field.

These should be maintained free of any development unless there are exceptional reasons justifying any change. In these circumstances the area of formal open space must be replaced by equivalent or better provision (both in quantity and quality) in a suitable location as close as possible to the existing facilities.



## **ENV6. Significant views**

New development should not compromise the outlook and features that contribute to significant views in the Parish. These are the extensive views from Alvechurch Highway, Marlbrook and land on the southern edge of Catshill. These areas are shown on the Policies Map. Development adversely affecting such views will not be supported unless it can be demonstrated that the scheme is well-sited and has been carefully designed to have regard to such views.

## **ENV7. Sustainable design and construction**

New development should deliver a high level of sustainable design and construction being optimised for energy efficiency to achieve zero or very low carbon emissions.

## **ENV8. Sustainable drainage**

Major development proposals of ten or more dwellings should include the provision of Sustainable Drainage Systems (SuDS) to minimise the risk of surface water flooding and contribute to the provision of green infrastructure. Provision should be made within the boundaries of the site unless alternative measures are agreed with relevant organisations.

## **ENV9. Hard surfacing in householder proposals**

The introduction of hard surfacing to the front of properties should avoid the use of materials which are not permeable in order to reduce the risk of flooding through surface water runoff.

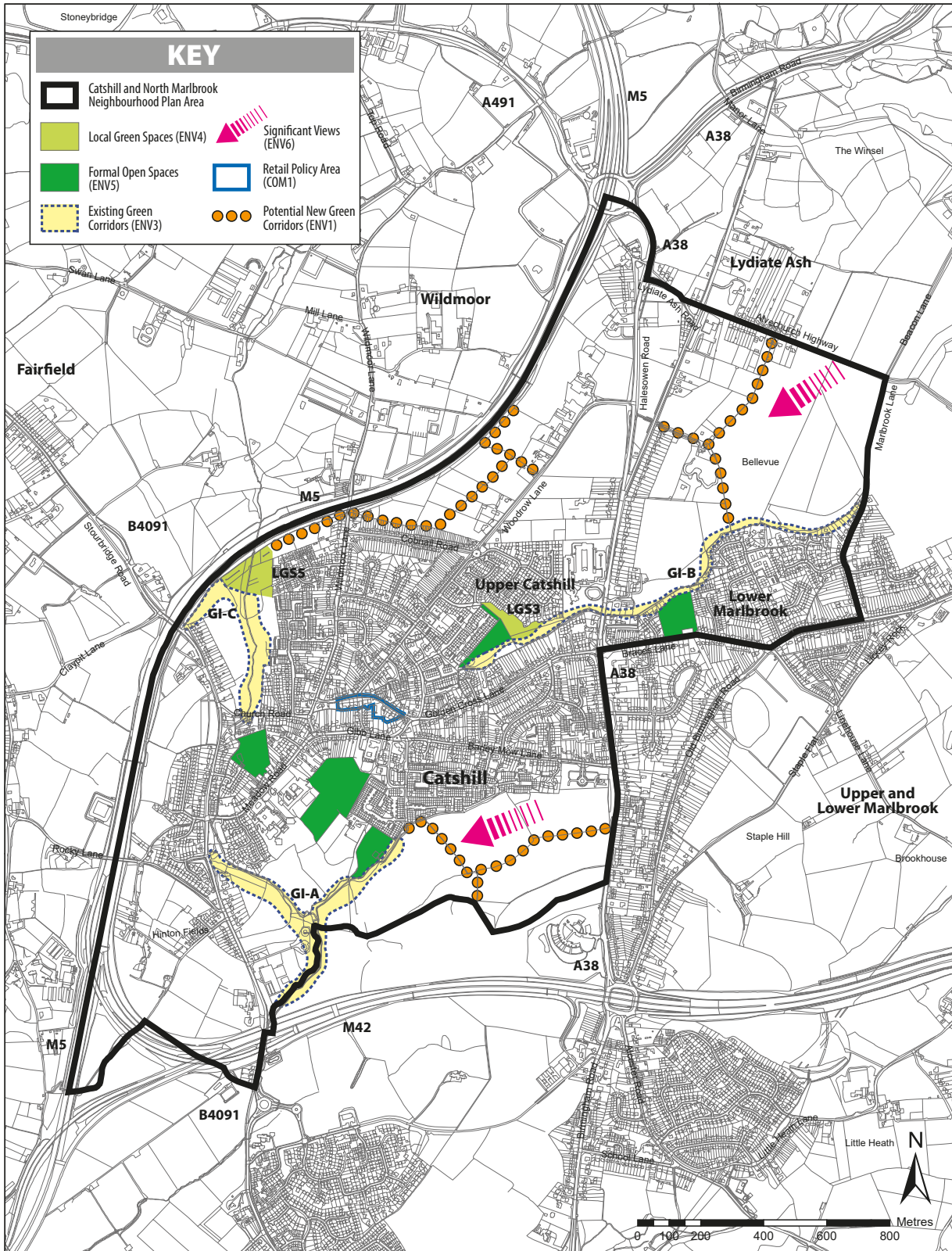
## ***Community Actions***

- CA1.** A recreation and community strategy should be developed for the Parish in order to maintain and improve existing facilities and to provide a focus for coordinating and advertising local events and services.
- CA2.** The introduction of speed restrictions and traffic calming measures will be supported, particularly on all main roads through Catshill and North Marlbrook.
- CA3.** The Parish Council will support improvements in local bus service to provide more sustainable travel to meet the needs of local residents.
- CA4.** The Parish Council will endeavour to further the Green Infrastructure Network by raising and providing funds to maintain and improve existing footpaths, develop new ones, enhance blue/green corridors and promote better linkages between green spaces.





## CATSHILL AND NORTH MARLBROOK NEIGHBOURHOOD PLAN

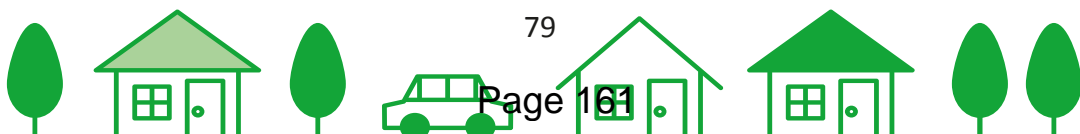


Catshill and North Marlbrook Neighbourhood Plan  
**Policies Map**

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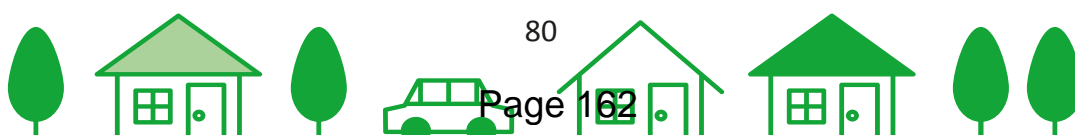
**Fig 13. Policies Map**



## Appendices

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1. Level 1 Questionnaire – Results and Analysis
2. Business Questionnaire Results
3. Landscape Character Assessment Study
4. Flooding and Hydrology Survey
5. Level 2 Questionnaire – Results and Analysis
6. Call for Sites Exercise by NP Group
7. Site Assessment Study by NP Group
8. AECOM Housing Needs Assessment
9. AECOM Site Assessment Study
10. Comparison of Site Assessment Studies
11. Green Infrastructure Network Report
12. Local Green Space/Formal Open Spaces Study
13. AECOM Design Guide Study
14. Housing Requirement Position Statement



## Glossary

**ADR Area of Development Restraint.** Is land removed from the Green Belt and set aside by local authorities for possible development in the future to meet the housing requirements beyond the end of a current plan period.

**Affordable Housing:** Housing provided to meet the housing needs of those who cannot afford full market ownership or rent costs. Can include provisions to retain an affordable price for future eligible households or for the subsidy to be recycled for alternative affordable housing provision. Social rented housing is owned by local authorities and private registered providers (as defined in section 80 of the Housing and Regeneration Act 2008), for which guideline target rents are determined through the national rent regime. It may also be owned by other persons and provided under equivalent rental arrangements to the above, as agreed with the local authority or with the Homes and Communities Agency.

Affordable rented housing is let by local authorities or private registered providers of social housing to households who are eligible for social rented housing. Affordable Rent is subject to rent controls that require a rent of no more than 80 per cent of the local market rent (including service charges, where applicable).

Intermediate housing is homes for sale and/or rent provided at a cost above social rent, but below market levels, subject to the criteria in the Affordable Housing definition above. These can include shared equity (shared ownership and equity loans), other low-cost homes for sale and intermediate rent, but not affordable rented housing. Homes that do not meet the above definition of affordable housing, such as 'low cost market' housing, may not be considered as affordable housing for planning purposes.

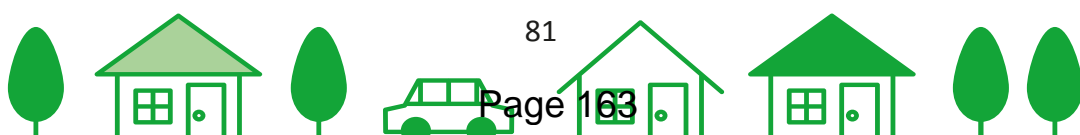
**Ancient woodland:** An area that has been wooded continuously since at least 1600 AD.

**Archaeological interest:** There will be archaeological interest in a heritage asset if it holds, or potentially may hold, evidence of past human activity worthy of expert investigation at some point. Heritage assets with archaeological interest are the primary source of evidence about the substance and evolution of places, and of the people and cultures that made them.

**Biodiversity:** The term 'biodiversity' is commonly used to describe the number, variety and variability of living organisms. This very broad usage, embracing many different parameters, is essentially a synonym of 'Life on Earth'.

**Blue/Green Corridor:** A narrow area of land that provides sufficient natural cover to support and allow the movement of wildlife. These are typically but not exclusively found in urban environments and may follow the line of watercourses (blue corridors) or not (green corridors). Examples of blue/green corridors include railway embankments, river banks, streams, ditch courses and roadside grass verges.

**Brownfield Land:** (previously developed land) Land which has previously been occupied by a permanent structure, including the curtilage of the developed land (although development of the whole of the curtilage may not necessarily be allowed). Sites can be large or small.





**Catshill and North Marlbrook Parish Council (the Parish):** The first tier of local government in Catshill and North Marlbrook.

**Conservation (for heritage policy):** The process of maintaining and managing change to a heritage asset in a way that sustains and, where appropriate, enhances its significance.

**Community Infrastructure Levy: (CIL)** A levy allowing local authorities to raise funds from owners or developers of land when they undertake new building projects in their area.

**Community Right to Build Order:** An Order made by the local planning authority (under the Town and Country Planning Act 1990) that grants planning permission for a site-specific development proposal or classes of development.

**CPRE:** The Campaign for the Protection of Rural England.

**Designated Heritage Asset:** Is a World Heritage Site, Scheduled Monument, Listed Building, Protected Wreck Site, Registered Park and Garden, Registered Battlefield or Conservation Area designated under the relevant legislation.

**Development Plan:** This includes adopted local plans and neighbourhood plans as defined in section 38 of the Planning and Compulsory Purchase Act 2004.

**Green Belt:** Green belts are a buffer usually around larger towns and cities. Green Belt designation is a planning tool that has five purposes and generally aims to prevent urban sprawl, maintain the separation between settlements and provide areas of countryside close to urban areas.

**Green Infrastructure:** A network of multi-functional green space, in both urban and rural areas, which is capable of delivering a wide range of environmental benefits and enhancing the quality of life for local communities.

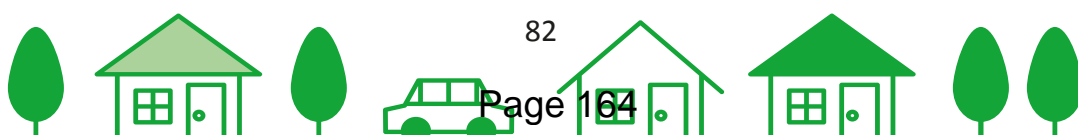
**Greenfield Land:** Greenfield land is land which has not previously been used for development. It can comprise farmland, open countryside, woodland or areas otherwise not built-on. Greenfield land is often confused with Green Belt. The latter is normally greenfield land but greenfield land is not necessarily Green Belt.

**Heritage Asset:** A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest. Heritage asset includes designated heritage assets and assets identified by the local planning authority (including listings of buildings of local significance – local listing).

**Historic environment:** An environment which has evolved over time from the interaction between people and places. This includes surviving physical remains of past human activity, whether visible, buried or submerged, historic landscapes and planted or managed flora.

**Inclusive design:** Design in the built environment, including buildings and their surrounding spaces, to ensure they can be accessed and used.

**Local Development Order:** An Order made by a local planning authority (under the Town and Country Planning Act 1990) that grants planning permission for a specific development proposal or classes of development.



**Local planning authority (LPA):** The public authority whose duty it is to carry out specific planning functions for a particular area. References to local planning authorities apply to district/borough councils, London borough council, county council, Broads Authority, National Park Authorities, the Mayor of London and a development corporation, to the extent appropriate to their responsibilities.

**Local Green Space:** The National Planning Policy Framework (NPPF) introduced the concept of a Local Green Space designation (para. 99). This is a discretionary designation to be made by inclusion within a local development plan or neighbourhood development plan. The designation should only be used where the land is not extensive, is local in character and reasonably close to the community; and, where it is demonstrably special, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife (para.100). Policies within the local development plan or neighbourhood development plan for managing development within a Local Green Space should be consistent with the policies protecting green belts within the NPPF (para.101).

**Local Plan:** A plan setting out policies for the future development and control of development in the local authority area in consultation with the community. These are produced by local planning authorities e.g. Bromsgrove District Council. In law this is a development plan document adopted under the Planning and Compulsory Purchase Act 2004. Core strategies, and other planning policies (such as Supplementary Planning Documents), can be considered to be development plan documents providing they conform to regulatory requirements. The term includes old policies, which have been saved under the 2004 Act. The current Local Plan for BDC was approved in January 2017.

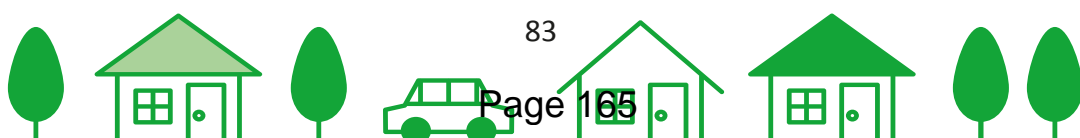
**Local Wildlife Sites:** Local Wildlife Sites are identified and selected locally using robust, scientifically-determined criteria and detailed ecological surveys. They are important in contributing to the natural green fabric of our towns and countryside.

**Major Development:** For housing, development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more. For non-residential development it means additional floorspace of 1,000m<sup>2</sup> or more, or a site of 1 hectare or more, or as otherwise provided in the Town and Country Planning (Development Management Procedure) (England) Order 2015.

**Massing:** The combined effect of the height, bulk and outline of a building or group of buildings.

**National Planning Policy Framework (NPPF):** The NPPF was most recently updated in February 2019 and sets out the Government's planning framework covering economic, environmental and social aspects of land use planning for England. The framework also applies to the preparation of local and neighbourhood plans and to decisions on planning applications.

**Neighbourhood Development Order:** An Order made by a local planning authority (under the Town and Country Planning Act 1990) through which parish councils and neighbourhood forums can grant planning permission for a specific development proposal or classes of development.



**Neighbourhood Plan (NP):** A plan prepared by a Parish Council or Neighbourhood Forum for a particular neighbourhood area (made under the Planning and Compulsory Purchase Act 2004). A **Neighbourhood Plan** (sometimes called a **Neighbourhood Development Plan**) is a means for local communities to influence the planning of the area in which they live and work.

**Older people:** Generally refers to people of retirement age, including the active, newly-retired through to the very frail elderly.

**Open space:** Includes areas of open space covering land, water (such as rivers, canals, lakes and reservoirs) which are usually of public value, and provide opportunities for sport, recreation and value as a visual amenity.

**Original building:** A building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally.

**People with disabilities:** People have a disability if they have a physical or mental impairment, and that impairment has a substantial and long-term adverse effect on their ability to carry out normal day-to-day activities. These persons include, but are not limited to, people with ambulatory difficulties, blindness, learning difficulties, autism and mental health needs.

**Planning condition:** A condition imposed on a grant of planning permission (in accordance with the Town and Country Planning Act 1990) or a condition included in a Local Development Order or Neighbourhood Development Order which requires a landowner/developer to undertake specific actions/measures.

**Planning obligation:** A legally enforceable obligation entered into under section 106 of the Town and Country Planning Act 1990 to mitigate the impacts of a development proposal.

**Renewable and low carbon energy:** Includes sources of natural energy from the earth (geothermal) wind, sun, water or oceans. Low carbon technologies are those that can help reduce emissions (compared to the conventional use of fossil fuels).

**Safer routes to school scheme (SRTS):** Safe Routes to Schools aim to enable more young people to walk and cycle to school. They usually involve a series of highway measures supported by other community and school projects making roads safer and providing the infrastructure and skills to make walking and cycling a popular choice.

**Site of Special Scientific Interest (SSSI):** Sites designated by Natural England under the Wildlife and Countryside Act 1981. Stepping stones: Pockets of habitat that, while not necessarily connected, allow the movement of species between larger patches of habitat.

**Strategic Environmental Assessment (SEA):** A procedure (set out in the Environmental Assessment of Plans and Programmes Regulations 2004) which requires the formal environmental assessment of certain plans and programmes which are likely to have significant effects on the environment.

**Supplementary planning document (SPD):** Documents, which add further detail to the policies in local plans. They can provide further guidance for development on specific sites, or cover particular issues, such as design. Supplementary planning documents are capable of being a material consideration in planning decisions but are not part of the development plan.



**Sustainable transport:** Any efficient, safe and accessible means of transport with overall low impact on the environment, including walking and cycling, low and ultra-low emission vehicles, car sharing and public transport.

**Transport Assessment:** A comprehensive and systematic process that sets out the transport impact of proposed development. It identifies what measures will be required to improve accessibility and safety for all modes of travel, particularly for alternatives to the car such as walking, cycling and public transport and what measures will need to be taken to deal with the anticipated transport impacts of the development.

**Transport statement:** A simplified version of a transport assessment where it is agreed that transport issues arising from development proposals are limited and that a full transport assessment is not required.

**Travel plan:** A long-term management strategy for an organisation or site that seeks to deliver sustainable transport objectives through action and is articulated in a document that is regularly reviewed.

**Windfall sites:** Normally small housing sites, which have not been specifically identified in a local plan. Examples include development in the rear of large gardens, houses in gaps between other properties and small sites which become available e.g. previously-developed land that has become available.



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# **Catshill and North Marlbrook Neighbourhood Plan 2016-2030**

**A report to Bromsgrove District Council**

**David Kaiserman BA DipTP MRTPI  
Independent Examiner**

**June 2021**

## Executive summary

I was appointed by Bromsgrove District Council on 16 April 2021, with the agreement of Catshill and North Marlbrook Parish Council, to carry out the independent examination of the Catshill and North Marlbrook Neighbourhood Plan.

The examination was completed solely on the basis of the written representations received, no public hearing appearing to me to have been necessary. I made an unaccompanied visit to the area covered by the Plan on 10 May 2021.

Catshill lies between the edge of the Birmingham conurbation and the expanding town of Bromsgrove. While the strategic planning context is somewhat uncertain at the present time, it seems likely that the Parish will be required to accommodate additional housing during the period of the Neighbourhood Plan, and that this will involve some rolling back of the Green Belt boundary, which is currently drawn up hard against the urban edge. A key element of my examination is how these matters are dealt with in the Plan's policies.

I have concluded that, subject to a number of recommendations (principally for changes to the detailed wording of some policies, but also involving the removal of background material on housing and treating it as an appendix), the Catshill and North Marlbrook Neighbourhood Plan would meet the basic conditions, and consequently am pleased to recommend that, as modified, it should proceed to referendum.



## Contents

- Introduction
- Procedural matters
- A brief picture of the neighbourhood plan area
- The basic conditions
- Other statutory requirements
- National policy and guidance
- The development plan and the present strategic planning context for the area
- The consultation exercise (Regulation 14)
- General observations about the Plan
- Representations received (Regulation 16)
- The policies\*:
  - *Housing and Infrastructure*
    - Policy H1: Criteria for major new housing development
    - Policy H2: Housing mix in major new developments
    - Policy H3: Design principles
    - Policy H4: Windfall sites
    - Policy H5: Extensions and alterations to properties
  - *Commerce and Community*
    - Policy COM1: Golden Cross Lane local centre: fast-food units and restaurants
    - Policy COM2: Golden Cross Lane local centre: design of shop fronts and external areas
    - Policy COM3: Support for existing business uses
    - Policy COM4: New start-up businesses
    - Policy COM5: Homeworking
    - Policy COM6: Retention of community facilities
    - Policy COM7: Enhancement of community facilities
  - *Environment*
    - Policy ENV1: Green infrastructure network
    - Policy ENV2: Landscaping in major new housing proposals
    - Policy ENV3: Enhancement of blue/green corridors
    - Policy ENV4: Local green spaces
    - Policy ENV5: Existing open spaces and outdoor facilities
    - Policy ENV6: Provision of open and recreational space in major new housing schemes
    - Policy ENV7: Significant views
    - Policy ENV8: Sustainable design and construction
    - Policy ENV9: Sustainable drainage
    - Policy ENV10: Hard surfacing in householder proposals
- Community actions
- Implementation, monitoring, review and revision
- List of policies
- Conclusions on the basic conditions
- Formal recommendation
- Appendix 1: Summary table of recommendations

*\* Note: The Plan's policies are numbered and grouped under three broad headings, as shown above. My report includes a recommendation that each policy includes a brief title to make it easier to refer to, and for convenience I have included my suggested titles in this list and in the body of the report.*

## Introduction

1. This report sets out the findings of my examination of the Catshill and North Marlbrook Neighbourhood Plan (CNMNP or NP), submitted to Bromsgrove District Council (BDC) by Catshill and North Marlbrook Parish Council in January 2021. The Neighbourhood Area for these purposes is the same as the Parish boundary.
2. Neighbourhood plans were introduced into the planning process by the Localism Act 2011. They aim to help local communities shape the development and growth of their area, and this intention was given added weight in the National Planning Policy Framework (NPPF), first published in 2012. The current edition of the NPPF is dated June 2019, and it continues to be the principal element of national planning policy. Detailed advice is provided by national Planning Practice Guidance on neighbourhood planning, first published in March 2014 and updated from time to time.
3. The main purpose of the independent examination is to assess whether the Plan satisfies certain “basic conditions” which must be met before it can proceed to a local referendum, and whether it is generally legally compliant. In considering the content of the Plan, recommendations may be made concerning changes both to policies and any supporting text.
4. In the present case, my examination concludes with a recommendation that, subject to the modifications set out in my report, the Plan should proceed to referendum. If this results in a positive outcome, the CNMNP will ultimately become a part of the statutory development plan, and thus a key consideration in the determination of planning applications relating to land lying within the area covered by the Parish.
5. I am independent of the Parish Council and do not have any interest in any land that may be affected by the Plan. I have the necessary qualifications and experience to carry out the examination, having had 30 years’ experience as a local authority planner (including as Acting Director of Planning and Environmental Health for the City of Manchester), followed by over 20 years’ experience providing training in planning to both elected representatives and officers, for most of that time also working as a Planning Inspector. My appointment has been facilitated by the independent examination service provided by Penny O’Shea Consulting.

## Procedural matters

6. I am required to recommend that the Catshill and North Marlbrook Neighbourhood Plan either
  - be submitted to a local referendum; or
  - that it should proceed to referendum, but as modified in the light of my recommendations; or
  - that it not be permitted to proceed to referendum, on the grounds that it does not meet the requirements referred to in paragraph 3 above.
7. In carrying out my assessment, I have had regard to the following principal documents:
  - the submitted CNMNP and certain post-submission addendums
  - the pre-submission version of the Plan
  - the Consultation Statement (December 2020)
  - the Basic Conditions Statement (December 2020)
  - the Strategic Environmental Assessment and Habitats Regulations Assessment Screening Determination (July 2020)
  - the representations made to the CNMNP under Regulation 16
  - selected policies of the adopted Development Plan for the area

- relevant paragraphs of the NPPF
  - relevant paragraphs of national Planning Practice Guidance.
8. I carried out an unaccompanied visit to the Plan area on 10 May 2021, when I looked at the overall character and appearance of the Parish, together with its setting in the wider landscape and those areas affected by specific policies or references in the Plan. Where necessary, I refer to my visit in more detail elsewhere in this report.
  9. It is expected that the examination of a draft neighbourhood plan will not include a public hearing, and that the examiner should reach a view by considering written representations<sup>1</sup>. In the present case, a request for a hearing was made by agents Avison Young on behalf of St Philips Ltd, on the grounds that this would be the most appropriate mechanism to evaluate the objections they raise to certain elements of the Plan. I disagree with this assessment: the arguments are set out very clearly in the written representations (and indeed several of the key points are also made on behalf of other interests). Consequently, I have concluded that no public hearing is required.
  10. I have addressed the policies in the order that they appear in the submitted Plan. My recommendations for changes to the policies and any associated or free-standing changes to the text of the Plan are highlighted in ***bold italic print***.

## A brief picture of the neighbourhood plan area

11. The Parish of Catshill and North Marlbrook lies on the south-western edge of the main metropolitan area of Birmingham, about 3km to the north-east of Bromsgrove town centre. At the time of the 2011 census, the population was recorded as 6,858.
12. The Parish is bounded to the west and south by the M5/M42 motorways, and the busy A38 runs through the eastern part of the village, separating the main settlement of Catshill from the small residential element of Marlbrook. A key factor influencing the scope and content of the Neighbourhood Plan is the fact that the boundaries of the Green Belt, as presently drawn, are hard up against the existing urban area. One important effect of this is to maintain strategic gaps between Catshill and Lydiate Ash, to the north, and the expanding Bromsgrove to the south.
13. The built-up areas of the village are characterised by a wide variety of housing types, served by roads which are often narrow and winding. There is a considerable amount of post-war housing, much of which takes the form of culs-de-sac of varying length. It is also noticeable that there are very few areas of open space to relieve the density of urban development (although there are some fine views of the surrounding rolling countryside to be had from a number of locations).
14. Local employment is provided in the small shopping centre, spread along the western part of Golden Cross Lane, together with some offices, a hotel/spa and a small business park next to the M42/A38 junction. There are three schools, a doctors' and dentists' surgery, five churches and a number of pubs (one of which has recently been converted into a small Co-op). Other small-scale, commercial activity takes place on the southern fringes of the Parish. Community facilities are concentrated in the Meadow Road area, close to the shops and schools.

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<sup>1</sup> Paragraph 9(1) of Schedule 4B to the Town and Country Planning Act 1990 (as amended).

## The basic conditions

15. I am not required to come to a view about the “soundness” of the Plan (in the way which applies to the examination of local plans); instead, I must principally address whether or not it is appropriate to make it, having regard to certain “basic conditions”, as listed at paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 (as amended). The requirements are also set out in paragraph 065 of the relevant Planning Practice Guidance. In brief, all neighbourhood plans must:
- have regard to national policy and guidance (Condition a);
  - contribute to the achievement of sustainable development (Condition d);
  - be in general conformity with the strategic policies in the development plan for the local area (Condition e);
  - not breach, and otherwise be compatible with, EU obligations, including human rights requirements (Condition f);
  - not breach the requirements of Chapter 8 of Part 6 of the Conservation of Habitats and Species Regulations 2017; and
  - comply with any other prescribed matters.
16. The CNMNP Basic Conditions Statement (BCS) is a comprehensive document which explains the background to the preparation of the Plan, including the statutory requirements, before setting out how each of its policies sits with relevant paragraphs of the NPPF and relevant policies of the Bromsgrove District Plan (BDP). This is followed by an analysis of the degree of conformity with the wider objective of contributing to sustainable development in terms of economic, social and environmental factors. The BCS finally concludes that the Plan has had proper regard to appropriate EU regulations.

## Other statutory requirements

17. A number of other statutory requirements apply to the preparation of neighbourhood plans, all of which I consider have been met in this case. These are:
- that the Parish Council is the appropriate qualifying body (Localism Act 2011) able to lead preparation of a neighbourhood plan;
  - that what has been prepared is a Neighbourhood Development Plan, as formally defined by the Localism Act; that the plan area does not relate to more than one Neighbourhood Area; and that there are no other neighbourhood plans in place within the area covered by the plan;
  - that the plan period must be stated (in the case of the CNMNP, this is 2016 to 2030; however, this is not made explicit in the title ***and I recommend that this is done in the final version***); and
  - that no “excluded development” is involved (this primarily relates to development involving minerals and waste and nationally significant infrastructure projects).
18. A screening report is required to determine whether a neighbourhood plan needs to be accompanied by a Strategic Environmental Assessment (SEA), under the terms of the Environmental Assessment of Plans and Programmes Regulations 2004. It is the qualifying body’s responsibility to undertake any necessary environmental assessments, but it is the local planning authority’s responsibility to engage with the statutory consultees.
19. An SEA Screening Assessment was published by BDC in July 2020. In it, they conclude that the NP

will not have any significant environmental impacts, and therefore that an SEA is not required. The same applies in relation to the Habitat Regulations. Full details of the considerations which support the determination are set out in the statement, and I have been given no reasons to question any of the conclusions reached. They are supported by Natural England, Historic England and the Environment Agency, as statutory consultees in the process.

20. It is a requirement under the Planning Acts that policies in neighbourhood plans must relate to “the development and use of land”, whether within the Plan area as a whole or in some specified part(s) of it. I am satisfied that this requirement is generally met.

## National policy and guidance

21. National policy is set out primarily in the NPPF, a key theme being the need to achieve sustainable development. The NPPF is supported by Planning Practice Guidance on neighbourhood planning (PPG), an online resource which is continually updated by Government. I have borne particularly in mind the advice in the paragraph 041<sup>2</sup> of the PPG that a policy in a neighbourhood plan should be clear and unambiguous, concise, precise and supported by appropriate evidence.

## The development plan and the present strategic planning context for the area

22. Basic condition e) requires neighbourhood plans to be in general conformity with the strategic policies in the development plan for the local area: this clearly means the *adopted* development plan. However, I bear in mind the advice at paragraph 009<sup>3</sup> of the PPG which says: “Although a draft neighbourhood plan or order is not tested against the policies in an emerging local plan, the reasoning and evidence informing the local plan process is likely to be relevant to the consideration of the basic conditions against which a neighbourhood plan is tested.”
23. The principal element of the current development plan for the area is the Bromsgrove District Plan 2011-2030, adopted in January 2017<sup>4</sup>. Relevant policies establish the settlement hierarchy for the district, which identifies Bromsgrove as the main town (to be expanded), six “large settlements” (of which Catshill is one), where specific sites are identified to contribute towards meeting the district’s housing needs; followed by 17 small settlements. Paragraph 8.47 of the LP refers to the one site in Catshill selected for development, noting that it had already been completed. The NP is designed to align with the end-date of the Local Plan. It does not make any additional allocations of land for housing.
24. Bromsgrove is required to identify enough land to build 7000 new homes by the end of the BDP period (2030). While some progress has been made towards that target, the LP recognises that further housing land will need to be identified in the District after 2023, with the assumption that most of this will be found in or adjacent to the six large settlements, including some that is currently within the Green Belt. This has clear implications for Catshill, since virtually all of the open land outside the existing built-up area lies within the Green Belt.
25. A review of the BDP, with an end-date of 2040, commenced in 2018. Anticipating this, adopted Plan Policy BDP3.1 commits the Council to a full review of the Green Belt within the district as one of the steps which need to be taken to identify additional housing land. This review is therefore a

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<sup>2</sup> PPG paragraph 041. ID:41-041-20140306

<sup>3</sup> PPG paragraph 009. ID: 41-009-20190509

<sup>4</sup> this is the formal title of the Plan, but it is perhaps more commonly known simply as the “Local Plan” (or LP). I have used both references in this report.

# Agenda Item 10

key component in informing the roll-forward of the Plan (alongside other important matters such as the appropriate response to the revised “Standard Method” for determining housing need and the changing situation within the wider Birmingham Housing Market Area). Paragraph 8.2.5 of the NP tells us that BDC have identified three specific parcels of land relevant to the Parish whose boundaries will fall within the scope of the review.

26. NPPF paragraph 66 acknowledges that there are situations where it is not possible for strategic policy-making authorities to provide a neighbourhood planning body with a firm housing requirement figure. In these circumstances, they should provide an indicative figure if asked to do so; however, BDC has not done this in relation to Catshill. In the light of this, the NP Steering Group commissioned AECOM to undertake a housing needs assessment to consider the quantity and type of new housing that might be required over the Plan period. This is part of the evidence base (Appendix 8), and I note that it is accepted that the conclusions reached may well differ from those which will emerge from the ongoing work being carried out in relation to the review of the Local Plan. (There is objection from development interests to the inclusion of this material – and its associated site assessment exercises – which I will return to shortly).
27. The Parish Council clearly appreciate the uncertain and somewhat fluid strategic planning context summarised here, and in my view have responded in a reasonable way by deciding to press ahead with the NP in order to provide a level of local input to the decision-making process in the interim. This approach has, however, attracted some objection. A key question for my examination, therefore, is whether, or to what extent, any of the Plan’s policies might inhibit the ability of the area to meet its wider strategic needs in an orderly and effective manner.

## **The consultation exercise (Regulation 14)**

28. This regulation requires the Parish Council to publicise details of their proposals “in a way that is likely to bring [them] to the attention of people who live, work or carry on business in the area”, and to provide details of how representations about them can be made. Regulation 15 requires the submission to the local planning authority of a statement setting out the details of what was done in this respect, and how the qualifying body responded to any matters which arose as a result of the consultation process.
29. The Consultation Statement sets out the steering group’s approach to this process from their initial discussions in 2016. It is not necessary for me to chart here all the stages of the subsequent engagement process; suffice to say that I am satisfied that the relevant statutory requirements have been fully complied with, and all those involved are to be congratulated for ensuring that the process of the Plan was not unduly interrupted by the Coronavirus restrictions.
30. I acknowledge the fact that there has been some criticism from developer interests of the detailed accounts of the responses to the Regulation 14 process. It is not within my brief to assess the validity of the concerns expressed, but it is open to the Parish Council to modify the Consultation Statement if they wish, without any further reference to me.

## **General observations about the Plan**

31. The Plan itself is a very comprehensive document, well laid out and clearly designed to be as useful and accessible as possible. It contains many attractive photographs and clear maps, tables and other illustrative and explanatory material. Each of the policy groupings is preceded by material explaining the wider planning context, and the policies themselves are clearly differentiated from a helpful “justification” section which follows them.

32. After describing the role and scope of neighbourhood plans and the current strategic context for planning in the Parish, there is a summary of Catshill's history, population and social, economic and environmental characteristics. This is followed by material describing the early stages of consultation, which led to the adoption of the following vision statement for the Plan: *"By 2030 the Parish will have sustained and strengthened its community feel through good quality development and community amenities whilst maintaining its distinctive character and environment."*
33. The next part of the Plan document deals with the second stage of the consultation process, which focused on three topic areas. A key element of this was a move towards identifying the scope and suitability for development of 25 sites (all located within the Green Belt); I will refer to the outcome and relevance of this work shortly.
34. Section 3 of the Plan is the policies themselves, grouped under the heads of Housing and Infrastructure, Commerce and Community, and Environment. The policies are preceded by comprehensive "scene-setting", and I will deal with each of them in turn shortly. Suffice to say for the moment that there is a significant amount of material relating to deciding the amount and distribution of housing land, much of which is likely to be overtaken by events as work on the Local Plan review progresses.
35. The Plan document concludes with a short section listing intended community actions which fall outside the remit of development plan policies; another explaining how it is intended to be monitored and reviewed; a list of 13 Appendices (principally forming part of the evidence base for the Plan); and finally, an extensive and useful glossary of terms.

## **Representations received (Regulation 16)**

36. None of the statutory consultees or public bodies who responded (Historic England, Natural England, The Coal Authority, Severn Trent Water, National Grid and Worcestershire County Council) had any adverse observations to make (although STW and WCC had some relatively minor suggestions for modifications to certain policies). Support for the Plan was received from the Dodford with Grafton and Lickey and Blackwell Parish Councils. There were no representations from the general public (other than in relation to one minor issue).
37. BDC officers have worked with the NP Steering Group during the preparation of the Plan. BDC are satisfied that all the statutory requirements have been met. They note that the Parish Council are fully aware of the work being done on the review of the Local Plan/Green Belt, and that this could have implications for Catshill. They consider that the NP offers clear policy guidance for the consideration of planning applications.
38. As indicated earlier, there were several critical representations by agents on behalf of developer/land-owner interests:
  - RPS act for Gleeson Strategic Land who have an interest in land north of Braces Lane, a relatively small part of which is designated in the NP as Local Green Space;
  - Avison Young act on behalf of St Philips Ltd who control land at Stourbridge Road, which is also impacted by Policy ENV4;
  - Turleys act for Redrow Homes Ltd, who are promoting land at Washingstocks Farm through the Local Plan review process; and



- Savills act for the owners of land at Woodrow Lane/Halesowen Road.

## The approach of the Neighbourhood Plan to the housing issue

39. In different ways, all these agents criticize the Plan for failing to give sufficient weight to the need for additional housing to be identified, as a context for the specific sites which they are promoting for release. Although not all of them raise precisely the same issues (nor do they always agree on the action which needs to be taken to address them), the following general points are made:
- the opportunity to change the existing Green Belt boundaries has not been taken;
  - the material seeking to identify housing need is superfluous, given the fact that the NP makes no specific allocations of housing land and the likelihood that the Local Plan review will indicate a need for a substantial increase in the district-level requirement; and
  - there are flaws in the site assessment processes which produced rankings for the various sites considered by both AECOM and the Parish Council itself, and so they should not be used to inform the LP review.
40. These various concerns effectively suggest either that the Plan is premature and should await the outcome of the Local Plan/Green Belt review processes; or that there is a case for the NP to release some sites from the Green Belt now - or at the very least that it should identify certain land to be particularly favoured (and perhaps designated “reserve” sites, as suggested by RPS) as an input to the LP review.
41. In my opinion, none of these conclusions is necessary, for a number of reasons. Firstly, as already noted, basic condition e) requires the NP to be in general conformity with the strategic policies in the *adopted* development plan for the local area. I have been given no evidence to suggest that this might not be the case so far as the housing context is concerned. Similarly, it is clear that the NP has had regard to “the reasoning and evidence informing the Local Plan process” in its approach to framing its own policy objectives at the same time as the review of the LP is under way.
42. Nothing here suggests that the NP is under any obligation to conduct an independent review of the Green Belt, or to consider removing any specific sites from it. In any event, this would be a partial, ad hoc exercise with no account being taken of the wider picture which it is clearly the job of the District Council to progress, and to which they are committed. For that reason, it is likely to be seen as flawed in principle. I come to that conclusion notwithstanding the terms of NPPF paragraph 135 (quoted by RPS): “ ... *Where a need for changes to Green Belt boundaries has been established through strategic policies, detailed amendments to those boundaries may be made through non-strategic policies, including neighbourhood plans*”. The key word here is “may”; as RPS themselves acknowledge, this merely means “that it is within the remit” of the CNMNP to make such changes.
43. I understand the suggestions that, given the ongoing work to establish the wider strategic context for Bromsgrove, the NP need not (or even *should* not) attempt to determine questions of housing need itself nor, as a corollary, reach any conclusions about the consequences for specific sites. While there appears to be nothing in terms of national policy or advice which would discourage this, I have some sympathy with the view that it serves little purpose in the present circumstances. I do not see any evidence, as has been hinted in some representations, that this approach is a device to constrain further housing provision within the Parish; but I accept that it is right to question its utility.

# Agenda Item 10

44. Both the housing requirement and guidance on its preferred spatial distribution during the period of the NP are matters which will soon be resolved through the Local Plan review. This will mean that conclusions on each of these matters reached as a result of the AECOM exercises and the Parish Council's own work in this regard will be superseded (although not necessarily altered). The Parish Council clearly recognise that dynamic. I see no reason why the work which has been done locally should not be treated as an informed contribution to the LP process; however, I have sympathy with the view (expressed, for example, by RPS) that it would be preferable for it to be published as a separate document.
45. I am aware of representations querying some conclusions of the site assessment exercises. However, unless it is clear that there was some basic flaw in the approach taken, it is beyond my brief to adjudicate in any disagreement about the specific judgements reached. In any event, given the status of these exercises in the final content of the NP, limited weight is likely to be given to them should any of the sites concerned be the subject of a planning application. (I will comment later on the conclusions reached in relation to Local Green Spaces – see under Policy ENV4).
46. Having considered the representations concerning the way the NP deals in principle with the housing issue, ***I recommend that all the contextual material be separated from the Plan itself and attached to it as an appendix, with the suggested title of "Housing Requirement Position Statement". This relates principally to the following sections:***
- ***paragraphs 6.8 and 6.9/Figure 4;***
  - ***paragraphs 6.15 and 6.16 and the accompanying table showing all the sites considered;***
  - ***paragraphs 8.4.1 to 8.5.14 inclusive.***
47. ***In substitution, the following paragraph should be inserted after paragraph 8.3.3:***
- "Appendix .. details the methods adopted by these studies and their outcomes. It is not intended that the conclusions reached should substitute for the ongoing work being carried out by the District Council on housing need or the extent of Green Belt within the District, rather that they should be seen as contributions to those exercises. The policies in this Neighbourhood Plan are not directly impacted by any of the detailed conclusions reached by the studies referred to".***
48. ***In addition, consequential minor amendments should be made to other paragraphs of the Plan as necessary.***
49. I see no reason in principle why the results of the work done to identify the *mix* of housing required should not be retained in the Plan document itself. This relates primarily to the content of sections 8.6 to 8.8 inclusive, which deal with the type and size of dwellings, affordability and tenure, and which are designed principally to support Policy H2.
50. It is convenient here to refer to concerns expressed by both RPS and Savills to suggestions in the Plan that development of large sites is to be discouraged (eg at paragraph 6.6, point 3). The view is that it is only larger schemes that are capable of generating the infrastructure (both physical and social) that would be needed to ensure a sustainable approach to development. I understand the point (and it is something which the itself Plan recognises – see Appendix 7, paragraph 4.4) but do not see that the few comments that are made about this in the Plan would inhibit in principle a positive approach being taken to such schemes. In any event, none of the Plan's policies (as opposed to supporting material) have anything to say on the matter - and indeed it would be premature for it to do so, since it is the Local Plan which will determine the scale and broad location of new development in Bromsgrove. In the interim, the principles set out in Policies H1-

H4 will provide sufficient guidance to enable consideration of any planning applications which might come forward.

## The policies

51. Unless otherwise stated, I have concluded that, subject to any recommendations, each of the Plan's policies satisfies the basic conditions. I have therefore not made that point separately under each policy head.

## Housing and infrastructure policies

### Policy H1: Criteria for major new housing development

52. This policy seeks to establish criteria for the acceptability of major new residential schemes (10 or more dwellings), the first two being either that the site is released from the Green Belt after the GB/LP review or that it is "brownfield" land within the existing urban area. Given my view about how the strategic issue should be handled, and the support in the NPPF (for example at paragraph 117) and in Local Plan Policy BDP2.1a) for priority to be given to brownfield development, **these two criteria are superfluous and I recommend that they be deleted.** This in no way dilutes the substantial weight to the protection of Green Belt land which is currently afforded by national and local policies. My recommendation would also deal with concerns expressed by Avison Young about the absence of any reference to the "very special circumstances" test.
53. The remaining five criteria deal with the need to ensure that existing gaps between Catshill and Bromsgrove Town, and North Marlbrook and Lydiate Ash are maintained; that impacts on highway safety and the road network are minimised; that sustainable access arrangements are made; that visual impact is considered; and that, where possible, landscaped links are made to the Green Infrastructure Network.
54. If my over-arching recommendations in relation to housing are accepted, **I further recommend that the first three paragraphs of the justification to Policy H1 are deleted and relocated to the new appendix.**

### Policy H2: Housing mix in major new developments

55. Work on the Plan included a housing needs assessment (HNA) carried out by AECOM that (as well as considering the overall figures) concluded that the limited supply of smaller homes within the Parish was contributing to a decline in the resident population of younger adults, including those with families. Other deficiencies identified included social housing tenure and homes for older people. Policy H2 supports a mix of housing types in schemes of 10 or more dwellings, including sufficient affordable housing in line with the District Council's targets. As I have previously explained, I have taken the view that the conclusions of the HNA exercise in respect of the desirable *mix* of housing need not be dealt with in the same way as those relating to the overall *numbers*.
56. RPS and Savills are concerned about the way the policy is expressed. I agree with a number of the points they make, in particular that, as currently worded, it might be taken to require all schemes of 10 dwellings or more to meet all four of the criteria a) to d) – although I doubt if that was the intention. In addition, the policy requires proposals to be "consistent with the findings of the AECOM HNA assessment or subsequent studies". If taken literally, this would be an over-prescriptive approach which would unreasonably constrain consideration of specific schemes on

their merits.

57. ***I recommend that the preamble to Policy H2 be reworded thus: “New residential development in the Parish of more than 10 dwellings will be supported where it provides a mix of housing types, tenures and sizes, in a way which broadly reflects the findings of the AECOM Housing Need Assessment or subsequent studies. In particular, schemes that would provide some or all of the following will be supported in principle:”***
58. Savills also are concerned about AECOM’s suggestion that bungalows are needed to cater for older residents; however, I am not required to consider the detailed content of the HNA to this extent, and my last recommendation should enable sufficient flexibility in the development management process to avoid over-prescription.

### Policy H3: Design principles

59. This policy sets out nine design principles which development proposals are required to have “considered and applied”, with reference in particular to the Catshill and North Marlbrook Design Guide (prepared for the Parish Council by AECOM), in combination with BDC’s High Quality Design Supplementary Planning Document (SPD) (2019).
60. While there will undoubtedly be room for variation in the way these principles are applied “on the ground”, they represent an agenda which will provide the necessary guidance for developers. RPS consider the Design Guide itself to be overly prescriptive and not as “concise and positive” as advised by Planning Practice Guidance<sup>5</sup>. Savills have broader concerns about the use of design codes. Having looked at the document, I have some sympathy with some of these comments. However, Policy H3 properly restricts itself to requiring regard to be had to the identified principles; the weight to be given to specific provisions in the Guide will be a matter for detailed interpretation as part of the normal development management process.

### Policy H4: Windfall sites

61. Policy H4 supports the principle of development within the existing built-up areas of the Parish, so long as four broad criteria are satisfied. These are designed to ensure that the existing character of the area is respected, and in their own terms are reasonably expressed. The justification to the policy, however, goes further by saying that schemes should “comply with the design and layout requirements of the District Council’s SPD... and the AECOM Design Guide”.
62. Development Plan policies should not suggest (or give the impression) that guidance is effectively mandatory and so must be *complied* with. ***I recommend that the justification to Policy H4 be reworded: “Proposals for small-scale housing developments in the urban part of the Parish will be treated positively providing they respect the existing character of the area and have regard to the design and layout guidance as set out in the District Council’s ‘High Quality Design Supplementary Planning Document (2019)’ and the AECOM Design Guide”.***

### Policy H5: Extensions and alterations to properties

63. This is a very general requirement for extensions and alterations to fully take into account the characteristics of the existing building.

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<sup>5</sup> Paragraph 005 Ref: 26-005-20191001

## Commerce and community policies

### Policy COM1: Golden Cross Lane local centre: fast-food units and restaurants

64. Policy COM1 targets a specific issue, referred to in the justification paragraph, which is that over 50% of the units within the Catshill local centre are said to be in use as fast-food or restaurant businesses. The policy bluntly states that “proposals for further ones will not be supported unless a new outlet replaces an existing one”, on the grounds that this is needed to protect the existing retail offer and discourage trips to other centres. I have not been able to find anything substantive in the evidence base which explains how the policy was arrived at – the issue was hardly mentioned in Appendix 2, which deals with the results of the consultations with business interests.
65. I have considerable sympathy with the general aims of a policy designed to support an area’s local centre, but there are difficulties with COM1: firstly because its relationship with the Local Plan is not clear and secondly because it needs to be reconsidered in the light of recent changes to the Use Classes Order.
66. The BCS says that Policy COM1 is in conformity with Local Plan Policy 25.6. This only deals with hot-food takeaways (at that time falling within Use Class A5, but now *sui generis* – ie, in no class, or in a class of its own) and seeks to prevent concentrations of this use exceeding 5% of units within a centre (other provisions apply). It is therefore difficult to understand how these two policies are to be taken together, especially since the NP policy includes restaurants (and presumably cafes) whereas the LP policy does not. Even without this element of difference, it is not clear how the NP policy would be any more effective in achieving the stated aims than LP Policy 25.6. The partial duplication would be confusing both to the public and decision-makers. Moreover, cafes and restaurants are not generally considered to be harmful in terms of strategies for regenerating local shopping centres (although the NPPF is silent on the matter).
67. In any event, these uses now fall within the same Class (E) as a wide range of other high street uses, including shops. This means that the change of use of a shop unit to a café or restaurant is beyond planning control; and while an application would still be required to change from a shop to a takeaway, this must severely limit the ability of the policy to achieve its stated aims.
68. ***I recommend that Policy COM1, together with its justification, be deleted.***

### Policy COM2: Golden Cross Lane local centre: design of shopfronts and external areas

69. This policy requires proposals for new or replacement shopfronts in the local centre to “accord with the principles” set out in the Design Guide. This formulation is entirely appropriate since it does not require compliance with specific elements of the Guide. The seven particular aspects of design that are highlighted by the policy are also expressed with suitable flexibility, as is the support which is given to unifying and improving the appearance of the open areas associated with existing shops. As a minor point, ***I recommend that the title of the policy reflect the inclusion of this latter element.***<sup>6</sup>

### Policy COM3: Support for existing business uses

70. Policy COM3, in part, covers similar ground to Policy COM1 in that it is intended to provide what support is possible to the existing businesses in the Parish, including shops. The policy and its justification sensibly recognise the limitations here, but there is nothing that need be the subject

<sup>6</sup> As can be seen, I have adopted this change for the purposes of my report.

of any recommendation.

## Policy COM4: New start-up businesses

## Policy COM5: Homeworking

71. Policy COM4 is a straightforward statement of intent to encourage local enterprise where there would be no adverse impact on the living conditions of neighbouring occupiers or on highway safety. COM5 is similar and relates specifically to homeworking, which would be supported “provided the activity is subordinate to the primary use of the building”. However, homeworking would not necessarily require planning permission (as is noted in the justification to the policy); one of the usual tests being whether or not the primary use of the premises would continue to be residential. The caveat is therefore likely to be redundant, and the policy itself would be of no effect if no material change of use is involved. ***I recommend that the policy be reworded: “Proposals involving homeworking which require planning permission will be supported in principle, providing the activity will not adversely affect the living conditions of neighbouring residents”.***

## Policy COM6: Retention of community facilities

## Policy COM7: Enhancement of community facilities

72. Between them, these two policies set out broad criteria designed to protect community facilities and to support their enhancement. The facilities themselves are not defined or identified in either policy, but six buildings are listed in paragraph 9.3.1<sup>7</sup>, four of which are connected with churches, the others being the village hall and a social club. For clarity, the facilities should be listed in the policies. In addition, the reference to the Use Classes Order is not entirely helpful. For these reasons, ***I recommend that Policies COM6 and COM7 be replaced with the following.***

### ***“Policy COM6: Retention of community facilities***

***The community facilities listed below will, wherever practicable, be retained unless it can be demonstrated that a facility is no longer economically viable or that an equivalent or enhanced facility will be provided on the same site or in a more appropriate location:*** [Follow with the list of buildings set out in paragraph 9.3.1].

### ***Policy COM7: Enhancement of community facilities***

***Proposals to enhance the facilities listed in Policy COM6 will be supported providing ...”*** [then continue policy as currently worded].

## Environment policies

## Policy ENV1: Green infrastructure network

## Policy ENV3: Enhancement of blue/green corridors

73. I have taken these two policies together because they cover similar ground, although the differences between them are not readily apparent. ENV1 is designed to ensure the integrity of the key “green” assets of the Parish and to enhance their value by improving links to them. ENV3 also deals with improving environmental links, although the reference is to “blue/green corridors”. The Green Infrastructure Network to which these objectives relate is said to be shown on the Policies Map (Figure 14): however, the key to this does not include the terms “green infrastructure

<sup>7</sup> This paragraph says that the facilities concerned are shown on “figure 3”; however, there are two figures showing the location of services and facilities in the Parish, 3a and 3b, and only 3a seems to show the assets referred to in the policies. There is a need for this cross-referencing to be clarified.

network” or “blue corridor”, and so it is not a straightforward matter to understand which features shown on the map are parts of the strategic network for the purposes of the policies. In addition, three “potential new green corridors” are shown on the Policies Map, which are said to relate to Policy ENV3, but there is no mention of them either in the policy or its justification.

74. Rather than attempt to interpret the intentions here myself, ***I recommend that the two policies be reworded in a way which removes the difficulties of interpretation to which I have drawn attention. In doing this, it should be made clear that the enhancements referred to in the first sentence of Policy ENV3 will only be sought “where appropriate”. Consequential modifications to the Policies Map will be required (see also my recommendations in relation to Policy ENV4).***

## Policy ENV2: Landscaping in major new housing proposals

75. This policy would require a particular approach to the landscaping of larger schemes (10+ dwellings). I do not agree with Savills’ view that it needs to make it clear that landscaping should not be a matter for consideration as part of an outline application. In practice, this would rarely be an issue anyway, but the local planning authority should have freedom to consider each case on its merits.

## Policy ENV4: Local green spaces

76. Policy ENV4 gives effect to NPPF paragraphs 99-100: *“The designation of land as Local Green Space through local and neighbourhood plans allows communities to identify and protect green areas of particular importance to them... Local Green Spaces should only be designated when a plan is prepared or updated, and be capable of enduring beyond the end of the plan period. The Local Green Space designation should only be used where the green space is:*

- a) in reasonably close proximity to the community it serves;*
- b) demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and*
- c) local in character and is not an extensive tract of land.”*

77. Six areas of land are proposed for protection as local green spaces (LGS), with Appendix 12 (which also deals with the identification of formal open spaces) forming the evidence base for their selection. Both the methodology and the conclusions reached have been the subject of significant objection by developer interests, especially by RPS on behalf of Gleasons (LGS2, land north of Braces Lane) and Avison Young on behalf of St Philips (LGS6, wooded area to the south-east of the M5). Both parties argue that there are flaws in the way the LGS exercise was carried out and that, if their sites remain protected, this would (to different degrees, and for different reasons on the ground) inhibit the development of land in sustainable locations with clear potential to contribute to the housing needs of the area. It would also result in pressure to release other, less sustainable sites.

78. The extent to which it was possible to view these sites from the public realm was somewhat limited, but I was satisfied in all cases that criteria a) and c) of NPPF paragraph 100 are likely to have been met. I do, however, share some of the concerns about the way criterion b) has been considered, especially having considered the detailed analysis by RPS.

79. That said, I consider the more significant issue for my examination is whether there is any point in



seeking added protection for land which lies within the Green Belt (at least for the time being)<sup>8</sup>. This is the case with five of the six sites. Moreover, were the NP to designate all of them as LGS, there must be a risk that the status of some of them would be changed following the conclusions of the Green Belt/Local Plan review. This could well result in some justifiable criticism of the effectiveness and credibility of the local planning system, especially since it could be seen as conflicting with NPPF policy: *“Local Green Spaces should ... be capable of enduring beyond the end of the plan period”*.

80. It would seem unlikely that LGS3, which is not in the Green Belt, and which is surrounded by housing, would be involved in the strategic exercise, and so it could safely be designated for protection under Policy ENV4. I take a similar view of LGS5: only part of this lies within the Green Belt, and it is intimately related to an existing amenity space and a proposed green corridor associated with a recently-completed housing development.
81. Savills ask for clarification of the meaning of the requirement that development should not detract from the openness or special character of a local green space, but I consider this to be a matter which can be adequately addressed if and when a proposal comes forward.
82. For the record, I see no evidence to support the charge (levelled by RPS) that Policy ENV4 is designed to undermine the outcome of the wider housing needs exercise (PPG paragraph 007); nevertheless, my broad reservations remain. Given my observations, ***I recommend that Policy ENV4 be replaced with the following: “The parcels of land shown as LGS3 and LGS5 on the Policies Map are designated as Local Green Spaces to be protected from development. Development that would detract from their openness or special character will not be supported unless it can demonstrate that the benefits of the scheme would outweigh the harm to the Local Green Spaces. Further sites will be considered for protection under this policy following the completion of the Bromsgrove District Plan Review”***.
83. ***I also recommend that a further paragraph be added to the justification to the policy which explains that four other sites were originally considered for inclusion, but that it would be premature to designate them before the completion of the district-level exercise; however, in the interim, they all remain in the Green Belt and so continue to be protected from inappropriate development.”***
84. ***If these recommendations are accepted, Figure 14 (the Policies Map) will require modification. As part of this, I recommend that the term “Green Spaces” in the key be replaced with “Local Green Space”.***

## Policy ENV5: Existing open spaces and outdoor facilities

85. Five areas of formal open space, sports and recreational land are identified and are to be kept free of any development unless there are exceptional circumstances to justify a change, in which case a suitable replacement has to be found.

## Policy ENV6: Provision of open and recreational space in major new housing schemes

86. This policy seeks to ensure that larger housing schemes make adequate provision for open and recreational space “in accordance with policy BDP25 or future standards adopted by the District Council”. This reflects an identified deficit in provision of these facilities within the Parish.

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<sup>8</sup> NPPF paragraph 101 also raises this issue.

87. However, Local Plan Policy BDP25 does not, in fact, contain standards which need to be met by development proposals, although it does set out district-wide targets for the quantity and accessibility of a range of open land assets based on population and travelling time. BDP25.2 then states that *“it will be impractical and inappropriate to deliver all the open space typologies on every site as the quality of sites varies, and enhancement will be based on the conditions of the relevant facilities at the time. Where provision standards are not available, contributions will be negotiated..... ”*. In addition, LP Policy BDP25.3 opposes the loss of existing recreational assets (unless certain criteria are met) and Policy BDP25.4 provides for appropriate compensatory measures.
88. NP Policy ENV6 therefore effectively duplicates these Local Plan policies, while at the same time introducing an unhelpful element of uncertainty. Development schemes coming forward can satisfactorily be considered against the LP requirements; that may result in physical provision being made on-site or off-site, or for financial contributions to be made in lieu, all against the background of the wider picture.
89. For these reasons, ***I recommend that Policy ENV6 be deleted.***

## Policy ENV7: Significant views

90. The Policies Map schematically shows the locations of two important views within the Parish, and Policy ENV7 seeks to protect the outlook and features which contribute to them. ***They are not actually named in the policy, and I recommend that this be done.*** Savills say the policy should say something about the need to avoid sterilising development, but I do not consider this necessary.

## Policy ENV8: Sustainable design and construction

### Policy ENV9: Sustainable drainage

### Policy ENV10: Hard surfacing in householder proposals

91. It is convenient to take these three policies together. The first is a very generalised requirement for the design and construction of new development to aim for a high level of sustainability. It does not, as Savills seem to suggest, require the achievement of zero or very low carbon emissions: a more nuanced explanation is contained in the justification section, which ought to meet the concern that the policy is too onerous.
92. ENV9 requires the provision of sustainable drainage systems to minimise flooding and contribute to the green infrastructure network. The justification to the policy says that this requirement relates to *major* development proposals: ***I recommend that the opening of the policy be reworded to make this clear.***
93. Policy ENV10 discourages the use of impermeable materials where householders introduce hard surfaces for parking (in the circumstances where planning permission is needed).

## Community actions

94. Chapter 11 of the Plan contains a list of actions and projects which the Parish Council supports, in some cases involving collaborative work with other organisations. These are properly differentiated from the land-use policies of the Plan itself.

## Implementation, monitoring, review and revision

95. The Plan concludes (Chapter 12) with a short statement which commits the Parish Council to producing an annual progress report<sup>9</sup>, with a full review of the Plan every five years (or sooner if the circumstances warrant). Savills say this should include specific triggers which would prompt the need for a review, but I see no need for this, given the clear commitment to act appropriately, as the context for the NP changes.

## List of policies

96. The Plan concludes with an easily referenced list of all the policies in the Plan. This is helpful but ***will need to be re-visited in the light of my recommendations.***

## Conclusions on the basic conditions

97. I am satisfied that the Catshill and North Marlbrook Neighbourhood Plan makes appropriate provision for sustainable development, while establishing principles which are designed to accommodate new development in a way which ensures that it is successfully integrated into the existing physical and social context. In particular, I consider that the Plan would generally serve an important and useful purpose in the context of the ongoing review of the Bromsgrove District Plan. I conclude that in this and in all other material respects, subject to my recommended modifications, it has appropriate regard to national policy. Similarly, and again subject to my recommended modifications, I conclude that the Plan is in general conformity with the strategic policies in the Development Plan for the local area. There is no evidence before me to suggest that the Plan is not compatible with EU obligations, including human rights requirements.

## Formal recommendation

98. I have concluded that, provided that the recommendations set out above are followed, the Catshill and North Marlbrook Neighbourhood Plan would meet the basic conditions, and I therefore recommend that, as modified, it should proceed to a referendum. Finally, I am required to consider whether the referendum area should be extended beyond the neighbourhood plan area, but I have been given no reason to think this is necessary.

David Kaiserman BA DipTP MRTPI, Independent Examiner

3 June 2021

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<sup>9</sup> It might be helpful if references in paragraph 12.1 to an annual review be replaced with reference to an annual monitoring report (as in paragraph 12.2) in order to distinguish this from the full review described in paragraph 12.3.

## APPENDIX 1 – SUMMARY TABLE OF RECOMMENDATIONS

Examiner's report paragraph	NP reference	Recommendation
17	Title	<ul style="list-style-type: none"> <li>make Plan period explicit in Plan title</li> </ul>
46-48	Chapter 8: Housing	<ul style="list-style-type: none"> <li>move contextual material on housing requirement to an appendix to the Plan</li> <li>in its place, insert suggested text after para 8.3.3</li> <li>make consequential minor amendments to text as necessary</li> </ul>
52	Policy H1	<ul style="list-style-type: none"> <li>delete criteria 1 and 2 of policy</li> </ul>
54	Policy H1	<ul style="list-style-type: none"> <li>delete first three paragraphs of policy justification and relocate to new appendix</li> </ul>
57	Policy H2	<ul style="list-style-type: none"> <li>reword preamble to policy as suggested</li> </ul>
62	Policy H4	<ul style="list-style-type: none"> <li>reword policy justification as suggested</li> </ul>
68	Policy COM1	<ul style="list-style-type: none"> <li>delete policy and its justification</li> </ul>
69	Policy COM2	<ul style="list-style-type: none"> <li>note suggested policy title</li> </ul>
71	Policy COM5	<ul style="list-style-type: none"> <li>reword policy as suggested</li> </ul>
72	Policy COM6 Policy COM7	<ul style="list-style-type: none"> <li>replace policies with suggested wording</li> </ul>
74	Policy ENV1 Policy ENV3	<ul style="list-style-type: none"> <li>reword policies</li> <li>make consequential changes to Policies Map</li> </ul>
82-84	Policy ENV4	<ul style="list-style-type: none"> <li>reword policy as suggested</li> <li>add further paragraph to policy justification</li> <li>make consequential changes to Policies Map</li> </ul>
89	Policy ENV6	<ul style="list-style-type: none"> <li>delete policy</li> </ul>
90	Policy ENV7	<ul style="list-style-type: none"> <li>name the significant views within the policy</li> </ul>
92	Policy ENV9	<ul style="list-style-type: none"> <li>reword first sentence of policy</li> </ul>
96	List of policies	<ul style="list-style-type: none"> <li>update to reflect the changes recommended above.</li> </ul>

# DECLARATION OF RESULT OF POLL

## Neighbourhood Planning Referendum Thursday 7 October 2021 Catshill and North Marlbrook Parish

I Kevin Dicks, being the Counting Officer at the above referendum held on Thursday 7 October 2021, do hereby give notice that the results of the votes cast is as follows:

Question		
Do you want Bromsgrove District Council to use the Neighbourhood Plan for Catshill and North Marlbrook Parish to help it decide planning applications in the neighbourhood area?		
	Votes Recorded	Percentage
Number cast in favour of a <b>Yes</b>	723	87.96%
Number cast in favour of a <b>No</b>	98	11.92%

The number of ballot papers rejected was as follows:	Number of ballot papers
A want of an official mark	0
B voting for more answers than required	0
C writing or mark by which voter could be identified	0
D being unmarked or wholly void for uncertainty	1
E rejected in part	0
Total	1

Electorate: 5198

Ballot Papers Issued: 822

Turnout: 15.81%

And I do hereby declare that more than half of those voting have voted **in favour of** the Neighbourhood Plan.

Dated Friday 8 October 2021

Page 189

Kevin Dicks  
Counting Officer

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### Cabinet

20th October 2021

#### 2022/23 Annual Budget and Medium-Term Financial Plan: Updated Budget Framework and Member Engagement Plan

Relevant Portfolio Holder		Councillor Geoff Denaro
Portfolio Holder Consulted		Yes
Relevant Head of Service		Chris Forrester
Report Author	Job Title: James Howse Contact email: james.howse@bromsgroveandredditch.gov.uk Contact Tel: 0152764252 ext 1205	
Wards Affected		No
Ward Councillor(s) consulted		N/A
Relevant Strategic Purpose(s)		All
Non-Key Decision		
If you have any questions about this report, please contact the report author in advance of the meeting.		

#### 1. RECOMMENDATIONS

The Cabinet resolves that:-

- 1) That the updated member engagement plan for the 2022/23 Budget and MTFP Report is noted and supported.

#### 2. BACKGROUND

##### Budget Setting (decision making) Context

- 2.1 The Council's 2022/23 Budget and (annually updated) Medium Term Financial Plan (MTFP) 2022/23 to 2024/25 provides the framework within which revenue and capital spending is undertaken in an affordable and sustainable way.
- 2.2 The Council's 2022/23 Budget and (annually updated) Medium Term Financial Plan (MTFP) is subject to approval by Council in February 2022. It is a statutory requirement to do so by early March.
- 2.3 This (Budget and MTFP) report received by Council in February 2022 inevitably includes a degree of financial detail and nuance. Also, some of the financial data (for example in relation to precept values and the details of the Local Government Financial Settlement agreed by Central Government) is not available until late in the process. As a consequence, the formal approval process has an inherent degree of complexity and time pressure, which can be a challenge to sound, transparent decision making.



### Cabinet

20th October 2021

#### Financial Context

- 2.4 The Council's financial context must be considered to be a challenging one given:
- i. significant savings have been identified but still needs to delivered over the medium term as part of the approved MTFP;
  - ii. General Reserve balances, though adequate currently, are forecast to decline without further action;
  - iii. there are high levels of planning uncertainty with regards to the levels of available funding in coming years; and
  - iv. Covid-19 has, and will continue for some time, to have a negative effect on the Council's Leisure and other income generating activities.
- 2.5 The Council will therefore need to continue to carefully consider how it prioritises resources and balances budgets in a sustainable and affordable way, as part of its Budget setting process.

#### Unprecedented Levels of Uncertainty

- 2.6 The future of the system of local government finance remains uncertain. The government has committed to re-assess the baseline need for spend in each local authority (through its 'Fair Funding review'). This has been pushed back (again) to 2023/24 at the earliest - but is still expected to happen. This review will have a significant impact on the government's calculation of the Settlement Funding Assessment for (and therefore the amount of funding available to) this council - and remains therefore a significant risk.
- 2.7 It also remains uncertain as to what the Government's plans are with regards to the system of business rates - including the share of business rates retained locally. It is also unclear as to whether Government will announce a one-year financial settlement for Local Government in the Autumn (for 2022/23) or a multi-year settlement.
- 2.8 Furthermore, the short, medium and long term impact of the Covid- 19 pandemic and UK's exit from the European Union (on residents, the economy and the state of national and local government finance) remains uncertain.

### Cabinet

20th October 2021

- 2.9 Taken together therefore (the outcome of the fair funding review, the future of business rates, COVID-19, Brexit and the state of the local and national economy) represents a challenging context within which to set the budget and MTFP - one characterised by an unprecedented level of uncertainty.

#### **Member Feedback**

- 2.10 In recent years there has also been an expressed appetite on the behalf of members to understand more about the underlying issues within the Budget and MTFP, and an acknowledgment of the importance of involving members in advance of the formal report on the Budget received by full Council in February each year.

#### **Purpose of this Report**

- 2.11 Given the above context (of an inherently complex February 2022 Budget Report and MTFP, the need to prioritise resource and balance budgets, unprecedented levels of uncertainty and member feedback) the purpose of this report is to set out an updated member engagement plan for the 2022/23 Budget and MTFP Report.

#### **2022/23 Annual Budget and Medium-Term Financial Plan: Budget Framework and Member Engagement Plan**

- 2.12 In order to improve levels of engagement with members, a number of developments are planned as part of the Budget setting process including:
- i) Presenting a simple reconciliation between the previously approved Budget and MTFP to the updated Budget and MTFP
  - ii) Updating the approach and timetable for member engagement to include
    - a. additional engagement opportunities (through the Finance and Budget Working Group and through such as workshops) open to all political parties.
    - b. Earlier engagement opportunities (than the formal February Budget Report)
    - c. Reasonable opportunity for suggestions to be considered.

### Cabinet

20th October 2021

#### Reconciling the previously approved Budget and MTFP to the updated Budget and MTFP

2.13 The Council's updated budget and MTFP will be set out in full in February 2022 and inevitably will contain a significant amount of financial data, and the large number of adjustments and alterations to previous years budgetary estimates.

2.14 In order to cut through this complexity and help members and stakeholders understand the key issues within the budget the Council's Section 151 Officer intends to include a reconciliation of the headline numbers included in the previous and updated MTFP as summarised in the following table:

	22/23	23/24	24/25
<b>Previous Forecast Surplus / Deficit</b>	£x m		
+ Corrections			
+ Assumptions Changes			
+ Pressures			
+ Covid funding impact			
+ Resource Planning and Prioritisation (RPP)			
<b>= Updated Forecast Surplus / Deficit</b>			

#### Key

**Corrections:** One of the outcomes of budgetary control, closedown and setting procedures is the identification of errors in the underlying budgets. The implementation of TechOne will assist this important housekeeping exercise.

**Assumptions:** All budgets include estimates and assumptions. Eg. Inflation and interest rates, Government grants, council tax base and collection rates. These are updated annually.

**Pressures:** Expenditure (and income) budgets required to deliver previously approved strategies and plans

### Cabinet

20th October 2021

are subject to a multitude of market forces, sector issues, demographics and other matters.

Covid funding: Covid-19 related grant funding has been made available recently and will be separately identified in order to provide transparency as to how this funding will be allocated.

Resource Planning and Prioritisation (RPP):

RPP is the outcome of the steps taken to identify options to do things differently and more efficiently, to identify savings but also required areas of investment. It is the culmination of a 'check and challenge' process with regards to the Council's budgets, led by the Corporate Management Team and presented to Cabinet (and ultimately full Council). It is a critical element of the Council operating within available resources.

#### **Planned 2022/23 Budget (and MTFP) Member Engagement Timetable**

- 2.15 It is anticipated that using the above reconciliation to focus in on the key issues driving the updated Budget and MTFP will improve member engagement.
- 2.16 Additional member presentations will also be undertaken as part of the process in the lead up to the presentation of the formal Budget and MTFP Report, as summarised in the table below.

<b>Date</b>	<b>Activity</b>	<b>Outcome(s)</b>
August	CMT RPP Session	RPP Savings / Options Earmarked reserve review
September	Modelling of RPP Session	Outline Budget Analysis
October to December	Cabinet and CMT RPP Sessions	Budget options / buy in / steer
November	Finance and Budget Working Group	Engagement on budget
Dec/Jan	All Member Budget Briefing	Engagement on budget
January	Cabinet reporting	Formal Budget MTFP Report approved for Council
February	Council (and O&S) reporting	Approved Budget / MTFP

### Cabinet

20th October 2021

- 2.17 NB. It should also be noted that in addition to the above, steps are being taken to further strengthen the members training schedule with regards to local government finance more broadly (which will include budget setting, but also other key elements of local government finance such as accounting and audit arrangements).
- 2.18 It should also be noted that the above does not alter the terms of reference of the Finance and Budget Working Group who will continue to have the right and opportunity to choose to pre-scrutinise budget reports during the year.

### **3. FINANCIAL IMPLICATIONS**

- 3.1 The Council's 2022/23 Budget and (annually updated) Medium Term Financial Plan (MTFP) 2022/23 to 2024/25 provides the framework within which revenue and capital spending is undertaken in an affordable and sustainable way.
- 3.2 While this report, in itself does not have any direct financial implications, effective member engagement as part of robust governance and decision making arrangements, is an important part of setting robust, affordable and sustainable budgets.

### **4. LEGAL IMPLICATIONS**

- 4.1 As part of the budget and the Council Tax approval process, the Council is required by the Local Government Finance Act 1992 to make specific calculations and decisions in approving a balanced budget for the following financial year and setting the Council Tax Level. These will be included in the resolutions and presented to Council on 23 February 2022.
- 4.2 Section 151 of the Local Government Act 1972 places a general duty on local authorities to make arrangements for the proper administration of their financial affairs.

### **5. STRATEGIC PURPOSES - IMPLICATIONS**

#### **Relevant Strategic Purpose**

- 5.1 The budget and MTFP is the financial expression of the Council's priorities and therefore underpins all of the Council's strategic purpose(s).

## **Cabinet**

20th October 2021

- 5.2 All of the Council's strategic purposes are considered within the Resource Planning and Prioritisation element of the Council's budget setting process.

### **Climate Change Implications**

No implications.

## **6. OTHER IMPLICATIONS**

### **Equalities and Diversity Implications**

- 6.1 No implications.

### **Operational Implications**

- 6.2 Officer support from the Finance and Democratic Services teams will be needed to deliver this plan.

## **7. RISK MANAGEMENT**

Improved member engagement will help raise the awareness of the Council's financial risks, thereby helping to mitigate them.

## **8. APPENDICES and BACKGROUND PAPERS**

None.

### Cabinet

20th October 2021

#### 9. REPORT SIGN OFF

Department	Name and Job Title	Date
Portfolio Holder	Councillor Geoff Denaro	
Lead Director / Head of Service	James Howse / Chris Forrester	23/8
Financial Services	Chris Forrester	23/8
Legal Services	Claire Felton	23/8