



WYRE FOREST DISTRICT COUNCIL

LOCAL PLAN 2016-2036

HEARING STATEMENT

**IN RESPECT OF MATTER 3 (OVERALL SPATIAL STRATEGY, THE GREEN BELT AND THE
OVERALL HOUSING AND EMPLOYMENT LAND REQUIREMENTS)**

SUBMITTED ON BEHALF

OF

LIVING SPACE HOUSING

Date: November 2020

Ref: 20.336

Representor reference 977760

Michael Robson

Introduction

This Hearing Statement is made for and on behalf of Living Space Housing, which should be read in conjunction with representations made to the pre-submission consultation in October 2019 by Richard Brown Planning made on behalf of the land owner. This representation answers specific questions as set out in the Inspector's Matters, Issues and Questions document (ED16) published on 19th October 2020.

Response to Inspectors Issues and Questions

Concern is set out in detail when answering the questions below but in summary concern is expressed that the Council has failed to have regard to paragraph 138 of the NPPF when devising the spatial strategy, and that no consideration has been given to the potential of previously developed land within the Green Belt, contrary to paragraph 138 of the Framework. There is no apparent discussion or explanations as to why such sites/circumstances have been discounted.

Question 3.1 Overall, does the Plan set out a sound spatial strategy for meeting development needs, including any unmet need from neighbouring areas, and protecting and, where possible, enhance the environment?

And in particular:

a) **Is the broad apportionment of housing, economic and other development to the various centres, locations and rural areas throughout the District consistent with the Plan's spatial vision and objectives, and does it promote sustainable patterns of development?**

1. The Development Plan objectives are set out in table 3.0.2 (P.20). The most relevant to the points raised with this statement are; 1) To encourage the long term sustainable development of Wyre Forest and its communities; 3) To address housing needs in order that existing and future residents' requirements are met and the economic development of the area is supported; to maximise the use of previously developed land in order to ensure the best use is made of available land both within and beyond the main towns (our emphasis) and 6) To protect and support the role of the Green Belt through a strategic review and to identify limited strategic Green Belt release to enable the delivery of the plan whilst reinforcing the role and integrity of the Green Belt for future Plan periods.
2. Part A – Strategic policies sets out overall spatial distribution and quantity of proposed development across the District. Policy 6B – Locating New Development describes the principles upon which the Development Strategy is based. This seeks to provide, (amongst other things), the delivery of sufficient accessible housing to meet as a minimum the objectively assessed needs to 2036, the effective use and re-use of accessible, available and environmentally acceptable brownfield land and focus most development in and adjacent to the urban areas, where both housing needs and accessibility to more effective public service provision are greatest.
3. As identified by the Inspector in document ED6 (Inspector's Initial Questions and Comments), the overall spatial distribution and quantity of the proposed development in the District is not expressed as a single policy, it merely sets out the Settlement Hierarchy – Kidderminster as the Main Town; Stourport-on-Severn as the Large Market Town; Bewdley as the Market Town, Villages covered by Green Belt; other villages and rural settlements and then New Village (Lea Castle) – no figures are apportioned to each layer.
4. The reasoned justification for this approach is that this strategy builds upon the previous strategy to concentrate development on the large amount of brownfield land in the urban core of the District. The new strategy will continue to maximise the use of brownfield land within the urban core but it is no longer possible to be entirely reliant on brownfield land meaning that some greenfield land take will be required. (due to the fact that much of the readily available deliverable brownfield land

has now been developed and the housing requirement of the District is significantly greater than the availability of the brownfield land). The overall approach to apportioning development in accordance with the spatial hierarchy in order to focus development in the most sustainable locations is supported. However, without a proposed quantity of development for each category of settlement it is difficult to immediately understand the spatial strategy, or to make a judgement of how effective the spatial vision to support sustainable patterns of development is.

5. Policy 6B is to be read in context with a series of important plan objectives. Objective 5 in particular requires that previously developed land be “maximised” in the Plan. We comment later as to whether the Plan achieves maximisation in the context of paragraph 138 of the Framework.
6. Having reviewed the relevant sections on each layer within the settlement hierarchy, it is our understanding that 1,400 dwellings (equating to 27.5%) would be provided in the New Village at Lea Castle and 1,440 dwellings (27.5%) within the proposed Kidderminster Eastern Urban Extension with an additional 990 (19.5%) dwellings provided on various sites in Kidderminster. 990 dwellings (19.5%) are directed to Stourport-on-Severn; 225 dwellings (4%) to Bewdley and 115 to rural settlements (2%).
7. We have significant concerns with this proposed distribution as the provision of 74.5% of housing allocations within Kidderminster and 2 strategic sites adjacent to Kidderminster will not meet the needs of communities outside of Kidderminster, it is an imbalance in development distribution. As a result, it is difficult to see how plan objective 1 is met, since the approach being taken is not promoting the long-term sustainable development of Wyre Forest as a whole, nor all of its communities.
8. The Council clearly have alternative sustainable options for growth available, including directing more development to the high order settlement such as Stourport-on-Severn whilst being consistent with plan objective 10.
9. It is noted that the Council has confirmed within its response to the Inspector (ED7) that it will include a spatial development policy; this is welcomed and this should greatly assist the understanding of whether the spatial strategy is sound or not.

b) Is it based on adequate evidence, consistent with national planning policy, and is deliverable within the Plan period?

10. Due to the reliance on the residential allocations proposed in Kidderminster (19.5%) and the residential allocations on 2 strategic sites, north-east of Kidderminster at the former Lea Castle Hospital site (55%) it is highly likely that the deliverability of the Plan will be determined by the ability of the house developers to sell houses in that area. This is of particular concern as the Housing Topic Paper (ED3) sets out that the Lea Castle site is still in the ownership of Homes England (and therefore no end-user identified) and Taylor Wimpey (who will only be able to deliver a limited amount of housing each year)
11. The Topic Paper sets out at paragraph 8.4 that “a number of brownfield allocations in Kidderminster and Stourport-on-Severn have been carried forward from the Site Allocations and Policies Local Plan (2013) or the Kidderminster Central Area Action Plan (2013). These are brownfield sites and are mostly mixed used allocations.” Paragraph 8.5 refers the NPPF2018, paragraph 68a) which states that to promote the development of a good mix of sites local planning authorities should identify, through the development plan and brownfield registers, land to accommodate at least 10% of their housing requirement on sites no larger than one hectare; unless it can be shown, through the preparation of relevant plan policies, that there are strong reasons why this 10% target cannot be achieved.” The Council list such sites in Appendix 1 which shows a total of 649 dwellings which is more than 10% of the 5,520 requirement.

12. It should be noted that paragraph 68a states at least 10% and that this should not be a ceiling to utilising brownfield land, where possible to avoid the need to develop green field sites. (10% of the housing requirement figure is 552 and so there is only an “over-provision” of 97 dwellings)
13. It is curious to note that whilst the Council focusses on developing brownfield/previously developed sites within the urban areas, there is an apparent failure to acknowledge how brownfield/previously developed sites on the edge of settlements which are located within the Green Belt could make a contribution to the housing requirement in accordance with paragraph 138 of the NPPF. This falls well short of Plan objective 5 which requires maximisation of previously developed opportunities.

Question 3.1 d) does (the Plan) make as much use as possible of suitable, previously developed or ‘brownfield’ land, under-utilised land and buildings, land in public ownership and regeneration opportunities?

14. In answering this question, it is highly relevant to consider paragraph 138 of the NPPF which states ***“When drawing up or reviewing Green Belt boundaries, the need to promote sustainable patterns of development should be taken into account. Strategic policy-making authorities should consider the consequences for sustainable development of channelling development towards urban areas inside the Green Belt boundary, towards towns and villages inset within the Green Belt or towards locations beyond the outer Green Belt boundary. Where it has been concluded that it is necessary to release Green Belt land for development, plans should give first consideration to land which has been previously-developed and/or is well-served by public transport.”***
15. We can find no reference to the required approach in the Submission Document or in any of the supporting evidence base.
16. We would refer the Inspector to the role of Stourport-on-Severn contained within Policy 6E. One of the bullet points of that policy states ***“There will be some Green Belt release to enable the market towns to contribute to the housing requirement whilst addressing the need for sustainability and cost-effective infrastructure provision (see Policy 33 and 34).”*** And ***“Due to its role in the settlement hierarchy and mix of employment and service opportunities, Stourport-on-Severn is expected to make an important contribution to meeting the District’s requirements for new homes. The focus will be on existing brownfield sites within the urban area and sustainable, suitable greenfield sites.”***
17. The reasoned justification for policies 33 and 34 (proposed allocations) is ***“that Stourport-on-Severn is classified as a large market town. It is expected to take on a supportive role to Kidderminster in the provision of larger scale housing. In recent years there has been limited housing development in the town. Many of the sites are existing brownfield allocations in the Site Allocations and Policies Local Plan. A Greenfield site in Areley Kings is also allocated together with 3 sites that are taken out of the Green Belt.”*** There is no reference at all to NPPF paragraph 138 to explain why the Greenfield Green Belt sites have been chosen over any brownfield Green Belt sites. Given that NPPF paragraph 138 sets out a clear sequential approach prioritising brownfield land before moving to consider greenfield land, as drafted the Plan is inconsistent with National Policies.
18. Option 4 of the Housing Selection Paper discusses green field development options in Stourport – it is acknowledged that sites identified for allocation are within the Green Belt. The decision to allocate the sites is based upon each of the site’s locational sustainability credentials. No apparent consideration has been given to the NPPF requirement to first of all consider previously developed sites within the Green Belt. This is despite the fact that the document stresses that there is widespread support for the continuing of a brownfield-led strategy to new development across the District.
19. By illustration, and to demonstrate the point that previously developed land with the Green Belt is available, immediately adjacent to the settlement boundary of Stourport-on Severn, I would refer

the Inspector to the site at Yew Tree Walk. The site was put forward to the Housing and Economic Land Availability Assessment (HELAA) 2016 and the Council considered that the site was suitable for residential development.

20. In December 2017 the site was included on the Council's Brownfield Land Register and subsequently in October 2018 allocated for residential development in the Councils' Pre-submission Draft of the local plan review. Allocation Yew Tree Walk AKR/18 states:

"This area of land to the rear of Stagborough Way estate was used to tip waste from the former power station ... This site was previously subject to sand and gravel extraction in the 1950s before it was infilled with ash waste material from the power station. Although currently in the Greenbelt, the site plays a limited role in fulfilling the Green Belt purposes. The site must be designed to integrate well with the neighbouring development and take care with massing and building heights so as not to dominate views across the valley."

21. The site was de-allocated in July 2019. Further details on this site-specific issue is provided within our Hearing Statements in relation to Matter 6.
22. There is a clear inconsistency with the Framework in the Council's approach. It would appear that the development strategy has closed its mind to any consideration of brownfield sites that are not within the urban areas; even those that are directly adjacent to it. A failure to rectify this now, could result in future development management decisions in relation to brownfield sites within the Green Belt being discounted immediately, which could result in the redevelopment of open countryside; Green Belt or Greenfield which is contrary to the aims of the Framework.
23. As paragraph 13 of the Framework sets out, boundaries of the Green Belt can only be changed through a plan review. It is respectfully asserted that through representations to the plan and discussion at the Hearing sessions that this is precisely the right time to deal with the apparent lack of consideration for previously developed sites within the Green Belt outside of the urban areas of the District.
24. The drafting of Policy 6E illustrates the Council's mindset and demonstrates that the Council has not considered a strategy which includes allocating previously developed land within the Green Belt which is not within the settlement boundary.
25. This approach is not consistent with the NPPF and therefore the Plan cannot be considered to be sound.

Question 3.1 e) does it promote the development of a good mix of sites for new homes?

26. The mix of sites proposed in our view is limited. As set out in the answers to question 3.1a and b above, the majority of allocations are proposed for Kidderminster and Stourport-on-Severn and 2 strategic allocations.
27. Whilst there are 10% brownfield sites (38 out of 58 allocated residential sites), concern is raised that none of the proposed Green Belt sites comprise brownfield land.
28. The Council are missing an opportunity to maximise the efficient use of previously developed land. In addition to this there is inconsistency with plan objectives 3,5 and 10 and NPPF paragraph 68.

Conclusion

29. As set out above our main concern with the spatial strategy as currently drafted is the over-reliance on development within Kidderminster including the 2 large allocations adjacent to Kidderminster; we consider there to be an imbalance in development distribution. As a result of this we do not see how the objectives of the Plan can be met.
30. Whilst we support the redevelopment of brownfield sites within urban areas as strongly advocated within the Plan, the failure to make the same provision for sites which have been previously developed within the Green Belt raises significant concern. The rationale for choosing to propose allocation of green field sites on the edge of Stourport-on-Severn within the Green Belt make no reference to paragraph 138 of the NPPF, and the requirement to prioritise brownfield land before moving to consider green field land.
31. On this basis we do not consider the overall spatial to be consistent with the NPPF and cannot be considered sound.