

# Examination of Wyre Forest District Local Plan 2016-2036

## Matters and Questions for the Examination

[Note: a) In answering the following questions, if respondents identify a soundness deficiency in the submitted Plan, they should make clear how the Plan should be changed; b) policy and section references are a guide to the main parts of the Plan that will be considered under each matter but other parts of the Plan may also be relevant; c) account will be taken of the suggested modifications put forward by the Council in document SD12 and where relevant to soundness, in SD11]

### ***Matter 1: Legal requirements, duty to co-operate and the public sector equality duty***

- 1.1 Is the Wyre Forest District Local Plan 2016-2036 (the Plan) compliant with the Planning and Compulsory Purchase Act (2004) (as amended) and the 2012 Regulations (as amended)? Has it been prepared in accordance with the Local Development Scheme and the Statement of Community Involvement?
- 1.2 Is the sustainability appraisal adequate? Does it indicate that the Plan sets out an appropriate strategy for the District over the Plan period, taking account of the reasonable alternatives?
- 1.3 Does the Plan as a whole accord with s19(1A) of the Act by including policies that are designed to secure that the development and use of the land in the District contribute to the mitigation of, and adaptation to, climate change?
- 1.4 Has the Council engaged constructively, actively and on an on-going basis with all relevant organisations on the strategic matters that are relevant to the Plan's preparation, as required by the duty to co-operate?
- 1.5 Does the Plan seek to address the needs of persons or groups with protected characteristics that are expected to arise over the Plan period, having regard to section 149(1) of the Equality Act 2010? [Note: specific policies relating to these needs will be considered in detail in the relevant parts of the examination].

**Matter 2: Local housing need and the need for employment land** (Policies 6A and 10A and supporting text)

[Note: the soundness of the detailed policies for housing, employment and town centre uses will be considered under other Matters]

- 2.1 Is the local housing need figure of 5,520 dwellings for the period 2016-2036 (276 dwellings per year (dpa)) a sound basis for the Plan? Particularly, is the figure adequately informed by:
- a) the implications of the population and household projections in the past decade (including the 2018-based projections published in 2020) and alternative trend scenarios for population growth, household formation rates, net migration and economic factors;
  - b) affordability and the need for affordable housing; and
  - c) the Government's objective of significantly boosting the supply of homes?
- 2.2 Is the Plan sound in identifying the figure of 29 hectares (ha) as the objectively assessed need for employment land over the Plan period? Does it remain sound, notwithstanding the changes to the Use Classes Order that came into effect in September 2020 that place commercial, business and service uses in the same Use Class?

**Matter 3: Overall spatial strategy, the Green Belt and the overall housing and employment land requirements** (Policies 6B-6F, 7A, 7B and supporting text)

[Note: This deals with the soundness of the overall spatial strategy, including the justification for the proposed distribution of growth throughout the District and release of land from the Green Belt to meet identified needs. The soundness of site-specific policies, including their implications for the Green Belt, will be considered under other Matters]

- 3.1 Overall, does the Plan set out a sound spatial strategy for meeting development needs, including any unmet need from neighbouring areas, and protecting and, where possible, enhancing the environment? And in particular:
- a) is the broad apportionment of housing, economic and other development to the various centres, locations and rural areas throughout the District consistent with the Plan's spatial vision and objectives, and does it promote sustainable patterns development?
  - b) is it based on adequate evidence, consistent with national planning policy, and is it deliverable within the Plan period?

- c) have the potential impacts on the natural environment, landscape, infrastructure, flood risk, air quality and other matters been assessed adequately, and does the Plan provide for mitigatory measures where necessary?
  - d) does it make as much use as possible of suitable, previously developed or 'brownfield' land, under-utilised land and buildings, land in public ownership and regeneration opportunities?
  - e) does it promote the development of a good mix of sites for new homes?
  - f) does the strategy seek to optimise the density of development in line with national planning policy to make the most effective use of land?
  - g) is there a reasonable prospect that the necessary infrastructure will be delivered in a timely manner to support the planned development?
  - h) has the Plan been adequately informed by discussions with neighbouring authorities about whether they could accommodate some of the identified need for development?
- 3.2
- a) Taking account of national planning policy on exceptional circumstances, has the need for changes to the Green Belt boundary been established, and has due regard been paid to its intended permanence in the long term? Is the proposed designation of Reserved Sites likely to be adequate in this respect? [Note: Policy 7B on Reserved Sites will be considered in detail under Matter 6]
  - b) Does the Plan provide adequately for compensatory improvements to the environmental quality and accessibility of remaining Green Belt land?
- 3.3
- Having regard to the housing and employment need figures and the spatial planning considerations above, is it justified to set 5,520 dwellings<sup>1</sup> (at least 276 dwellings per year) as the housing requirement for the Plan period and at least 29ha as the employment land requirement?
- 3.4
- Should a housing requirement figure for each of the designated neighbourhood plan areas be set out in the Plan?

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<sup>1</sup> And In addition, 487 Class C2 units of accommodation.

**Matter 4: Lea Castle Village** (Policies 31, 31.1-31.2 and supporting text)

- 4.1 (i) Is the site's allocation for a new village and the proposed indicative quantity and mix of development justified by the evidence? (ii) Is the allocation appropriate, compared with the reasonable alternatives?
- 4.2 Are there exceptional circumstances that justify the proposed changes to the Green Belt boundary in this location?
- 4.3 How will the development contribute to compensatory improvements to the Green Belt?
- 4.4 (i) What is the basis for expecting that around 1,400 dwellings will be delivered by 2036? (ii) Are there infrastructure requirements, funding arrangements, phasing or other factors that may affect the timescale for the development and that should be addressed in the Plan?
- 4.5 Is the proposed provision for affordable housing on the site justified and deliverable?
- 4.6 (i) How will any competing demands on funding for affordable housing, infrastructure and various facilities be resolved? (ii) Overall, is the allocation viable?
- 4.7 Should provision be made for Gypsy and Traveller accommodation on the site, subject to identified need?
- 4.8 With reference to Table 10.0.1 of the Plan, is it proposed to develop 2 separate parcels of land within Lea Castle Village for employment purposes and if so, is this sound?
- 4.9 Do the recently implemented changes to the Use Classes Order in respect of employment and retail uses indicate that any modifications should be made to the policy requirements for this allocation?
- 4.10 (i) What is the status of the Concept Plan in Appendix B of the Plan and how should its relationship with the vision in Policy 31.1 and development principles in Policy 31.2 be clarified? (ii) Should these policies be re-ordered and amended for clarity and effectiveness?
- 4.11 (i) Does the policy framework provide clearly and comprehensively for sustainable transport choices and connectivity within and beyond the new village? (ii) How will the development be integrated into the public

transport network? (iii) How will any adverse traffic impact be mitigated?

- 4.12 (i) Overall, are the detailed policy requirements clear, consistent, justified and deliverable? (ii) Will they guide the creation of a village with high quality buildings and places that relates well to its surroundings and nearby settlements, promotes safe and healthy communities, and conserves and enhances the natural and historic environment?

**Matter 5: Kidderminster Eastern Extension** (Policies 32, 32.1-32.4 and supporting text)

- 5.1 (i) Are the proposed allocations for the 4 sites that comprise the Eastern Extension, including the indicative quantity and mix of development, justified by the evidence? (ii) Is there a clear rationale for their allocation as a whole and is it appropriate, compared with the reasonable alternatives?
- 5.2 Are there exceptional circumstances that justify the proposed changes to the Green Belt boundary in this location?
- 5.3 Will the overall development provide for adequate compensatory improvements to the Green Belt?
- 5.4 (i) What is the basis for expecting that around 1,440 dwellings will be delivered in the Eastern Extension by 2036? (ii) Are there infrastructure requirements, funding arrangements, phasing or other factors that may affect the timescale for the development and that should be addressed in the Plan?
- 5.5 Should specific provisions for affordable housing on the Eastern Extension sites be set out in the policies?
- 5.6 (i) How will any competing demands on funding for affordable housing, infrastructure and various facilities be resolved? (ii) Overall, are the proposed allocations viable?
- 5.7 Should provision be made for Gypsy and Traveller accommodation within the overall allocation, subject to identified need?
- 5.8 (i) What is the status of the Development Framework Plan in Appendix B and how should its relationship with the vision in Policy 32.3 and principles of development in Policy 32.4 be clarified? (ii) Should these policies be re-ordered and amended for clarity and effectiveness?

- 5.9 (i) Does the policy framework provide clearly and comprehensively for sustainable transport choices and connectivity within and beyond the urban extension? (ii) How will the development be integrated into the public transport network? (iii) How will any adverse traffic impacts of the development be mitigated?
- 5.10 (i) Overall, are the detailed policy requirements clear, consistent, justified and deliverable? (ii) Will they guide the creation of a major urban extension with high quality buildings and places that relates well to its surroundings and the adjoining built-up area, promotes healthy and safe communities, and conserves and enhances the natural and historic environment?

**Matter 6: Other Allocations for Housing and Mixed Uses; Reserved Housing Sites** (*Matter 6(i) Kidderminster (Section 30); Matter 6(ii) Stourport-on-Severn (Section 33); Matter 6(iii) Bewdley (Section 34); Matter 6 (iv) Reserved Housing Sites (Policy 7B); Matter 6(v) Rural Wyre Forest (Section 36)*) [Note: Gypsy and Traveller/Travelling Showpeople sites will be considered in Matter 8; employment sites and previously developed sites in the Green Belt will be considered in Matter 9]

- 6.1 Is the selection of the other site allocations in each of the identified areas based on an adequate assessment of all potential sites, including sustainability appraisal and assessment of their roles in serving Green Belt purposes? In particular:
- a) have the assessments used suitable methodologies and applied them consistently?
  - b) is it clear why the Council has decided to allocate the specific sites and not others?
  - c) is the proposed development of each of the allocated sites consistent with the Plan's vision, aim and objectives and with national planning policy?
- 6.2 (i) Are the specific requirements for development of the sites justified, consistent with national planning policy, and likely to be effective? Do they make sound provisions for the number and types of dwellings, mixed uses and other needs, air quality, noise and flood protection, infrastructure requirements including green and blue infrastructure, and protection and enhancement of the natural and historic environment? (ii) Should provision be made for Gypsy and Traveller accommodation on any of the sites, subject to identified need? (iii) Are the policies clearly written and unambiguous?

- 6.3 Is each of the allocated sites viable and likely to be delivered within the expected timescale? Does the evidence, including any up-to-date information, support the housing trajectory for the individual sites?
- 6.4 Regarding the changes to the Use Classes Order in September 2020, are any modifications required for the soundness of the allocation policies?
- 6.5 Taking account of the specific characteristics of the allocation sites that are currently within the Green Belt, are there exceptional circumstances that justify the proposed alterations to the Green Belt boundary?
- 6.6 (i) With reference to Policy 7B for the reserved housing sites (a-d) that are defined as Areas of Development Restraint in the adopted development plan, is there adequate justification for not releasing them for development in this Plan, while removing other sites from the Green Belt for development during the Plan period? (ii) Is there adequate justification for the identification of Lawnswood, Cookley (Policy 7B(e)) as a reserved housing site? (iii) Are Policy 7B and the reasoned justification in paragraphs 7.17-7.21 consistent with one another and with national planning policy on safeguarded land?

**Matter 7: Housing Land Supply** *(paragraph 6.12 and the Plan as a whole)*

- 7.1 Does the evidence clearly indicate that there is an adequate supply of deliverable and developable land to meet the Plan's housing requirement of 5,520 Class C3 dwellings and 487 Class C2 dwellings by 2036? In particular:
  - a) have the potential sources of housing supply been assessed adequately, and is the estimated number of dwellings from these sources (including extant planning permissions, windfalls, prior approvals and site allocations) reasonable?
  - b) are the estimates of site capacities for the site allocations and other identified sites justified, taking account of viability, infrastructure requirements and any delivery constraints?
  - c) is the approach to lapse rates on sites with planning permission and on site allocations justified?
  - d) is it justified to add a 5% buffer to the overall housing land supply requirement to make allowance for any under-delivery of housing from the sources of supply?

- e) would it be justified to take account of the contribution that may be made to the Class C3 supply by completion of Class C2 development over the Plan period?
  - f) with reference to the 5-year housing land supply, should its adequacy be measured against the housing requirement (276dpa, plus the C2 requirement) or against the standard method figure that equates to 231dpa as proposed in document ED10?
- 7.2 (i) Overall, is the housing trajectory soundly based? (ii) Is there a reasonable prospect that the shortfall in delivery of the housing requirement from the start of the Plan period will be made up within 5 years of the Plan's adoption? (iii) Is there a reasonable prospect that a rolling 5-year supply of deliverable sites will be maintained from the date of the Plan's adoption?

**Matter 8: Other policies for housing** (Policies 6B and 6F, 8A-8E, Policy 18D and supporting text); **Provision for Gypsies, Travellers and Travelling Showpeople** (Policies 8F-G 18B, 19, 30.29, 33.17 and supporting text)

- 8.1 (i) Are the Plan's policies for a) housing mix and density, b) affordable housing, c) rural housing needs, d) self-build and custom-build housing, and e) housing for older people and others with special housing requirements sound? (ii) Do they allow reasonable flexibility to respond to site-specific circumstances? (iii) Should an affordable housing trajectory be included in the Plan to demonstrate how the target for provision is expected to be met over the Plan period?
- 8.2 Is Policy 18B clear and consistent with Policies 6B and 6F with respect to the approach to residential infill development in villages and meeting local housing needs?
- 8.3 (i) Are the Plan's policies for sites for Gypsies and Travellers and Travelling Showpeople informed by adequate evidence and consistent with national planning policy? (ii) What is the level of need that is likely to arise over the Plan period? (iii) Is there evidence to support any reliance on 'turnover' of pitches? (iv) How will the accommodation needs of Gypsy and Traveller households that a) meet the planning definition, or b) do not meet the planning definition or are 'unknown' be met? (v) Is provision for a transit site required in the District and if so, how should this be addressed by the Plan?
- 8.4 How should any needs for non-conventional housing, particularly residential caravans/mobile homes and houseboats be addressed in the Plan?



**Matter 9: Business, town centres and retailing; previously developed sites in the Green Belt** (Policies 10A-C, employment site allocation policies, Section 22, Policy 23A, Policy 35 and supporting text)

- 9.1 (i) Are the employment allocations justified and are they likely to provide for the needs of the local economy over the Plan period? (ii) Do they allow reasonable flexibility to respond to changing market demands and promote sustainable development? (iii) With regard to the employment policies, how should the Plan take account of the September 2020 amendments to the Use Classes Order? Does the Plan need to do more to protect land for business use?
- 9.2 Overall, does the Plan set out a positive vision with clear and integrated policies to support the management, adaptation and growth of the District's town centres? In particular:
- a) does Policy 10B focus sufficiently on the full range of town centre uses and their respective contributions to maintaining and enhancing the vitality and viability of the centres?
  - b) for effectiveness, should the links be strengthened between the strategic policies for the town centres, transport and accessibility, Unique Place policies including for the waterways, and the relevant allocation policies?
  - c) do Policies 22A-22E provide a clear, justified and effective basis for managing town centre uses in the District and are they consistent with national planning policy?
  - d) how should the town centre and retail policies take account of the September 2020 amendments to the Use Classes Order?
- 9.3 Are the requirements of Policy 22G for development of hot food takeaways sound?
- 9.4 Does Policy 35 on previously developed sites in the Green Belt give clear, adequate and justified guidance on proposals for development on the identified and non-identified sites? Is it consistent with Policy 23A of the Plan and with national planning policy?

**Matter 10: Design; conservation and enhancement of the natural and historic environments; green infrastructure and provision for community facilities, open spaces and recreation; water management** (Sections 9, 11, 14, 15, 20 and 27 of the Plan)

- 10.1 Does the Plan as a whole set out a clear design vision and expectations to create and protect distinctive places, including provision for inclusive design and accessible environments?
- 10.2 Are the policies on conservation and enhancement of the natural and historic environments clearly expressed, consistent with national planning policy and deliverable?
- 10.3 (i) Are the requirements laid down by Policy 14 justified, effective and consistent with national planning policy? (ii) Is it clear what lies within the scope of green infrastructure, including on brownfield sites? (iii) How does the designation of Natural Space on the Policies Map relate to Policy 14 and other policies in the Plan? (iv) Taken together, what modifications may be necessary for Policies 14, 20B and 20C to provide clear, consistent and justified requirements for the protection and provision of green infrastructure, open space and for outdoor sports facilities in residential developments?
- 10.4 How should Policy 20A be modified to clarify how it will be applied in determining proposals for development entailing the loss of community facilities?
- 10.5 (i) Is the Plan's approach to water management sound? (ii) Is the requirement in Policy 15a for a water efficiency standard of 110 litres per person per day justified, and how should the policy be modified for clarity?

**Matter 11: Transport and accessibility; telecommunications and broadband; renewable and low carbon energy; viability; monitoring; strategic policies** (Policies 13, 18A, 24A, 24B and supporting text, appendices to document SD11)

- 11.1 (i) Does the Plan and particularly Policy 13 accord with national planning policy's objectives to promote sustainable transport and actively manage patterns of growth in support of these objectives? (ii) Are the Plan's provisions for transport and accessibility measures informed by adequate evidence of the needs of the District and the wider area? (iii) Is there a reasonable prospect that the proposed measures and improvement schemes will be provided in a timely manner and will be effective?

- 11.2 Bearing in mind the modifications suggested by the Council, are the provisions and requirements of Policy 24A on telecommunications and broadband development justified, effective and consistent with national planning policy?
- 11.3 (i) Is Policy 24B on renewable and low carbon energy justified, effective and consistent with national planning policy? (ii) have areas within the District that may be suitable for wind energy development been explored by the Council?
- 11.4 Does Policy 18A and the supporting text on financial viability require modification to better reflect the approach in the national Planning Practice Guidance and take account of caselaw?
- 11.5 Does the proposed monitoring framework set out in document SD11 provide an adequate range of indicators? Should targets be added to the monitoring framework as appropriate?
- 11.6 Is the classification of strategic policies set out in Annex 1 of document SD11 consistent with national planning policy's advice about the nature of strategic policies (NPPF 2019, paragraph 21)?

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