

SUBMISSION – MATTER 3

OWL HOMES

PARTICIPANT REFERENCE - 1230017

Matter 3: Overall spatial strategy, the Green Belt and overall housing and employment land requirements

3.0.1 This Matter Statement is submitted on behalf of Owl Homes who have an interest in Site WA/BE/5 (Habberley Road, Bewdley) which has a draft allocation for a minimum of 35 dwellings. Owl Homes are progressing proposals for the Site and submitted a pre-application enquiry to Wyre Forest District Council on 13th November 2020.

Q3.1. Overall, does the Plan set out a sound spatial strategy for meeting development needs, including any unmet need from neighboring areas, and protecting and, where possible, enhancing the environment? And in particular

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

3.1.1 Table 3.0.1 of the Submission Local Plan (SD01) sets out the Vision for the District to 2036. It states that Kidderminster will have been a focus for brownfield regeneration and Stourport-on-Severn and Bewdley will continue to provide facilities to support the local community and visitors.

3.1.2 Table 3.0.2 goes on to set out the Objectives for the Plan Period. The objectives includes addressing housing needs to meet the requirements of existing and future residents and that the economic development of the area is supported; and protecting the Green Belt but identifying strategic Green Belt release to meet development needs.

3.1.3 Draft Policy 6A sets out that the District will make provision for 5,520 net additional dwellings over the Plan Period, or a minimum of 276 dwellings per annum. Draft Policy 6B sets out the settlement hierarchy for delivering this housing need and seeks to allocate most of the District’s development in the three main towns of Kidderminster, Stourport-on-Severn and Bewdley. Whilst there is not a policy which indicates the proportion of growth to be attributed to each tier of the hierarchy, it is understood that, including a proposed eastern Sustainable Urban Extension, the vast majority of

growth will be within the 'Main Town' of Kidderminster, with smaller proportions of growth within Stourport, Bewdley and other rural settlements based on their size and existing service provision.

- 3.1.4 It is considered that the approach outlined at Policy 6B is in full accordance with the Vision and Objectives of the Plan. Much of the District, including all but five of the rural villages, is located within the Green Belt. The objectives for the Plan Period seek to support the existing services and facilities of the three higher order settlements and protect the Green Belt, save for some strategic releases to support growth in key locations. Therefore the proposal to direct the majority of the District's housing growth to the three higher order settlements is in accordance with the Vision and Objectives.
- 3.1.5 It is considered that the proposal to direct the majority of growth to the three higher order settlements is a sustainable approach. It has been informed by the Settlement Hierarchy Technical Paper (SH01) which implements a scoring system based on the service provision in each settlement and therefore the ability of each settlement to accommodate additional housing development. In accordance with the Vision for the District, this will ensure that the service provision in the District's key settlements is fully supported. The Plan also allows for some limited growth in rural settlements to meet local needs, whilst also protecting the Green Belt function of those settlements within it.
- 3.1.6 As such, the spatial strategy for the Plan is considered entirely appropriate and fully supported by Owl Homes.

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

- 3.1.7 The Submission Local Plan is based on a wealth of supporting evidence including a Sustainability Appraisal (SD04), a Strategic Green Belt Review (GB01, GB02 and GB02a), a Settlement Hierarchy Technical Paper (SH01) and Housing Topic Papers (ED3 and ED3a). When read together, it is clear that the proposed spatial strategy for the Wyre Forest District is the most appropriate solution to its development needs.
- 3.1.8 The Submission Local Plan is considered to be fully consistent with national policy in respect of its approach to releasing Green Belt to meet its development needs, the approach to housing delivery, the prioritizing of brownfield land where possible and the approach to the duty to cooperate.
- 3.1.9 There is no evidence to suggest that the strategy is not fully deliverable within the Plan Period.

c) Have the potential impacts on the natural environment, landscape, infrastructure, flood risk, air quality, and other matters been addressed adequately, and does the Plan provide for mitigatory measures where necessary?

3.1.10 The Submission Local Plan seeks to protect and enhance the natural environment and ensure development is located in sustainable locations which minimize any impact on the landscape, areas at risk of flooding and air quality. These matters are also addressed through specific policies of the draft Submission Local Plan.

3.1.11 The Submission Local Plan has been informed by a Sustainability Appraisal which considers each of the proposed allocations against a range of technical and environmental considerations.

3.1.12 In respect of Land at Habberley Road, Bewdley, reports which address a range of technical and environmental considerations have been submitted to Wyre Forest District Council as part of the pre-application process. Further details will be submitted in this regard in our response to Matter 6. However, they confirm that there are no overriding technical or environmental constraints to developing the Site.

d) Does it 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?

3.1.13 Previous strategies for Wyre Forest District have capitalised on the significant amount of available brownfield land within the District as the focus for new housing development. However, a significant amount of the District's brownfield resource has now been utilised, as confirmed at Paragraph 6.14 of the Submission Local Plan. This means that the housing requirement of the District is significantly greater than the amount of available and viable brownfield land.

3.1.14 The emerging Local Plan seeks to encourage the re-use of accessible, available and environmentally acceptable brownfield land. 49% of the District's housing requirement will be delivered on brownfield land. This includes 600 dwellings at the Lea Castle site. This is a significant quantum of brownfield development to be delivered over the Plan Period. In light of the above, it is considered that the Plan makes full use of brownfield land and regeneration opportunities.

e) Does it promote the development of a good mix of sites for new homes?

3.1.15 Paragraph 68 of the NPPF requires Local Plans to promote the development of a good mix of sites, with at least 10% of a housing requirement to be provided by sites smaller than 1ha, unless reasons are demonstrated as to why this cannot be achieved. The Housing Topic Paper (ED3) confirms that a total of 649 dwellings are proposed to be allocated on sites of less than a hectare in size. This is greater than 10% of the 5,520 housing requirement for the Plan Period.

3.1.16 The Submission Plan promotes a range of sites for new homes, including larger scale development within a new settlement at Lea Castle and a Sustainable Urban Extension on the eastern edge of Kidderminster, as well as smaller brownfield sites within the urban areas and edge of settlement greenfield sites at the Main Town of Kidderminster and within the smaller market towns of Stourport-on-Severn and Bewdley and within the rural villages. The mix of sites for new homes provided through the Plan is supported by Owl Homes.

f) Does the strategy seek to optimise the density of development in line with national planning policy to make the most effective use of land?

3.1.17 The NPPF requires developments to make optimal use of the potential of each site (Paragraph 123).

3.1.18 It is not considered that Policy 34 sets out a quantum of development for Site WA/BE/5 (Habberley Road, Bewdley), which makes optimal use of the potential of the Site.

3.1.19 Policy 34 sets an indicative target for 35 dwellings to be delivered on the Site at Habberley Road which, is very low density development at approximately 32 dwellings per hectare. However, following the preparation and review of extensive technical work, Owl Homes are confident that 44 dwellings can be achieved on the Site at a medium density development of approximately 40 dwellings per hectare. This will ensure that the potential of the Site is maximised, taking account of any technical constraints without compromising the design of the Site. This approach has been discussed and agreed with Planning Policy Officers and a request for pre-application advice has been submitted on this basis.

g) Is there a reasonable prospect that the necessary infrastructure will be delivered in a timely manner to support the planned development?

3.1.20 No comment.

h) Has the Plan been adequately informed by discussions with neighbouring authorities about whether they could accommodate some of the identified need for development?

3.1.21 Paragraph 24 of the NPPF sets out the duty to cooperate between Local planning Authorities on strategic matters which cross administrative boundaries.

3.1.22 The Submission Local Plan proposes to meet the housing needs of the District in full. However, due to the Green Belt nature of the District, discussions between the District Council and neighbouring authorities regarding their capacity to assist the District in meeting its housing needs have taken place. Details are provided within the Green Belt Topic Paper (ED2). During these discussions, no neighbouring authorities indicated ability to assist given that they largely comprise Green Belt themselves and therefore have limited capacity to accommodate their own housing needs.

3.1.23 It is considered that the Plan has been adequately informed by discussions with neighbouring authorities regarding their ability to assist Wyre Forest District in accommodating their development needs. However, given the Green Belt nature of the neighbouring authorities, it is necessary to ensure that Wyre Forest meets its own development needs within its administrative area. This is not considered to be an issue for Wyre Forest given that the Council has been able to accommodate its own housing requirement for the Plan Period in its entirety within its own administrative area.

Q3.2 a) Taking account of national planning policy on exceptional circumstances, has the need for changes to the Green Belt boundary been established, and has due regard been paid to its intended permanence in the long term? Is the proposed designation of Reserved Sites likely to be adequate in this respect?

3.2.1 The NPPF states that Green Belt boundaries should only be altered where:

"exceptional circumstances are fully evidenced and justified through the preparation or updating of plans." (Paragraph 136)

3.2.2 The NPPF does not define what amounts to exceptional circumstances. The Planning

Practice Guidance does not offer any further guidance on the matter. As such, this is a matter of planning judgement.

- 3.2.3 Paragraph 138 of the NPPF goes on to require the consideration of promoting sustainable patterns of development when reviewing Green Belt boundaries.
- 3.2.4 Both the Submission Local Plan and the Green Belt Topic Paper (ED20) set out the exceptional circumstances to require the release of Green Belt land within the District to accommodate new development. The Council's commitment to meeting its development needs in full cannot be achieved in a sustainable manner without Green Belt release.
- 3.2.5 A significant proportion of land within the District is located within the Green Belt. This represents a significant challenge for the District, as is detailed within Table 2.0.1 of the Submission Local Plan which identifies the key issues for the District, particularly as surrounding authorities also comprise Green Belt and are therefore unable to accommodate any of the Wyre Forest's housing need. The higher order settlements within the District are largely surrounded by Green Belt (with the exception of the parts of Bewdley and Stourport on Severn on the western side of the River Severn). Just five 'Rural Settlements' are identified outside of the Green Belt.
- 3.2.6 Notwithstanding this, recent case law is clear that a Council's ability to, in theory, meet its own housing requirement without Green Belt release, does not mean that exceptional circumstances in relation to housing need do not exist.
- 3.2.7 The following principles are set out by Sir Duncan Ouseley in *Compton Parish Council v Guildford Borough Council [2020] JPL 661 at [68]-[72]*:-
- There is no requirement that Green Belt land may only be released as a last resort;
 - Exceptional circumstances may comprise one factor or a combination of factors of varying natures; and
 - General housing needs are not excluded from comprising exceptional circumstances. This does not need to relate to a specific form of housing.
- 3.2.8 The proposed spatial strategy for Wyre Forest District is to direct the greatest amount of development towards Kidderminster, Stourport and Bewdley, followed by some the most sustainable Green Belt villages and then other rural villages and settlements. As detailed above in our response to 3.1 a), this approach is supported as this is

considered to be the most sustainable spatial strategy for the District.

3.2.9 Given the spread of Green Belt across the District, it would not be possible to meet the housing needs of the District or to take a sustainable approach to the spatial strategy for the Plan Period without releasing Green Belt.

3.2.10 Draft Policy 7A takes a positive approach to undertaking a Strategic Green Belt Review in accordance with the NPPF and the District's settlement hierarchy. It proposes to release Green Belt to support the vitality and viability of settlements that are otherwise constrained by Green Belt.

3.2.11 The Sustainability Appraisal which accompanies the Pre-Submission Local Plan (SD04) considers the alternatives to releasing Green Belt land for development. Paragraph 3.5 of the Sustainability Appraisal states the following:

"During the proposed Local Plan period there is not enough previously developed land for all the housing and employment land need. Therefore, some greenfield sites, including some that are currently in the Green Belt, will need to be developed."

3.2.12 It is considered that exceptional circumstances have been fully evidenced and justified through the Submission Local Plan, supplemented by the Green Belt Topic Paper, for a Green Belt Review in accordance with the NPPF. The District's approach to undertaking a Strategic Green Belt Review is fully supported by Owl Homes. The approach is positively prepared, justified, effective and consistent with National policy which promotes sustainable development and the release of Green Belt where exceptional circumstances are demonstrated through the preparation of a Local Plan.

3.2.13 Paragraph 136 of the NPPF requires revised Green Belt boundaries to have regard to their long term permanence. Locations for Green Belt release have been considered in detail through the Green Belt Review (GB01, GB02, GB02a). The entire Green Belt cover within the District has been tested against the five purposes of the Green Belt set out at Paragraph 134 of the NPPF.

3.2.14 When assessing the suitability of individual parcels for release from the Green Belt, the District's Green Belt Review has considered the significance and permanence of boundaries and features to contain development and prevent encroachment.

3.2.15 In respect of Owl Homes' land interest at Habberley Road, Bewdley, the Council's assessment at GB02a concludes in terms of permanence of boundaries:

"The site is contained on three sides and shades into the extensive grounds of a hotel immediately to the east."

3.2.16 It is clear that the Site at Habberley Road, Bewdley, is well contained on all sides and will create a new permanent boundary to the Green Belt, meeting the requirements of Paragraph 136 of the NPPF.

3.2.17 Owl Homes has no comments to make in respect of the provision of reserve sites.

b) Does the Plan provide adequately for compensatory improvements to the environmental quality and accessibility of remaining Green Belt land?

3.2.18 This is a Plan wide matter and is for the District Council to answer.

Q3.3 Having regard to the housing and employment figures and the spatial planning considerations above, is it justified to set 5,520 dwellings (at least 276 dwellings per year) as the housing requirement for the Plan Period and at least 29ha as the employment land requirement?

3.3.1 Paragraph 35 of the NPPF defines 'justified' as follows:

"An appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence."

3.3.2 The Council's Housing Topic Paper (ED3 and ED3a) confirms that the Council has adopted the Government's Standard Method as the starting point for calculating its housing requirement. Based on the Standard Method, the District has a housing requirement of 248 dwellings per annum. When applying the 2018 household projections to this figure, it increases to 276 dwellings per annum.

3.3.3 A revised Standard Method was consulted on during summer 2020. This would result in a housing requirement of 353 dwellings per annum, or 7,060 dwellings over the Plan Period within Wyre Forest District. Although the Government have recently advised that the proposed Standard Method will be revised, the changes are yet to be published. However, it is considered that 353 dwellings per annum shows the direction of travel for the Wyre Forest's housing requirement.

3.3.4 Notwithstanding the above, it is considered that the housing requirement of 5,520 dwellings / 276 dwellings per annum is justified. However, it is important to be clear within the Plan that this is a *minimum* requirement in order to meet the Government's objective of significantly boosting the supply of housing (NPPF, Paragraph 59). The

alternative approach of setting a maximum or specific target of 5,520 dwellings would not be justified when taking account of the reasonable alternatives.

3.3.5 Owl Homes do not have any comments to make in respect of the District's employment land requirement.

Q3.4 Should a housing requirement figure for each of the designated neighbourhood plan areas be set out in the Plan?

3.4.1 No comment.