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# Report to Redditch Borough Council

by **Michael J Hetherington BSc(Hons) MA MRTPI MCIEEM**

an Inspector appointed by the Secretary of State for Communities and Local Government

Date 16 December 2016

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PLANNING AND COMPULSORY PURCHASE ACT 2004 (AS AMENDED)

SECTION 20

## **REPORT ON THE EXAMINATION INTO THE BOROUGH OF REDDITCH LOCAL PLAN NO. 4 (BORLP4)**

Document submitted for examination on 12 March 2014

Examination hearings held between 16 June 2014 and 24 March 2016

File Ref: PINS/Q1825/429/1

## Abbreviations Used in this Report

AA	Appropriate Assessment
ADR	Area of Development Restraint
AHVA	Affordable Housing Viability Assessment
BDC	Bromsgrove District Council
BDP	Bromsgrove District Plan
CS	Core Strategy
DtC	Duty to Co-operate
EA	Environment Agency
GBSLEP	Greater Birmingham and Solihull Local Enterprise Partnership
GTAA	Gypsy and Traveller Accommodation Assessment
HGDS	Housing Growth Development Study
HMA	Housing Market Area
IDP	Infrastructure Development Plan
LDS	Local Development Scheme
LP	Local Plan
MM	Main Modification
NWHNR	North Worcestershire Housing Need Report
OAN	Objectively Assessed (Housing) Need
PPG	Planning Practice Guidance
PPTS	Planning Policy for Traveller Sites
RBC	Redditch Borough Council
SA	Sustainability Appraisal
SCI	Statement of Community Involvement
SCS	Sustainable Community Strategy
SFRA	Strategic Flood Risk Assessment
SHLAA	Strategic Housing Land Availability Assessment
SHMA	Strategic Housing Market Assessment
SNPP	Sub-National Population Projections
SOADC	Stratford-on-Avon District Council
SPD	Supplementary Planning Document
SRN	Strategic Road Network
SSSI	Site of Special Scientific Interest
TA	Transport Assessment
WCC	Worcestershire County Council
WCS	Water Cycle Study
WECHS	Worcestershire Extra Care Housing Strategy
WMS	Written Ministerial Statement

## **Non-Technical Summary**

This report concludes that the Borough of Redditch Local Plan No. 4 provides an appropriate basis for the planning of the Borough, providing a number of modifications are made to the plan. Redditch Borough Council has specifically requested me to recommend any modifications necessary to enable the plan to be adopted. The examination has considered updated information in respect of the objective assessment of Redditch's housing needs and the justification for the selection of sites to meet these and other growth needs. The report should be read alongside the report into the examination of the Bromsgrove District Plan.

All but three of the modifications to address this were proposed by the Council but where necessary I have amended detailed wording or added further clarification. I have recommended their inclusion after considering the representations from other parties on these issues. The exceptions relate to providing stronger support for the provision of housing for the elderly, ensuring that applications for rural workers' dwellings in the Green Belt are determined in accordance with national policy and a clarification about the application of the policy relating to the identification of additional employment sites.

The Main Modifications can be summarised as follows

- clarification of the approach towards meeting future housing needs arising from the West Midlands conurbation;
- inclusion of updated housing supply information;
- amendments to some site allocations, notably in the A435 ADR;
- addition of more positive support to meet the housing needs of the elderly;
- amendments to Green Belt policies in order to accord with national policy;
- clarification of the policy approach towards Gypsies and Travellers in the light of updated evidence submitted during the examination;
- increased emphasis on the role of the Strategic Road network;
- introduction of additional policy safeguards in respect of flood risk, contaminated land and pollution control;
- clarification of the approach to nature conservation designations in line with national policy; and
- amendments in line with national policy changes regarding wind energy, technical standards for housing and the threshold for seeking affordable housing provision.

## Introduction

1. This report contains my assessment of the Borough of Redditch Local Plan No. 4 (BORLP4) in terms of Section 20(5) of the Planning & Compulsory Purchase Act 2004 (as amended). It considers first whether the Plan's preparation has complied with the duty to co-operate, in recognition that there is no scope to remedy any failure in this regard. It then considers whether the Plan is sound and whether it is compliant with the legal requirements. At paragraph 182, the National Planning Policy Framework (the Framework) makes clear that to be sound, a Local Plan should be positively prepared; justified; effective and consistent with national policy.
2. The starting point for the examination is the assumption that the local planning authority has submitted what it considers to be a sound plan. The basis for my examination is the Proposed Submission Borough of Redditch Local Plan No. 4, which was published for consultation in September 2013.
3. The examination has been carried out alongside the examination of the Bromsgrove District Plan (BDP), including a number of joint sessions. The first of these involved two days (16 and 17 June 2014) that considered, in respect of both the BORLP4 and BDP, the Duty to Co-operate (DtC), objective assessment of housing needs and the approach to meeting additional housing needs from the West Midlands conurbation. These matters were addressed by my Interim Conclusions document dated 17 July 2014<sup>1</sup>, the findings of which in respect of the BORLP4 are summarised in the section of my report dealing with the DtC and Main Issue 1.
4. The matter of the approach of both Councils – Redditch Borough Council (RBC) and Bromsgrove District Council (BDC) – to the selection of sites to meet the growth needs of Redditch has been the subject of considerable debate during the examination. Following the main BORLP4 hearing sessions in September 2014, I issued a Post Hearings Note (dated 3 October 2014)<sup>2</sup> that, among other matters, highlighted a potentially serious flaw in this methodology. In response, the Councils requested that both Local Plan examinations be paused while further information was prepared. Further documentation, to which I refer in more detail below, was published during 2015 and joint hearings were held on 23 and 24 June 2015. Concerns arising from those sessions were set out in a further Inspector's Post-Hearings Note (dated 10 July 2015)<sup>3</sup>. This resulted in an additional package of evidence and documentation being issued by both Councils in December 2015: this was the subject of two further joint hearings held on 23 and 24 March 2016<sup>4</sup>.
5. Given the strong inter-relationship between the BORLP4 and the BDP, and the joint nature of much of the evidence submitted by the Councils, the present report should be read in conjunction with my report on the examination of the BDP. Many documents are shared between the two examinations (notably

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<sup>1</sup> Document ED/12.

<sup>2</sup> Document ED/19.

<sup>3</sup> Document ED/35.

<sup>4</sup> The timeline of both examinations is summarised in Appendix i to the Narrative on the Site Selection Process for Growth Areas at Redditch (January 2016) – document OED/46a.

those listed as CDX, ED and OED) while others relate specifically to the BORLP4 examination (notably the CDR core documents).

6. My report deals with the main modifications that are needed to make the Plan sound and legally compliant and they are identified in bold in the report (**MM**). In accordance with section 20(7C) of the 2004 Act the Council has requested that I should make any modifications needed to rectify matters that make the Plan unsound/not legally compliant and thus incapable of being adopted. These main modifications are set out in the Appendix.
7. The main modifications that are necessary for soundness and legal compliance all relate to matters that were discussed at the examination hearings or were considered as written representations. Following the last of the above-noted hearings, the Council prepared a schedule of proposed modifications. Those modifications that are necessary for soundness (the main modifications) have been taken from that schedule, with some amendments as described in this report, and have been subject to public consultation. I have taken account of the consultation responses in coming to my conclusions in this report: as such, the main modifications differ in some respects from those that were the subject of the consultation exercise.
8. The Council is required to maintain an adopted policies map which illustrates geographically the application of the policies in the adopted development plan. When submitting a local plan for examination, the Council is then required to provide a submission policies map showing the changes to the adopted policies map that would result from the proposals in the local plan. In this case the, Submission Policies Map includes insets for the Town Centre and Feckenham<sup>5</sup>.
9. The policies map is not defined in statute as a development plan document and so I do not have the power to recommend main modifications to it. However, a number of the published main modifications to the Plan's policies require further corresponding changes to be made to the policies map. In addition, there are some instances where the geographic illustration of policies on the submission policies map is not justified and changes should be made to the policies map to ensure the relevant policies are effective. These further changes to the policies map were published for consultation alongside the main modifications.
10. When the Plan is adopted, in order to comply with the legislation and give effect to the Plan's policies, the Council will need to update the adopted policies map to include all the changes proposed in the Submission Policies Map and the further changes published alongside the main modifications subject to the correction of any minor drafting errors.

## **Assessment of Duty to Co-operate**

11. Section 20(5)(c) of the 2004 Act requires that I consider whether the Council complied with any duty imposed on them by section 33A of the 2004 Act in relation to the Plan's preparation. RBC comments on this in its Duty to Co-operate Statement<sup>6</sup>. This describes the activities that it has undertaken with other bodies in order to maximise the effectiveness of Plan preparation. This

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<sup>5</sup> Documents CDR1.4, CDR1.5 and CDR1.6.

<sup>6</sup> Document CDR1.3.

includes co-operation with Bromsgrove District Council (BDC), which has taken place to a high degree, as is evidenced by the joint working in respect of meeting housing needs, as well as by the co-ordination in regard of the submission of the two Plans, the preparation of joint evidence and the holding of joint examination hearings. Various management and staffing matters are shared between the two Councils.

12. Co-operation has also taken place with other local planning authorities in a wide range of matters that are described in more detail in the above-noted background paper. With BDC, RBC has participated in joint working in respect of the evidence base for assessing housing needs – both in the context of the Worcestershire Strategic Housing Market Assessment (SHMA) (involving all Worcestershire authorities) and the updated evidence base (also involving Wyre Forest DC). Co-operation has also taken place with Stratford-on-Avon District Council (SOADC) in respect of various matters, including cross-boundary employment needs, infrastructure requirements and the Redditch Eastern Gateway proposals. Ongoing co-operation with other statutory bodies, including the Environment Agency, Highways England and the local highway authority (Worcestershire Council Council), has resulted in the agreement of common ground in both the BORLP4 and BDP examinations.
13. RBC is a member of the Greater Birmingham and Solihull Local Enterprise Partnership (GBSLEP) and is involved in the ongoing Joint Strategic Housing Needs Study, which will inform the approach of both RBC and BDC towards meeting future needs arising from the West Midlands conurbation. RBC is also part of the emerging West Midlands Combined Authority.
14. No objections have been raised in respect of any failure to meet the Duty to Co-operate by any of the bodies prescribed in relevant legislation for the purposes of section 33A(1)(c) of the Act. Taking these matters together, I am satisfied that the Duty has been complied with.

## **Assessment of Soundness**

### **Main Issues**

15. Taking account of all the representations, written evidence and the discussions that took place at the examination hearings I have identified the following main issues upon which the soundness of the Plan depends.

**Main Issue 1: Are the Local Plan's housing policies based on adequate and up-to-date evidence and a clear understanding of housing needs in the market area? Is it clear how the Local Plan has addressed the matter of meeting anticipated future housing needs arising from the West Midlands conurbation?**

#### *Objective Assessment of Housing Needs*

16. Among other matters, paragraph 47 of the National Planning Policy Framework (the Framework) states that to boost significantly the supply of housing, local planning authorities should use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the Framework's policies. Guidance on undertaking an objective assessment is set

out in the PPG. This clarifies that need for housing refers to the scale and mix of housing and the range of tenures that is likely to be needed in the housing market area over the plan period – and should cater for the housing demand of the area and identify the scale of housing supply necessary to meet that demand. It should address both the total number of homes needed based on quantitative assessments, but also on an understanding of the qualitative requirements of the market segment. The PPG adds that assessing development needs should be proportionate and does not require local councils to consider purely hypothetical future scenarios, only future scenarios that could be reasonably expected to occur<sup>7</sup>.

17. The PPG explains that this exercise is an objective assessment of need based on facts and unbiased evidence and that constraints should not be applied to the overall assessment of need, such as limitations imposed by the supply of land for new development, historic under performance, viability, infrastructure or environmental constraints. Such considerations should be addressed at a later stage when developing specific policies<sup>8</sup>. As such, a clear distinction must be drawn between the objective assessment of housing needs and the eventual determination of a Local Plan housing requirement.
18. The housing needs assessment that underpinned the Plan as submitted was broadly derived from work undertaken in 2012 as set out in the SHMA and Redditch Annex<sup>9</sup>. In respect of Redditch, the SHMA identified irregularities in respect of relevant data sets, which led to the undertaking of a specific sensitivity scenario to 'correct' the international migration component of population change (SS1). However, in the SHMA Annex (May 2012) the output figure of that scenario (5,120 dwellings) was reassessed in the light of more up-to-date household projections and a revised assessment of the amount of vacant stock. This produced a figure equating to some 6,400 dwellings (2011/12 to 2029/30), which was considered to be a more realistic assessment of needs. Given that the additional work represented a more in-depth demographic analysis, notably in respect of international migration, in the light of updated information, I agree with that assessment.
19. The methodology of the 2012 SHMA has been considered in the context of the ongoing examination of the South Worcestershire Development Plan (SWDP), for which it also provides part of the evidence base. In his initial Interim Conclusions (October 2013), the Inspector concerned supported in principle the approach of beginning with trend-based projections and then modifying them to take account of the effect of job growth forecasts. However, he identified shortcomings in the way that the SHMA had been carried out, finding that there was a lack of clear evidence to support the assumptions made in scenario SS2, as well as a high degree of sensitivity in the model to changes in those assumptions.
20. The SWDP Inspector's concerns were broadly accepted by RBC and BDC. With Wyre Forest DC, they commissioned the North Worcestershire Housing Need Report (NWHNR)<sup>10</sup>, which RBC considers to now represent a more up-to-date and robust assessment of Redditch's housing needs. At the hearings, RBC

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<sup>7</sup> PPG paragraph ID 2a-003-20140306.

<sup>8</sup> PPG paragraph ID 2a-004-20140306.

<sup>9</sup> Documents CDR7.5a and CDR7.5b.

<sup>10</sup> Document CDR17.1.

stated that the overall needs total for Redditch was considered to be 6,090 dwellings (net) over the above-noted 19 year period. This figure has been challenged by representors, and I therefore consider it in more detail.

21. However, before doing so it is necessary to address three general concerns that have been raised about the methodology of both the SHMA and the NWHNR. The first of these relates to the way in which housing completions between 2006 and 2011 have been considered. Both studies present household growth data over the period 2006-2030, while both Plans cover the period 2011-2030. In deriving final housing needs figures for the Local Plan periods from the output of the relevant scenarios, both reports deduct the houses that were completed between 2006 and 2011. Given that building rates were comparatively low during those 5 years, this has resulted in somewhat higher annual averages for the period 2011-2030.
22. It is argued by representors seeking to reduce housing requirements that the period 2006-2011 should effectively be discounted on the basis that there was oversupply prior to 2006 in respect of the 2001-2011 Structure Plan period. The Councils have provided additional clarification in respect of this matter<sup>11</sup>. The base date from the 2012 SHMA was aligned to the plan period of the West Midlands Regional Strategy Phase 2 revision. Given the policy context applying at the time, this was understandable. In order to be consistent, it was necessary for the NWHNR to adopt the same base date as the SHMA. In any event, it is clear that the SHMA sought to assess housing need over the period beginning from that base date. It is therefore both appropriate and consistent with national planning policy to ensure that under-supply during the period following the SHMA's base date is properly provided for.
23. The second general concern relates to the definition of the housing market area (HMA). It is argued by some representors that objectively assessed needs should be considered on the basis of an HMA that includes the West Midlands conurbation rather than the Worcestershire HMA. However, RBC accepts that its area falls within a wider market area that includes the West Midlands and that the Worcestershire HMA is not perfectly defined. I agree that such definition is not an exact science and, moreover, that it is clear from both the SHMA and the NWHNR that relationships beyond the county boundary have been considered. As discussed below, a specific sensitivity scenario (SS4) was applied to address the potential for an increased level of in-migration from the conurbation taking into account expected high levels of economic growth and population increase. Furthermore, the principle of providing for additional housing to meet the conurbation's needs has also been accepted. Given the practical difficulties of extending the SHMA to cover the substantial number of local planning authority areas which relate to Redditch in terms of migration and travel to work data, I therefore agree with the Council that the approach to HMA definition is both pragmatic and robust.
24. A third concern relates to the headship rates that have been adopted in the NWHNR. This adopts an 'option C' combination, which applies CLG 2011-based headship rates up to 2021, reverting to the 2008-based rate of change thereafter. This method was endorsed by the SWDP Inspector in his October 2013 Interim Conclusions paper. While it is argued that circumstances have

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<sup>11</sup> Document M01/1a.



since changed and that (in summary) this assumption is too conservative, it seems to me that the stance that he adopted, and that has been followed in the NWHNR, remains justified. Specifically, it is important to note that the 2011-based projections were interim and applied to only a 10 year period.

25. The 6,090 net dwellings figure that represents RBC's assessment of housing needs for Redditch also derives from the core scenario based on the 2010-based sub-national population projections (SNPP-2010). However, for the reasons set out above, I consider that scenario SS4 represents a more robust demographic-led assessment of housing needs within the Borough. The figure of 6,090 dwellings net therefore represents an underestimate. Nevertheless, the output of scenario SS4 for Redditch (6,290 dwellings net) remains lower than the figure of some 6,400 dwellings net (derived from the 2012 SHMA, as updated by the May 2012 Annex) that forms the basis of the BORLP4's housing requirement.
26. A number of concerns have been raised about the methodology of scenario SS4 as it applies to Redditch. As already noted, this incorporates a 20% uplift in order to examine the impact of an increased inflow of internal (UK) migrants upon the annual dwelling requirement. Concern was raised about how such an uplift could be applied where there is a pattern of net out-migration, as is the case in Redditch. Although this is not made clear in the Appendix to the NWHNR, it was clarified at the relevant hearing that the uplift has been applied to in-migration flows rather than the net migration total. This appears an appropriate methodology. It has also been suggested that an adjustment should be made in respect of out-migration, assuming in effect that this will reduce in future years. However, I see no substantive evidence to support this suggestion, which appears to be an aspirational view rather than an objective evidence-based assessment. No change is needed in respect of these matters.
27. As explained in the Appendix to the NWHNR, the availability of information from the 2011 Census has resulted in a 'recalibration' of previous mid-year population estimates. Specifically, this suggests that previous mid-year figures under-estimated the scale of growth in Redditch. The report takes the view that this was mostly due to the difficulties in estimating the effects of international migration at the local level. While this has been disputed, I see no reason to disagree with the report's assessment that relevant data sets in respect of birth, deaths and internal migration (the latter including evidence from GP registrations) can be considered to be robust. Although concerns about potential inaccuracies in the 2001 Census are noted, these do not apply to the 2011 Census, which has informed the NWHNR paper. On balance, I have no reason to suppose that its conclusions in that regard are unrealistic.
28. It is also suggested that the components of population and household change for Redditch that have been published during the examination period do not support the NWHNR's conclusions. Clearly, the report predates the publication of these figures. Revised SNPP-2012 scenarios have been calculated on behalf of the Councils which suggest levels of population and household growth for Redditch that are significantly lower than those indicated by the respective SNPP-2010 scenarios. The CLG 2012-based household projections (2012-2037) show a reduced level of household growth compared to the 2011-based interim projections. However, these more recent outputs have not been

subject to the sensitivity analysis that has been applied to the earlier data.

29. Given the work that has been undertaken already, the Council considers that it would be untimely to fully revisit the housing assessments that have supported the Plan's progress through the examination. I have sympathy with that view: as a result of factors discussed elsewhere in this report, this examination has been a lengthy process. It seems to me unreasonable to expect baseline input data to be revisited several times in order to 'hit a moving target'. While limited weight can therefore be attached to the SNPP-2012 scenarios or the 2012-based household projections (as they have not been subject to the further analysis discussed above), neither set of data suggests that the SS4 scenario under-estimates the Borough's housing needs. The likely need for an early review of the Plan, discussed further below, provides an opportunity for these more up-to-date figures to be considered in the light of the wider needs arising from the West Midlands conurbation.
30. National policy and guidance make it clear that employment trends should be taken into account when assessing housing needs. These are not factored into either the SNPP-2010 or SS4 scenarios. However, the output from the job-led scenario SS3 for Redditch - a total of 6,320 dwellings net - is broadly similar to that from scenario SS4 (6,290 dwellings net). Taking these factors together, it seems to me that a robust objective assessment of the Borough's overall housing needs amounts to a figure of some 6,300 dwellings net over the plan period. This is slightly lower than the 6,400 figure that is planned for in the BORLP4.

#### *Housing Requirement*

31. Notwithstanding the above, the Council wishes to retain the figure of 6,400 dwellings as the Local Plan housing requirement. In the Council's view, expressed at the hearings in March 2016, the additional 100 dwellings would provide greater flexibility in housing provision consistent with the Framework's aim of boosting significantly the supply of housing. I have no reason to take a different view. Bearing in mind the presence of significant constraints to development in both the BORLP4 and BDP areas (as discussed elsewhere in both reports) it is clear that both the adoption of this figure and the agreement of BDC to accommodate an element of this requirement within Bromsgrove District represent positive planning in line with paragraph 157 of the Framework.
32. Policy 2 of the BORLP4 refers to 'a minimum' of 3,400 dwellings being accommodated within Bromsgrove District. Given that the land concerned relates to specific sites that would be adjoined by the Green Belt, it seems to me that there would be little if any potential for the 3,400 dwelling figure to be materially exceeded. On the other hand, establishing this figure as a maximum limit (as suggested by some representors) would risk the possibility of under-delivery. As such, I agree with the Council that a change to 'approximately' is necessary for reasons of effectiveness **[MM8]**. The Council also proposes to delete a reference to land within SOADC in the vicinity of the A435 ADR **[MM8, MM11]**: given that SOADC has clarified that any development in this area would not contribute towards meeting the needs of Redditch, these changes are needed for the Plan to be effective and justified.

*Approach to Meeting Future Housing Needs from the West Midlands Conurbation*

33. It is common ground that the West Midlands conurbation, and specifically the City of Birmingham, is expected to experience unprecedented levels of economic growth and population change over the BORLP4 period. As already mentioned, RBC, along with other GBSLEP members (and additional local planning authorities), is participating in a Joint Strategic Housing Needs Study which will inform the approach towards meeting future needs arising from the West Midlands conurbation. The position at the time of writing this report is that the distribution of the likely shortfall in housing provision within the wider sub-region is yet to be finalised.
34. The BORLP4 lacks clarity about the Borough's approach to meeting future housing needs arising from the West Midlands conurbation. It refers (under the Duty to Co-operate heading) to the issue being dealt with during the next plan period 'or when a review of the development plan may be needed to consider these cross-boundary matters'. This seems to me to be insufficiently specific: bearing in mind the anticipated timescale for the GBSLEP Strategic Housing Needs Study (and depending upon the study's outcome), it is likely that such matters will need to be considered before the end of the present Plan period.
35. Pre-submission modifications proposed by RBC refer to a review of BORLP4 if required: in principle this appears a more appropriate response. However, greater certainty could be provided about the likely trigger for any such review - specifically in respect of the outcome of the GBSLEP Strategic Housing Needs Study. The Council accepts this and proposes modifications accordingly **[MM1]**. These are necessary for reasons of effectiveness.

*Conclusion – Main Issue 1*

36. Taking the above matters together, and subject to the above-noted main modifications, I conclude (1) that the Local Plan's housing policies are based on adequate and up-to-date evidence and a clear understanding of housing needs in the market area and (2) that it is clear how the Local Plan has addressed the matter of meeting anticipated future housing needs arising from the West Midlands conurbation. Taken together, these factors demonstrate that the Plan has been positively prepared in the terms of paragraph 182 of the Framework.

**Main Issue 2: Is the proposed apportionment of development between Redditch and neighbouring authorities, and the distribution of development within Redditch Borough sufficiently justified and consistent with the local evidence base and national policy? Is the Local Plan's site selection methodology robust and transparent? Does an adequate supply of housing land exist to meet the Local Plan's requirements?**

*Apportionment and Distribution of Development*

37. To the north-west, north, north-east and south-east, the urban area of Redditch is tightly constrained by the Borough's administrative boundary. It is within this context that the consideration of future development options for the town has taken place. Two key assessments have been required. First, it has been necessary to determine the potential for development to be

accommodated within the existing built-up area. However, given that it is generally accepted that sufficient sites do not exist within that area to meet the full level of need that has been assessed (a matter that I return to below), it has also been necessary to assess the potential for new development to be accommodated on greenfield sites outside the urban area. This site search exercise – which has been developed through a number of studies – has considered options within the rural south-west of the Borough as well as in both neighbouring local authority areas of Bromsgrove and Stratford-on-Avon Districts. In practice, the assessments of urban capacity and the potential for greenfield development have progressed in parallel.

38. The ability for additional housing to be accommodated within the existing urban area of Redditch has been addressed through various studies, most recently through the preparation of annual Strategic Housing Land Availability Assessments (SHLAAs). Importantly, these exercises have been carried out jointly with Bromsgrove District Council: as such, BDC does not dispute either the findings or methodology of these assessments.
39. In broad terms, I am satisfied that the Council's estimate of likely future supply from existing sources outside the urban area is justified. As is discussed below, the need for future employment land to be safeguarded has been reviewed in line with the requirements of the Framework. I accept the Council's contention that – in general terms – the pattern of well-defined employment sites within the Borough that results in part from its previous New Town designation creates difficulties in releasing sites for housing without giving rise to possible incompatibilities between adjoining uses. Nevertheless, a number of existing employment sites have been identified for housing development. While some concern has been voiced that insufficient consideration has been given to other previously-developed sites, it is clear from the housing supply evidence that a significant yield is anticipated from this source.
40. The high proportion of parks and open spaces within Redditch, also arising in part from its history as a New Town, represents a distinctive and attractive element of the town's character. It has been suggested that development of such areas would, as a matter of principle, be preferable to encroachment into the countryside. However, I do not accept that national policy establishes a view that development of such areas is sequentially preferable to the loss of greenfield land – either in the Green Belt or open countryside. While the Framework underlines the great importance that the government attaches to Green Belts, it is also clear about the value that is attached to parks and local green spaces. In the present case, I share the Council's assessment of the value of maintaining local recreational areas such as Morton Stanley and Arrow Valley Parks. Indeed there is little, if any, local support for their consideration as potential housing sites. To my mind, these areas play an essential role both in terms of recreational provision and local distinctiveness.
41. Turning to the consideration of greenfield sites outside the urban area, it is first necessary to consider the Council's broader development strategy of focussing development on the existing town rather than establishing a new settlement in the south of the Borough. To my mind, this approach – which is consistent with the settlement hierarchy contained in Policy 2 – is clearly justified in line with sustainable development principles. Settlements in the

rural part of the Borough do not contain substantial services or facilities and, despite their relative proximity to Redditch, have generally poor public transport linkages. The Council proposes a modification to clarify that development within Feckenham will provide for locally identified development needs only: I agree that this change [MM7] is needed for reasons of effectiveness.

42. The scale of development that is now being considered would not be large enough to enable a sufficiently sustainable stand-alone community to be established. An unacceptable reliance on commuting into Redditch and other urban areas would be likely to result. Clearly, such an option would also result in the loss of open countryside and/or Green Belt land. The Council's decision to discount this option at an early stage in the site selection process is therefore justified on sustainable development principles. It is noted that this option is not being advanced by the development sector in the present examination.
43. For these reasons, I am satisfied that the broad approach of seeking land to meet the growth needs of Redditch in the form of urban extensions to the existing built-up area is justified. Given that the built-up area is so tightly constrained by the administrative boundary of the Borough, the decision to assess potential sites in neighbouring local authority areas – as well as within the Borough – is also justified. I now turn to consider this exercise.

#### *Site Selection Methodology*

44. As already mentioned, the methodology that underpins the selection of sites to meet the growth needs of Redditch in both the BORLP4 and BDP has been the subject of a significant amount of scrutiny during both examinations. The up-to-date position in respect of the process and the supporting evidence base is set out in the Narrative on the Site Selection Process for the Growth Areas at Redditch (the Narrative) prepared by both Councils in January 2016<sup>12</sup>. Section 16 of the Narrative sets out the Councils' conclusions on the choice of those sites that have been selected for allocation and those that have been rejected.
45. The process that has been undertaken to reach that position is summarised in sections 8 and 9 of the Narrative. This refers to, and expands upon, a number of key documents, notably the Housing Growth Development Study (HGDS)<sup>13</sup> (January 2013) and the Addendum to the HGDS (the HGDS Addendum)<sup>14</sup> (November 2014). Both of these documents were accompanied by Sustainability Appraisals (SA). In addition, the SA that accompanied the Local Plan itself (dated September 2013)<sup>15</sup> was subject to a 'refresh' in November 2014<sup>16</sup> and a further revision in May 2015<sup>17</sup> in the light of the additional work that had been undertaken by the Councils during the examination period.
46. The starting point for the search exercise was the identification of some

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<sup>12</sup> Document OED/46a

<sup>13</sup> Document CDX1.1. While this took account of earlier studies, notably the Joint Study into the Future Growth Implications for Redditch Town to 2026 prepared by White Young Green in December 2007 (document CDX1.5), it represented an entirely independent assessment.

<sup>14</sup> Document CDX1.47

<sup>15</sup> Document CDR1.11

<sup>16</sup> Document CDR18.23

<sup>17</sup> Document OED/33a

20 broad areas around the urban area of Redditch<sup>18</sup>. However, the HGDS excluded three areas (areas 3A, 7 and 18) from its initial broad area appraisal exercise. While two of these (3A and 7) relate to parks and leisure facilities, the third (area 18) includes land, known as the A435 Area of Development Restraint (ADR), that has in fact been proposed for allocation. In addition, the definition of areas 3 and 10 in the HGDS (areas that were both discounted at the end of the broad appraisal stage) explicitly excluded land in the Webheath and Ravensbank ADRs that has also now been proposed for allocation for housing and employment uses in the BORLP4 and BDP respectively.

47. As set out in my Post Hearings Note dated 3 October 2014, the exclusion of the Webheath and A435 ADR areas from further consideration in the HGDS represented a potentially serious flaw in the site selection methodology. First, it was inconsistent – as the ADR at Brockhill East (area 6), which is also now proposed for allocation, was considered in the HGDS. Second, while it is accepted that the principle of future development within the ADRs had been accepted at previous Local Plan examinations, there is a difference between an in-principle acceptance of such potential and the actual allocation of a site in a Local Plan. There is a clear legal and policy framework that requires alternatives to be explicitly tested through the plan-making process.
48. Given that the HGDS was intended to be an updated and comprehensive exercise, I therefore considered that – notwithstanding their present ADR designation – it was necessary that land at Webheath and the A435 ADR should be assessed in a consistent manner to other potential housing development sites around the town. Such an approach would allow the merits of all alternatives in sustainable development terms to be easily compared and assessed, thereby enabling the eventual course of action to be clearly explained. However, this was lacking from the HGDS.
49. In particular, the absence of such consideration posed problems in respect of the comparison between the development potential of two alternatives – the allocated site at Webheath and unallocated land (mostly within Bromsgrove District) at Brockhill West. However, at the relevant hearing session, the only direct comparison between the two sites that the Council could refer to – work undertaken in the context of the previous emerging Core Strategy that was not in the event taken forward<sup>19</sup> – suggested that the Brockhill West site (which the then draft Core Strategy was proposing for allocation) scored higher in respect of sustainability indicators than Webheath. Clearly, this evidence could not support the approach that is now being taken forward. I return to both sites in more detail in this report and my report on the BDP.
50. In response to my concerns, the Councils issued the HGDS Addendum, which was considered at further hearings in June 2015. This sought to address the previously-excluded areas in the same terms as those that had been considered in the HGDS document. As set out in my Post Hearings Note dated 10 July 2015, the HGDS Addendum – although lacking in some clarity – provided sufficient justification in respect of the conclusions of the above-noted broad area appraisal exercise<sup>20</sup>. While some representors have called for the reconsideration of areas around Studley (notably areas 12, 14 and 15),

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<sup>18</sup> These are set out in Map 1 (page 16) of the HGDS (document CDX1.1).

<sup>19</sup> 'CS CDPD – SA Refresh (February – March 2010)' – document CDR3.5.

<sup>20</sup> This is summarised in paragraphs A4.84 to A4.87 of the HGDS Addendum – document CDX1.47.

I am satisfied that the reasons for their exclusion at the broad area appraisal stage, particularly in respect of the coalescence of settlements, are robust.

51. The HGDS Addendum takes forward seven areas for consideration in more detail (the focussed area appraisal) – namely areas 3, 4, 5, 6, 8, 11R and 18. Areas 4, 5, 6, 8 and 11R all lie wholly (or mainly) within Bromsgrove District, and are considered in my report on the BDP examination – as is the Ravensbank employment allocation. In my Post-Hearings Note dated 10 July 2015, I expressed a concern that the conclusions of the focussed area appraisal in the HGDS Addendum lacked a sufficient explanation of why the options that were eventually selected for development had been selected. However, as noted above, additional detail has been provided by the Narrative document – notably at section 16.
52. The allocations proposed in the BORLP4 within both the Webheath and A435 ADRs have given rise to significant local objection. I address both sites later on in this report. However, in general terms – and subject to my comments below about the extent of the A435 ADR allocation – I am satisfied that the selection of both sites has been robustly justified through the above-noted exercise for the following reasons.
53. As is set out in my report on the BDP examination, the scale of Redditch's housing need is such that a significantly larger allocation is required than either of the Webheath or A435 ADR sites. Nevertheless, it is equally clear from the submitted evidence base that neither of the two areas with a potential to accommodate such a large allocation that were brought forward into the focussed area appraisal (areas 4 and 8 – Foxlydiate and Bordesley) would be able to meet that need on their own. Additional (and smaller) sites are required. The proposed allocations at Webheath and the A435 ADR should be seen in that context.
54. Various parties have suggested that a new allocation within area 5 (Brockhill West) would be more appropriate than the Webheath ADR. As described above, the way in which the HGDS was originally structured prevented a direct comparison of the merits of these two alternatives. However, I am satisfied that the HGDS Addendum and the Narrative – taken together – are now sufficient to explain the position of both Councils in that regard. In particular, section 16 of the Narrative provides a summary of the key factors that have influenced the Councils' eventual decision. This identifies which assessment factors weighed more heavily in the area selection process and which factors were not key to determining the eventual outcome. The broad area appraisal sites are considered against each other and clear conclusions are drawn. This provides the comparative assessment of all potential sites that was lacking from the earlier documentation.
55. I return to Webheath later on in this report. However, in terms of this comparative argument a number of general points can be made. Clearly, the fact that the Brockhill West site lies within the Green Belt, while Webheath does not, represents a strong argument in favour of development at the latter location. Furthermore, planning permission already exists for housing development on part of the Webheath allocation: it was clarified at the hearing in March 2016 that some pre-commencement works have been carried out. Unlike Brockhill West, the Webheath allocation has existing development on

three sides. While Brockhill West was the subject of concerns from English Heritage (now Historic England) in respect of heritage assets – discussed in more detail in my report on the BDP examination – such concerns were not raised in respect of Webheath. These factors all support the identification of Webheath for development in preference to Brockhill West.

56. A similar argument in respect of Green Belt status applies to the A435 ADR. As described below, I share the views of many respondents that the scale of this allocation should be reduced – notably to maintain separation between Mappleborough Green and Redditch. However, the site is well-related to the urban area and has good accessibility to alternatives to the private car. Its identification in principle for development is therefore adequately justified.

### *Sustainability Appraisal*

57. Concern has been raised by a number of representors about the adequacy of the Sustainability Appraisal (SA) that underpins the development strategy set out in both the BORLP4 and BDP in respect of meeting Redditch's growth needs – particularly in relation to housing needs. In response to my request at the March 2016 hearings, a legal opinion<sup>21</sup> has been submitted by both Councils to the effect that the information submitted in both examinations is consistent with, and not in conflict with, the relevant legal requirements – notably the requirements of section 19(5) of the 2004 Act and regulation 12 of the Environmental Assessment of Plans and Programmes Regulations 2004.
58. In summary, I have no reason to take a different view. While deficiencies have been highlighted in the documentation that was originally submitted<sup>22</sup>, these have been largely remedied by later documents – notably the HGDS Addendum, the Narrative, the final BORLP4 SA (May 2015) and the minor amendments to that SA accompanying the Councils' joint statement of case dated 4 March 2016<sup>23</sup>. Taken together, and notwithstanding my comments below about the testing of alternative scenarios, I am satisfied that these demonstrate that reasonable alternatives have been considered and also that they explain why the Councils rejected some alternatives and proceeded with others. The inclusion of those areas that were previously excluded from the HGDS but that are now proposed for allocation in the BORLP4, along with the inclusion of specific conclusions in section 16 of the Narrative, has markedly increased the robustness of this exercise. While the Narrative has not been accompanied by substantive new SA work, such additional work seems to me unnecessary given that significant changes to the approach that has previously been subject to SA are not being proposed as a result of that document. I share the view of the Council's legal advisor that SA should be a proportionate exercise and that an unduly forensic level of analysis of specific scores and alternatives is not appropriate.
59. Concern has been expressed with regard to the consideration of alternatives through the SA process. I comment in more detail on the treatment of area 8 (Bordesley) in that regard in my report into the examination of the BDP: while the updated SA of the BDP (May 2015) refers to the BORLP4 SA in respect of the consideration of growth options for Redditch, this matter bears more

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<sup>21</sup> Document ED/50.

<sup>22</sup> See for example my Post Hearings Note dated 10 July 2015.

<sup>23</sup> Document S/1.



heavily on the consideration of sites within the BDP (notably the allocation of land at Foxlydiate and the rejection of land at Bordesley) than the BORLP4.

60. However, particular objections have been raised to the consideration of alternative scenarios in respect of the Webheath allocation. As already noted, this area was explicitly excluded from consideration in the HGDS: as such, it was not considered in the four alternative scenarios for growth examined in that document. My concerns about that approach are set out above.
61. In response to my comments, the Narrative addresses the matter of alternative scenarios. Four scenarios, described as 'additional scenarios', are listed. Two of these include Webheath (area 3R) together with areas 4 and 6 (scenario 1) and 4, 6 and 18 (scenario 4). While two other scenarios exclude Webheath<sup>24</sup>, both are rejected as they do not provide sufficient capacity to meet the required level of need. As such, they do not – and could never – amount to reasonable alternatives to the selected option (scenario 4), as they in effect represent a different strategy entirely – that of not meeting the identified housing requirement.
62. The Councils initially argued at the relevant hearing (March 2016) that the new scenarios were additional to those that had been tested in the HGDS. However, the HGDS explicitly excluded Webheath (as already mentioned) and moreover treated Area 8 (Bordesley) as having a larger capacity than the 1,000 dwellings referred to in the Narrative – a matter that I address in my report on the BDP examination. As such, the scenarios in the HGDS and Narrative cannot be directly compared. At the hearing, the Councils conceded that the four new scenarios represented 'updated' scenarios – an interpretation that is consistent with paragraph 9.180 of the Narrative<sup>25</sup>. They added that sites such as Brockhill West (area 5) had been screened out prior to the scenario testing for specific reasons. However, it is unclear why this site had been screened out from that exercise in preference to others (such as area 8) that were considered but then later rejected.
63. To my mind the Councils' presentation of the testing of alternatives in the Narrative has been unhelpful. A more robust, and common sense, way of setting out the alternative scenarios would have been to consider groups of reasonable alternatives of a sufficient scale to meet the required housing figure – and then consider the relative merits of each option. Alternatively, if reasonable alternative scenarios were not considered to exist then there would be little merit in undertaking such comparative scenario testing.
64. Nevertheless, I do not feel that this matter amounts to a fatal flaw – either in soundness or SA terms. As already noted, the comparative assessment and conclusion contained in section 16 of the Narrative document sets out the relative merits of the sites that were eventually selected (including Webheath) against the other sites that were carried forward into the broad area appraisal. The reasons for allocating Webheath in preference to Brockhill West (and indeed other options) are clearly explained: I have commented above on the comparative merits of these two particular sites. Given that clear preference, and bearing in mind the underlying evidence base already referred to, I have no reason to suppose that the testing of additional scenarios containing

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<sup>24</sup> Scenarios 2 (areas 6, 8 and 18) and 3 (areas 4, 6 and 18).

<sup>25</sup> Last sentence of paragraph 9.180.

different combinations of sites would have resulted in a different outcome. I therefore reject the assertion that an inadequate consideration of alternatives has occurred.

### *Employment Development*

65. As is discussed below, existing employment sites within Redditch have been assessed through an Employment Land Review (ELR) (2008/9) and ELR Update (2013)<sup>26</sup>. This has led to some sites being considered for residential use through the SHLAA. Nevertheless, a need for additional employment land remains: while a significant amount of this is identified within the BORLP4 area, land is also proposed within Bromsgrove District (at Ravensbank) and in Stratford-on-Avon District (at the Redditch Eastern Gateway). The land at Ravensbank adjoins an existing business park, and is the subject of a site allocation policy in the BDP. The Redditch Eastern Gateway is a proposal of the Stratford-on-Avon Core Strategy<sup>27</sup>. Bearing these factors in mind, the suggested approach appears to be both adequately justified and deliverable in practice. However, the Council suggests modifications to provide more detail about the level of provision in specific areas and to clarify the nature of the proposed developments **[MM45-47]**: these changes are needed in order to be justified and effective.

### *Housing Land Supply*

66. The components of housing land supply are set out in BORLP4 Appendix 2. Updated information was produced by the Council taking account of commitments and completions occurring during 2013-14<sup>28</sup>. However, in view of the delays that have occurred to this examination, I asked the Council to produce a further update. This was published for consultation in December 2015<sup>29</sup>. A number of concerns were raised by respondents in respect of that document and a further update (dated 4 March 2016) was attached to the Councils' joint statement in respect of the March hearings<sup>30</sup>. This presents the land supply position at 1 March 2016 (although completions are only included up to 31 October 2015) and represents the most up-to-date picture of land supply for the Borough. It supersedes information set out in Appendix 2 of the Plan: given that housing supply data will inevitably change during the Plan period, I agree with the Council that information on completions and commitments is better placed in its monitoring reports than the Plan itself: as such the suggested modifications **[MM70(part)]** are needed for reasons of effectiveness.
67. In terms of overall land supply, the updated evidence base identifies sites for some 2,873 dwellings which are proposed for allocation. This figure takes account of changes to site capacity that have been identified during the examination period (for example through the SHLAA process) as well as the reduction in size of the A435 ADR site that is discussed below. The Council proposes to update policy 46 and amend Appendix 2 accordingly, which are needed for reasons of effectiveness **[MM57, MM70]**. Although somewhat

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<sup>26</sup> Documents CDR8.12 and CDR8.3 respectively.

<sup>27</sup> Memorandum of Understanding between RBC, BDC and Stratford-on-Avon DC – document M02/1c.

<sup>28</sup> Document CDR18.22.

<sup>29</sup> Document OED/46e.

<sup>30</sup> Appendix 2 to Document S/1.

below the 3,000 dwelling figure set out in policy 4, this total excludes any allowance for windfalls: as such, I have seen no evidence that the 3,000 dwelling figure set out in that policy is unlikely to be achieved.

68. Turning to the five year land supply, it is necessary to consider whether there has been a record of persistent under-delivery of housing in the terms of paragraph 47 of the Framework. It is common ground that housing delivery in Redditch has been reduced in recent years: the annual housing target required by the extant Local Plan (300 dwellings/year) was not achieved after 2007/8, although the most recent information<sup>31</sup> shows that 312 dwellings were completed in 2014/15 indicating signs of an upturn.
69. The PPG advises that the assessment of a local delivery record is likely to be more robust if a longer term view is taken, since this is likely to take account of the peaks and troughs of the housing market cycle<sup>32</sup>. The Council has presented data over a much longer timescale (from 1996/7) that avoids recent poor market conditions<sup>33</sup>. This shows that prior to 2007/8 housing was generally delivered in line with relevant local plan, structure plan and regional expectations. Although a consistent annual average was not maintained during this period, there were several years where a significant over-provision occurred: as such, the cumulative delivery total was ahead of a strict annual requirement for most of the last Local Plan period (1996-2011). Indeed, it only fell below this in the first and last years: the Plan period was completed with a shortfall of only 48 dwellings. This does not seem to me to amount to *persistent* under-delivery in the terms of the NPPF. It should be noted that this period included a moratorium on housing development between 2006 and 2008 as sufficient planning permissions had been granted in respect of the Local Plan target. I therefore disagree with those representors that feel that a 20% buffer should be applied when calculating the Borough's five year housing land supply. A 5% buffer is adequate.
70. Using the Sedgefield approach, applying a 5% buffer and applying the buffer to the outstanding shortfall, the Council states that there is a five year land supply of 2,813 dwellings against a requirement of 2,616 dwellings. This gives a 'headroom' of almost 200 dwellings, resulting in a 5.38 years supply<sup>34</sup>. No substantive challenge has been advanced in respect of the Council's windfall assumptions: these appear to be appropriately based on the evidence. While objections were raised to the inclusion of a number of C2 uses in the housing supply data in the December 2015 topic paper, these have been excluded from the more recent calculations referred to above.
71. Concerns have been raised about other land supply components. As a matter of principle, I disagree with the view that SHLAA sites without planning permission should not be considered as part of the five year land supply. Subject to meeting the required policy tests, there is no reason to exclude sites that might come forward during the five year period. In fact many of the SHLAA sites that form part of the five year land supply either have planning

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<sup>31</sup> Appendix 2 to document S/1 paras 2.24-2.25.

<sup>32</sup> PPG ID 3-035-20140306

<sup>33</sup> Document R2/1.

<sup>34</sup> It should be noted that the five year supply figures relate to the full housing requirement identified for Redditch of 6,400 dwellings, which includes the component to be provided through the BDP and anticipates an element of delivery from these cross boundary sites.

permission or have an application pending. Several are under construction. I have therefore seen no compelling evidence that their inclusion within the five year land supply is unrealistic or unjustified.

72. While some parties suggest that a 'lapse' or 'discount' rate should be applied to such sites, the Council's evidence<sup>35</sup> shows that in practice there have been very few lapsed planning permissions. The average figure between 2010 and 2015 was 3%, which included a recessionary period: in the last two years the lapse rate has been 0.6% and 1.6% respectively. I therefore share the Council's view that there is no need to apply a 'lapse rate' to the five year land supply figures discussed above. In any event, it should be noted that the 'headroom' that has been identified (197 dwellings) represents some 7% of the total identified supply (2,813 dwellings).
73. A particular concern has been raised about the viability of housing developments that are anticipated to come forward on previously-developed land. The Council does not dispute that its evidence highlights potential viability problems in respect of such schemes. However, it has demonstrated that, in practice, significant progress has been achieved on the ground with identified sites. Indeed, several such sites are presently under construction<sup>36</sup>. As such, I share the Council's view that its viability evidence may, in that regard, be unduly pessimistic. In any event, as set out below, the Local Plan includes some flexibility to address matters such as affordable housing requirements when viability concerns are demonstrated.
74. Policy 5 of the Local Plan seeks the efficient and effective use of land, including the active encouragement of the re-use and regeneration of previously-developed land. It states that densities of between 30 and 50 dwellings per hectare will be sought, with densities of 70 dwellings per hectare on sites that are within or adjacent to Redditch Town Centre and the District Centres. Higher densities will be sought in locations close to public transport interchanges and in other locations where it can be demonstrated that there would be no detrimental impact on the amenity, character and environmental quality of the area. Given the wider constraints on development within the Borough as already discussed, and bearing in mind the need to encourage alternatives to the private car, the encouragement of higher development densities is justified in principle.
75. Some representors feel that the wording of policy 5 in this regard, which continues the approach set out in the present Local Plan, is unduly inflexible. However, the policy is framed as 'seeking' – rather than 'requiring' – the relevant outcomes. The accompanying reasoned justification makes it clear that other factors, such as the character of the area and the physical constraints of a site, will be considered. Evidence provided by the Council<sup>37</sup> shows that, notwithstanding this policy having previously been in force, a number of housing developments have gained planning permission with densities of less than 30 dwellings. On balance, I am satisfied that this demonstrates that an appropriate degree of flexibility will be available.

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<sup>35</sup> Appendix 2 to document S/1 paras 3.15-3.16.

<sup>36</sup> These include land at the former Dingleside Middle School and Auxerre Avenue (SHLAA site 203) and land at Church Hill District Centre (site 206).

<sup>37</sup> Table 1.3.1 of RBC Matter 1 Statement – document R1/1.

*Conclusion – Main Issue 2*

76. Taking the above matters together, and subject to the above-noted main modifications, I conclude (1) that the proposed apportionment of development between Redditch and neighbouring authorities, and the distribution of development within Redditch Borough is sufficiently justified and consistent with the local evidence base and national policy, (2) that the Local Plan's site selection methodology is robust and transparent and (3) that an adequate supply of housing land exists to meet the Local Plan's requirements.

**Main Issue 3: Are the Local Plan's proposals for the provision of employment, retail and community services uses sufficiently justified and consistent with the evidence base and national policy?**

77. Paragraph 22 of the Framework states that planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. As already noted, the BORLP4 is underpinned by the 2008/9 ELR and 2013 ELR update: appendix B of the latter document identifies five sites that are no longer considered suitable to meet employment needs. Furthermore, while policy 24 seeks to protect Primarily Employment Areas as defined on the Policies Map, it allows for non-employment development to take place subject to criteria relating to viability and the appropriateness of the site for employment use. This approach strikes an acceptable balance that is consistent with the Framework's provisions.
78. Policy 25 states that 'sites other than those within designated Primarily Employment Areas may be suitable for economic development, redevelopment or change of use'. While the Council explains that this relates to sites within the urban area, this is not made clear in the policy itself. As drafted, the policy raises the potential for conflict with countryside protection and/or Green Belt policies. An additional change **[MM48]** is therefore needed for reasons of effectiveness and consistency with national policy.
79. Policy 28 seeks to place requirements on developers of major applications to provide education and training for local residents. A representative level of developer contributions has been modelled in the Local Plan Viability Study<sup>38</sup> which shows that the cumulative impact of policies would not put delivery of the Plan at risk. Additional clarification about the scope and implementation of contributions in respect of this matter is intended to be provided by a Supplementary Planning Document (SPD).
80. The key evidence base supporting the Plan's policies for retail development is the Town Centre and Retail Study 2008 with a partial update in 2012<sup>39</sup>. This highlights capacity for a growth in comparison retail floorspace, and to a lesser extent in convenience goods floorspace, during the Plan period, and underpins the approach set out in policy 30. This policy, supported by policies 32, 34 and 35, seeks to reinforce the retail hierarchy that has been promoted through successive local plans for Redditch. Subject to changes to clarify the role of district centres **[MM50-51]**, which are needed for consistency with national policy, this approach has been adequately justified.

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<sup>38</sup> Document CDR18.11.

<sup>39</sup> Documents CDR9.3A and CDR9.1 respectively.

81. Policy 31 proposes the extension of the town centre boundary to include some peripheral land, including sites at Prospect Hill, Edward Street and Church Road. I am satisfied that this reflects an enhanced focus on town centre regeneration, enabling a number of sites to be promoted for town centre uses in line with the Framework. I agree with the Council that the areas concerned are well-related to the existing focus of the town centre, which in any event occupies a fairly tight and well-defined area. I have seen no substantive evidence that this boundary change would harm the vitality or viability of the existing town centre area. While concerns have been raised by representors about the stance of the Council in respect of a specific planning application outside the town centre, this is not a matter for the present report.
82. Concern has been raised about the exclusion of part of the Kingfisher Centre from the Retail Core (as defined by policy 32). However, this is a policy that relates to frontage protection: as the Kingfisher Centre is within the town centre, it would benefit from a location at the top of the above-noted retail hierarchy. At the hearing, a suggestion was made that greater restrictions should be applied to development proposals on sites that are lower down the retail hierarchy. However, given that policy 30 applies a sequential approach that gives a preference to town centre developments, such a change is not required for soundness reasons. Taken together, and subject to the above-noted changes, I am satisfied that the suggested approach accords with national policy in the Framework.
83. A new district centre is proposed within the Brockhill East strategic site (policy 46). The reasoned justification supporting this policy implies that any convenience retail floorspace associated with this proposal should be subject to an impact assessment. However, this would be inconsistent with the intention to locate a new district centre within the site. A change is proposed by the Council to clarify that such an assessment will only be required if any retail proposal exceeds the definition of a district centre. This **[MM60]** is recommended in order to be consistent with national policy.
84. Concern has been raised about the Plan's approach to crime reduction and safety, including the provision of appropriate infrastructure for policing and the emergency services. A statement of common ground has been agreed between the Council and the Police and Fire and Rescue services in respect of these matters<sup>40</sup>. Changes suggested by the Council in this regard, including the inclusion of up-to-date crime statistics and a greater emphasis on emergency services infrastructure are necessary for reasons of effectiveness **[MM2, MM4-6, MM53-56]**.

*Conclusion – Main Issue 3*

85. Taking the above matters together, and subject to the above-noted main modifications, I conclude that the Local Plan's proposals for the provision of employment, retail and community services uses are sufficiently justified and consistent with the evidence base and national policy.

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<sup>40</sup> Document OED/3.

**Main Issue 4: Does the Local Plan provide satisfactorily for affordable housing, housing for the elderly and for the accommodation needs of Gypsies and Travellers, consistent with national policy?**

*Affordable Housing*

86. Affordable housing needs for the Borough of Redditch were assessed in the SHMA (February 2012) and the Worcestershire SHMA Monitoring Document (June 2013)<sup>41</sup>. These showed some variation: the SHMA affordable housing need being assessed at 168 dwellings per annum with the update report giving a figure of 258 dwellings per annum. Given this variability, the Council proposes to undertake a rolling five year review in order to enable the Plan's approach to be monitored and policies to be reviewed if required.
87. Notwithstanding the variation between the two above figures, the assessed level of need for affordable housing represents a significant proportion of the Plan's overall annual housing requirement (of 337 dwellings/year). The 30% target for affordable housing provision that is set by policy 6 of the Local Plan is therefore unlikely to fully meet the identified need. However, the constraints that apply to overall housing delivery within the Borough, as already discussed, limit the potential to increase overall housing numbers in order to achieve a higher yield of affordable housing. Furthermore, the Council argues that the 30% policy target is based upon an assessment of development viability.
88. An Affordable Housing Viability Assessment (AHVA) (January 2012)<sup>42</sup> was undertaken which suggested three options for setting a policy target. The Council's decision to adopt the 30% figure was based upon a wish to maximise affordable housing delivery on the larger allocated sites, some of which fall within lower value sub-areas. In principle this seems to me to be an appropriately pragmatic approach: although the AHVA identifies the potential to seek a higher percentage in higher value areas of the Borough, notably the rural south, development in this area would conflict with the settlement strategy outlined above. It is noted that those allocations within the BDP to meet the needs of Redditch are subject to a 40% affordable housing requirement. The justification for this figure is considered in my report on the BDP examination: however, while this creates an apparently anomalous position, the evidence presented in respect of the BORLP4 examination does not support the adoption of a 40% target within Redditch itself.
89. The AHVA acknowledges that there may be site-specific circumstances where the achievement of the relevant percentage requirement may not be possible. However, policy 6 makes provision for this to be subject to negotiation in circumstances where viability concerns can be properly demonstrated. This is in line with the flexibility that is required by paragraph 50 of the Framework.
90. The viability of the Plan's approach to affordable housing was further examined in the joint BDC/RBC Local Plan Viability Study (July 2014)<sup>43</sup>. Although post-dating the Plan's submission, this document builds upon earlier evidence as noted above. It highlights potential problems in respect of the

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<sup>41</sup> Documents CDR7.5c and CDR7.4 respectively.

<sup>42</sup> Document CDR7.6.

<sup>43</sup> Document CDR18.11.

viability of urban infill sites within Redditch, concluding that brownfield sites are inherently difficult in terms of viability. However, I accept the view expressed at the hearing by the Council's advisor that the viability of actual development proposals within the town depends upon their site-specific circumstances, including their location. As such, a differential affordable housing requirement for greenfield and brownfield sites would be difficult to justify in the Redditch context. In any event, the flexibility described above would enable identified viability problems to be appropriately taken into account.

91. Policy 6 applies a threshold of 5 dwellings for the application of affordable housing contributions. Although this was supported by viability testing, the Council proposes to make a change to accord with the threshold of 10-units or less set out in the WMS of 28 November 2014 **[MM16]** and this is recommended in order to be consistent with national policy.

#### *Housing for the Elderly*

92. Some concern has been raised about the lack of an explicit policy in respect of housing for the elderly, along the lines of BDP policy BDP10. The Council comments that BORLP4 policy 4 places reliance on the SHMA and Worcestershire Extra Care Housing Strategy (WECHS)<sup>44</sup> to provide current data to reflect the needs of the Borough's ageing population. It is accepted that policy 4 provides flexibility to negotiate such provision. However, given that both the SHMA and WECHS both demonstrate a continuing need for housing for the elderly, albeit that the extra care need identified for Redditch is the lowest of the Worcestershire authorities, I agree with representors that a more positive statement is merited. I therefore recommend that further text is added to policy 4 to that effect **[MM9]** in order for its approach to be justified. However, references to the Lifetimes Homes standard should be deleted in line with the WMS of 25 March 2015 as set out later in this report.

#### *Gypsies and Travellers*

93. The Planning Policy for Traveller Sites (August 2015) (PPTS) places requirements on Local Plans in respect of this matter. A robust evidence base should be prepared, including early and effective community engagement with both settled and traveller communities (PPTS policy A). Pitch targets should be set and a supply of sites identified (PPTS policy B).
94. At the start of the examination, I raised a concern that the Local Plan did not appear to accord with these requirements<sup>45</sup>. However, during the examination the Worcestershire Gypsy and Traveller Accommodation Assessment (GTAA) was issued<sup>46</sup> and was the subject of a consultation exercise. No substantive criticisms were raised in respect of either the methodology of the GTAA or its conclusions. I have no reason to take a different view.
95. In respect of Redditch, the GTAA concludes that there is sufficient capacity to cover identified requirements to 2018/19 and that there is no overall additional need for plots either for gypsies or travelling showpeople during the

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<sup>44</sup> Document CDR7.7.

<sup>45</sup> Inspector's Letter of 10 April 2014 (ED/3) and Post Hearings note dated 3 October 2014 (ED19).

<sup>46</sup> Document OED/46f.



remainder of the Plan period. It is therefore necessary, in order to be justified, effective and consistent with national policy, to amend policy 7, its reasoned justification and the glossary to be consistent with the up-to-date evidence base and the revised PPTS. I recommend accordingly **[MM17-18; MM74]**. The Council's suggested modifications make provision for the future allocation of sites in the event that a need is demonstrated by a more up-to-date GTAA. It is intended that this would be addressed by the proposed Allocations Plan, which is also intended to cover matters such as Local Green Space (as discussed below). The timetable for the preparation of the Allocations Plan is set out in the most recent Local Development Scheme (LDS) (July 2016).

#### *Conclusion – Main Issue 4*

96. Subject to the main modifications outlined above, I conclude that the Local Plan provides satisfactorily for affordable housing, housing for the elderly and for the accommodation needs of Gypsies and Travellers, consistent with national policy.

#### **Main Issue 5: Does the Local Plan provide satisfactorily for the delivery of development, with particular reference to transportation infrastructure?**

97. The Local Plan's infrastructure requirements are summarised in BORLP4 Appendix 4 and are set out in more detail (including costings where known) in the Borough of Redditch Infrastructure Development Plan (IDP) (March 2014)<sup>47</sup>. This has been the subject of cross-boundary consultation – notably with BDC and SOADC. In addition to requirements for Redditch Borough it includes schedules of transport infrastructure requirements for both the Borough of Redditch and Bromsgrove District and infrastructure requirements for cross-boundary developments including proposals in both the BDP and BORLP4. The IDP is a live document which is intended to be updated during the Plan period to reflect new requirements when they are known and to identify when infrastructure needs have been met. Detailed infrastructure requirements in respect of the BORLP4's strategic sites are set out in policies 46 to 49. A number of changes are proposed to these to reflect updated information and the comments of consultees and respondents – see elsewhere in this report. A change is also proposed to give greater clarity on the Plan's requirements for broadband provision **[MM49]**: this is needed for reasons of effectiveness.

98. As already noted, the viability of development has been tested through the Local Plan Viability Study (July 2014)<sup>48</sup>. This adopts the residual value method and has tested Strategic Sites alongside a set of other modelled sites for residential and non-residential development. It concludes that, on balance, the cumulative impact of the Council's policies does not put residential development at risk. I am satisfied that the underlying assumptions of the study are suitably robust and I have no reason to doubt this conclusion. While viability concerns are identified in respect of brownfield developments, policy 5 enables infrastructure provision or payment terms to be negotiated in order to secure the beneficial re-use of previously-developed land. As discussed above, provision is also made for negotiation in cases where affordable

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<sup>47</sup> Document CDR5.1.

<sup>48</sup> Document CDR18.11.

housing provision is likely to cause viability concerns.

99. The Local Plan indicates that monitoring will take place through the preparation of the Council's monitoring reports. A number of specific indicators are set out in Appendix 4 of the Plan: these will be monitored in addition to other wider monitoring of matters such as housing and employment land take-up.
100. Transport evidence has been prepared to support the Local Plan, most notably the Redditch Local Plan – Transport Network Analysis and Mitigation Report<sup>49</sup> which has assessed the Plan's proposals and identified necessary infrastructure schemes and services to mitigate against impacts.
101. During preparation of the Local Plan, concern was raised by the Highways Agency – now Highways England – about the effects of the levels of growth envisaged in Bromsgrove on the strategic road network (SRN). The position prior to the main BORLP4 hearings was summarised in a hearing statement dated September 2014<sup>50</sup>. This states that the level of planned growth in both areas to 2021 could be accommodated, subject to defined mitigation being in place, which is considered to be deliverable. The agency is comfortable that the growth envisaged to meet the requirements of Redditch Borough could be accommodated on the SRN. However, outstanding questions remained around whether and how the level of planned growth beyond 2021 arising from the housing requirement in Bromsgrove could be accommodated on the SRN. The agency added that work was ongoing in respect of further modelling as well as investigating the potential for specific improvements.
102. This matter was discussed at the relevant hearing session, where Highways England clarified that, while it raises several matters of detail, it does not have fundamental soundness objections to the contents of the BORLP4 as submitted. Its main concern relates to the details of the supporting Infrastructure Development Plan (IDP) in respect of future growth that may be proposed (particularly in the BDP) to meet the future needs of the West Midlands conurbation. However, as is already discussed, the scale and location of such growth in so far as they relate to Bromsgrove and Redditch remain to be finalised. I have seen no evidence that the provisions of the BORLP4 would preclude the infrastructure implications of any such future growth from being appropriately considered at the time of the proposed review of the BDP. Nevertheless, the Council agrees with Highways England that a number of changes are needed to underline the significance of the SRN, to explain the use of planning conditions and obligations in securing mitigation and to clarify the nature of the assessment process **[MM3, MM37-44]**. These are needed for reasons of effectiveness and consistency with national policy. The local highway authority, Worcestershire County Council (WCC), does not raise concerns about the transport implications of the Local Plan's policies or proposals.

#### *Conclusion – Main Issue 5*

103. Subject to the main modifications outlined above and the main modifications relating to the infrastructure requirements of specific sites set out later in this

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<sup>49</sup> Most recent version May 2013 – document CDR11.1.

<sup>50</sup> Document R3/4.

report, I conclude that the Local Plan provides satisfactorily for the delivery of development.

**Main Issue 6: Does the Local Plan take adequate account of the effects of development on the built and natural environment? Is its approach to development within the Green Belt consistent with national policy? Are the boundaries of the Green Belt and development envelopes correctly located and adequately justified?**

*Flood Risk and Pollution*

104. The Plan is supported by a range of relevant technical evidence, notably the joint RBC/BDC Strategic Flood Risk Assessment (SFRA) (Levels 1 and 2), the joint RBC/BDC Outline Water Cycle Study (WCS) (2009 and 2012) and addendum to the SFRA and WCS<sup>51</sup>. The SFRA has assessed the intended BORLP4 development sites, applying the sequential and exception tests in line with the Framework and PPG. Small parts of the strategic sites at Brockhill East and Webheath lie outside flood zone 1<sup>52</sup>. This has been reflected in the assessment of potentially developable areas within the sites, as set out in the relevant policies (46 and 48) and supporting text.
105. The Council has worked with relevant agencies, including the Environment Agency (EA) and Severn Trent Water Ltd, in developing the above-noted evidence base. Two statements of common ground have been agreed, most recently in March 2016<sup>53</sup>. This proposes a number of changes to policies 5, 17, 46, 47 and 48 to introduce additional policy safeguards in respect of flood risk, pollution and land contamination [**MM12-15; MM30-35; MM35a; MM58-59; MM61-63; MM67-69**], which are recommended in order to be effective, justified and consistent with national policy. In respect of the suggested imposition of the optional water efficiency standard (of 110 litres per person per day) in particular catchments, I am satisfied that the need for such a standard is justified by the submitted evidence base. The viability of applying a more stringent standard (the 105 litres per person per day standard in the former Code for Sustainable Homes) than that now proposed has been tested<sup>54</sup>. Neither the EA nor Severn Trent Water Ltd raise soundness concerns in respect of the BORLP4. I have no reason to take a different view.
106. I understand the concerns of local people in respect of these matters, and I am aware that there have been a number of instances of local flooding within relevant catchments. However, I am satisfied that appropriate assessments have been undertaken in support of the Local Plan in line with national policy, and that, subject to the above-noted modifications, sufficient policy safeguards are in place within the Local Plan (notably in policy 17) to ensure that new development is adequately protected from the risk of flooding and does not exacerbate flooding elsewhere. This accords with national policy: paragraphs 100 and 103 of the Framework state (among other matters) that local plans should use opportunities offered by new development to reduce the causes and impacts of flooding and that when determining planning applications local

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<sup>51</sup> Documents CDR10.18, CDR10.5, CDR10.16, CDR10.6 & CDR10.17 respectively.

<sup>52</sup> See PPG ref. ID 7-065-20140306.

<sup>53</sup> Document ED/45. The first statement of common ground is attached to BDC's Matter B4 statement as Appendix A – document B4/1.

<sup>54</sup> Document CDR18.11

planning authorities should ensure flood risk is not increased elsewhere.

### *Nature Conservation*

107. Policy 16 of the Local Plan seeks to achieve a high quality natural environment and landscape and the protection of sites of wildlife importance. However, the policy does not sufficiently recognise the hierarchy of nature conservation sites and fails to distinguish between the particular requirements that apply to Sites of Special Scientific Interest (SSSIs) and the level of protection that is appropriately applied to regional and local wildlife sites. The Council accepts this and has proposed modifications accordingly. Subject to a further change to recognise the need to take account of the 'in combination' effects of a number of developments as set out in paragraph 118 of the Framework, these amendments are recommended **[MM28-29]** for reasons of effectiveness and consistency with national policy.

### *Local Green Spaces and Open Space*

108. Paragraph 76 of the Framework enables local communities to identify for special protection green areas of particular importance to them. Such Local Green Spaces should only be designated when a plan is prepared or reviewed and be capable of enduring beyond the end of the plan period.

109. While the Local Plan does not seek to designate any specific Local Green Spaces, policy 12 states that these will be designated, where appropriate, in accordance with the provisions of the Framework. Given the above-noted requirement that such spaces should be designated at the plan preparation or review stage, this is insufficiently precise. The Council proposes further changes to clarify that, where justified, Local Green Spaces will be designated through its proposed Allocations Plan, which – as noted above – is referred to in its most recent LDS. These changes **[MM21-22]** are recommended for reasons of effectiveness and consistency with national policy.

110. Sport England raises several concerns about the plan's approach to the provision of sporting facilities. However, I am satisfied that policies 13 and 14 provide an adequate level of protection for existing open spaces in the Borough, while policy 12 requires new developments to make provision for new or improved facilities. Policy 43 specifically safeguards land at the Abbey Stadium for leisure and leisure-related uses. While a comprehensive Sports and Physical Activity Strategy has yet to be completed, the Plan takes account of relevant evidence documents including a Playing Pitch Strategy and Open Space Needs Assessment<sup>55</sup>. I do not therefore feel that a separate policy in respect of sports facilities is necessary for soundness reasons.

### *Sustainable Design and Construction*

111. Policy 15 of the Local Plan seeks to ensure that appropriate consideration of adaptation and mitigation has taken place in respect of climate change. This makes reference to technical standards that have now been superseded following the WMS dated 25 March 2015. The Council proposes changes in order to reflect the new national technical standards for housing. Subject to some additional clarification, I recommend these changes **[MM10, MM23-25,**

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<sup>55</sup> Documents CDR10.9 and CDR10.20 respectively.

**MM27, MM36; MM73]** as being necessary in order to be consistent with national policy. I address the matter of the optional water standard above.

### *Wind Energy*

112. The WMS dated 18 June 2015 set out new considerations to be applied to wind energy developments. This matter has not been the subject of significant comment or representation in this examination. Nevertheless, the Council proposes to amend policy 15 to clarify that it does not apply to wind energy developments, which will be considered against national policy and guidance. This change **[MM26]** is necessary for consistency with national policy.

### *Heritage Assets*

113. The need to conserve and enhance Redditch's historic environment forms part of the Local Plan's vision and is the subject of a number of policies. As discussed elsewhere, heritage issues have been considered in the exercise to select sites to meet the growth needs of the Borough. Relevant evidence includes the Historic Environment Assessment for Redditch<sup>56</sup> and a number of Conservation Area Management Plans and Character Appraisals. Subject to a change to policy 36's terminology in respect of non-designated heritage assets **[MM52]**, which is recommended for consistency with national policy, Historic England (formally English Heritage) raises no soundness concerns in respect of the Local Plan. I have no reason to take a difference view.

### *Green Belt*

114. As already noted, much of the Borough outside the urban area lies within the Green Belt. Policy 8 of the Local Plan sets out a presumption against inappropriate development in the Green Belt except in very special circumstances. While this reflects wording in previous national policy<sup>57</sup> it does not strictly accord with the wording of the Framework. Moreover, it does not fully take into account the details of the Green Belt policy that is now contained within the Framework. The Council proposes a change to clarify that national policy will be applied **[MM19]** which I recommend in order to be consistent with that policy.

115. Policy 10 sets out requirements for new dwellings for rural workers in the Green Belt and Open Countryside. It is accepted that the requirement to demonstrate an essential need for a rural worker to live permanently at or near their place of work in the countryside accords with national policy in the Framework (paragraph 55). However, although they are intended to support these uses, such dwellings do not amount to buildings for the purposes of agriculture or forestry in terms of national Green Belt policy<sup>58</sup>. They therefore would amount to inappropriate development in the Green Belt. Any benefits in respect of the provision of an essential dwelling would therefore need to clearly outweigh any harm to the Green Belt and any other harm so as to amount to 'very special circumstances'.

116. Although reference is made to the Green Belt in the reasoned justification to

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<sup>56</sup> Document CDR14.1.

<sup>57</sup> Paragraph 3.2 of Planning Policy Guidance 2: Green Belts (PPG 2).

<sup>58</sup> Paragraph 89 of the Framework.

policy 10, the policy itself does not distinguish between proposals in the Green Belt and Open Countryside. I recommend a change accordingly **[MM20]** in order to be consistent with national policy.

117. Changes to the Green Belt boundary are proposed, with land to be deleted in respect of the allocation at Brockhill East (policy 46), land at Birchfield Road (site 215) and an area of land at Curr Lane which, although unlikely to be subject to significant development in itself<sup>59</sup>, would be closely associated with the neighbouring BDP Foxlydiate site. In respect of Brockhill East, I agree with the Council that, taking into account the site search exercise described above, the need for housing and the particular merits of the site represent exceptional circumstances that are sufficient to justify altering the Green Belt boundary. For both Birchfield Road and Curr Lane, the presence of the Foxlydiate allocation would remove the ability of these small areas of land to contribute to the purposes of the Green Belt. Exceptional circumstances to justify their removal have therefore been shown.
118. Bearing in mind my conclusion, for the reasons set out in my report on the BDP examination, that there is no need to allocate land at Brockhill West for housing development (a site that mostly lies within the BDC area but which partly extends into Redditch) I am satisfied that there is no need for the BORLP4 to make any other changes to the Green Belt. A representor seeks to add a development boundary (within the Green Belt) at Astwood Bank: however, this is not needed for soundness reasons as the land concerned will remain subject to Green Belt policy in respect of infill developments. I agree with the Council that this area continues to play an important Green Belt role.

### *Conclusion*

119. Subject to the main modifications outlined above I conclude that the Local Plan takes adequate account of the effects of development on the built and natural environment, its approach to development within the Green Belt is consistent with national policy and the boundaries of the Green Belt and development envelopes are correctly located and adequately justified.

### **Main Issue 7: Are the allocated sites appropriate and deliverable? Are the detailed requirements for the allocations clear and justified? Is the extent of the sites correctly defined?**

120. Site allocations in the Local Plan fall into two categories – strategic sites and other allocations. The process that has underpinned the identification of the sites at Brockhill East, Webheath and the A435 ADR has already been discussed. The appropriateness and deliverability of all of the sites has been considered through the SHLAA exercise (in respect of housing sites) and ELR (in respect of employment sites). Viability has been assessed, as discussed above. Required infrastructure is set out in the IDP and, in respect of the strategic sites, in the Local Plan itself. None of these exercises has identified substantive barriers to the developments that are now proposed.
121. Policies 46 to 49 of the Local Plan allocate four strategic sites: Brockhill East, land to the rear of the Alexandra Hospital, Webheath and Woodrow. The

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<sup>59</sup> Due to its relationship with Environment Agency Source Protection Zones 1 and 2. See the report into the examination of the BDP.

principle of developing the first, third and fourth of these has generally not been challenged during the examination. Following further review by the Council, detailed changes are proposed to boundaries within the Brockhill East strategic site in respect of the demarcation between housing, employment and open space areas. A change is proposed to policy 46 to clarify the intended scale of housing delivery that is anticipated from the site **[MM57]**. Changes are also proposed to the extent and likely delivery timescale of the Alexandra Hospital strategic site reflecting a re-assessment of land that is no longer needed for health-related purposes **[MM64-66]**. These are all needed for reasons of effectiveness.

122. Some 26 additional housing sites are listed in Appendix 2 and some 14 additional employment sites are contained in Appendix 3. With the exception of the sites lying within the A435 ADR, the majority of these are not controversial and I am satisfied in general that their identification is appropriately justified. However, in the light of further work undertaken during the examination, the Council proposes the deletion of two housing sites (nos. 135 and 202) and the amendment of areas and capacities for a number of other sites. In line with my comments below, site IN82 is proposed for deletion. These changes **[MM70-71]** are recommended for reasons of effectiveness. I now turn to consider the two site allocations that have been the subject of particular concern.

*Policy 48 – Webheath Strategic Site*

123. This report has already reviewed the selection methodology that has led to the identification and allocation of this site. For the reasons already discussed, and notwithstanding my comments about the treatment of alternative scenarios, I consider that its allocation is justified. Indeed, as is already noted, planning permission already exists for part of the site. Nevertheless, in view of the level of concern regarding this proposal, I consider the main objections that have been raised in more detail.

124. For the reasons already discussed, I reject the comment of the Council's legal advisor that it is 'arguably unnecessary to have had to look at the ADR sites in the context of the decision about selecting cross boundary sites to support [BDP] policy RCBD1'<sup>60</sup>. Nevertheless, bearing in mind the great importance that the Government attaches to Green Belts, the fact that the ADR does not lie within the Green Belt represents a considerable advantage. As already mentioned, part of the site has planning permission for the erection of up to 200 dwellings, granted on appeal in 2014<sup>61</sup>. Furthermore, the strategic site as a whole is already bounded by development on three sides.

125. Representors have raised a range of objections to the site's allocation. Particular concern is voiced in respect of flooding, accessibility and traffic impact, educational provision and the historic environment.

126. As already noted, policy 48 and its supporting text set out requirements aimed at reducing the risk of flooding within the site – which has been subject to level 1 and 2 SFRA. Development would be restricted to land within Flood Zone 1, ensuring sufficient stand-off from the watercourse and functional

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<sup>60</sup> Paragraph 49 of document ED/50.

<sup>61</sup> Appeal ref. APP/Q1825/A/13/2205688.

floodplain. In respect of off-site flooding, mitigation is required in respect of run-off and the provision of adequate foul and surface water drainage. Further modifications (**[MM68-69]** as discussed above) are required to address the potential for contamination in association with any previous uses of the site (including the disused sewage works). No objections to the allocation are raised by the EA or Severn Trent Water Ltd. Specific drainage arrangements have been secured in the approved development, designed to manage surface water flows and ensure that flood risk downstream is not worsened in line with policy 17 and national policy in the Framework.

127. The HGDS Addendum states that public transport accessibility to area 3 is poor. However, the proposed strategic site is within walking distance of bus services<sup>62</sup> and I share the view of the appeal Inspector that it is well-located with respect to existing pedestrian and cycle routes<sup>63</sup>. A range of local facilities lie in the site's vicinity. Policy 48 requires the strategic site to be accessible by a choice of modes of transport, particularly sustainable transport, and recognises that further investment is required in that regard. The site was subject to a Transport Assessment in 2002<sup>64</sup>; the Council clarified at the relevant hearing that this has been superseded by the above-noted TNAMR. Part of the strategic site has also been subject to a detailed Transport Assessment (TA)<sup>65</sup> that accompanied the above-noted planning application: however this assessment, and indeed the planning application itself, takes into account the potential for the larger allocation that is now proposed.
128. In respect of that application, the TA recommended a number of mitigation measures including public transport improvements, preparation of a travel plan, various pedestrian improvements (including crossing points) and parking improvements on Heathfield Road. Planning permission was granted for that scheme subject to improvements to be secured either by conditions or financial contributions to off-site improvements. In respect of the Local Plan, specific schemes, including bus service improvements, are set out in the IDP.
129. Paragraph 32 of the Framework states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. Taking the above matters together, and subject to the required mitigation measures, the evidence suggests that this would not occur in the present case.
130. Local residents state that schools in the area are highly subscribed. However, the local education authority does not suggest that this is a constraint on developing additional housing at Webheath. At the relevant hearing session, the Council (RBC) explained that capacity problems can be addressed by catchment boundary alterations. I have no reason to take a different view. It is also noted that a first school is proposed within the nearby Foxlydiate site in BDP policy RCBD1.1.
131. Norgrove Court, a grade I listed building, lies to the south-west of the strategic site: a grade II listed building (The Old Cottage) is located near to the main building. I observed that there is a significant degree of separation

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<sup>62</sup> See Redditch Bus Routes Map – document OED/41.

<sup>63</sup> Appeal decision APP/Q1825/A/13/2205688, paragraph 48.

<sup>64</sup> Document CDR15.7.

<sup>65</sup> Document OED/8.



between the site and the heritage asset, with intervening screening by mature trees. Intervisibility would therefore be limited. I note that the Inspector considering the approved development within the Webheath strategic site felt that the scheme would have little if any impact on listed building setting. He added that even if this was considered to lead to less than substantial harm to the significance of a heritage asset, he was satisfied that the harm would be outweighed by the public benefits of the proposal. Although this only related to part of the strategic site, I have no reason to come to a different conclusion in the present examination. It is noted that Historic England raises no objections in respect of this matter. In respect of potential archaeology within the site, the Local Plan requires that the Historic Environment Record should be consulted to establish the potential for heritage assets and used to inform any necessary appraisal or site evaluation.

*A435 ADR – Sites 211 and IN82*

132. Two sites are proposed for allocation in the A435 ADR - housing site 211 and employment site IN82. Housing site 211 contains three separate sections, which I refer to in this report as the northern, middle and southern areas. The last is also known as Broadacres Farm. All of the sites have attracted significant levels of local opposition. In contrast, the main landowner seeks a more substantial allocation in this location.
133. In response to the concerns of Stratford-on-Avon District Council (SOADC), supported by an appraisal by White Consultants, and other parties, the Council proposes reductions in the scale of development proposed for both allocations. I have considered these sites in the light of relevant representations, the White Consultants' report, RBC's Review of the A435 ADR and Adjoining Land paper<sup>66</sup> and my own observations, bearing in mind the land's ADR status.
134. As set out in my Post Hearing Note dated 3 October 2014 I have concerns about the scope of RBC's A435 Review paper. I share some of the views expressed by SOADC/White Consultants. Specifically, the paper does not adequately explore the landscape character or visual quality of the land concerned. It does not analyse key views and does not robustly assess the role of the land in either maintaining the setting of Redditch's urban area or providing separation between the urban area and its surroundings. While raising some ecological matters, it defers assessment of others to more detailed investigation. These factors reduce the weight that can be attached to the study's conclusions.
135. My Post Hearings Note set out particular concerns about the middle part of site 211 (east of Claybrook Drive) and the proposed employment allocation (site IN82). The first of these lies within one of the narrowest parts of the strip of land separating the urban area from the A435. It is occupied by secondary woodland that establishes an attractive backdrop to properties in Mappleborough Green: from Claybrook Drive, it is seen as a well-established edge to the built-up area. Intervisibility between the urban area and the A435 at this point is extremely limited. As a result, the development of this part of site 211 would be detrimental to the area's character and appearance, as well as unacceptably diminishing the degree of visual separation between

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<sup>66</sup> Document CDR5.5.

Mappleborough Green and Redditch.

136. I expressed similar views about the area of woodland that occupies the intended IN82 allocation. As already noted, the Council had suggested that this allocation should be 'pulled back' from its original boundary with the A435 (as shown on the Policies Map that was subject to public consultation). However, even the reduced area would result in the loss of effective screening between Redditch and Mappleborough Green/the A435. Given that the employment site would adjoin the southern part of housing site 211, the resulting effect would be to remove any meaningful visual separation between Redditch and Mappleborough Green in this location. On the Redditch side, the attractive woodland that fringes the eastern side of Claybrook Drive would be lost.
137. The Council proposes further changes to these allocations in line with the above-noted comments. The updated housing and employment land schedules **[MM70-71]**, and the housing land supply evidence referred to above, takes account of these changes. In recommending these changes, I am mindful of the comments of relevant landowners, made in the main modifications consultation exercise, that support the original allocation. Specifically I have taken account of the Landscape Sites Appraisal document submitted in September 2016. However, this does not lead me to depart from my previous assessment, which was based upon my own observations as well as the evidence presented during the examination. In particular, I do not feel that the strategic green infrastructure recommendations that have been suggested would be sufficient to overcome the adverse effects that I have described above – most particularly the role of the existing woodland in establishing a well-established edge to the built-up area when seen from Claybrook Drive.
138. Given that the A435 ADR is linear in nature and that the development site as originally proposed were already separated to some extent, I do not feel that the deletion of the middle section of site 211 would adversely affect any comprehensive approach to the development of the remainder of the site. While I note that the main landowner also owns land within Stratford on Avon District, that land has not been specifically allocated for development and any proposal that came forward would require to be considered on its own merits.
139. It is common ground between SOADC and RBC that most of the land to the north of the A4189 should be retained for housing development. I share the view of SOADC that its suitability depends on the retention of existing mature trees within the site and the provision of landscape screening on its eastern boundary. However, these are detailed matters that do not require a specific modification to be recommended.

*Conclusion*

140. Subject to the main modifications set out above, I conclude that the allocated sites are appropriate and deliverable, the detailed requirements for the allocations are clear and justified and the extent of the sites is correctly defined.

## Other Matters

141. Appendix 1 of the Local Plan contains an extract from the BDP in respect of cross-boundary development. For the avoidance of doubt, I have not considered this to form part of the BORLP4 as submitted. Accordingly, while I have recommended changes to the relevant text in the context of the BDP examination, I have not recommended main modifications in respect of this appendix in the present examination.

142. Appendix 6 of the Local Plan contains a list of the Council's Supplementary Planning Documents (SPDs) that are to be retained. Although this does not affect the status of the SPDs concerned, it is necessary for soundness reasons that the SPDs that are referred to meet the required legal and policy tests. These are set out, respectively, in regulation 8 of the Town and Country Planning (Local Planning) (England) Regulations 2012 and paragraph 153 of the Framework. The Council has undertaken a review of its SPDs in this context and proposes that a number be deleted. These changes [MM72] are needed to be justified, effective and consistent with national policy.

## Assessment of Legal Compliance

143. My examination of the compliance of the Plan with the legal requirements is summarised in the table below. I conclude that the Plan meets them all.

<b>LEGAL REQUIREMENTS</b>	
Local Development Scheme (LDS)	The BORLP4 has been prepared in accordance with the approved LDS (July 2016).
Statement of Community Involvement (SCI) and relevant regulations	The SCI was adopted in June 2006 and consultation has been compliant with the requirements therein, including the consultation on various proposed post-submission changes including the proposed 'main modifications' (MM).
Sustainability Appraisal (SA)	As is described in the main body of this report, SA has been carried out and is adequate.
Appropriate Assessment (AA)	The BORLP4 SA (May 2015) contains a screening assessment <sup>67</sup> under the Habitats Regulations which sets out why an AA is not necessary.
National Policy	The BORLP4 complies with national policy except where indicated and modifications are recommended.
2004 Act (as amended) and 2012 Regulations.	The BORLP4 complies with the Act and the Regulations.

<sup>67</sup> Section 2.3 of document OED/33a.

## **Overall Conclusion and Recommendation**

**144. The Plan has a number of deficiencies in relation to soundness and/or legal compliance for the reasons set out above which mean that I recommend non-adoption of it as submitted, in accordance with Section 20(7A) of the Act. These deficiencies have been explored in the main issues set out above.**

**145. The Council has requested that I recommend main modifications to make the Plan sound and/or legally compliant and capable of adoption. I conclude that with the recommended main modifications set out in the Appendix the Borough of Redditch Local Plan No. 4 satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework.**

*M J Hetherington*

INSPECTOR

This report is accompanied by the Appendix containing the Main Modifications