

10 December 2021  
**Delivered by email**

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Dear Ed

## **SOUTH STAFFORDSHIRE LOCAL PLAN REVIEW: PREFERRED OPTIONS CONSULTATION (BELLWAY HOMES LTD – LAND AT HYDE LANE (WEST), KINVER)**

These representations are submitted on behalf of Bellway Homes Limited (Bellway) in response to the South Staffordshire Local Plan Review (LPR) preferred options consultation paper (November 2021). These representations have also been submitted online via the Council's consultation portal.

Bellway is promoting land off Hyde Road (west), Kinver. It represents a sustainable and deliverable residential opportunity for between 45 and 200 dwellings, and public open space and associated infrastructure, as demonstrated by the different options presented in the Vision Framework for the site (**Appendix 1**).

The site is proposed to be released from the Green Belt and allocated for a minimum 22 new homes (site 576 under draft policy SA5).

### **The site and its surroundings**

The site is located at the northern edge of Kinver, within walking distance of the village centre. The site comprises agricultural land which gently slopes from west to east and is split into two fields.

It is bound by residential development to the west and south, open agricultural land to the north and Hyde Lane to the west, beyond which is further residential development to the south west, and open agricultural land to the north west. The site's western boundary is demarcated by a belt of trees, whilst the northern, eastern and southern boundaries are lined by a hedge.

The site is accessed off Hyde Lane to the east.

The site benefits from a wide variety of services and facilities in the village, including a primary and secondary school (500m), and within the village centre a Co-op convenience store, post office, butchers,

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bank, bakery, dental practice, doctors surgery, opticians, community centre and a range of public houses and restaurants.

The site is within 400m of a bus stop served by the 227 and 228 routes (on Enville Road). These comprise hourly services (Monday to Saturday) to Stourbridge, the Merry Hill Shopping Centre and Russell's Hall Hospital. Further services, including a railway station with high frequency services to Birmingham and Kidderminster, are offered in Stourbridge, a larger town 5km to the east of the site.

The site is considered in South Staffordshire's 2018 Strategic Housing Land Availability Assessment (Site ref: 271). The site is identified as 'suitable' and that it should be considered further as part of the LPR.

The Historic England online register indicates that there are no listed buildings or scheduled ancient monuments within the site. The nearest listed building is the grade II Foley Infants School 630m to the south. The Kinver Hillfort scheduled ancient monument is 1.2km to the south. The edge of the Kinver Conservation Area is 550m to the south of the site at its nearest point. EDP's heritage note (submitted with our previous representations) demonstrates that development at the site would not result in any substantial harm to heritage assets and as a whole would not conflict with the relevant heritage legislation or policy.

Initial feasibility work indicates that a satisfactory access can be achieved off Hyde Lane. Further work is being undertaken to demonstrate this. The site is not constrained by any existing infrastructure such as utilities, pylons or public rights of way. There are existing tree belts and hedgerows within or around the site. The retention and enhancement of these features will be investigated further as part of the preparation of a concept masterplan for the site.

### **History of promotion and our proposals**

We first made representations promoting the site to the call for sites in 2017 (SHLAA ref: 271 / 576). This was accompanied by an earlier Vision Framework. This Document has now been superseded.

Since then we have made further representations to the Local Plan Review Issues and Options and Spatial Housing Strategy and Infrastructure Delivery consultations. Responding to the Council's evidence base, as well as our site specific evidence base, the updated Vision Framework proposes reduced development area options compared with the original Vision Framework.

The design of our proposals has evolved in light of the Council's preferred spatial strategy set out in the Spatial Housing Strategy and Infrastructure Delivery (October 2019) consultation document. Option 3 of the Vision Framework (**Appendix 1**) proposes a layout focused on the parts of the site least visible from the surrounding countryside, in particular along the lowest part of the site's south-western boundary either side of the ridge which runs centrally through the site's southern field. The proposed option also allows for the creation of a positive interface between Kinver and the surrounding countryside, repairing the current exposed edge presented by the domestic gardens along the site's south western boundary. We discuss the site and Bellway's proposals in further detail in response to Q8.

### **Site specific evidence base**

Throughout these representations we make reference to a series of site specific evidence base documents which have been prepared by Bellway's consultant team to support the promotion of the site and inform the preparation of the Vision Framework. The site specific evidence base is summarised below:

Document	Consultant	Appendix No.
Vision Framework (March 2021)	Turley	Appendix 1
Heritage Appraisal (December 2019)	EDP	Appendix 2
Landscape Position Paper (December 2019)	EDP	Appendix 3
Proposed Green Belt boundary (December 2021)	Turley	Appendix 4

## Representations to questions

### ***Question 1: Do you agree that the evidence base set out in Appendix A is appropriate to inform the new Local Plan?***

The scope of the evidence base prepared to inform the emerging plan is generally robust and proportionate. However, it is noted that the transport modelling work has yet to be published (expected in 2022). This will be critical to informing the new plan and may require changes to the preferred options consultation plan to reflect its findings.

Notwithstanding the wider, general robustness of the evidence base, there are a number of site specific inconsistencies regarding the evidence base and the conclusions that have been drawn from it, as summarised below.

#### Landscape and visual

The Landscape Study (2019) assesses the site as part of a much wider parcel comprising 118.06ha of land to the west of Kinver as being of a ‘moderate-high’ sensitivity. Paragraph B.14.4.4 of the Sustainability Appraisal (SA) (2021) concludes that the site’s location within this parcel and its associated landscape sensitivity justifies a ‘major negative’ score for the land at Hyde Lane (west) (site 576) in the scoring matrix. No justification for this score is provided beyond its location with the parcel.

The development areas proposed by Bellway in the attached Vision Framework for land at Hyde Lane (west) represent a very insignificant proportion of the wider area assessed. For example Option 3 (also shown in the plan at **Appendix 4**) equates to **1.6%** of the total area assessed by the study. The Council should undertake further assessment work to assess the specific parcels proposed for allocation.

EDP’s Landscape Position Paper (**Appendix 3**) summarises that the site has limited features of value that if appropriately designed can be a well-integrated and contiguous area of the village. Views of the site are limited to a small number of locations around the village itself with no long distance views identified. When visible it is seen the context of development in the wider village.

It is therefore the case that any land to be developed based on any of the options proposed would have ‘moderate’ landscape sensitivity at most. Combined with any landscaping that could be provided, post mitigation development at the site is capable of scoring ‘neutral’ in terms of landscape and townscape.

#### Access to doctor’s surgery

Site 576 scores ‘minor negative’ for GP surgery based on it being located wholly or partially outside the target distance to the GP surgery. Although not referenced in the current Infrastructure Delivery Plan (2021), the 2019 version identified that there are capacity concerns at Moss Grove Surgery, Kinver.

As set out in the Vision Framework there is the potential to provide land for a surgery at the site, which would assist with mitigating the identified capacity concerns at the current GP surgery in Kinver and would represent a 'major positive' for the SA scoring matrix.

**Question 2: Do you agree that the correct infrastructure to be delivered alongside proposed site allocations been identified in the IDP?**

**Is there any other infrastructure not covered in this consultation document or the IDP that the Local Plan should seek to deliver?**

As referred to in our response to Q1 the previous IDP (2019) identified capacity concerns at the Moss Grove Surgery in Kinver. This matter is not mentioned in the updated IDP (2021). Clarity is required as to whether there is now sufficient capacity. In any case the Bellway proposals for land at Hyde Lane (west) include the potential to provide land for a new doctor's surgery to serve Kinver.

We have no objection to the potential junction improvements at White Hill / Meddins Lane and Meddins Lane / Enville Road, indeed the need for these improvements were first identified as part of the adopted Site Allocation Plan. Land at Hyde Lane (west) could make a proportionate contribution to these off-site highway improvements.

Beyond the above, no further infrastructure requirements are identified for Kinver.

Separate to Kinver, in our previous representations we raised some concerns regarding the impact of the access road to ROF Featherstone and the associate costs on the viability and the potential delivery trajectory for the proposed Cross Green allocation (draft policy SA2). The IDP now estimates the cost of delivering this access road at £20m, to be funded via public sector funding and developer contributions.

Any evidence that a business case has been prepared to secure public sector funding for the access road has yet to be made available. The most recent publicly available information on funding for the access road appears to be Staffordshire County Council's letter dated 3 November 2017 to South Staffordshire's Site Allocations Document examination. This refers to £1.5m of Growth Deal funding being made available via the Stoke-on-Trent and Staffordshire Local Enterprise Partnership. As such there remains a circa £18.5m gap.

It is unlikely that development of the scale proposed at Cross Green (a minimum of 1,200 new homes) would viably be able to meet this gap in funding, particularly given the other significant infrastructure requirements of that site, including safeguarded land for a potential park and ride railway station, and on site retail, education and community services. So the access road could potentially compromise when this proposed allocation starts delivering new homes unless the necessary funding is sourced.

It may be that a funding case has been made, any evidence for this should be made available as part of the regulation 19 consultation on the submission plan to demonstrate the proposed allocation's deliverability.

**Question 3: Have the correct vision and strategic objectives been identified?**

**Do you agree that the draft policies (Chapters 4 and 5) and the policy directions (Chapter 6) will deliver these objectives?**

The objectives rightly reflect the District's need for new homes, as well as the contribution to the unmet needs of the wider Greater Birmingham and Black Country Housing Market Area (GBBCHMA), and that new development should be focused in sustainable locations either in or around the District's key villages, or through urban extensions.

However, there is no explanation as to which settlements constitute 'key villages'. It has to be presumed that Tier 2 settlements are included within this definition.

In terms of strategic objective 9 it should acknowledge that new development will also maintain and enhance the vitality of South Staffordshire's rural communities, as recognised by NPPF paragraph 79.

***Question 4: Do you support the policy approach in Policy DS1 – Green Belt and Policy DS2 – Open Countryside? If no, please explain how these policies should be amended?***

We have no comment on these policies, which deal with non-strategic residential development on land remaining in the Green Belt and open countryside.

***Question 5: Do you support the policy approach in Policy DS3 – The Spatial Strategy to 2038? If no, please explain how this policy should be amended?***

Overall spatial strategy and need

South Staffordshire's overall spatial strategy to 2038 is supported insofar as it seeks to deliver a minimum of 4,881 dwellings for the district's own needs, plus a contribution of 4,000 dwellings towards meeting the GBBCHMA shortfall. This is appropriate and reasonable given that South Staffordshire has a clear and strong relationship with the GBHMA, with significant proportion of South Staffordshire's residents commuting to elsewhere within the GBBCHMA (61%<sup>1</sup> in total).

The key strand underpinning the spatial strategy that growth is distributed to the South Staffordshire's most sustainable locations to avoid a disproportionate level of growth in the less sustainable settlements is also supported. This reflects the requirements of the NPPF.

Plan period

South Staffordshire's needs are based on a plan period of 2018-2038. NPPF paragraph 22 states that strategic policies should look ahead over a minimum 15 year period from adoption. To achieve this the plan would have to be adopted by 31 March 2023. The current schedule for this review is that the plan will be adopted in winter 2023, on this basis the plan would not meet the requirements of NPPF paragraph 22. The plan period should therefore be extended to reflect this.

De-risking strategy

In response to Q2 we have identified some concerns regarding the potential delivery of infrastructure required to support the Cross Green (draft policy SA2) and that this could impact any trajectory for housing delivery at the site. This is a matter that will require further evidence and could result in the site delivering less than 1,200 new homes before 2038.

The Council should therefore consider whether there would be merit in identifying a greater quantum of development on allocations or safeguarded land to provide a 'fail safe' option should it become apparent the proposed Cross Green allocation does not deliver as anticipated. We discuss this further in response to Q7.

Approach to small and medium sites

In the supporting text to draft policy DS3, at paragraph 4.15 it is set out that the spatial strategy is seeking to balance the need for housing growth early in the plan period. Therefore 10% of housing

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<sup>1</sup> Staffordshire Rural Economy Evidence Base Final Report (July 2015)

growth is to be delivered on sites of less than one hectare, with larger sites than expected to deliver growth later in the plan period.

This is reflected in Kinver being identified to accommodate 2.5% of the District's total need. This includes two new proposed allocations (beyond the existing safeguarded site), both of which total 1ha in area. Although not said explicitly, it is understood this approach flows from NPPF paragraph 69a).

Firstly, we welcome the proposed release of land at Hyde Lane (west) (site 576 under draft policy SA5) from the Green Belt and allocation for housing growth. This reflects the Council's Housing Site Selection Topic Paper (2021) which identifies that, having regard to all site assessment factors, the site performs better than other options.

However, there needs to be some flexibility in the Council's application of NPPF paragraph 69a) and the 10% provision of sites of 1ha. This 'one size fits all' approach does not allow for a judgement to be made in terms of a site's environmental context or balancing other requirements of the NPPF, such as ensuring the delivery of a robust and defensible Green Belt boundary (paragraph 143f)).

To achieve this balance, in some cases (as is the case for land at Hyde Lane (west), which we discuss further in response to Q8) flexibility is necessary, such as releasing an area of land greater than 1ha.

This would in principle not require a change to the proposed minimum quantum of development at sites, so as to ensure it does not represent a departure from the overall spirit of the approach to promote a good mix of sites through the delivery of small and medium sites.

***Question 6: Do you support the policy approach in and Policy DS4 –Longer Term Growth Aspirations for a New Settlement? If no, please explain how this policy should be amended?***

We have no comment on the approach to a new settlement given it is understood this will address needs in future plan reviews and not meet any need arising in this plan.

***Question 7: Do you support the proposed strategic housing allocations in policies SA1-SA4? If no, please explain your reasons for this.***

***Do you agree that given the scale of the 4 sites detailed in policies SA1-SA4, these warrant their own policy to set the vision for the site, alongside a requirement for a detailed masterplan and design code?***

We have no in principle objection to the proposed allocation at Cross Green (draft policy SA2), although there remain a number of concerns regarding timescales for its delivery, as set out in our responses to Q2 and Q5. In summary:

- There is currently no evidence available as to how the access road will be funded, which is estimated to cost just £20m and is a key piece of infrastructure required as part of the proposed allocation. This could compromise the viability of the proposed allocation given the other significant infrastructure requirements associated with the proposals, including the safeguarding of land for a new potential park and ride station on the West Coast Mainline.
- There is no evidence regarding the delivery trajectory for Cross Green and how delivery of the access road, including potential triggers, could impact this.

In order to de-risk the plan, there is merit in considering either increasing the quantum of development identified on existing allocations where there is additional capacity, or identifying safeguarded land, which could provide new housing in the area in the event that Cross Green is delayed. As demonstrated

by the Vision Framework (**Appendix 1**) there is the potential to safeguard additional land to the north of land west of Hyde Lane for circa 65 homes.

**Question 8: Do you support the proposed housing allocations in Policy SA5?**

We wholly support the principle of the proposed release of land at Hyde Lane (west), Kinver (site 576) from the Green Belt and allocation for housing growth. The Council's evidence base is clear it performs better than other options at Kinver.

In response to Q5 we advocate for a more flexible approach to the area of land being proposed for release from the Green Belt and allocated for housing growth. This is relevant to the proposed allocation at land at Hyde Lane (west). As proposed the land to be released from the Green Belt misses a number of opportunities to respond to the site's context and maximise the benefits of new housing in this location, including the provision of an improved Green Belt boundary for this part of Kinver.

Option 3 of the Vision Framework has sought to respond to the site's context, reducing landscape and visual impact of new homes and provide a new robust, defensible Green Belt boundary. The area of land to be released from the Green Belt to deliver Option 3 is presented in the plan at **Appendix 4**. In total 1.76ha of land would be removed from the Green Belt, of this 1.61ha would be the net development area and the remainder (0.15ha) a LEAP and open space. This option would provide the following benefits:

- The proposals respond to the site's attributes and topography, following its contours, reducing development along the central ridge of the site (where the LEAP would be located).
- The proposals provide a positive interface between existing housing to the west and the surrounding countryside, helping to mitigate the visual impact of the domesticated gardens which currently form the Green Belt edge at the site.
- The result of the proposals is that the green space, including the LEAP, are located centrally, at the heart of the development.

Whilst Option 3 does represent a site area greater than 1 hectare, the increase is not considered to be so significant as to represent a departure from the plan's strategy to provide a minimum 10% of smaller sites, and will ultimately deliver a better designed response to creating a new Green Belt edge in this location.

**Question 11: Do you agree with the proposed policy approaches set out in Chapter 6? If no, then please provide details setting out what changes are needed, referencing the Policy Reference number (e.g HC1 - Housing Mix).**

We provide our response to the relevant draft policies below:

- **Policy HC1 (housing mix)** – we have no objection to any housing mix reflecting that in the latest Housing Market Assessment. Any policy should however allow for some flexibility in the mix should evidence be submitted demonstrating that demand in that location requires a different mix to that prescribed by the Housing Market Assessment.
- **Policy HC2 (housing density)** – as set out in our representations to the Preferred Options consultation, whilst seeking for new development to achieve 35 dwellings per hectare, any policy should include sufficient flexibility as when determining factors specific to each site at the development management stage, such as character, appearance and neighbouring land use, it may be that a lower density is appropriate.

- **Policy HC17 (open space)** – whilst there is no objection in principle to open space being provided centrally, the policy should allow some flexibility if the design rationale for a site justifies locating it elsewhere.

**Question 12: It is proposed that the fully drafted policies in this document (Policies DS1-DS4 and SA1-SA7) are all strategic policies required by paragraph 21 of the NPPF. Do you agree these are strategic policies?**

**Are there any other proposed policies in Chapter 6 that you consider should be identified as strategic policies? If yes, then please provide details including the Policy Reference (e.g HC1 – Housing Mix)**

Policies DS1 – DS4 and SA1 – SA7 represent policies which are limited to those necessary to address the strategic priorities of the area, providing a starting point for any non-strategic policies that are needed as defined by NPPF paragraph 21.

## Summary

Bellway welcomes the opportunity to engage with the South Staffordshire Local Plan Review.

Overall we broadly support the plan's vision, objectives and spatial strategy, including the proposed release of land at Hyde Lane (west), Kinver from the Green Belt and allocation for housing growth. We have however raised the following matters which will require further consideration:


- There needs to be some flexibility in the Council's application of NPPF paragraph 69a) and the 10% provision of sites of one hectare. This 'one size fits all' approach does not allow for a judgement to be made in terms of a site's environmental context or balancing other requirements of the NPPF, such as ensuring the delivery of a robust and defensible Green Belt boundary (paragraph 143f)).
- Such an approach does not require any amendment to the minimum quantum of development proposed for an allocation to ensure there is no departure from the spirit of the approach to deliver a mix of small and medium sites.
- This is particularly relevant to Bellway's site at land at Hyde Lane (west), Kinver. We have proposed an alternative area of land to be released from the Green Belt, 1.76ha (comprising a net developable area of 1.61ha and the remainder open space, including a LEAP). Such an approach:
  - Provides a positive response to the site's attributes and topography.
  - Reduces development along the central ridge of the site (a LEAP would be located here). This is the highest point of the southern field and where the current proposed allocation sits.
  - Provides a positive interface between existing housing to the west and the surrounding countryside, helping to mitigate the visual impact of the domesticated gardens which currently form the Green Belt edge at the site
- There are also some concerns regarding the application of the plan's evidence base. Bellway's Option 1 represents less than 2% of the total area assessed in terms of landscape sensitivity, which has been used to inform the SA's scoring matrix for land at Hyde Lane (west).



- Additional safeguarded land may be necessary to 'de-risk' the plan's spatial strategy in the event there are any delays in the delivery of Cross Green given its infrastructure requirements and the associated costs. There is additional land to the north of the proposed allocation at land at Hyde Lane (west) which could be safeguarded to meet this need.
- There is the potential to provide land for a surgery at the site, which would assist with mitigating the identified capacity concerns at the current GP surgery in Kinver and would represent a 'major positive' for the SA scoring matrix.

We would welcome the opportunity to discuss the site and these representations with officers further.

Yours sincerely



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