

BROMSGROVE DISTRICT COUNCIL

LOCAL DEVELOPMENT FRAMEWORK WORKING PARTY

15TH OCTOBER 2009

**REGIONAL SPATIAL STRATEGY PHASE 2 EXAMINATION IN PUBLIC -
PANEL REPORT**

Responsible Portfolio Holder	Cllr Jillian Dyer
Responsible Head of Service	Dave Hammond
Non Key Decision	

1. SUMMARY

- 1.1 The following report identifies the key findings from the Regional Spatial Strategy (RSS) Phase 2 revision Examination in Public (EIP) Panel Report (the report).

2. RECOMMENDATION

- 2.1 That members note the contents of the report.

3. BACKGROUND

- 3.1 The Regional Spatial Strategy was published in June 2004. At that time, the Secretary of State supported the principles of the strategy but suggested several issues that needed to be developed further. The Revision process is being undertaken by the West Midlands Regional Assembly (WMRA) in three phases.

Phase 1 – the Black Country study, this phase was formally adopted in January 2008.

Phase 2 – Covers housing, employment land, town and city centres, transport, and waste, the panel report into this phase is the subject of this report.

Phase 3 – covers critical rural services, culture/recreational provision, various regionally significant environmental issues and the provision of a framework for Gypsy and Traveller sites, it is intended to up date members of the progress of phase three at the next meeting of the LDF Working Party.

- 3.2 Phase 2 of the revision is now drawing to a close with the EIP stage having taken place and the panel report being published. The EIP hearing sessions finished on the 23rd June 2009. Officers actively took part in 2 of the sessions, although submitted evidence for, and attended other key sessions. On the 2nd of June we gave evidence in respect of Birmingham's

housing figures and the implications of additional growth coming south into Bromsgrove. The main involvement took place on the 23rd June where we attended the North Worcestershire debate, the main areas of discussion being the cross boundary growth being associated with Redditch and Bromsgrove, and Bromsgrove's low allocation, limited further discussion also took place on Birmingham's expansion into Bromsgrove District. As well as presenting our own evidence as to why Bromsgrove should receive additional housing growth, we also challenged the findings of both the White Young Green Study (WYG) and the Nathaniel Lichfield and Partners (NLP) report; we also challenged the GOWM about their comments in respect of Bromsgrove although they declined to comment.

The main representations made on the issues are summarised below.

3.3 Additional Birmingham Growth

Officers challenged the logic being demonstrated in the NLP report, and also the representations being made by the Government Office for the West Midlands (GOWM). NLP and GOWM both highlighted the considerable lack of affordable housing within Bromsgrove, and also the ability of the local housing market to deliver high levels of new housing based on its past completion rates, and due to its proximity to the Birmingham conurbation. GOWM influenced by the NLP report then suggested that an urban extension to Birmingham in the north of the district would be a suitable option for growth, as it would address the housing needs of Bromsgrove and would be highly deliverable. BDC officers argued that this approach is fundamentally flawed as it would not address the housing needs in Bromsgrove which are most acute in Bromsgrove town and rural green belt villages, and pointed out it would simply continue to attract people away from the city of Birmingham and undermine the urban renaissance the RSS is attempting to achieve.

- 3.4 Officers also put to the panel that the strong Bromsgrove housing market is focussed on Bromsgrove town where the majority of new housing in the district has been built in recent years. So to then locate significant housing away from this area as being suggested by NLP and GOWM does not take advantage of the ability of the district to deliver housing growth, and therefore renders NLPs conclusions flawed and ones which the panel should not consider in relation to Bromsgrove.

3.5 Accommodating Redditch Growth

The issue of Bromsgrove District accommodating some of the growth needs of Redditch is one which has dominated the RSS revision process locally for a considerable amount of time. Officers made various comments both in writing and in person during the hearing session.

- 3.6 We put forward the objection to the RSS that BDC should not have to develop on its own green belt for the needs of another district, especially when it is being prevented from meeting its own needs within its own district. We also objected to the designation of Redditch as a Settlement of

Significant development and the additional growth this could attract to Redditch, this objection was based on a lack of clear planning rationale behind the designation when compared to other SSDs, and also the impacts additional growth at Redditch could have on the Urban renaissance in the conurbation.

3.7 The White Young Green Report was presented to the Panel and endorsed by both Redditch and Stratford Councils, although we questioned some of the findings and assumptions within the report. Primarily those which led them to suggesting that one development at Bordesley Park would be the most suitable option for accommodating the growth needs of Redditch. We contested that all the options had not been explored fully and other options remain, including spreading the growth around the north western arc in more discrete parcels of development rather than the one single entity on Bordesley Park. It was also put to the panel although not by ourselves that the ADR land in Redditch should not be returned to the green belt and should be developed in preference to green belt land in Bromsgrove. We also questioned that the lack of public consultation and an adequate sustainability appraisal also undermines the weight to be attached to the study.

3.8 **Bromsgrove Housing allocation**

Whilst supporting the approach adopted by the WMRA in targeting growth on the Major Urban Areas (MUAs), we presented strong evidence to suggest that the 2100 new houses being targeted at the district was wholly inadequate to even begin to attempt the imbalance in the Bromsgrove housing market. Evidence from the Bromsgrove Housing market assessment and the other indicators of affordable housing need were used to justify why the allocation should be increase to 4000. This was presented alongside other justification such as the strong housing market, the amount of available land, Town Centre regeneration, Bromsgrove Technology Park and its position on the Central Technology Belt (CTB), and the need to provide for the increasing elderly population.

3.9 We also refuted claims from St Modwen that green belt land adjacent to the Longbridge site should be released for residential development, pointing out to the panel that this was an option explored in the Longbridge AAP development and one which St Modwen themselves ruled out at that point, primarily because they didn't own the piece of land that we were considering developing.

3.10 **Outcomes of the RSS Panel Report**

The panel report in its entirety amounts to around 400 pages and covers many issues that do not have significant impacts on the Bromsgrove District, a copy has been placed in the members room and an electronic version is available on www.bromsgrove.gov.uk The summary of the outcomes below only deal with the main areas where we responded as part of the EIP or those that will have an impact on the district.

3.11 **Additional Birmingham Growth**

The main outcome in relation to Birmingham related growth being provided for in Bromsgrove is that the panel have ruled it out at the moment. A figure of 57,500 was determined to be the appropriate level of growth for the city, and one which could be achieved through promoting urban renaissance rather than urban extensions. The views of St Modwen were taken into account and the report does not rule out additional growth around the site in future years, but in the short to medium term there is no requirement for the Council to find additional land for housing around the Longbridge site. Similarly the sites being promoted in the north east of the district south of the Maypole island were also ruled out, primarily due to the overall strategy not requiring them but also due to the lack of support for it other than from the agents acting on behalf of the owners and also as they state,

'Such an extension would appear only capable of bus-based public transport. It would not seem particularly accessible either to the city centre or other strategic or employment centres in the south of the conurbation.'

- 3.12 The reports overall recommendation for Birmingham is that the housing target is changed to from 50,600 to 57,500 and that its only reference to cross boundary growth is the 700 units already agreed as part of the Longbridge AAP. If the reports recommendations are accepted by the secretary of state the RSS will contain no additional growth in Bromsgrove for Birmingham's needs.

3.13 **Accommodating Redditch Growth**

The report stresses the importance with which they dealt with the issues surrounding Redditch related growth even stating.

'In view of the controversy, we paid greater attention to the potential development areas in and around Redditch on our tours of the region than to any other locality.'

The main outcomes in relation to Redditch are the overall figure for housing increases to 7000 units, although the level to be provided in Bromsgrove decreases to 3000. This is a decrease of 300 when compared to the RSS preferred option, and a decrease of 1170 compared to the figure in the WYG report supported by RBC. The figure that RBC have to provide within their own boundaries increases to 4000 an increase of 700 from the preferred option figure and 1570 from RBCs preferred option contained in the WYG report.

- 3.14 Another key feature that the panel have come to judgement on is the designation of Redditch as an SSD they agreed with RBC ourselves, and the WCC that it does not share the characteristics of the other settlements

being proposed as SSD's and should not be given this designation purely on the basis of the level of growth required to meet its own needs being significant. The removal of this designation means that the requirement for Redditch to be a location where additional growth is sought should the region require it is no longer in place. If this additional growth was associated to Redditch it would require further green belt release and would mean Bromsgrove's green belt would be under additional pressure, the deletion of this policy obviously has significant positive benefits for the retention of the green belt the character of the district.

- 3.15 As well as considering the overall levels of growth required for Redditch the panel also considered some of the more detailed elements of the WYG study, primarily the conclusion that all the growth should go at Bordesley Park. The report agree with the Council and states,

'We agree, however, with Bromsgrove Council that the choice of locality around the boundary of Redditch should be locally determined whether at or adjacent to the Webheath/Foxlydiate or Brockhill ADRs or in the Bordesley Park area or in some combination of these possibilities or elsewhere. Once the volume of development and its location has been defined it will be essential for the authorities to work together on cross-boundary implementation. We welcome the indications from the authorities that this would be the case.'

The report then goes on to say,

'To enable the promised co-operation after the finalisation of the RSS, it will be important for the Core Strategies of the three Districts and particularly those of Redditch and Bromsgrove to be closely aligned in terms of their timetables and for there to be coordinated Examination of relevant aspects. We ascertained during the EiP that the Planning Inspectorate would seek to facilitate such action.'

- 3.16 This is obviously very clear that they have left it up to the Council working alongside RBC to determine where the growth goes on the periphery of Redditch. The secondary point the report makes about closely aligned core strategies is an important one which will be investigated with Redditch and Stratford over the coming months, it may well mean adjusting core strategy timetables of one or more Districts.
- 3.17 One further conclusion the report draws about the growth to be associated with Redditch is the possibility of the land around Studley being capable of taking housing growth. It concludes that the area around Studley could take housing growth without having a significant impact on rural character; the panel also question the logic of WYG in rejecting this area, especially when they suggest significantly eroding the more important green belt gap between Redditch and Alvechurch.

The issue of Studley was obviously significant in the inspectors thoughts so much so that they recommend that further work is done to investigate the possibility of improving the A435 south east of Redditch in order to open up the possible growth in this area. They suggest this should be done in the next review of regional planning and as such have recommended that Stratford do not make any changes to the green belt in this location which could prevent this growth coming forward in years to come.

3.18 Bromsgrove's Housing Allocation

The allocation for Bromsgrove in the RSS preferred option was the lowest in the region, it was at a level which fell well below even some of the most modest projections of population growth and housing need/demand. As stated above a considerable case was made to the panel that the figure should be increased to a level which would allow the District the opportunity to address the housing imbalance, whilst maintaining the wider urban renaissance objectives of the RSS and not significantly eroding the green belt. The panel agreed with the Councils case and have increased the housing allocation to a target of 4000 new units. They also go further than this, due to the amount of evidence that suggests that even delivering 4000 houses would not necessarily meet the needs of Bromsgrove they have asked the Council to view this figure as the target provision up to 2021, and in the review of the core strategy investigate if an additional 2000-3000 dwellings could be provided post 2021.

3.19 The report also makes no specific recommendations about the location of the growth within the district although they do recognise that the ADRs and rural exception policies can deliver the majority of the initial 4000 units. For any development over 4000 they have concluded that a full green belt review might be required to deliver it, and locations such as around Longbridge and Redditch may be acceptable, although the current approach of developing on the more substantial settlements in the district may also be suitable.

3.20 The approach the Council is intending to take with its housing supply over the RSS period has also been endorsed and applauded by the panel.

'The District Council argued that by careful targeting of housing provision requirements to the house types and sizes that would address locally generated need for small low cost houses rather than accepting market led executive housing, they could address this issue. Past evidence to the contrary arose from building-out old permissions. Such careful targeting is encouraged in PPS3. As a consequence, although there may be some doubt whether such an approach would be wholly effective in stemming migration and securing the extent of affordability sought, even taken with more strictly defined categories of affordable housing, we consider that the approach should be applauded and used more widely to address the issue of seeking

to meet local needs. Consequently, we endorse the District Council's recommendation of provision for 4,000 dwellings at locally determined locations.'

The report also commends the approach the Council has taken when dealing with housing growth in Shropshire and Herefordshire,

'In addition to the wider application of successful affordable housing policies across the whole of the new authority, we would commend an approach similar to that of Bromsgrove District Council in targeting provision at the types of houses most suited to meeting the needs arising from indigenous residents and workers.'

3.21 Other significant panel recommendations

- Bromsgrove District to provide a total of up to 37 hectares of land for Redditch related employment growth.
- Bromsgrove District to provide around 35 hectares of employment land for its own growth needs.
- Bromsgrove is highlighted as a potential location for a park and Ride railway station in line with the current station proposals.
- Regional Affordable housing of 35% of all net completions
- District to set local affordable housing targets between 25% - 40% only in exceptional circumstances should targets be high or lower than these figures.
- All housing figures are to be targets rather than maximum or minimum figures as in the current RSS.
- Total housing requirement across region to rise to 397,900 and potentially further to 403,000 once reviews in Bromsgrove and Stratford are carried out.

3.22 Next Steps

The GOWM in consultation with the Department for Communities and Local Government will be reviewing the findings of this report and have assured us their proposed changes will be published for its consultation period before the end of 2009. It is possible that the recommendations of the Panel are not reflected in the proposed changes, officers will report to the LDF Working Party when they changes are published.

4. FINANCIAL IMPLICATIONS

- 4.1 Whilst there are no direct implications of the RSS revision at the moment, the levels of income generated over longer periods could be affected depending on the scale and type of development taking place in the district.

5. LEGAL IMPLICATIONS

- 5.1 The RSS is the responsibility of the West Midlands Regional Assembly and is being prepared under the regulations and guidance of the Planning and Compulsory Purchase Act 2004 and PPS 11: Regional Spatial Strategies. The district Council also has an obligation under the Act to prepare Local Development documents in general conformity with the RSS

6. COUNCIL OBJECTIVES

Policies either endorsed or amended within the RSS panel report and the subsequent Local Spatial Planning policies that follow in the Core Strategy, and other planning documents will all have an impact on the following Council priorities and objectives.

1. Regeneration

Council Priority 1 - Economic Development
Council Priority 2 - Town Centre

3. Sense of Community & Wellbeing

Council Priority 5 - Children & Young People
Council Priority 6 - Crime & Fear of Crime
Council Priority 7 - Older People
Council Priority 8 - Community Engagement
Council Priority 9 - Housing

4. Environment

Council Priority 10 - Climate Change

7. RISK MANAGEMENT

- 7.1 The main risks associated with the details included in this report are:

- Inability to produce and adopt local spatial planning policies which adequately reflect the recommendations in the Panel Report and as such development is not delivered in line with an adopted RSS.

- 7.2 These risks are being managed as follows:

Risk Register: Planning and Environment

Key Objective Ref No: 5

Key Objective: Effective, efficient, and legally compliant Strategic planning Service

Key Controls: Regional Spatial Strategy (RSS) - Council has responsibility to engage in formulation of regional planning policies

Action: Appear at Regional Spatial Strategy (RSS) Examination in Public and respond to the panel report and proposed changes RSS

- 7.3 The District Council as the local planning authority has to prepare a development plan in the form of the Development Plan Documents (DPD) contained in the Local Development Framework. The planning system

requires that all DPDs are in general conformity with those documents which are at a higher level in the cascade of planning policy. The highest level of policy being national Planning Policy Guidance and Planning Policy statements. The RSS is the plan which guides development across the whole of the West Midlands region, and as such the policies in the Bromsgrove District Core Strategy have to be in general conformity with those in the RSS. The ability to address issues through planning could be severely restricted if the policies at a higher level do not contain sufficient flexibility in both housing, and employment allocations for Bromsgrove District. The outcomes of the panel report if approved by the secretary of state will allow the Council more flexibility in controlling housing and employment opportunities across the District.

8. CUSTOMER IMPLICATIONS

8.1 None at the moment, although once the policies in the RSS become enacted the implications to the districts customers could be significant depending on their location.

9. EQUALITIES AND DIVERSITY IMPLICATIONS

9.1 None

10. VALUE FOR MONEY IMPLICATIONS

10.1 None

11. OTHER IMPLICATIONS

Procurement Issues - None
Personnel Implications – None
Governance/Performance Management – None
Community Safety including Section 17 of Crime and Disorder Act 1998 – None
Policy - The policy decisions taken at a regional level directly affect the ability to generate local spatial planning policies.
Environmental - the policies included in the RSS wherever possible try to limit the impact on the environment, although it is inevitable when creating policies which are dealing with substantial levels of new growth that there will be adverse impacts on the environment. It is the responsibility of local planning authorities, and other agencies implementing the policies in the RSS to ensure that all environmental issues are fully considered in all new development proposals.

12. OTHERS CONSULTED ON THE REPORT

Portfolio Holder / Leader	Yes - informal briefing
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Chief Executive	No
Executive Director - Partnerships and Projects	Yes - informal briefing
Executive Director – Services	No
Assistant Chief Executive	No
Head of Service	Yes
Head of Financial Services	No
Head of Legal, Equalities & Democratic Services	No
Head of Organisational Development & HR	No
Corporate Procurement Team	No

13. WARDS AFFECTED

All Wards

14. BACKGROUND PAPERS

- West Midlands RSS Phase 2 Revision - Report of the Panel Volume 1 - the Report
- West Midlands RSS Phase 2 Revision - Report of the Panel Volume 2 - Annexes
- West Midlands RSS Phase 2 Revision Preferred Option
- Bromsgrove District Council formal Response to the RSS Phase 2 Revision Preferred Option.
- Bromsgrove District Council Formal Response to the NLP additional growth study.

Copies of all of the above have been placed in the members' room.

CONTACT OFFICER

Name: Mike Dunphy
E Mail: m.dunphy@bromsgrove.gov.uk
Tel: (01527) 881325