

Answers to Wyre Forest District Local Plan 2016-2036: Matters and Questions for the Examination (ED16)			
Covering Matters 1, 2, 3, 4, 7, 8 and 11 and accompanied by Appendices 1-3 as follows:			
APPENDICES:			
APPENDIX 1 – Tetlow King – Affordable Housing (Matters 2 and 3)			
APPENDIX 2 – Lavigne Lonsdale – Green Belt and Lea Castle (Matters 2, 3 and 4)			
APPENDIX 3 – RCA Regeneration Ltd – Housing Supply (Matters 1, 2 and 3)			
Matter			
1	Legal requirements, duty to co-operate and the public sector equality duty		
1.2		Is the sustainability appraisal adequate? Does it indicate that the Plan sets out an appropriate strategy for the District over the Plan period, taking account of the reasonable alternatives?	<p>We consider the SA (and particular the latest document entitled ‘Wyre Forest District Local Plan sustainability appraisal consideration of alternatives: update’ (ED5)) clearly sets out that the council has not properly considered the change in circumstances we now face, as a result of the covid pandemic and ensuing economic recession. The impact of increases in homelessness and a necessarily more mobile workforce leading to greater internal migration, as the availability of jobs will almost certainly change. As part of our submissions, we have put forward data from the council’s current housing waiting list – showing how it has grown over the last year, together with evidence on WFDC’s temporary housing costs and evidence of how many permanently affordable homes have now been lost under right to buy/acquire. This starkly contrasts with a council that appears, if anything, to be ‘dumbing-down’ its housing need.</p> <p>Indeed, the evidence previously posited by WFDC to underpin the submission plan suggests that the authority should not take any unmet need from the Black Country and Birmingham conurbations, leading to objections to the plan from neighbouring authorities. This is despite the fact that in the consideration of</p>

			<p>alternatives, at para 7, it clearly states that <i>‘an increase in net internal migration over the past 20 years, dominated by young retirees, with the number of additional households thus being much higher than would be expected from the population increase. The Wyre Forest Local Plan uses the 2016 projections as its basis because they are felt to more accurately reflect the situation in the district than the 2014-based predictions. If the 2018 projections were used, even more homes would be needed.’</i> This suggests that the growth attributed to net migration into the District has been under-estimated and that unmet need, therefore should form an element of the Wyre Forest housing target for the plan period after all.</p> <p>We consider the economic effects of the covid pandemic, plus wider societal changes in behaviour, including an increase in online shopping, homeworking and changes to the economic landscape are not reflected in the local plan.</p>
1.4		<p>Has the Council engaged constructively, actively and on an on-going basis with all relevant organisations on the strategic matters that are relevant to the Plan’s preparation, as required by the duty to cooperate?</p>	<p>We maintain that the Wyre Forest Local Plan does not explicitly acknowledge that any additional housing growth proposed over and above Local Housing Need (LHN), (once all other factors have been taken into account), can be attributed to meeting established unmet need within neighbouring authorities in the West Midlands conurbation despite there being clear functional relationships in terms of commuting and migration.</p> <p>We have made submissions in this regard already and would continue to point out the serious and as yet unresolved objections from neighbouring authorities, particularly those with, as yet, unmet housing need where they will need to distribute housing growth outside of their administrative boundaries.</p> <p>We would urge the Inspector to give full weight to the continued objections from Birmingham City Council and the Black Country authorities in this regard, notwithstanding their decision not to attend the EiP to give further verbal evidence.</p> <p>We are aware that the PPG (Reference ID 61-022-20190315) states that <i>‘Strategic policy-making authorities should explore all available options for addressing strategic matters within their own planning area, unless they can demonstrate to do so would contradict policies set out in the National Planning</i></p>

			<p><i>Policy Framework. If they are unable to do so they should make every effort to secure the necessary cooperation on strategic cross boundary matters before they submit their plans for examination. [...]</i></p> <p><i>Inspectors will expect to see that strategic policy making authorities have addressed key strategic matters through effective joint working, and <u>not deferred them to subsequent plan updates or are not relying on the inspector to direct them</u></i>. (our emphasis)</p> <p>This means that an early review/deferral of such matters is not supported by the PPG.</p>
2	Local housing need and the need for employment land		
2.1		<p>Is the local housing need figure of 5,520 dwellings for the period 2016-2036 (276 dwellings per year (dpa)) a sound basis for the Plan?</p>	<p>No, and it is clear the council have not taken account of the 2018 household projections, other than to accept the following: <i>'If the 2018 projections were used, even more homes would be needed.'</i> (ibid.) We consider that this matter should be dealt with now and not effectively kicked down the road. The Planning Practice Guidance does not support early plan review as a means by which strategic topics (such as what OAN to use) can be avoided.</p> <p>By using the 2018 projections, the OAN for the District would increase by approximately 2,000 dwellings. This difference between the current plan housing need figure and one underpinned by the 2018 household projections is significant enough to potentially render the plan unsound if ignored. We also firmly consider that the council's current approach is not aligned to the Government's drive to boost significantly the supply of housing.</p> <p>The Council argue in their topic paper that the 276dpa figure (which is higher than the Local Housing Need of 248dpa, intended to reflect demographic factors) helps address affordability, but it is only a generalised point that they make. In our view, a requirement of 276dpa does not address any specific affordable housing needs and clearly does not address the 158dpa identified in the Housing Needs Assessment paper. Given the direction the Government is taking in the White</p>

			<p>Paper with regard to addressing worsening affordability, we consider the council should calculate what the OAN would be if they were to properly address their burgeoning affordability problem.</p> <p>In terms of affordability – Wyre Forest is one of the least affordable authorities in the area¹ with a median house price to earnings ratio of 7.12 (less affordable than neighbouring Birmingham and the four Black Country authorities) and with arguably a poorer access to higher paid employment than those areas. We consider that the 25% affordable housing requirement is too low, particularly for unencumbered green field sites. We consider that if the policy requirement of 25% is pursued, it would be a missed opportunity to deliver far more affordable housing in the district on sites that we consider to be viable at 30% affordable housing. Indeed, the land at Baldwin Road could deliver more affordable housing than the level stated in the emerging plan and we are therefore puzzled as to why the level is therefore set so low for comparable sites.</p> <p>Appendix 1 to this document provides an update on affordability issues within the District adds more detail to these points.</p>
3	Overall spatial strategy, the Green Belt and the overall housing and employment land requirements		
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, enhancing the environment?	<p>We refer to our earlier points in response to the SA and would reiterate that we do not consider that this plan takes any account of unmet need within the neighbouring authority areas.</p> <p>Further, the evidence on releasing green belt, in our view has been ‘retrofitted’ to suit a politically-driven spatial strategy that ignores sustainability principles at times. Whilst we consider the approach of incorporating as much brownfield land</p>

¹ <https://www.ons.gov.uk/peoplepopulationandcommunity/housing/datasets/ratioofhousepricetoworkplacebasedearningslowerquartileandmedian>

			<p>to be a laudable aim, it is clear that these sites will not deliver the much-needed planning gain necessary to offset their impact.</p> <p>To that end, the large infrastructure funding ‘gap’ (which we have already highlighted in previous representations) will remain very much that without further allocations on viable greenfield sites that will not only boost significantly the supply of housing but assist in delivering much needed strategic transport infrastructure.</p>
3.2		<p>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?</p> <p>b) Does the Plan provide adequately for compensatory improvements to the environmental quality and accessibility of remaining Green Belt land?</p>	<p>We consider the council’s approach to green belt review and subsequent release has been wholly inconsistent. In our submissions, we provide further evidence of this, particularly where the site we are promoting (Land to the rear of Baldwin Road and the expansion of Lea Castle) have been assessed (Appendix 3). It is almost impossible to assess whether adequate compensatory measures for green belt sites are provided within the plan.</p>
3.3		<p>Having regard to the housing and employment need 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?</p>	<p>No, for reasons given above, we consider the housing need figure is set too low.</p> <p>We consider that should the government’s revised housing methodology be adopted the local housing need figure for Wyre Forest will represent a significant change.</p> <p>Looking at the council’s past track record on housing delivery, it is as follows: 2015/16 – 226 2016/17 – 262</p>

			<p>2017/18 – 184 2018/19 – 183</p> <p>Over the last 4 years the council have delivered an average of around 200 dwellings per annum, against a requirement (200) that was clearly very low (based on the now abolished RSS figure). The council will clearly need to step-up delivery rates significantly to meet their new housing target, clearly demonstrating that if anything, allocations must increase in order to create competition within the land market, improving the likelihood of reaching the ambitious revised trajectory the council must now deliver, on what we consider to be currently too few sites.</p>
4	Lea Castle Village		
4.1		<p>(i) Is the site’s allocation for a new village and the proposed indicative quantity and mix of development justified by the evidence? (ii) Is the allocation appropriate, compared with the reasonable alternatives?</p>	<p>We do not consider there is overwhelming evidence to justify an expanded allocation for Lea Castle over and above the proposed extension to Kidderminster on Land to the Rear of Baldwin Road, the site that Barberry continue to promote. We do not consider that the site assessments were undertaken consistently, nor the process of site selection.</p> <p>We provide a supporting statement to demonstrate that the assessment of the expansion of the Lea Castle allocation has not been assessed in a consistent manner against other sites, which is included in this submission bundle at Appendix 2</p>
4.4		<p>(i) What is the basis for expecting that around 1,400 dwellings will be delivered by 2036? (ii) Are there infrastructure requirements, funding arrangements, phasing or other factors that may affect the timescale for the development and that should be addressed in the Plan?</p>	<p>Assuming at least two sales outlets, we consider that the assumptions on delivery are, on the face of it, acceptable (assuming a start on site during 2022). However, it should be noted that Homes England will have a formal sales process for each phase that will take time. Subsequent reserved matters applications for each phase could also (based on the Lea Castle site itself) take a considerable amount of time to determine. To that end, we consider the delivery rate to be somewhat ambitious.</p> <p>Notwithstanding this, we are aware of the presence of both the Lesser Horseshoe Bat and a record of Dormice on the Lea Castle Estate itself. From the AMEC report (commissioned by Homes England) (August 2015), it states the following:</p>

			<p><i>'Between the end of February and the beginning of March 2014, static bat detectors recorded 69 passes of lesser horseshoe bats and two passes of long-eared bats from a cellar beneath the Catering and Stores building, and an internal inspection of part of this building (where access was possible) revealed feeding remains and droppings for the same two species. The data suggest this building is used as a hibernation roost for small numbers of lesser horseshoe and long-eared bats for hibernation, but as only limited access has been possible to the building and duct, a precautionary approach is adopted in assessing the roost as being of medium conservation significance.</i></p> <p><i>Furthermore, seven passes of lesser horseshoe bats were recorded from a cellar beneath the Claire Hodge building between the end of February and the beginning of March 2014, and two passes of lesser horseshoe bat from an underground duct close to this building between end of February and the end of March 2015. These data suggest that the building and duct are used by small numbers of lesser horseshoe bats for hibernation, but as only limited access has been possible to the building and duct, a precautionary approach is adopted in assessing the roost as being of medium conservation significance.</i></p> <p><i>Thirteen passes of lesser horseshoe and two passes of soprano pipistrelle were recorded from an underground duct near to the Ash building between the end of February and the beginning of March 2014. As pipistrelle bats do not usually hibernate underground, the soprano pipistrelle passes were probably just exploratory passes. The data suggest that the duct is used as a hibernation roost for small numbers of lesser horseshoe bats, however as access was not possible to this structure, a precautionary approach is adopted in assessing the roost as being of medium conservation significance.'</i></p> <p>So it would appear that lesser horseshoe bats were found at the Lea Castle site which is surprising and interesting, as these would be one of, if not the most northerly location for this species in Worcestershire as the County is on the north-eastern edge of this species range.</p>
--	--	--	---

			<p>As part of the work undertaken for the land to the rear of Baldwin Road, our ecologists commissioned a data search from the Worcestershire Biological Records Centre (WBRC) and received the results dated 11/11/2016. There was no mention of Lesser Horseshoe bats. This demonstrates the AMC records had not at that point been registered. We consider this to be a major constraint to the wholesale development of the additional land around the Lea Castle site and consider that, when compared with the land to the rear of Baldwin Road, there are clear inconsistencies in the council's approach. No evidence of Dormice or protected bat species has been found on the land to the rear of Baldwin Road, following ecological survey work carried out over successive summers.</p> <p>In terms of infrastructure, we have made separate comments in our supplementary evidence on transport matters (Appendix 2) together with our concerns over delivery (Appendix 3).</p>
4.6		<p>(i) How will any competing demands on funding for affordable housing, infrastructure and various facilities be resolved? (ii) Overall, is the allocation viable?</p>	<p>We are not aware of the financial viability (or otherwise) of the site proposals but consider these should be made public in order to determine whether the allocation is viable.</p> <p>As a major new mixed use allocation, it should be able to make provision for all required infrastructure and planning gain as required by policy, without exception, given its undeveloped status. The previously developed part of the site has had viability issues and is not required to deliver more than 15% affordable housing. However, the impacts of these proposals must be subject to significant planning gain, in light of the poor locational sustainability of the site.</p>
4.8		<p>Is it proposed to develop 2 separate parcels of land within Lea Castle Village for employment purposes and if so, is this sound?</p>	<p>We would question whether this is the right location for this level of new employment floorspace, so distant from the strategic highway network. The question of whether take-up would be genuinely likely on the scale proposed is, in our view, subject to some doubt.</p>

			Further, the Lesser Horseshoe bat, as a slower flying photophobic bat, would be affected by significant lighting regimes required for large scale employment sites, and this may additionally affect the deliverability of the site.
4.9		Do the recently implemented changes to the Use Classes Order in respect of employment and retail uses indicate that any modifications should be made to the policy requirements for this allocation?	Yes, we consider the wording will need to reflect the new uses set out in the new Use Classes Order.
4.11		(i) Does the policy framework provide clearly and comprehensively for sustainable transport choices and connectivity within and beyond the new village? (ii) How will the development be integrated into the public transport network? (iii) How will any adverse traffic impact be mitigated?	No, we do not consider that it does, for reasons already given in our previous transport submissions and Bromsgrove District Council's continuing objection on infrastructure grounds.
7	Housing Land Supply	Does the evidence clearly indicate that there is an adequate supply of deliverable and developable land to meet the Plan's housing requirement of 5,520 Class C3 dwellings and 487 Class C2 dwellings by 2036?	We have produced a separate document (Appendix 3) assessing some of the sites that the council rely on to provide a supply of housing over the course of the plan period. We do not consider there is adequate evidence to demonstrate a deliverable housing supply for the first 5 years. We have also explored this from an affordable housing perspective in our Appendix 1.
7.2		(i) Overall, is the housing trajectory soundly based? (ii) Is there a	See our comments in Appendix 3. We consider the trajectory to be lacking in fundamental detail and the latest trajectory provided is disappointing in this regard. We would request that the

		<p>reasonable prospect that the shortfall in delivery of the housing requirement from the start of the Plan period will be made up within 5 years of the Plan’s adoption? (iii) Is there a reasonable prospect that a rolling 5-year supply of deliverable sites will be maintained from the date of the Plan’s adoption?</p>	<p>council provides further detail on annualised delivery rates, with evidence to justify their position, as soon as possible.</p> <p>We consider there is a strong likelihood that the shortfall in housing delivery will not be made up during the first 5 years of the plan, and this is likely to perpetuate a lack of 5 year supply going forwards.</p> <p>In part, we consider this is as a result of the council’s increased reliance on previously developed sites which, (whilst a laudable aim) does not help with making up shortfalls or address burgeoning issues with a lack of the right sort of affordable housing to meet the requirements of those on the housing waiting list. Clearly, greenfield sites are far less constrained and far better placed to deliver the affordable housing and infrastructure investment the District desperately needs.</p>
8	Other policies for housing (Policies 6B and 6F, 8A-8E, Policy 18D and supporting text)		
8.1		<p>(i) Are the Plan’s policies for a) housing mix and density, b) affordable housing, c) rural housing needs, d) self-build and custom-build housing, and e) housing for older people and others with special housing requirements sound? (ii) Do they allow reasonable flexibility to respond to site-specific circumstances? (iii) Should an affordable housing trajectory be included in the Plan to demonstrate how the</p>	<p>The plans for affordable housing, at 25% are, as we have already stated, unambitious and fail to recognise that green field, unencumbered sites are able to deliver more than this, including the land to the rear of Baldwin Road. We consider this approach is a missed opportunity to address the shortfall in affordable housing delivery for the district, particularly at a time when demand is likely to increase significantly over the coming years.</p> <p>We consider an affordable housing trajectory for the plan would be a helpful tool in understanding where the council is in terms of its delivery of such an important part of the overall housing target.</p>

		target for provision is expected to be met over the Plan period?	
11	Matter 11: Transport and accessibility; telecommunications and broadband; renewable and low carbon energy; viability; monitoring; strategic policies		
11.1		<p>(i) Does the Plan and particularly Policy 13 accord with national planning policy’s objectives to promote sustainable transport and actively manage patterns of growth in support of these objectives?</p> <p>(ii) Are the Plan’s provisions for transport and accessibility measures informed by adequate evidence of the needs of the District and the wider area?</p> <p>(iii) Is there a reasonable prospect that the proposed measures and improvement schemes will be provided in a timely manner and will be effective?</p>	<p>As previously stated, we have serious misgivings about the delivery of required infrastructure, when there is such a substantial shortfall in infrastructure funding. We do not consider such funding could it be made up by developers, without undermining the need to deliver much-needed affordable housing, which (for reasons already given) we consider is required at too low a proportion in any case.</p> <p>There is no evidence in the council’s submissions that the required infrastructure can and will be delivered within the appropriate timeframe to support the planned development.</p> <p>We consider there has been a major missed opportunity to work together to deliver strategic infrastructure improvements with neighbouring Bromsgrove District – particularly as two major routes that connect Wyre Forest to the strategic road network run through Bromsgrove District, where there are already serious problems with extensive congestion and air quality in Bromsgrove and Hagley.</p> <p>The Local Plan does not take a justified and suitably evidenced based approach to strategic transport, infrastructure and delivery. The key point is that there is a lack of information provided within the transport evidence base to determine that the</p>

			proposed measures will be effective. In this regard, we are aware that Bromsgrove District Council will be continuing with their objection.