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Dear Sir/Madam,

## **BLACK COUNTRY CORE STRATEGY REVIEW – ISSUES AND OPTIONS RESPONSE BY CLOWES DEVELOPMENTS**

We are instructed by Clowes Developments to submit a response to the Black Country Core Strategy Review – Issues and Options consultation. We welcome the opportunity to comment and to input into the preparation of the Core Strategy at the outset. We have responded to the questions as per the consultation document and have submitted the comments via the online consultation website. We trust you take our comments into consideration and look forward to being notified of future stages of consultation on the Core Strategy.

### **Question 1 – Do you agree that the Core Strategy Review should be a partial review, retaining and stretching the existing spatial strategy and updating existing policies? Yes/No. If not, what do you think should be the scope of the review?**

No, we consider that the review needs to go further than a partial review. Whilst the overall strategy of supporting further housing and employment growth with an emphasis on regeneration should be supported, it is clear that the desire to achieve major regeneration of identified areas has failed, for a variety of reasons relating to ownership, viability, market perceptions, site suitability etc.

The approach of the BCCS is based upon the revoked West Midlands Regional Spatial Strategy and it was produced prior to the adoption of the Framework. Furthermore, there was a significant shift in the amount of housing and employment land that is required that the Black Country Core Strategy needs to respond to. The emerging Core Strategy is also being prepared in a significantly different economic climate to the adopted document. These factors clearly indicate that a new approach should be taken to the development through the Core Strategy review.

The adopted Core Strategy seeks to deliver development by focusing the majority of new housing employment land requirements through a Growth Network and a series of Regeneration Corridors. It is, however, advised in the “delivery” section of the emerging Core Strategy (paragraphs 2.5 to 2.11) that the level of concentration in the growth corridors is “less than participated”. One of the reasons for this is that more windfall sites will come forward than

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expected outside of the Growth Network. These windfall sites have assisted in housing delivery. Appendix C – Black Country Monitoring Summary, of the emerging plan advises that there is currently a shortfall of 3,039 dwellings in the Black Country to meet the housing requirement set by the adopted Core Strategy for the plan period to date. The windfall developments have effectively bolstered housing delivery whilst the housing allocations within the Regeneration Corridors and Growth Network generally have under delivered.

The Growth Network and Regeneration Corridor approach in the adopted Core Strategy is based upon the delivery of a significant quantum of housing on surplus employment land. The emerging plan advises in paragraph 2.5 that it is transpired that there is “not as much surplus employment land suitable for housing as anticipated”. This is partly because the economy has strengthened and local firms are more robust than expected and partly because the sites are more affected by constraints than expected.

It is, therefore, our view that the approach of the adopted Core Strategy, seeking to focus new residential development on poor quality employment land, will not deliver the housing numbers required. In addition, as referred to in response to Question 4, new evidence identifies a significant requirement for additional employment land. As a consequence, the emerging Core Strategy should prepare an approach that places less reliance on the delivery of housing on employment land.

This means that the trajectory of the current plan is unlikely to be met since it now relies heavily on windfall sites, some of which are not suited to market requirements or are also subject to contribution and viability problems.

A new strategy is required which will provide a range of sites on both brownfield and greenfield (Green Belt) opportunities which are capable of being delivered in the new plan period and which will be attractive to the market. These would include sites capable of providing high quality housing, attractive to existing residents in the Black Country who are seeking to move within the area, as well as an occupier seeking accommodation and which are moving to the Black Country for economic reasons i.e. the move is associated with inward investment.

We consider that a portfolio of new strategic sites would be identified in the emerging plan with capacities of 150 to 500 units plus. Such sites are more likely to be deliverable in the plan period although we do see the opportunity for a major mixed use urban extension to the south west of Junction 3 of the M5.

The identification of a range of sites will ensure that there is adequacy of supply and will avoid reliance on major urban extensions which can experience difficulties in terms of funding and timing.

We also consider that a realistic approach needs to be taken to sites coming forward and that a non implementation rate needs to be identified in respect of the windfall element of the housing requirement. This is particularly important given the considerable reliance given to windfall sites in the current supply figure and the acknowledgement with Review department that there have been problems experienced in bring forward brownfield sites.

We also believe that the strategy needs to encompass wider discussions with the adjoining Authorities to the Black Country, including South Staffordshire, Wyre Forest and Bromsgrove whose administrative boundaries adjoin or are close to the Black Country and where there are functional and geographical linkages.

We believe it is important that the Green Belt releases are phased for the early part of the plan period so that a mix of sites, including high quality, can be made available to meet the needs of the market. The exercise should take a long-term view of development needs, providing a boundary which can endure beyond the plan period. This will also help with early delivery and will help Local Authorities to maintain a five year housing land supply and also to boost significantly the supply of housing in accordance with the requirements of paragraph 47 of the Framework.

This approach is entirely consistent with the requirement of the Framework. The Framework requires Local Authorities to “boost significantly” the supply of housing land. In accordance with the requirements of footnotes 11 and 12 of the Framework, housing sites would be “deliverable and available” in order to be allocated. The employment led regeneration approach of the emerging Core Strategy has failed this test at least to some degree.

Indeed, it is specifically advised that the higher than anticipated levels of windfall development do “conceal a delivery challenge”. There is a large number of major housing sites concentrating the Growth Network. However, many of these sites have multiple constraints and financial assistance is required for them to come forward (paragraph 2.10). This includes 300 hectares of occupied employment land which has been allocated for housing. This approach brings issues of viability due to the cost of land assembly, business relocation and land remediation. Significant amounts of external funding are required to deliver this. Whilst some funding is available, it is not sufficient to cover the costs of compulsory purchase, which may be necessary on many sites. The sites are clearly not “deliverable” or “developable” in the context of the allocations test put in place by paragraph 47 of the Framework. To be considered deliverable, sites should be available for development now and be achievable for a realistic prospect that housing will be delivered on the site. To be considered developable, sites should be in a suitable location for housing development and there should be a reasonable prospect that the site is available and could be viably developed at the point envisaged. This is not the case with a significant number of the employment allocations within the adopted development plan, by the emerging Core Strategies own omission.

Finally, we consider that a more robust SHMA should be undertaken focusing on the Black Country and the adjoining Authorities. The housing market areas should not be confined to the administrative boundaries of the Black Country Authorities. (*HL to review*)

**Question 2 – Do you think that the key evidence set out in table 1 is sufficient to support the key stages of the Core Strategy Review? Yes/No.**

**If not, what further evidence is required and, if there are any particular issues that should be taken into account in considering development on any particular sites or any particular areas, please provide details.**

We consider that a more in depth analysis needs to be undertaken of the brownfield windfall sites which make up the housing supply and, in particular, their ability to be brought forward. It is not clear to the development industry, given the current rates of completions and the need for a significant step up in delivery rates, that the windfall sites will come forward at the rate required.

A study needs to be undertaken regarding the true capacity likely to be obtained from brownfield windfalls. This will help to identify an appropriate non completion allowance.

As noted in the response to Question 1, we also believe that the SHMA needs to be reviewed so that it follows the housing market area and not simply Local Authority boundaries.



We further support the intention identified at paragraph 3.11 that the Council intends to explore new means of providing housing beyond the housing market area used for the BCCS review where there are clear migration or commuting links with Local Authorities. This strengthens our view that the SHLLA may have to be reviewed because of the linkages with surrounding authorities.

We also note that there appears to be no acknowledgement that the current shortfall provision, identified at some 3,000 units, has been taken into account in the housing requirement figure. In so doing, the objective should be to ensure that the needs of all are met, including those currently residing in the Black Country and who are seeking higher quality housing and those who are moving into the Black Country for economic reasons. The provision of such housing can also achieve a 'churn' in the current stock.

We are also of a view that the Black Country Green Belt review should be prioritised. It is noted that it is suggested that the Green Belt review will not be completed until mid 2018. It is, however, anticipated that the preferred options consultation will be undertaken in September 2018. There is going to be a clear reliance on Green Belt sites in delivering the emerging housing requirement. We are concerned that there is insufficient time for the Authorities to properly digest the findings of the Green Belt review and identify strategy for new development based upon Green Belt land release in and around the Authority area in the time allowed between the completion of a Green Belt study and the publication of a consultation document.

Finally, we believe that further research should be undertaken regarding the effect of Government grant regimes in bringing sites forward. Our experience to date has been that the programmes have been time consuming, costly and unwieldy and have had limited benefit in helping to increase the supply of housing land.

**Question 3 – Do you agree that the housing need identified for the Black Country over the period 2014 to 2036 in the SHMA, and the anticipated amount of supply, are appropriate and in line with national guidance? Yes/No.**

**If not, please explain why they are not appropriate and in line with national guidance.**

National guidance requires Local Authorities to meet the full, objectively assessed needs in the market and affordable housing in their housing market area, as far as is consistent with policies set out in the Framework. The objective is to boost significantly the supply of housing.

We have already commented in respect of our responses to Questions 1 and 2 that the SHMA needs to be reviewed and this could lead to an increase in the overall requirement for the Black Country Authorities.

The current completion rates are significantly below what is required for even the current local plan figure and are significantly below the figure of 3,690 units per annum identified above. Even at 78,190 units over the plan period, this produces an annual requirement of 3,554 units per annum which is also far in excess of what has ever been achieved annually in the BCCS. We consider that this is a challenging figure in terms of the current supply, over half of which is dependent upon existing housing supply in the urban area and is largely made up of brownfield windfalls.

In this context we believe that it is going to be important to significantly change the balance of the current supply with a far greater reliance on greenfield/Green Belt sites than the 25,000 units identified.



We note that the overall supply from the urban area depends upon some 42,507 units from existing sites in the urban area and a further 8,335 units from the urban area, much of which appears to come from former employment sites.

Given the problems in releasing employment sites in the current strategy (see paragraph 3.16 and paragraph 2.5, the latter identifying the problems in releasing employment sites), we consider that the local plan strategy which relies on some 65% of provision on urban brownfield/windfall sites (using the draft figure of 78,190) is wholly unrealistic given that, to date, the current local plan has failed to meet existing requirements.

The components of the supply in the urban area (completions plus existing housing supply plus estimated further housing supply) total some 56,520 units which equates to a requirement of 2,569 units per annum over the new plan period. However, that required completion figure is in excess of what has been achieved to date through the current local plan, which relies entirely upon brownfield windfalls in the urban area, that figure being 2,325 units per annum.

It is apparent, therefore, that the current supply of brownfield/windfall sites is unlikely to produce sufficient units to meet its share of the housing requirement and, therefore, the contribution which this makes to the overall requirement should be reduced (this will be consistent with our argument about adopting a non completion rate) and the contribution from greenfield/Green Belt sites outside the existing urban boundary should be increased. This will require contributions to be made from greenfield/Green Belt sites within the BCCS administrative area and also from sites in sustainable locations which are well related to the Black Country in neighbouring authorities.

Although we reserve our position on this point, we would expect that the contribution from the existing brownfield windfalls to be reduced by some 25%, to reflect the problems of market attractiveness, viability, delivery etc and with a consequent increase in the greenfield/Green Belt allocations.

In summary, the SHMA does not properly identify the housing requirement for the HMA. In addition, the reliance upon brownfield urban sites is not supported by evidence. There is, therefore, a requirement for a fundamental shift in the plan strategy with greater reliance placed upon Green Belt/greenfield land release in and around the wider HMA area of sustainable locations in order to ensure delivery.

**Question 4 – Do you consider the employment land requirement identified to the Black Country up to 2036 in the EDNA is appropriate and in line with national guidance? Yes/No. If not, please explain why they are not appropriate and in line with national guidance.**

It is not clear if the land requirement fully encompasses land to be lost to residential development and other uses. The current supply of housing identified in the emerging plan requires a significant contribution to be made from former employment sites. It has been noted, however, in the Issues and Options document that employment sites have failed to come forward at the rate expected, partly owing to problems in site delivery but also partly because of recovery in the demand for the stock of existing employment sites.

We expect that demand to continue for local and sub regional requirements on appropriate sites.

In addition, we believe there will be a demand for large, greenfield sites to encourage inward investment and we consider that sites should be identified to the north and south of the Black Country which are well connected to the existing motorway network.

We consider that the employment requirement should be based on a net addition in order to take account of any losses to alternative land uses.

We agree that a range of sites will need to be allocated including, as noted above, high quality sites to attract inward investment.

We also question whether the figure of 394 hectares of employment land can be regarded as being realistically deliverable and we believe that further assessment about the delivery of this land should be undertaken.

**Question 5 – Do you agree with the proposed approach to the Black Country Green Belt Review? Yes/No. If not, what additional work do you think is necessary?**

We agree that a review of the Green Belt is an imperative element of the new strategy. This needs to be completed in time to inform the Core Strategy Review to be published in September 2018.

We consider the review will need to assess the implications of land release in adjoining Authorities including South Staffordshire, Wyre Forest and Bromsgrove.

Green Belt sites in both the Black Country Authority area and in these other authorities will have a vital role to play in providing the necessary housing supply to meet the housing requirement over the plan period. They will need to make an early contribution to housing supply and should not be phased for delivery in the latter part of the plan period.

We also think it is important that the Green Belt Review extends beyond the current plan period in order to provide a lasting Green Belt boundary in accordance with the advice set out in paragraphs 83 and 85 of the Framework. That advice suggests that the boundaries should be set so that they are capable of enduring beyond the plan period. If necessary, safeguarded land between the urban area and the Green Belt should be identified in order to meet long term development needs "*stretching well beyond the plan period*".

We would suggest that the Green Belt Review should be conducted in order to provide for development needs up to 2051.

**Question 6 – Do you agree that the key issues set out in part 3 are key issues that need to be taken into account through the Core Strategy Review? Yes/No. If not, what other key issues should be taken into account.**

We believe that an extensive review needs to be undertaken in order to ensure that an appropriate strategy is arrived at. Clearly, reliance upon the existing strategy will fail to meet the housing requirement and employment land requirement identified.

We believe that elements of the evidence base require further examination including the SHMA and also the likely delivery of housing and employment from existing brownfield windfalls and existing sites.

There appears to be some confusion in the plan as to the extent of the gap identified. The policy talks about 22,000 homes but then also identifies a further 3,000 units as a shortfall in the housing area. It is unclear if the current shortfall of 3,000 units has been addressed.

In this context there may be a need to identify a further 28,000 homes over and above the existing, alleged, capacity in the urban area.

There is a need to continue to plan for a growing population. However, the SHMA underestimates delivery, this is not taken into account affordable housing needs. Furthermore, the emerging plan housing requirement will need to take into account the fact that not all housing allocations deliver. As a consequence the housing requirement will need to be significantly above the objectively assessed housing needs figure within the SHMA. The suggested “gap” between supply and need of 22,000 dwellings is, therefore, less than that actually required.

This figure may increase further when proper account is taken of the true delivery capabilities of the land in the existing urban area. So far, the current local plan has failed to deliver development rates which would meet with the housing requirement for the new plan period and indeed do not even meet the requirement which will be needed from the current supply identified. This suggests that the contribution from greenfield/Green Belt sites from within the BCCS area and from Authorities adjoining it will need to be increased significantly.

The Green Belt release should not be seen as a matter of a last resort but needs to be part of an overall strategy with early releases needed to ensure supply of housing sites in the early part of the plan period.

**Question 7 – Do you think that the Core Strategy Vision and Sustainability principles remain appropriate? Yes/No. If not, what alternative would you suggest?**

We are content with four of the five Core Strategy Vision and Sustainability principles but the fourth bullet point, ‘*Brownfield first*’ is no longer relevant. As we have explained in our responses to previous questions, the reliance on Brownfield development needs to be significantly reduced. It is already acknowledged that a significant number of homes, 22,000 – 25,000 may have to be allocated on Greenfield / Green Belt sites (these could be still higher if the current shortfall is to be rectified) and if an update to the SHMA reveals the need to release new land to meet affordable housing needs. We have already explained that we are concerned that there is an over reliance on Brownfield sites and that this could, overall, increase the requirement for new development on Green Field / Green Belt sites to some 40,000 units which will be approximately half of the overall housing requirement, once account is taken of the shortfall from the early part of the current local plan period.

For these reasons, Greenfield / Green Belt sites will have to be released at the same time as the Brownfield supply in order to ensure an adequate supply in the early part of the planning period. This is entirely consistent with paragraph 17 of the Framework which, whilst encouraging the reuse of brownfield sites, does not seek to prioritise their use over greenfield sites.

We would also question whether or not the reference to ‘*comprehensive approach to development*’ has any real meaning in terms of delivery of individual sites. We consider that if ‘*comprehensive*’ development is required this can still take place on a phased basis so long as new development achieves a comprehensive approach in due course.



**Question 8 – Do you think that the Core Strategy Spatial objectives remain appropriate? Yes/No. If not, what alternative would you suggest and how might these changes impact on the individual Core Strategy policies?**

We consider that spatial objectives two and three need to be reviewed. Whilst we would continue to support the delivery of high quality employment and within the regeneration corridors, which will also be helpful to local business, it should be recognised that inward investment may require high quality Greenfield sites on the edge of the Black Country. The availability of land 6a54 was a considerable benefit in bringing JLR to the Black Country and the opportunity for similar scale developments should be seized through the local plan review process. In particular, we consider that further strategic employment development on the north side of the Black Country and also to the south east, adjoining Junction 3 of the M5, should be identified.

We also have concerns that the regeneration corridors have failed to deliver wide spread change throughout the Black Country and that they may not provide a basis for sustainable communities in the new plan. In this context, we believe that this particular objective should be replaced with the following:

*'Identification of a series of deliverable housing sites on Brownfield and Greenfield within, adjoining and well connected to the Black Country which will meet the BCCS requirement over the plan period. These sites will be of differing scales and will provide different market opportunities to delivering housing over the planning period.'*

**Question 9 – Do you agree that Policies CSP1 and CSP2 should be retained and updated to reflect new evidence and growth proposals outside the growth network? Yes/No. If not, what changes do you think should be made to Policies CSP1 and CSP2 in response to new challenges and opportunities?**

We agree that the policies should be changed. The growth network strategy will not provide for the new housing and employment requirements for the Emerging Local Plan and need to be amended to reflect the fact that a significant proportion of both housing and strategic employment sites will have to take place on Greenfield / Green Belt sites outside of the current urban boundary and indeed on sites outside of the BCCS administrative area.

The presumption in favour of using Brownfield sites first also needs to be altered so that an appropriate portfolio of residential and employment sites can be developed over the planning period.

**Question 10 – In continuing to promote growth within the growth network, is there a need to amend the boundaries of any of the regeneration corridors in the existing Core Strategy? Yes/No.**

**If so which boundaries and why?**

We do not comment upon specific regeneration corridors but we believe that they will all need to be reviewed to see if they are fit for purpose. In particular, they should be examined to see if the employment elements are still likely to be required by the existing and new local businesses. Where it is clear that significant change in the regeneration corridor are unlikely to happen during the new planning period, alternative provision should be made.

**Question 11A – Do you support Strategic Option 1A? Yes/No.**

We consider that Option 1A is to be preferred to Strategic Option 1B. That said, we believe there continues to be an overreliance upon Brownfield / windfall sites in the existing supply and there is also an over reliance on Brownfield windfalls in the estimated further housing supply.

We consider, therefore, that overall the Greenfield requirement should provide some 40,000 units of the overall requirement which itself should be increased to 81,290 units.

**Question 11A – Do you support Option 1B? Yes/No.**

We do not support Option 1B. We believe that there is a considerable overreliance on Brownfield / windfall sites and that there is no real certainty that further employment land can be released over the plan period to provide housing opportunities. Indeed some of the existing housing allocations need to be reviewed as they will remain in employment use.

In this context, we consider that the Option 1B would not meet the objectives of the housing policies of the Framework particularly those which require the planning system to deliver significantly increased supply of housing land.

Paragraph 47 of the Framework requires housing opportunities to be deliverable and to meet the full, objectively assessed needs for market and affordable housing in the housing market area.

A review of the current local plan strategy has demonstrated that there is considerable uncertainty about reliance on a portfolio of Brownfield windfall sites we consider that strategic Option 1B, which is largely reliant upon such a source of housing opportunities, will not provide any certainty to the development industry regarding the provision of housing through the plan period.

**Question 12A – Do you support spatial Option H1? Yes/No. What criteria should be used to select suitable sites? Eg. Ability to create a defensible new Green Belt boundary, size, access to existing residential services.**

We believe that spatial Option H1 – Rounding off is to be preferred to spatial Option H2 – sustainable urban extensions. We believe that the ‘rounding off’ approach is more likely to deliver a series of well-planned and well located developments throughout the plan period thereby maintaining a deliverable supply of housing land for the house building industry. This could include sites of approximately 150 – 750 units.

**Question 13A – Do you support Spatial Option H2? Yes/No.**

**What should the characteristics of Sustainable Urban Areas (SUEs) B? E.g. a minimum/maximum size, mix of uses, mix of housing types, accessibility to other areas. What criteria should be used to select suitable sites? E.g. proximity to a rail station, availability of existing infrastructure, easy access to jobs, potential to support existing settlement/services, proximity to the existing growth network, potential to support urban regeneration.**

In general terms we do not support Spatial Option H2 in that we believe a range of smaller strategic sites should be provided in the Green Belt in order to ensure a deliverable supply of housing land in the plan period.

We consider that some modest size sustainable urban extensions could be provided. These should have the capacity to support a primary school and local facilities.

We would not favour sustainable urban area extensions of greater size than this as we do not consider that they would be deliverable in the plan period. In this context we believe that modest scale SUEs could be provided as part of a blended Spatial Option H1.

**Question 15A – If all housing need cannot be met within the Black Country, do you support the “export” of housing growth to neighbouring Authorities within the HMA? Yes/No.**

**What factors should be taken into account in an assessment of the opportunities in neighbouring Authorities e.g. proximity to the edge of the urban area, proximity to a rail station, availability of existing infrastructure, easy access to jobs?**

We believe that it will be necessary for sites to be released outside of the Black Country administrative area in order to meet the housing requirements of the BCCS.

In particular, we believe that sites should be identified in South Staffordshire, Wyre Forest and Bromsgrove districts which could accommodate some of the overspill.

We consider that locations should be selected which could fulfil the following criteria.

- A. Be situated immediately adjoining the Black Country administrative boundary and with the ability to achieve easy access to the existing urban area: or
- B. Be located in settlements in close proximity to the Black Country.

By these means people from the Black Country will be able to find suitable housing in locations which still afford them the opportunity to support the economic growth of the Black Country and will remain in employment in the Black Country area. These sites should contribute to a portfolio of high quality sites.

**Question 15B – Do you think that there are any potential locations that should be considered? Yes/No.**

We consider that land immediately adjoining the administrative boundary of Dudley in the Kingswinford area should be released from the Green Belt to provide an urban extension. This would provide housing which would use facilities in the Kingswinford area. We have identified land on the attached plan at Lawnswood. The site would be able to provide high quality housing, as part of the overall provision of housing needs for the Black Country, in a location in which we would be able to take advantage of nearby education, sport and High Street facilities. Being situated close to the A449 also means that occupants would be able to reach other parts of the Black Country for employment and leisure purposes.

We have completed a “Call for Sites” form which explains the development potential of this area in more detail.

**Question 15C – Do you think there are ways to ensure that exporting housing will meet the needs of people who would otherwise live in the Black Country? (E.g. transport improvements, provision of affordable housing, creation of employment opportunities). Yes/No.**



Yes, we believe that the best way to ensure that housing provided outside of the Black Country will meet the needs of people, who would otherwise live in the Black Country is to ensure that the location of new development has good functional and geographic links with the Black Country. As noted in our response to Question 15b, sites can be released which immediately adjoin the Black Country and administrative area or are in settlements with strong functional and physical/geographic links with the Black Country. Clearly, there is nothing to stop people migrating from the Black Country into the surrounding Shire Authorities, regardless of housing provision, and, therefore, the provision of additional housing outside of the BCCS, but which will meet the needs of people living in the Black Country, will ensure that the needs of Black Country residents can be met either within the Black Country itself or in settlements which are suitable to serve it.

We consider that the provision of high quality sites is an important part of the approach, since there will encourage existing residents to stay in or close by in the Black Country. Furthermore, such sites will help to support the economic objectives of the BCCS by providing housing for inward investment related house moves.

**Question 21 – Do you think that changes are required to Policy DEL1 to ensure it covers both development within the existing urban area and any within the Green Belt? Yes/No.**

Policy DEL1 may need to be reviewed to ensure it is compliant with the policies of the Framework and the PPG. Otherwise, it will be important for the BCCS Authorities to work with neighbouring Authorities to ensure that sites which are released to meet the Black Country's needs outside of the BCCS area are also supported by appropriate infrastructure. Some of this may also have to be outside of the BCCS area, particularly for the larger urban expansion sites which may provide local facilities, green space, primary schools etc.

The important point here is to ensure that statutory undertakers are involved with the local plan process at an early stage in order to ensure that necessary infrastructure including highways, drainage and power are available for the development envisaged.

**Question 25 – Will there be any new social infrastructure requirements necessary to serve large new housing developments? Yes/No. If yes, please explain the type and scale of any new social infrastructure required.**

We suspect that, generally speaking, there will need to be incremental improvements in social infrastructure provision to meet the requirements for the occupants of new development over the plan period. This will need to be assessed in detail with social infrastructure providers and it will be necessary for the BCCS Authorities to work with landowners and developers in this regard together with the relevant strategy consultees.

We should state from the outset that the provision of doctor's surgeries should be regarded as a "private sector" matter. Doctor's surgeries are generally self-funding and do not need to be the subject of Section 106/CIL contributions.

We believe it is likely that some new infrastructure will have to be provided for individual schemes in terms of local highway improvements but this will have to be assessed on a case by case basis. This will probably be best assessed at the local level.

**Question 29 – Do you think there are any other tools or interventions that could be used to ensure enough infrastructure is provided by developments? Yes/No.**

At this stage we have no comment to make other than to confirm that viability is an important issue which needs to be addressed when dealing with sites. We would say at this stage that the Authorities should adopt realistic expectations as to what social and environmental infrastructure can be borne by individual developments.

**Question 30 – Do you have any suggestions around how the strategy can be developed in order to maintain the urban regeneration focus of the Black Country while at the same time bringing forward sites in the Green Belt? Yes/No.**

We have commented previously that the new plan will need to shift the emphasis away from urban regeneration to a more balanced provision of brownfield and greenfield sites. Part of a problem with the delivery of brownfield sites in the urban area are that they are returning to an active employment use. The adopted Core Strategy sought to direct new residential development to what was, at the time of its preparation, redundant employment land. These employment sites are now developing a new lease of life. As such, the capacity for residential development on brownfield land is highly limited and these areas are self regenerating into active employment sites.

Furthermore, given the problems in bringing forward any brownfield sites for a variety of reasons, it will be necessary to ensure that greenfield opportunities can be brought forward in the early part of the plan period in order to ensure an appropriate supply of land.

We should add that our experience of working in the Black Country is that Local Authorities do need to understand the constraints of developing in the Black Country, particularly in respect of highway and urban design standards. Many of the sites are difficult to develop and the Council's will need to apply development management considerations flexibly in order to ensure that sites can come forward. Many brownfield sites present physical and topographic challenges which can influence the formation of layout and design solutions. Furthermore, some of these sites will not be in locations which are attractive to those seeking new housing. All of these factors need to be taken into account when individual planning applications are assessed and Council's should apply flexibility when discussing design solutions, including transportation solutions, with applicants.

**Question 31 – Do you think that the right scale in the form of funding is available to support the delivery of the Core Strategy Review? Yes/No. If no, what alternative source of the funding or delivery mechanisms should be investigated?**

Our concern is that it takes a considerable amount of time to make funding available for new development and this is holding back sites from being released.

Furthermore, it cannot be guaranteed that the funding which is provided now will continue to be available during the plan period.

In this context it is important to ensure that there is a balance portfolio of housing provided, some of which will be less dependent upon intervention funding. It is for this reason that we endorse a higher proportion of development on greenfield/Green Belt sites that is currently in the plan (see response to Question 3).

**Question 34A – Do you agree that the Health and Wellbeing impacts of large development proposals should be considered at the preferred Spatial Option stage of the Core Strategy Review through a Health Impact Assessment approach? Yes/No.**

Our response is that such matters will be better addressed at the development management stage when it will be possible to assess the specific impacts on individual schemes. The locational criteria to be applied to the inspection of sites should suffice for development plan purposes. Some of this will reflect matters such as proximity to local services.

**Question 34B – What design features do you think are key to ensuring new development encourages healthy living, which could be assessed through the HIA process? Yes/No.**

We make no formal comment at this stage but we participate in the next stage of the plan when more details of this approach are given. We would stress, however, that given the likely constraints which will exist on many of the Black Country sites, care should be taken to ensure that overly restrictive policies are not introduced which could further reduce the attractiveness of sites for development.

**Question 35 – Do you support the proposed approach to housing land supply? Yes/No.**

We agree that HOU1 of the adopted Core Strategy needs to be reviewed. We agree that the proportion of housing to be built on previously developed land will need to be significantly changed and we have indicated elsewhere that the plan should provide approximately 50% provision of the overall requirement on greenfield/Green Belt sites.

We do not favour the prioritisation of brownfield land over greenfield land. Given the considerable amount of housing required across the BCCS, it will be necessary for both greenfield and brownfield sites to be released at the same time. Indeed, the greenfield/Green Belt sites are likely to serve different areas of the housing market and so it is important that a range of sites are made available for all sectors of the housing market at the same time. Furthermore, the current strategy has failed to deliver the required level of housing from former employment sites.

In terms of a discount rate we note that there have been problems in meeting the housing requirement in the plan period. This is of particular concern given that the housing trajectory for the adopted Core Strategy starts at a relatively low rate. The extent of the shortfall is already 3,000 units. Given the problems of bringing forward brownfield sites, acknowledged elsewhere in the Issues and Options document and including matters such as viability, ground conditions, failure to release employment sites, we believe that a discount rate of 25% should be applied. We consider that the proportion of a greenfield land as an element of the overall supply should be increased to provide more certainty about provision across the plan period and to ensure that the housing strategy accords with paragraph 47 of the Framework. It should be noted that the requirement to boost significantly the supply of housing land became national policy after the adoption of the BCCS.

We make no comment at this stage about proposals for high density allocations within strategic centres, particularly in Walsall, until more market research has been carried out to ensure that there is both demand and an appetite from the house building industry to provide this type of product.

**Question 36 – If you think that the current accessibility and density standards set out in Policy HOU2 and Table 8 should be changed, what standards should be applied instead, for example, should the minimum net density of 35 dph be increased to maximise brownfield housing delivery? Yes/No.**



The calculation of density standards is a difficult subject. It is always important to start first with an understanding of what the net developable area of a site may be irrespective of whether it is brownfield or greenfield. It will be necessary to have regard to site constraints, parking requirements, offset distances, green infrastructure requirements, drainage requirements etc. All these factors can significantly limit the net developable area on a site. It is important not to overestimate densities which could be achieved when identifying sites to be released for development. Once schemes provide more than 40 dwellings per net developable acre the density will usually require some element of flatted development.

The insistence on 35 dph as a minimum could well be problematic on greenfield sites, particularly if these are expected to accommodate significant areas of green infrastructure.

We would suggest that the policy should be targeted to provide densities of 30 to 40 dph depending upon site specific circumstances. High densities could be achieved in more centralised locations adjoining transport hubs, again subject to achieving acceptable design standards. We have explained elsewhere the importance of ensuring that development management expectations need to be married to strategic housing requirement delivery objectives.

**Question 37A – Do you think that the existing Policy HOU2 site size threshold should be kept at 15 homes or more? Yes/No.**

We would keep the threshold at 15 homes or more. This will help to assist smaller house builders to provide schemes on smaller sites which tend to have more exacting development management issues such as overlooking, relationship with existing uses etc and which can limit the ability to increase densities.

**Question 38 – Do you think that the current accessibility and density standards are appropriate for Green Belt release locations? Yes/No.**

In our response to Question 36, we identify the fact that greenfield sites may have more exacting requirements in terms of green infrastructure and that density standards may well have to be reduced. We suggest that density standards of 35 dph net developable should be considered.

**Question 39 – Do you think separate accessibility standards are needed for particular types of housing, e.g. housing for the elderly or affordable housing (as occupiers may be less mobile and more dependent on public transport)? Yes/No.**

Generally speaking we believe that provision for the housing for the elderly will be demand driven. Occupiers will understand their markets and we would not welcome a restrictive policy regarding the location of either accommodation for the elderly or affordable housing.

**Question 40 – Do you agree that the 2017 SHMA findings should be used to set general house type targets for the plan period? Yes/No.**

No. The SHLAA does not fully assesses affordable housing requirements as referred to above; as such it should not dictate an overall mix. House builders will provide housing to meet their assessment of the localised market. Setting general standards across such a large area can be difficult and can cause problems with housing delivery. Furthermore, it is important to understand the likelihood that new housing will also generate movements from existing stock to new stock thereby freeing up smaller properties for first time buyers and younger families.

**Question 41A – Do you support the introduction of a policy approach towards self and custom built housing in the Core Strategy? Yes/No.**

No, we do not support this approach. This is not a significant sector of the housing market. Given the need to encourage housing on a variety of sites, many of which will have problems in terms of delivery, we would not favour a policy which could create problems for delivery and viability which would arise if self and custom built housing were introduced into any housing requirement.

**Question 42 – Do you agree that the annual affordable homes target should be increased to reflect the 2017 Black Country Strategic Housing Market Assessment? Yes/No.**

We believe it would be prudent to keep the affordable homes target as originally set. Otherwise this will cause problems for delivery of brownfield sites.

**Question 43A – Do you think that the existing Policy HOU3 site size threshold should be kept at 15 homes or more? Yes/No.**

Yes, we believe that the site size threshold should be retained at 15 homes. Again this will assist in the delivery of smaller sites by smaller house builders. It will also be more attractive to the registered providers who do wait to manage a few plots on smaller schemes.

**Question 44A – Do you think that the affordable housing requirement for eligible sites in Question 43 should be kept at 25% of the total number of homes on site? Yes/No.**

Yes, we agree that the figure should be retained at 25%, subject to viability.

**Question 45 – Should an increase in affordable housing requirement beset for Green Belt release sites, to reflect the likely financial viability of these sites? Yes/No.**

The release of greenfield/Green Belt land also has significant costs associated with it. It is more likely to require new below ground infrastructure to be provided such as drains, power supply etc. Other physical and social infrastructure contributions will also be required such as education, transport etc. Therefore, greenfield sites are not necessarily more able to contribute more significantly to affordable housing than brownfield sites. We believe, therefore, that a flat rate of 25% across the BCCS area should be adopted.

**Question 47 – Do you think that Policy HOU5 should be expanded to cover other types of built social infrastructure and set out standards of built social infrastructure to serve major housing developments? Yes/No.**

We should first comment that the provision of medical facilities relating to new developments should be funded through the clinical commissioning groups. In most cases this will involve new or extended doctor's surgeries. Doctor's surgeries can be provided through the private sector since the surgeries generate a rental income so that there is a development/investment market ready to provide the product. It does not need to be funded from contributions from residential development.

Education provision will need to be carefully researched so that a capacity in schools is identified in order to avoid unnecessary contributions being sought. The funding implications of the

Education Funding Agency also need to be taken into account when assessing education requirements.

In terms of new community facilities, we agree that these need to be carefully assessed in order to ensure that they will in fact be used and also maintained by the local community. In some circumstances it may be better for contributions to be made to upgrade and expand existing facilities rather than create new ones which will simply put a drain on revenue resources.

**Question 49A – Is there a need for the existing Policy DEL2 in order to manage the release of poorer quality employment land for housing? Yes/No.**

We believe that the policy does need to be refined in order to ensure that land which is not necessary to be retained can be released quickly and easily without the need for extensive marketing. Also we see no reason for the policy to be applied where land has been allocated in an action area plan or similar alternative plan for alternative use.

**Question 50 – Do you think that the Core Strategy should continue to set a target for the total employment land stock in Policy EMP1? Yes/No.**

We believe that this should be included and that a net target should be set in order to allow for losses to alternative uses.

**Question 55 – Do you agree with the proposed proposal to obtain Policy EMP5? Yes/No.**

Generally we do not favour contributions which seek to restrict jobs to existing residents. This can cause problems for companies who have their own training and apprenticeship programmes. Whilst it is clearly desirable for Local Authorities to work alongside employers in trying to get local residents into work opportunities, this should be on a voluntary basis and there should not be a requirement to impose what is, in effect, a restrictive trade practice.

**Question 94 – Do you support the proposed changes relating to environmental infrastructure and place making? Yes/No.**

We appreciate that it will be necessary to review environmental infrastructure in the light of changing circumstances and updated guidance and standards. We will comment further on this issue at the next stage of the plan.

**Question 95A – Do you think Garden City principles should be applied at the Black Country? Yes/No.**

We would not encourage this as a design approach in the Black Country. Garden City proposals were developed expressly for new settlements. The Black Country has a different history and heritage as do the settlements which are geographically and functionally close to the Black Country. We do not consider that the vernacular of the existing urban area and adjoining settlements is appropriate for Garden City principles.

**Question 96 – Do you support the proposed changes relating to nature conversation? Yes/No.**

It should be noted that the inclusion of new natural green space and new development will have implications for net developable areas and consequently, the amount of land which will need to



be identified for development. It will also impact upon the viability of schemes and these factors need to be taken into account when assessing overall development requirements.

**Question 98 – Do you support the proposed changes relating to design quality? Yes/No.**

The introduction of National Space standard does have implications for viability since it introduces a significant additional cost to new house building without any necessary uplift in values. It can, therefore, have a significant impact upon the delivery of schemes.

**Question 99C – Do you think that National Space standards for housing development should be introduced in the Black Country. Yes/No.**

In the context of our response to Question 98, we do not agree that National Space standards should be introduced.

**Question 99D – Do you think that the standards should be different for brownfield and greenfield sites? Yes/No.**

Given that greenfield sites have their own viability concerns, we would not agree that the standards should vary between brownfield and greenfield sites. In any event we do not support the introduction of National Space standards.

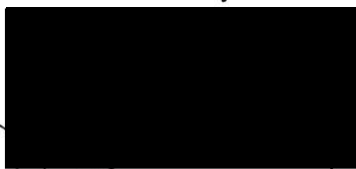
**Question 101A – Do you support the proposed changes relating to flood risk, sustainable drainage and urban heat island effects? Yes/No.**

Whilst we appreciate the need to have regard to new standards regarding SuDS provision, the implications upon site layout and viability do need to be considered. A flexible approach will be required from the Local Authorities when assessing individual schemes. In particular, a joined up approach is needed by strategy undertakers to ensure that SuDS areas will be adopted if they are part of wider open space areas.

**Question 103A – Do you think that Policy ENV7 should be changed to allow increased energy efficiency standards to be accepted in lieu of renewable energy provision for non-domestic buildings? Yes/No.**

We consider that the benefits of higher energy efficiency, as opposed to renewable energy should be considered in the planning balance, particularly when this has an implication for viability. Although this may not be capable of being a policy requirement there is no reason why it should not be capable of being taken into account. The residential sector has spent a considerable amount of money investing in improved materials which improve the energy efficiency of buildings and these factors need to be taken into account of both domestic and non-domestic schemes.

Yours sincerely



(ons) MRICS

Director

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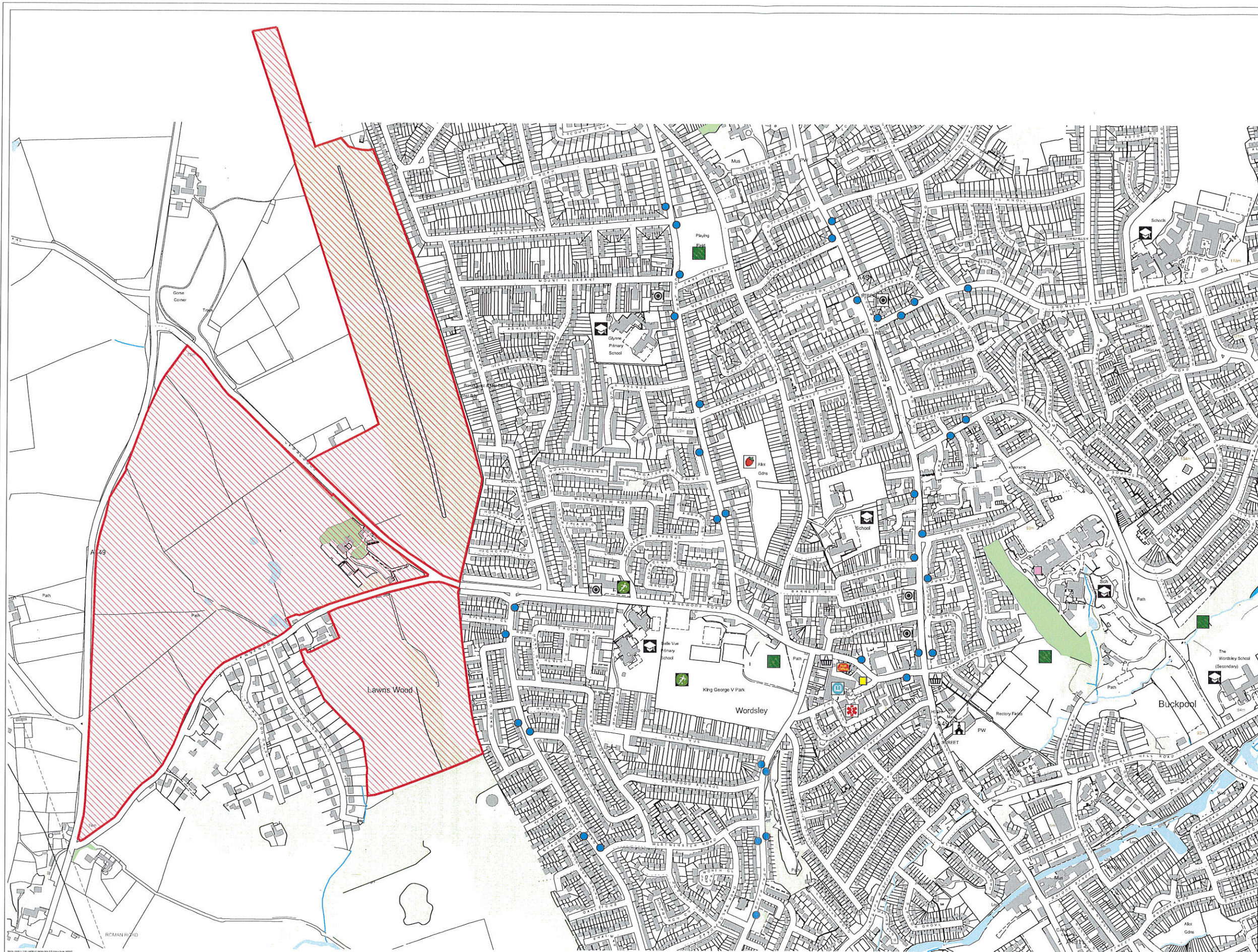


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









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All dimensions and levels to be checked on site, and discrepancies reported before works commence.

FOR PLANNING PURPOSES ONLY



**NOTATION:**

-  Proposed Site
-  School
-  Community Hall
-  Pub / Restaurant / Coffee shop
-  Shop / Supermarket
-  Library
-  Post Office
-  Doctor's surgery / Rehabilitation Centre
-  Church / Mosque / Synagogue
-  Public Open Space
-  Allotments
-  Sports / football Club
-  Bus stop
-  Assisted Living Residence / Nursing Home

CLIENT	Clowes Development	
SITE	Land at Lawnswood Road, Kingswinford, South Staffordshire	POSTCODE nr DY7 5QU
PROJECT	Local Plan Representation	
PROJECT STAGE	Submission	
DRAWING	Services / facilities map	
SCALE	NTS see scale bar	BY agp
DATE	September 2017	CHECKED TH
		DWG No. P1468-01

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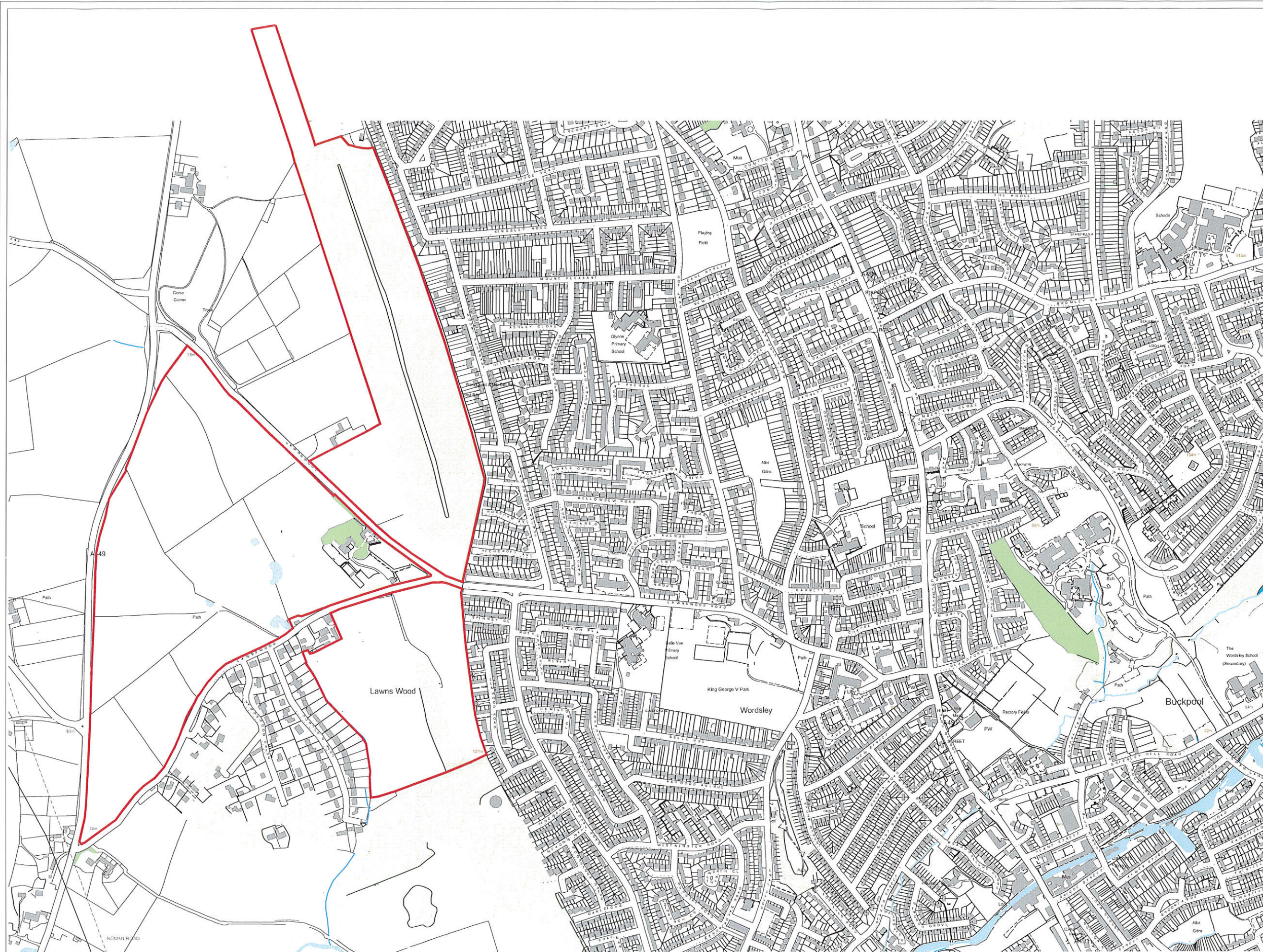


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NOTATION:  
 Site boundary line

CLIENT	Clowes Development		
SITE	Land at Lawnswood Road, Kingswinford, South Staffordshire	POSTCODE	nr DY7 5QJ
PROJECT	Local Plan Representation		
PROJECT STAGE	Submission		
DRAWING	Location Plan		
SCALE	N15 see scale bar	BY	apl
DATE	September 2017	CHECKED	TH
		DWG No.	P1468-02



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