

**EXECUTIVE
COMMITTEE**

12th March 2013

REDDITCH GROWTH AND LOCAL PLAN NO.4 PUBLIC CONSULTATION

Relevant Portfolio Holder	Councillor Greg Chance, Planning, Regeneration, Economic Development & Transport
Portfolio Holder Consulted	Yes
Relevant Head of Service	Ruth Bamford, Head of Planning & Regeneration
Ward(s) Affected	All Wards
Ward Councillor(s) Consulted	Yes
Key Decision / Non-Key Decision	Non Key Decision

1. SUMMARY OF PROPOSALS

- 1.1 Both the Housing Growth consultation and the Local Plan No.4 came to Full Council on 18th February, with only Local Plan No.4 being voted in favour of consultation. A letter has been sent from Bromsgrove District Council to Redditch Borough Council dated 21st February (Appendix 4) urging Redditch Borough Council to reconsider the Housing Growth consultation, therefore this report seeks public consultation on both the Housing Growth consultation and Local Plan No.4 concurrently.
- 1.2 Bromsgrove District Council has already approved the Housing Growth consultation at their Council meeting of 20th February. To fulfil the Council's obligations under the duty to cooperate, this report now seeks a reconsideration of the approval for public consultation to be carried out between 1st April 2013 the 13th May 2013 on proposed Housing Growth alongside a deferred consultation for Local Plan No.4. The consultation on Housing Growth would be held jointly by Redditch Borough Council and Bromsgrove District Council. Local Plan No.4 consultation would be held by Redditch Borough Council.
- 1.3 The Housing Growth consultation leaflet (Appendix 1) presents the two preferred sites adjacent to Redditch Borough but within Bromsgrove District, to meet the objectively assessed development needs of Redditch until 2030. It is recommended that the focus of the consultation should not change from the approach of highlighting the preferred option. The Councils must demonstrate at the examinations that a preferred option has been selected, the reasons why it's selected and that the preferred option has been consulted upon.

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2. RECOMMENDATIONS

The Committee is asked to **RECOMMEND** that

- 1) **the consultation document, Housing Growth Consultation (Appendix 1) and the supporting background evidence report (Appendix 2) and the accompanying Sustainability Appraisal (Appendix 3) are approved for public consultation by Redditch Borough Council and Bromsgrove District Council between 1st April 2013 and 13th May 2013; and**
- 2) **the Draft Borough of Redditch Local Plan No.4 and the accompanying Sustainability Appraisal are approved for public consultation at a deferred date to align with the Housing Growth consultation which is between 1st April 2013 and 13th May 2013.**

3. KEY ISSUES

Financial Implications

- 3.1 The final stage costs of preparing and taking through examination the Redditch Local Plan No.4, which will include cross boundary housing policies, will be partly met through reserve budgets and salary savings for 2013/14 and will be partly subject to separate budget bids for 2014/2015; however costs associated with consultation processes can be covered by existing Development Plans budgets.

Legal Implications

Recommendation 1 only:

- 3.2 A recommendation from the Executive Committee on 12 February 2013 relating to the Redditch Growth Consultation was not carried by Full Council on 18 February 2013. As referred to elsewhere in the Report, Section 110 of the Localism Act 2011 introduces the "Duty to Co-operate". This is a legal duty which requires local authorities to co-operate with each other in relation to planning for sustainable development, in particular the preparation of development plan documents relating to a strategic matter.
- 3.3 Members are advised that on the 20th February 2013 at the meeting of its Full Council Bromsgrove District Council, in accordance with its Duty to Co-operate under the Localism Act 2011, approved the Housing Growth Consultation document and agreed to public consultation on cross border growth on this basis.

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- 3.4 Members are therefore being asked to consider the contents of the letter from Bromsgrove District Council in the context of the Redditch Growth Consultation document the supporting background evidence report and accompanying Sustainability Appraisal and decide what action if any needs to be taken.
- 3.5 For the purposes of this report all of the documentation is substantially the same as recommended to Council on 18 February 2013 save for the letter from Bromsgrove District Council and the proposed consultation dates. As this matter has already been considered by the Council within the last 6 months, were members minded to make a recommendation to Full Council the effect of which would be to rescind the previous decision, then the Constitution requires (Part 4 Paragraph 15) that a Motion, to that effect, be signed by at least 7 members of the Council.

For Recommendation 2 only:

- 3.6 A recommendation from the Executive Committee on 12 February 2013 relating to consultation on the Redditch Local Plan No4 was carried by Full Council on 18 February 2013. This recommendation is for the consultation on the Local Plan No4 and on the Redditch Growth Consultation document to be concurrent because it would not be meaningful for the Local Plan consultation to take place without the additional consultation on the Redditch Growth document, which is an integral part of the Local Plan No4 ,as to how the remainder of Redditch's growth needs are to be met.

For recommendations 1 and 2:

- 3.7 The Local Plan has been prepared under the provisions of the Planning and Compulsory Purchase Act 2004 and the Town & Country Planning Act 2004 (as amended 2008). The preparation work has also included a combined Sustainability Appraisal and Strategic Environmental Assessment (SA/SEA) to consider the environmental, social and economic impact of the Plans Vision, Objectives and Policies or the growth options. These assessments consider whether the chosen sites are sustainable and where any potential impacts are identified, how or if they can be mitigated against. A separate SA for the housing growth consultation is attached at Appendix 3.
- 3.8 The housing growth consultation is essential for the two Councils to be able to progress their Local and District Plans. The 'Duty to Co-operate' is a legal obligation, introduced by the Localism Act (2011) which requires Local Authorities to co-operate with each other in relation to planning for sustainable development, in particular the

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preparation of development plan documents relating to a strategic matter.

- 3.9 The Planning & Compulsory Purchase Act 2004 first introduced the requirement for Local Planning Authorities to produce Local Development Framework. Additional guidance was issued in PPS12 Local Development Frameworks. This was then superseded in 2008 by PPS12: Local Spatial Planning. The National Planning Policy Framework (NPPF) now supersedes all of the previous guidance. The NPPF requires that proposed development should be assessed against its degree of conflict with the Local Plan. With numerous planning applications coming forward, it is therefore highly desirable that Local Planning Authorities should have an up-to-date plan in place as soon as possible.

Service / Operational Implications

- 3.10 In response to concerns raised at Redditch Borough's Full Council meeting (18 February 2013) about not consulting on alternative options, it should be noted that the background report (Appendix 2) analyses all options. This document will be available during the consultation period and respondents are able to comment on any of the analysis associated with any site. The consultation undertaken in 2010 between the two Councils presented broad areas for development. It would not be appropriate to repeat this kind of consultation again if the Borough Council and Bromsgrove District Council are to progress their Local Plans in a timely way.
- 3.11 Further consultation is required for Redditch Local Plan No.4 and this needs to be undertaken alongside Redditch Cross Boundary growth because the Local Plan does not make sense without the additional consultation to suggest how the remainder of Redditch's growth needs are to be met.
- 3.12 The NPPF requires that Councils use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing. That need for Redditch's housing has been established through the Strategic Housing Market Assessment Main Report and Strategic Housing Market Assessment Redditch Overview (2012).
- 3.13 The SHMA was prepared to assess Worcestershire housing need for the six separate authorities. This SHMA suggested that Redditch should provide between 5,120 and 8,620 dwellings. It also suggested that further work be undertaken to provide specific requirements. This work was completed and it concludes that the housing requirement for Redditch from 2011 to 2030 is 6,380 dwellings.

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- 3.14 Each Local Authority is required to produce a document which sets out land that is available for housing called the Strategic Housing Land Availability Assessment (SHLAA). Within Redditch the SHLAA demonstrates that there is capacity to accommodate around 3,000 dwellings within its own boundaries. This leaves 3,400 dwellings to be found cross-boundary. The SHLAA also sets out when it is likely that these sites will come forward for development. Based on information received from developers and landowners it is likely that some of these sites are not capable of being developed immediately and therefore cannot contribute to the five year supply of housing land.
- 3.15 A five year housing land supply is required by each local authority to demonstrate they can deliver housing within their area. Based on the housing requirement being 6,380 dwellings (as proposed by the SHMA) Redditch cannot demonstrate a five year housing land supply using land within its own boundaries only. Therefore land is needed within Bromsgrove to ensure Redditch can deliver housing immediately. In order to ensure that developments do not occur in unsustainable and inappropriate locations both authorities need to identify sites in Bromsgrove to accommodate the cross-boundary housing requirements in the most appropriate and sustainable locations.
- 3.16 Officers are seeking to implement housing delivery within Redditch Borough on sites which don't currently contribute towards the five year housing land supply. The focus on maximising delivery of housing within Redditch boundaries is a consistent approach and will continue to be recommended.
- 3.17 The West Midlands Regional Spatial Strategy (RSS) Panel Report was released in 2009 and set out clearly that Redditch Borough does not have sufficient development land within its boundary to meet locally generated needs. The report proposed a housing requirement of 7,000 dwellings to meet Redditch need and concluded that provision should be made in Redditch to accommodate 4,000 dwellings. Thus, 3,000 dwellings should be accommodated in Bromsgrove District. The Report supported the notion to retain flexibility as to where the provision should be made on the edge of Redditch, to be locally determined through the authorities working together. There has been an indication that the RSS will be revoked (as detailed in the Localism Act) however at present the RSS is still a material planning consideration when preparing Local Plans. In anticipation of the RSS being revoked, Redditch and Bromsgrove (along with other Worcestershire Districts) commissioned the SHMA as the local evidence to determine the appropriate level of housing for the authorities.

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- 3.18 Appendix 2 (supporting background evidence report) was completed in house by officers of both Bromsgrove and Redditch. This report follows consultation in 2010 on housing growth held jointly by the two Councils, where broad location options for potential growth were identified. Since then no preferred area for growth has been selected, until now. The background evidence document is required to identify the most sustainable growth location(s) with more detailed evidence than the Councils have previously had.
- 3.19 Early in the production of the document, the Councils reviewed any relevant policy documentation, then agreed on some common strategic objectives which are consistent with the two Council's emerging Plan's objectives. Then a set of site assessment principles were developed to drive the assessment process as a means of evaluating all the options for growth. A number of site visits were undertaken throughout the assessment process.
- 3.20 The broad site appraisal stage assesses twenty of the potential sites around Redditch against the site assessment principles. Sites were either discounted or taken forward (to focussed site appraisal) for further assessment and this process is clearly documented in Chapter 6.
- 3.21 Five areas were taken forward for focussed site appraisal. The outcome was that area 4 at Foxlydiate and area 6 at Brockhill East were determined at this stage to be the preferred option.
- 3.22 The background report explains in detail the process employed to assess each area's performance against site assessment criteria. In order to reach the recommendation on the preferred sites all the planning issues must be considered in order to reach a conclusion. All of the areas are in the Green Belt and all of the areas have constraints and strengths. The preferred option is based upon the areas which could most sustainably deliver the required amount of development and associated infrastructure with the least negative impacts. It must be stressed that the proposal has been selected on the basis of information that is currently available and this may alter as a result of the consultation process or as new evidence emerges alongside consideration of the alternative sites.
- 3.23 As can be seen from the conclusions for each focussed site appraisal area in the focussed site appraisal stage it is apparent that some areas perform better than others when tested against the varied assessment criteria. Clearly there are competing issues which are more difficult to resolve for some sites than for others. Some selected examples of issues are discussed below although it must be stressed that these

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alone do not demonstrate why a site has or hasn't been considered to be the preferred option.

- 3.24 The development of area 4 (site 1 on the consultation leaflet) has the advantage of improving facilities and services in the wider Webheath area. Whilst lying furthest from the Town Centre of all the areas it offers the opportunity to extend existing bus services and by the provision of facilities on site has the potential to reduce the need to travel. Whilst it does not have overall strong defensible Green Belt boundaries on all sides the effects of sprawl, coalescence and encroachment can be mitigated more successfully than some other site options.
- 3.25 It could be argued that areas 4 and 5 perform best in transport terms as their development is likely to have the added benefit of contributing towards the regeneration of both Town Centres. However this must be weighed against the potential negative impact on the setting of Hewell Grange grade II* listed registered historic park and garden (in relation to area 5 only) which is difficult to mitigate. Furthermore in terms of public transport it would be possible to improve/extend existing public transport services serving areas 4 and 5 whereas area 8 would need new bespoke public transport service which is likely to be very costly and undesirable for bus operators to run until development is completed many years in the future.
- 3.26 Area 6 (Site 2 in the consultation leaflet) has the potential to integrate well into the existing urban fabric of Redditch. It has the easiest access of all the areas to Redditch Town Centre and the facilities offered there including a range of retail services and the train/bus station providing access to the wider area. It is well served by existing bus routes and has employment close by. The impact on the highway network is more likely to lead to an even distribution throughout the strategic and local road networks. A strong defensible Green Belt boundary is attainable. There are no SSSI's or SWS's on this site and the impact on trees and woodland would be minimal. Whilst the site lies in an area of high landscape sensitivity it is considered that by avoidance of development on high slopes new housing can be contained within the topography.
- 3.27 All areas are of high landscape sensitivity apart from area 8 which has medium sensitivity. However as area 8 is an exposed site with no natural or physical boundaries which allow for containment, this exposed location further creates difficulties with integration into the existing built form of Redditch. It is considered development here could represent more of a visual intrusion, and the creation of an unsustainable isolated community on the periphery of the town. It is also considered development at area 8 would further exacerbate the unsustainable north /south commuting patterns between Redditch and Birmingham.

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- 3.28 There are some areas which have obviously less constraints than others, for instance area 6. However, the estimated capacity of area 6 alone (672 dwellings) is insufficient to meet the level of new development required. As a result it is considered that site 4 would also be required, this site has an estimated capacity of 2830 dwellings which in total would give an overall development capacity of around 3502 dwellings under this proposal.

Customer / Equalities and Diversity Implications

- 3.29 To engage with customers effectively a number of consultation events will need to be re-arranged including drop in sessions in locations such as a vacant Kingfisher Shopping Centre unit, Foxlydiate Arms public house, Bentley Village Hall and Alvechurch Village Hall.
- 3.30 A new Health Impact Assessment has been prepared in collaboration with Hillary Sharpe, a Consultant in Public Health from Worcestershire NHS. This demonstrates how the Local Plan's key themes and the policies within them help to promote health and well-being in Redditch Borough.

4. RISK MANAGEMENT

- 4.1 In accordance with both authorities previously approved Local Development Schemes the next stage of the Local/District Plan, subject to amendments following consultation, is Pre-Submission Local/District Plan due August 2013. It could be that, given the deferral from February's Executive Committee and Full Council, this milestone of August may not be achieved. Officers will advise in a subsequent report if the Local Development Scheme needs to be amended but a short slippage may be justified.
- 4.2 The Local/District Plans are due to be submitted to the Planning Inspectorate for Examination in November/December 2013 but, again, this could be subject to change. A formal Examination in Public will be held, including possible joint hearing sessions for Redditch growth matters. If the Local/District Plans are found sound by the Planning Inspector, the Plans can be adopted by the two Councils.
- 4.3 There is a risk that the plans of the neighbouring authorities such as Birmingham or Stratford on Avon District are not found sound at examination for a variety of reasons. This could risk the soundness of the Redditch Local Plan or the Bromsgrove District Plan. Also neighbouring authorities could object to any of the proposals within the Redditch or Bromsgrove plans which could cause delay or issues of compliance with the duty to cooperate.

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- 4.4 Similarly, there is a risk that the Redditch or Bromsgrove Plans are found to be unsound at Examination in Public. This can be mitigated against to some extent by ensuring that Council's case is clearly articulated through the public consultation stages, and that evidence supports the proposals.
- 4.5 There is always a risk that residents, stakeholders and/or developers will not support the consultation or the findings of the housing growth consultation. This can be mitigated against to some extent by ensuring adequate explanation and justification for the proposals are provided at the public consultation stage and in the response report following consultation.
- 4.6 It should be noted that if members decide to not recommend the consultation on the Housing Growth or on the Local Plan, that the Borough Council is risking non-compliance with its Statutory duty under the Localism Act to cooperate with neighbouring authorities on this main strategic issue. The Council would also not be fulfilling its statutory duty to prepare a Plan for the area as prescribed by the Planning and Compulsory Purchase Act. If the Borough Council allow Bromsgrove to go alone to consultation, this Council will have no right to be involved in the reviewing of representations received and this undermines future decision making on these issues.

5. APPENDICES

Appendix 1 - Housing Growth consultation document (attached)
Appendix 2 - Housing Growth consultation background report (available via website and to Members in Group Rooms)
Appendix 3 - Housing Growth consultation draft Sustainability Appraisal (available via website and to Members in Group Rooms)
Appendix 4 - Letter from Bromsgrove District Council to Redditch Borough Council (attached)

6. BACKGROUND PAPERS

A Review of the A435 ADR and adjoining lands (2013)
Worcestershire County Council Redditch Development Sites - Highway Impact and Accessibility Modelling Report (May 2011)
Worcestershire County Council Redditch Local Plan – Infrastructure Delivery Plan (2013)
Bromsgrove District Council and Redditch Borough Council Strategic Flood Risk Assessment Level 2 and Water Cycle Strategy update (2012)
Strategic Housing Market Assessment – Main Report (Feb 2012)

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Strategic Housing Market Assessment – Appendix 4 – Redditch SHMA
Overview Report (Feb 2012)
Strategic Housing Market Assessment – Annex – Redditch Updated
Household Projections (May 2012)
Employment Land Review – Partial Update (November 2012)
Redditch Town Centre Retail and Office Needs Assessments – Partial
Updates (October 2012)
Local Development Scheme (2012 – 2015)
Redditch Green Belt release to meet Growth Needs (2013)
Five Year Land Supply Refresh (February 2013)
Infrastructure Delivery Plan Summary Table and Report (2013)

All supporting technical evidence for the Housing Growth consultation
will be available on a specific website at
www.bromsgroveandredditchplanning.co.uk

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