

Land 3.58 hectares of land
Off the A451 Stourbridge Road
SO 8478 E.384980 N.278390
Bordered partly by Hurcott Lane
Owners: Mr Peter Bowdler & Mrs Frances Migniuolo
& Families
Agent: Land Research & Planning Associates Ltd

WFDC Ref.:
Response No: SALPP103
Area of Development Restraint [ADR]
No. H094

Statement of (Un)Common Ground

Examination in Public commencing 29 January 2013

(Draft) MATTERS and ISSUES FOR EXAMINATION DOCUMENT

Topics suggested for debate

The Inspector has raised at Matter 1 – Procedural / General Matters

2. Taking into account the submissions below it is now respectfully suggested that the overall Local Plan in regard Housing is not in conformity with the National Planning Policy Framework (NPPF). The affordable home provision has been sacrificed at the expense of showing that there is an adequate supply of land for normal open market homes notwithstanding it is understood why that in the past 3-5 years the Council has reduced the percentage to help developers. The Council has now had two sound representations made to bring in a) land classified as an ADR (and removed from the Green Belt) and b) outside a substantial village of Rock that would assist the whole sustainability and provision issue regarding housing and allow matters to be addressed in conformity with the NPPF. It is respectfully submitted that by reference to Policy SAL.PFDS1 and the reasoned justification at 3.1 & 3.2 the Council has not engaged in its own Policy to bring forward the required land necessary to accommodate the deficiency for affordable homes.

The Minister for Housing has confirmed in recent days that some green field land will need to be brought in to satisfy the national housing deficiency which includes affordable homes in the Wyre Forest District as a whole. It is hoped that between the date of lodging this submission and the EIP the Council will seriously review its position in this regard.

The Inspector has raised at Matter 2 – A Desirable Place to Live:

2. It is suggested that the SAPDPD has not evolved in terms of the alternatives considered. We refer to the Inspector's Report of 18 October 2010 and paragraph 35 which confirms that the Inspector recognised the annual need then (2010) for 175 affordable homes and as will be seen on page 80 of Library Document SD037 the LPA stated:

"The latest SHMA (GVA 2012) shows an annual affordable housing need of 210 dwellings. Given the overall quantum of housing development (200 p.a.) which was agreed by the Inspector at the Core Strategy examination, there is very limited scope to meet need on this scale".

However we respectfully note that in his report of October 2010 Inspector Philip Goodman BA (Hons) DMS MRTPI continued and ended the said paragraph "and hence this becomes an exercise in the art of the possible".

Importantly the Inspector did recognise in his report the short fall in housing development required to meet Affordable Housing needs. It is respectfully submitted that by utilising our representation in September 2012 the Council would have been able to explore the opportunity to improve this position.

In regard to the Inspector's Report in October 2010, and with absolutely no disrespect to his recommendations then, matters have changed. The NPPF has come into force and it is evident that the affordable homes deficiency has deteriorated considerably.

It is respectfully submitted that by reference to 4.0 (A Desirable Place to Live) in the same document had the representations made in September 2012 to bring forward more land within the District as a whole to assist in accommodating the affordable homes deficit been accepted, this would mean that the Council would not appear to be in conflict with its own Plan as well as the NPPF. Accordingly it is submitted that much of the Plan in regard the Policies of the provision of Housing is unsound, ineffective and so is not in accordance with the NPPF.

3. Library Document EB025 Housing Technical Paper produced in October 2012 after the representation was made in September 2012 confirms at 5.4 and 6.3 respectfully that the provision of mixed communities is required by paragraph 159 of the NPPF and that the affordable homes provision remains a very difficult issue to address. It is respectfully submitted that Core Strategy 04 is wholly flawed and the only remedy is shown in the representation made suggesting modification of that Policy. It is noted that most regrettably the Council did not refer in response to the Case Law decision at Lymn where permission was granted on Appeal to Court of Appeal regarding a development of 200 houses where 50% were affordable. This was granted on green field land and the shortage of the affordable homes was a sufficient 'material consideration' to depart from the Local Plan at the time.

Upon making the representation on 12 September 2012 a covering letter was sent to the Local Planning Authority inviting an opportunity to discuss the opportunities provided in the representation of providing land to address these matters which has not been reciprocated and a further letter sent at the beginning of this year where the Council stated in reply that their stance remained the same.

It is respectfully submitted that these matters referred to above most regrettably demonstrate that there is little common ground between the Representatives and the Council other than that it is accepted there is a dire shortage of land for affordable homes and that the Representatives have sought a mixed use in conformity with paragraph 159 of the NPPF; and the Council most regrettably has in its response after September 2012 simply tried to isolate the affordable homes from normal market homes which it is submitted leads to a serious lack of proper social integration.

The value of the land being promoted may well be less to the owners because of this but the Representatives realise this and wish to provide for their future needs and that of housing supply and not that of the past which has surely gone in to the archives. In simple terms landowners have willingly come forward with a modern day approach to land values and recognise that in order to have their land developed, and in turn they have a reasonable return, the modern way forward is to promote the land as has been done in the representation. It is respectfully submitted that all interested parties would benefit and yet surprisingly it is noted that this has been resisted without providing a proper and sustainable reason for doing so, taking into account the evidence provided.

Simply in conclusion the Council has willing landowners who have sought a change of Policies to accord to the NPPF. It is respectfully submitted that the Inspector ought to recommend this important change taking account the willingness of the landowners to accept a conditioned Policy as to the percentage of affordable and low cost housing on their land.

Land Research & Planning Associates Ltd.

14 January 2013.