



Wyre Forest District

Site Allocations and Policies Plan

Examination

Statement of Common Ground (SOCG1)

Churchill and Blakedown Parish Council

14th January

**WYRE FOREST DISTRICT SITE ALLOCATIONS AND POLICIES AND
KIDDERMINSTER CENTRAL AREA ACTION PLAN EXAMINATION IN
PUBLIC
STATEMENT OF COMMON GROUND – CHURCHILL AND BLAKEDOWN PARISH
COUNCIL**

This “Statement of Common of Ground” has been developed in response to representations received from Churchill and Blakedown Parish Council on the Pre-Submission Publication version of the Site Allocations and Policies Plan.

Officers from Wyre Forest District Council and representatives from Churchill and Blakedown Parish Council held a meeting on 29/11/2012 at which the representations listed below were discussed.

Site Allocations and Policies

- SALPP45
- SALPP69

The table attached at Appendix 1 outlines those areas where agreement has been reached on common ground for the Site Allocations and Policies. It also outlines areas where it is considered that further discussion and clarification is required during the relevant hearing sessions.

Appendix 1 also sets out some proposed modifications to the Site Allocations and Policies in order to address the representations and establish Common Ground.

Appendix 1 – Site Allocations and Policies - Actions arising from discussion with Churchill and Blakedown Parish Council relating to the establishment of common ground.

APPENDIX 1 – WYRE FOREST DISTRICT SITE ALLOCATIONS AND POLICIES EXAMINATION IN PUBLIC STATEMENT OF COMMON GROUND – CHURCHILL AND BLAKEDOWN PARISH COUNCIL

Churchill and Blakedown Parish Council's Representation	Paragraph / Policy	Director of Economic Prosperity and Place Response	Resulting Minor Amendment to the Site Allocations and Policies?	Response from Churchill and Blakedown Parish Council	Common Ground Established?
<p><u>SALPP45</u></p> <p>Policy SAL.RS1 does not fully address the local housing need in Blakedown and it is too restrictive.</p> <p>The site is the only deliverable site in the Parish and must address the Local Needs Housing in a wider sense than just "affordable" housing consistent with the Core Strategy vision (see separate representation on defining Local Needs Housing). The Parish Council is alert to this need and has commissioned a new Housing Needs Survey to determine the true local need.</p> <p>The current policy SAL.RS1 does not fully address the local needs and is inconsistent with the adopted Wyre Forest Core Strategy (policy DS01) and the NPPF (paragraph 159). At a recent planning appeal at Castle Ash, Birmingham Road, Blakedown the Inspector dismissed the appeal partly on the grounds that the proposed development did not meet local housing needs (APP/R1845/A/11/2143452).</p>		<p>It should be noted that the site that Policy SAL.RS1 (Blakedown Nurseries) relates to is now subject to a Planning Approval 12/0114/Full.</p> <p>The District Council considers that the terms of Policy SAL.RS1 do address local housing needs and that in accordance with Core Strategy Policy CP04; the recent planning approval will provide 19 affordable units on a site that has been derelict for a number of years. The application</p>	None Proposed	<p>Other than the provision of some affordable housing for locally connected rental and low cost (shared) ownership, no common ground can be established to do with Policy SAL.RS1.</p> <p>Planning permission should never have been granted based on unratified SAL.PP Policy. However, since it has been, the PC suggests this Policy is redundant and should be deleted</p>	No

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<p>The Parish Council suggests that Policy SAL.RS1 is wrongly grounded since the site will not come forward until after the Local Plan has been reviewed and Green Belt (Rural Exception Site) policies will no longer apply.</p> <p>Sub paragraph (i) of the policy should be amended to delete the word "affordable" and delete the reference to waiting lists (this was added between the preferred options and the publication versions of the DPD and is not robustly justified).</p> <p>Sub paragraph (ii) should be amended by deleting "an element of enabling market housing" and replacing with "appropriate local housing needs".</p> <p>The Parish Council seeks a Statement of Common Ground with the Local Planning Authority on this matter.</p>		<p>had regard to the 2010 Churchill & Blakedown Housing Needs Survey and the Local Housing Waiting list. It should be noted that the new housing needs survey that the Parish Council refers to has not yet been ratified.</p> <p>Under the provisions of the Adopted Core Strategy and Paragraph 85 of the NPPF, It is recognised that the site has been derelict for a number of years and is now available for delivery. Steps have therefore been taken within the Site Allocations & Policies DPD to identify the site as having potential to deliver affordable housing to meet local</p>		<p>from the SAL.PP altogether.</p>	

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		<p>needs. It is considered that the Site Allocations policy therefore sets out a proactive and deliverable approach to ensuring that much needed affordable housing is delivered on the site within the plan period.</p> <p>It is not considered appropriate to delete the reference to waiting lists as this is required through the Housing Act 1996 and was raised by housing colleagues at the Preferred Options stage of the Plan's development.</p> <p>The Home Choice Plus Allocations Policy (a common allocations scheme which operates</p>			

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		<p>across Local Authority areas in the West Midlands), provides the legislative background to 'local connection' and explains that local connection is defined in Part VII of the Housing Act 1996 as:</p> <ul style="list-style-type: none"> • Those who are normally resident in the area. Local Government Association guidelines define this as having resided in the area for six of the last twelve months, or three of the last five years, where residence has 			

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		<p>been out of choice.</p> <ul style="list-style-type: none"> • Those who are employed in the area – the Local Government Association guidelines define this as employment other than of a casual nature • Those who have family connections – the Local Government Association guidelines define this as immediate family members who have lived in the area for five years 			

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		It is considered that the enabling market housing is wholly reflective of the NPPF (Paragraph 54) and was introduced at publication stage following a comprehensive conformity assessment. The District Council cannot therefore agree to delete this wording as it would render the Policy undeliverable due to site economics.			
<p><u>SALPP69</u></p> <p>The DPD definition is, therefore, too restrictive and inappropriate. A separate definition of Local Needs Housing (or Housing for Local Needs) is required in the DPD, so that it is not in conflict with the Core Strategy and duties under the NPPF.</p> <p>Local Needs Housing (or Housing for Local Needs) addresses the need for all types of housing</p>		The Parish Council is seeking common ground with regard to the definition of "Local Housing Need" in that essentially it would like to see this widened to include open market	<p>SALMOD69</p> <p><u>Delete</u> - "Local Needs Housing - See Affordable Housing" from Page 172 of the Jargon Guide.</p> <p>Add in the following</p>	<p>Apart from seeking clarification that "local" means "Parish first" the PC is satisfied with this amendment.</p> <p>The PC's concern is</p>	Yes

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<p>consistent with paragraph 159 of the NPPF, for which there is a local need as follows:</p> <p>"meets household and population projections, taking account of migration and demographic change"</p> <p>"including affordable housing and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes)"</p> <p>"caters for housing demand and the scale of housing supply necessary to meet this demand"</p> <p>(The term "Older people" is defined in the NPPF as "People over retirement age.....whose housing needs can encompass accessible, adaptable general needs housing for those looking to downsize from family housing).</p> <p>The DPD is inconsistent with the Core Strategy and the NPPF, rendering the Core Strategy impossible to deliver. The Parish Council seeks a different definition of Local Needs Housing and a Statement of Common Ground with the LPA on the matter.</p>		<p>housing such as bungalows to enable older residents to downsize. As agreed at the meeting held on the 29/11/12, officers have considered the matter in some detail against the Adopted Core Strategy policies and the National Planning Policy Framework. The District Council agrees with the overview of housing need as identified in Paragraph 159 of the NPPF as set out by the Parish Council. However, it would point out that the "local population" relates to housing need across the whole of the District's area rather than by individual Parish.</p>	<p>definition:</p> <p><u>Local Needs Housing – including affordable housing and market housing which addresses the established* needs of different groups in the community such as (but not limited to), families with children, older people, people with disabilities, service families and people wishing to build their own homes.</u></p> <p><u>*through Parish Housing Needs Surveys, Neighbourhood Plans and Local Housing Waiting Lists.</u></p>	<p>that use of the term "local" may be inconsistent in future, for instance between the Core Strategy/SALP and the District Council's Local Lettings Policy (Home Choice plus Allocations Policy).</p> <p>The PC also suggests that this matter should be separately considered at an early part of the Examination, since this is a re-definition which affects the whole of Wyre Forest District, not just the area of our Parish.</p>	

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<p>The Parish Council suggests the following change of definition:</p> <p><u>Delete</u> - Local Needs Housing - See Affordable Housing</p> <p><u>Substitute</u> - Local Needs Housing - Housing which meets household and population projections, taking into account of migration and demographic change, including but not restricted to Affordable Housing.</p> <p>The DPD seeks to introduce a definition of Local Needs Housing which does not exist in the NPPF. By defining it as "Affordable Housing" only it is inconsistent with the Adopted Wyre Forest Core Strategy which refers to Housing for Local Needs.</p> <p>The NPPF defines Affordable Housing but does not define Housing for Local Needs (Local Needs Housing). It does in Paragraph 159, however, require LPAs to address needs for all types of housing, including downsizing for older people and does not restrict this duty to Affordable Housing. ("Older people" is defined in the NPPF Glossary). However, the Adopted Wyre Forest Core Strategy</p>		<p>The Adopted Core Strategy Policy DS01: Development Locations; identifies the villages of Fairfield, Cookley, Blakedown and Wilden as suitable for development associated with housing to meet local needs, local services and small scale rural employment. A definition of local housing needs is not included within the policy or reasoned justification.</p> <p>Policy DS04: Rural Regeneration states that new residential development in the District's villages (which includes Blakedown as set out in the settlement hierarchy),</p>		<p>It should not be considered as part of the Parish Council's other representation which concerns Churchill and Blakedown alone.</p>	

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<p>specifies Housing for Local Needs as the only type of housing acceptable in villages named in the Settlement Hierarchy (Policy DS01) and does not define this further. Plain English, therefore, applies.</p>		<p>rural settlements and other rural hamlets will be to meet local housing needs only, as established through parish surveys.</p> <p>Policy CP05 (Delivering Mixed Communities) of the Adopted Core Strategy encourages the delivery of a mix of housing types. It is considered that there is nothing to stop market housing to meet an identified local need, such as bungalows coming forward as part of a mix of development proposals. However, it must be recognised that under the terms of the 1985 Housing Act, the District Council is unable to enforce /manage its retention to</p>			

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		<p>meet local needs unless it is solely for affordable housing. Therefore such development may not remain to meet locally identified needs in perpetuity.</p> <p>The Submission Site Allocations & Policies Plan Paragraph 4.17 states that Local Housing need is established through a housing needs survey which is undertaken in agreement and partnership with the relevant local Town or Parish Council.</p> <p>Paragraph 4.20 states that Parish Housing Needs Surveys are undertaken on behalf of Parish Councils upon their request. The</p>			

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		<p>housing needs survey establishes the need for affordable housing within the Parish. It also specifies that the District Council also refers to the housing waiting list data in addition to housing needs surveys or when a housing needs survey has not been undertaken.</p> <p>The Jargon Guide within the Submission Site Allocations & Policies Plan cross references to the definition for Affordable Housing as contained within the NPPF.</p> <p>The key issue with regard to addressing local housing needs more widely than the</p>			

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		<p>provision of affordable housing is the District Council's ability to enforce that specific housing development remains in perpetuity to meet the needs of the local community, for example low cost market housing or bungalows specifically for local residents to downsize into. Officers are of the opinion that currently there is not a planning framework in place to enable this outside of the provision of affordable housing through a Section 106 Agreement. Notwithstanding this, the District Council recognises that delivery mechanisms (such as restrictive covenants) to</p>			

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		<p>meet a wider definition of local housing need could be more specifically considered by the Parish Councils through Neighbourhood Plans. Such mechanisms may enable Parish Councils to enforce the requirement for such developments to meet identified local needs in perpetuity. It is acknowledged that both Churchill and Blakedown and Chaddesley Corbett Parish Councils are currently progressing Neighbourhood Plans.</p> <p>Following careful consideration, it is therefore considered that the definition of Local Needs Housing within the jargon guide</p>			

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		<p>of the Site Allocations and Policies Plan could be amended to reflect a wider definition that is more consistent with the NPPF, since there are no significant conformity issues with the Core Strategy.</p> <p>It is reiterated however, that in order to remain consistent with both the NPPF and the Adopted Core Strategy rural exceptions sites (i.e. those which are not allocated either within the District's Development Plan or within a Neighbourhood Plan) must remain solely for the provision of affordable housing (other than an element of necessary enabling market housing), and</p>			

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		that such sites would only be subject to the national definition of affordable housing.			