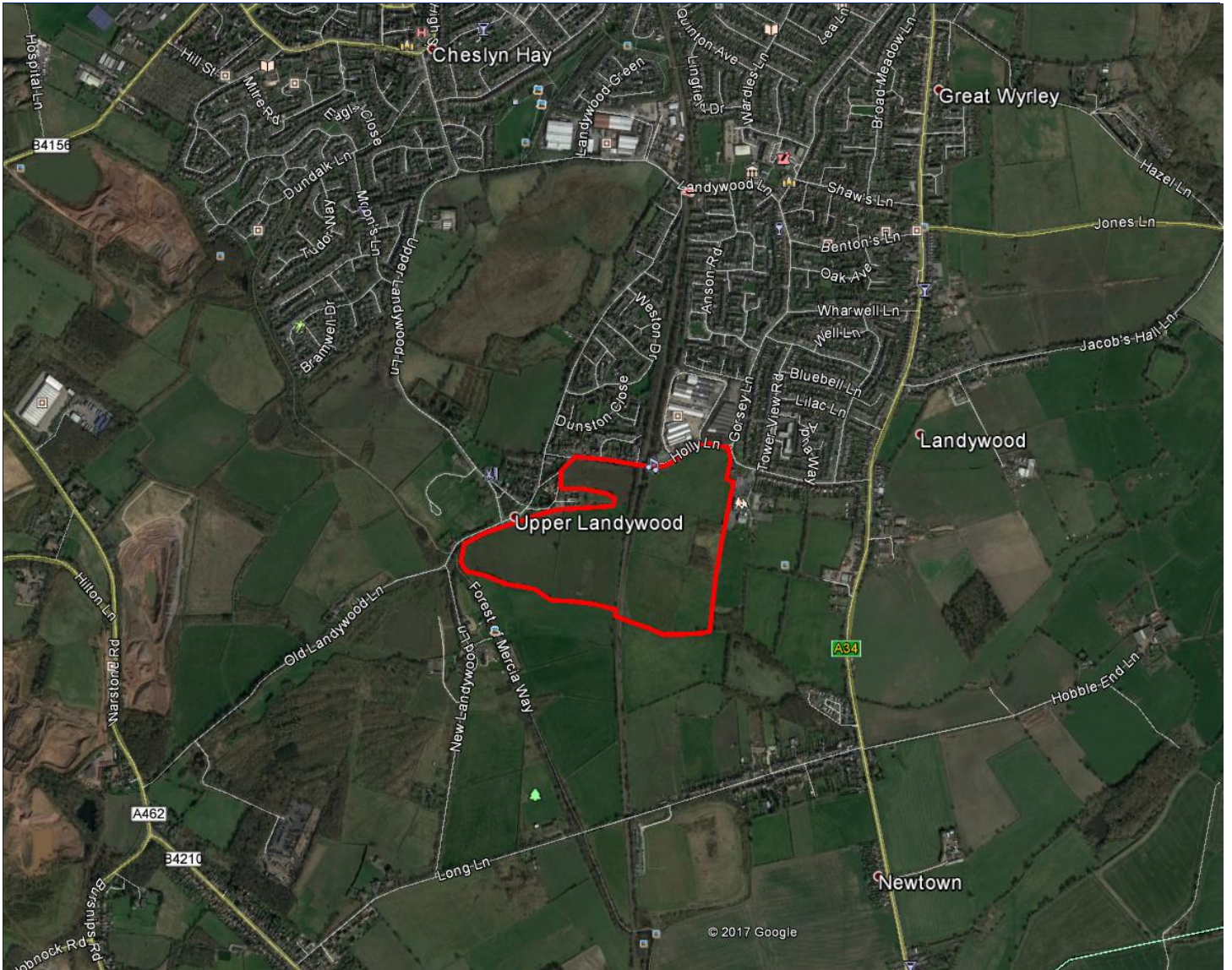




Black Country Core Strategy - Issues and Options Consultation Report

Representations on behalf of The Wyrley Estate

INTRODUCTION

This statement has been prepared on behalf by Fisher German on behalf of The Wyrley Estate (hereafter referred to as my client) in respect of the Black Country Local Authorities' Issues and Options Consultation Report. It has been structured around the Questions identified by the Council, but seeks to address only those questions of relevance to my client's interests.

My client owns land to the south of Holly Lane, in the Landywood village area adjacent to Great Wyrley. The sites are located either side of the local railway line between Birmingham and Rugeley. The sites extend to approximately 25 hectares in total area, and a plan showing the site's boundaries is enclosed with these representations, along with completed pro-forma for the site's formal submission to the Call for Sites exercise.

CORE STRATEGY ISSUES AND OPTIONS REPORT: CONSULTATION RESPONSE

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?

Paragraph 4 of the Issues and Options Report highlights the new challenges that have emerged since the Core Strategy was adopted in 2011. The economic situation has changed and there are future opportunities associated with HS2 and the Midland Metro. In governance, the Local Enterprise Partnership and West Midlands Combined Authority have emerged with their overarching visions and objectives.

Paragraph 008 Reference ID: 12-008-20140306 in Planning Practice Guidance states that local plans will mostly require updating in whole or in part at least every five years. Reviews should be proportionate to the issues in hand. Authorities should also consider whether plan making activity by other authorities has an impact on planning and the Local Plan in their area.

Changes to national policy including the introduction of the National Planning Policy Framework, and the housing shortfall in Birmingham mean that neighbouring authorities have a duty to consider accommodating the needs.

The Issues and Options Report in paragraph 1.6 considers the existing Core Strategy will generally remain fit for purpose. It is proposed to 'stretch' the existing spatial strategy and update existing policies in light of new evidence and national policy changes. However, in paragraph 1.19 it is acknowledged that in the new Core Strategy:

"...it will not be possible to accommodate all future development needs within the urban area. Therefore, an examination of the potential for additional development on land outside the existing urban area, all of which within the areas of the four authorities is currently green belt, will need to take place as part of the Core Strategy review."

Whilst it is in everyone's interest to have an up-to-date Core Strategy and framework on which to base more detailed planning proposals, the strategy must be fit for purpose and reflect the latest evidence. There is no doubt this has changed considerably since adoption in 2011. There are approximately only nine years remaining of the plan period, with 11 having passed (2006-2026). Given the issues identified with housing needs and delivery shortfall, to be expanded upon below in specific questions, and the governance changes both regionally and nationally, the authorities must be clear that the existing strategy remains fit for purpose. At this initial stage, the pre-NPPF status of the Core Strategy means it is failing to deliver full objectively assessed housing needs in the Housing Market Area including unmet needs of neighbouring authorities; it prioritises brownfield development and has less than ten years remaining for the plan period. These challenges suggest that the existing spatial strategy and policies require a comprehensive 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 in any particular areas, please provide details.

The key evidence base documents and issues appear to have been covered on this list. It is vital that the Strategic Growth and Green belt issues are comprehensively covered, having regard to the need to accommodate additional housing arising from the Strategic Housing Market Assessment and Birmingham overspill needs. Associated with these issues is the national planning policy requirement for a Duty to Co-operate, the commitment of not only the four core authorities to work together but also having engaged with neighbouring authorities including South Staffordshire. The need to jointly and proactively plan for the next 15-year period is essential and should be a thread running through these evidence base documents, even summarised in a separate report as an 'issue' in itself for the evidence.

Question 3 – Do you agree that the housing need identified for the Black Country over the period 2014-36 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.

The Issues and Options Report in paragraph 3.13 states that the Strategic Housing Market assessment (SHMA) concludes the objectively assessed housing need (OAHN) for the Black Country is 78,190 dwellings over the period 2014-2036. 3.18 states that once completions, existing and estimated supply in the urban areas are all factored into the supply, there is a remaining need for land to accommodate 24,670 new homes.

At this early stage in the review process, it is difficult to conclude that the housing need identified is appropriate, when several issues are unresolved. One of the key issues is the overspill from the Birmingham Development Plan. The Black Country authorities form part of the Greater Birmingham HMA; collectively they have a role to play in the resolution of 37,500 dwellings of unmet housing needs arising from Birmingham city over the period 2011 – 2031.

The Duty to Co-operate (S110 of the Localism Act 2011 which introduced S33A into the 2004 Act) requires the Council to cooperate with other prescribed bodies to maximise the effectiveness of plan making by constructive, active and on-going engagement. In satisfactorily discharging the Duty it is important to consider the outcomes arising from the process of co-operation and the influence of these outcomes on the Local Plan. One of the required outcomes is the delivery of full OAHN for market and affordable housing in a HMA as set out in the NPPF (para 47) including the unmet needs of neighbouring authorities where it is reasonable to do so and consistent with sustainable development (NPPF para 182)

Given the immediate and pressing need for delivery of housing in the Greater Birmingham and Solihull Local Enterprise Partnership (GBSLEP) area, confirmed during the examination of the Birmingham Development Plan, significant emphasis should be placed on meeting existing needs for the housing market area, and also ensuring sufficient allowance for longer-term needs.

Further concerns are raised with the assumptions applied for the OAHN. The increasing need for affordable housing as evidenced in the Issues and Options Report is likely to be further compounded by the change in Government funding for affordable housing. In the future, there is likely to be even greater emphasis placed on the use of Section 106 Agreements to deliver affordable housing through the planning system, as opposed to directly through grant funding. The Issues and Options Report cannot predicate the delivery of affordable housing need based on past rates which were achieved through grant-funding. The authorities should consider making an upward adjustment to the OAHN with the sole purpose of securing additional affordable housing.

Market signals are a very important component of assessing the housing requirement. Paragraph 158 of the NPPF states that:

"Local planning authorities should ensure that their assessment of and strategies for housing, employment and other uses are integrated, and that they take full account of relevant market and economic signals."

The SHMA has only considered an adjustment to reflect market signals for South Staffordshire, whereas in the Black Country itself no adjustment has been deemed necessary. The increase for South Staffordshire is supported in principle; however, the market signals (affordability, supporting economic growth) suggest an adjustment should be applied across the Black Country. This is very important because the household projections are recognised as the starting point in determining the housing requirement and project forward the rate of housing delivery achieved in the period prior to the plan making process commencing. In so doing, they fail to support the significant boost to housing delivery which is required by the NPPF and will perpetuate past trends of under delivery with the risk of worsening affordability consequently.

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?

The statement in paragraph 3.47 that the Black Country Green Belt Review will be carried out in conjunction with South Staffordshire Council, is welcome.

The new Core Strategy plan provides an opportunity to ensure that the most recent evidence on housing needs can be taken into account, with the Green Belt Review enabling the release of land to meet these needs now, whilst also identifying suitable parcels of land to be released from the Green Belt and safeguarded to meet longer term needs.

Such an approach would comply with the requirements of the NPPF, which states that local planning authorities should ensure that local plans are based on an adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area. When seeking to alter existing Green Belt Boundaries, it is therefore clear that a review of all potential sites to be released should be undertaken, based on a clear, objective methodology.

It is noted that South Staffordshire Council undertook a Partial Green Belt Review in 2016; however, it is clear that a wider assessment is needed given the SHMA findings and cross-boundary issues, including the Duty to Cooperate.

Given the challenging circumstances faced by the Black Country authorities – including South Staffordshire, it is vital that further land is released from the Green Belt to meet the development needs now and in the future. The NPPF is clear that Green Belt reviews should ensure that boundaries can endure beyond the plan period, so the identification of safeguarded land must also be considered at this stage.

The identification of a Strategic Growth Study is also welcome and should run alongside the Green Belt review to ensure consistency and a comprehensive approach.

Question 6 – Do you agree that the key issues set out in Part 3 are the 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?

The key issues have been broadly identified in paragraph 3.61 of the Issues and Options Report. Nevertheless, the emerging evidence on the OAHN is queried and the key issues should reflect the need for a comprehensive review of the spatial strategy. It is important that housing is planned for strategically and delivered on the scale envisaged through coordinated planning across boundaries. Such an approach which looks beyond each administrative boundary can help contribute towards sustainable patterns of development in the right places, thereby enhancing social wellbeing and tackling the issues associated with unsustainable development patterns.

The key issues summary should also acknowledge that the unmet housing needs for Birmingham need addressing across the wider housing market areas and that South Staffordshire should accommodate some of the Core Strategy's additional housing needs.

Question 7 - Do you think that the Core Strategy vision and sustainability principles remain appropriate? Yes/No; If not, what alternatives would you suggest?

Question 8 - Do you think that the Core Strategy spatial objectives remain appropriate? Yes/No; If not, what alternatives would you suggest and how might these changes impact on individual Core Strategy policies?

It is noted that one of the sustainability principles refers to putting brownfield land first. Furthermore, one of the ten spatial objectives are model sustainable communities on redundant employment land in Regeneration Corridors.

Whilst this approach was adopted for the pre-NPPF Core Strategy, given the challenges identified in preceding sections of this response, the review should consider all reasonable alternatives in strategy. The new Core Strategy should be encouraging the most efficient use of brownfield land in accordance with the NPPF rather than prioritising.

We have no objection to the principle of re-using previously developed land. There does, however, need to be a full acknowledgement of the challenges associated in bringing forward previously developed sites. These include development viability, the type of housing provided on typically smaller and denser sites, together with the need to ensure that all the new environments being created are attractive and of high quality. Such reasons are acknowledged in the Issues and Options Report as reasons why housing supply has not met the Core Strategy requirement; paragraph 2.10 of the Report states that a large pipeline of major housing sites, including occupied employment land which has been allocated for residential development, which have multiple constraints and financial assistance will be required which places added risk on their timely delivery.

It is therefore essential that, in preparing the Core Strategy review and housing supply delivery assumptions, the authorities adopt a cautious approach to brownfield development and do not overestimate the potential contribution that such land can make in meeting future development needs across the region. Greenfield sites, including those within the Green Belt and cross-boundary locations, are an essential component of the future supply and should be accommodated through the thorough review.

Question 11a – Do you support Strategic Option 1A? Yes/No; If yes, please explain why. If no, do you support Option 1B? Yes/No; If yes, please explain why. If you support the release of further employment land for housing, what should the characteristics of these employment areas be?

Both options include the release of Green Belt land outside the Growth Network. It is vital that the options allow for Green Belt release in South Staffordshire Council, particularly in locations which adjoin the Black Country area.

Caution should be exercised with Strategic Option 1B which risks over reliance on releasing employment land for housing based on the assumption that past Local plan allocation trends continue. As acknowledged in the Issues and Options Report, this option is extremely challenging in terms of delivery and viability. Its robustness is questioned given that it is still to be tested. It will be necessary to test this on very clear and robust evidence of land availability, achievability, suitability and, very importantly, viability. Furthermore, a very cautious approach should be taken in relation to land supply from this source to reflect the risks often inherent in delivering housing on previously developed land.

Finally, there should be recognition that in general previously developed sites are likely to be less capable of providing affordable housing due to a number of viability considerations. Careful consideration is therefore needed of the potential affordable housing yield from this source of supply.

Question 12a – Do you support Spatial Option H1? Yes/No; What criteria should be used to select suitable sites? e.g. ability to create a defensible new green belt boundary, size, access to existing residential services.

Question 12b – Do you think there are any potential locations that should be considered? Yes/No; If yes, please provide details (please submit specific sites through the 'call for sites' form).

To meet the housing needs for the Black Country and South Staffordshire, the Core Strategy will require a combination of site allocations on different sources of sites. The right type and location of sites must be identified and this should have a bearing on the choice of allocated sites proposed through the Core Strategy review.

Housing delivery will be faster where there are the strongest housing markets with high demand from purchasers. Strong markets with high demand increase sales rates and provide developers with the greatest certainty regarding the timescales for completion of a site or phase of development. The Issues and Options report together with the SHMA evidence indicates a strong market in South Staffordshire; this has led to the proposed housing uplift to take account of market signals as per NPPF (and Planning Practice Guidance) policy. There are generally strong market conditions in good locations in South Staffordshire, including the area which adjoins the Black Country boundary. There is logic to provide housing where it is best placed to meet this demand; this includes South Staffordshire.

A greater range of sites than a select few Sustainable Urban Extensions (SUEs) under Spatial Option H2 would provide flexibility and choice in the market.

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?

The export of housing to neighbouring authorities including South Staffordshire is strongly supported. Both the Black Country and South Staffordshire have challenging housing targets to deliver and, in accordance with the NPPF, the Core Strategy review must ensure that it is capable of delivering the housing needs identified. However, local planning policy as a whole must reflect the most recent evidence base and ensure that there is sufficient flexibility to demonstrate a five-year supply of deliverable housing land, ensuring competition and choice in the market for this land.

Concern is raised with the proposed approach in so far as it deals with Green Belt release from neighbouring authorities. Paragraph 4.33 acknowledges that some sites in neighbouring authorities could be more sustainable and deliverable than sites within the Black Country's Green Belt. Given that South Staffordshire Council falls within the same HMA and the Duty to Cooperate is being exercised, meeting the Black Country housing needs through land located in South Staffordshire Council is a plausible option. The release of Green Belt land should not necessarily be the last resort, as suggested in paragraph 4.31 of the Issues and Options Report – Paragraph 84 of the NPPF is clear that changes to the Green Belt “*should take account of*

the need to promote sustainable patterns of development" and provides a very clear steer as to the evidence needed to make this judgement.

Question 15b – Do you think there are any potential locations that should be considered? Yes/No; If yes, please provide details.

As stated, land at the southern extent of South Staffordshire Council should be considered for development through the Strategic Growth and Green Belt evidence base. Specifically, land south of Holly Lane, Landywood, Great Wyrley is in a highly suitable and appropriate location to meet the future open market and affordable housing needs. It is well-located relative to the boundary for the Black Country, being approximately 1.85km north of the urban edge for Bloxwich (Walsall). It is accessible to the M6 and Toll Road as well as local rail facilities.

The site comprises land either side of the Birmingham to Rugeley railway line, north of Landywood Farm. Both parcels represent deliverable options for housing at Cheslyn Hay and Great Wyrley. Detailed justification for the site has been set out in representations to the South Staffordshire Local Plan Site Allocations Document Publication Plan (2017), a copy of the representations is enclosed.

The site has development adjacent to at least two of its existing boundaries, is flat in nature and has clear field boundaries which are reinforced by existing hedgerow. The land north of Landywood Farm is enclosed on all sides by development and a defined boundary – the railway line.

The site is located to the south of Landywood and does not extend further south beyond the village's existing extent of development. It would in effect be enclosed by development and well-defined hedgerow/field boundaries. There would be no risk of merging with Landywood through the two sites identified and the extent of their boundaries, either practically or perceptually.

The site is very close to a range of services and facilities including the primary school, public house, employment sites and several bus stops along Strawberry Lane and Streets Lane. It is also within 1 km walk of Landywood railway station, which provides an hourly service between Birmingham and Rugeley on weekdays. Also within approximately 1km are services in the centre of Landywood including a community centre, church and shops

This land is currently located within the Green Belt. However, having regard to the five functions of the Green Belt as set out in paragraph 80 of the NPPF, it is considered that this land could be released from the Green Belt without any harm to its wider functions.

The release of this land will enable the housing market area's needs to be met. However, even if it considered that this site is not required to meet needs within the current plan period, it should nevertheless be released to assist in meeting longer-term needs, and be subject to an appropriate safeguarding policy. This approach is in accordance with the Framework's requirement for Green Belt boundaries to be enduring and, following review, not require amending at the end of the current plan period.

Further details of the site's suitability is provided in the enclosed call for sites form, together with a location plan.

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; If yes, please provide details.

A housing market area is a geographical area defined by household demand and preferences for all types of housing, reflecting the key functional linkages between places where people live and work. It might be the case that housing market areas overlap.

The extent of the housing market areas identified will vary, and many will in practice cut across various local planning authority administrative boundaries. Local planning authorities should work with all the other constituent authorities under the duty to cooperate.

CONCLUSION

It is requested that the comments detailed above are taken into consideration in progressing the Core Strategy review and further evidence base gathering, particularly on Strategic Growth and Green Belt. Having regard to the Black Country authorities' emerging evidence and key issues in its Issues and Options Report, additional sites, such as the land south of Holly Lane in Landywood, needs to be released from the Green Belt through the Duty to Cooperate which applies to the Black Country authorities and South Staffordshire Council.