



**Town and Country Planning Act 1990
Planning and Compulsory Purchase
Act 2004**

**Appeal Reference:
APP/Q1825/W/24/3350905**

**Section 78 Appeal –
Barratt David Wilson Homes Mercia**

**Land West of Hither Green Lane,
Redditch**

**Proof of Evidence: Planning
Mrs Kathryn Ventham BSc Hons,
MSc, MRTPI**

January 2025

LPA Reference:
21/01830/FUL



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1 INTRODUCTION

1.1 Qualifications

1.1.1 My name is Kathryn Ventham. I hold a Bachelor of Science Degree (with Honours) in Human Geography from the University of Reading (1997) and a Masters Degree in City and Regional Planning from the University of Wales (Cardiff) (2000). I am a Chartered Member of the Town Planning Institute.

1.2 Experience

1.2.1 Stantec is one of the world's leading consultancies: planners, designers, engineers, scientists, and project managers, innovating together at the intersection of community, creativity, and client relationships. Balancing these priorities results in projects that advance the quality of life in communities across the globe. Barton Willmore, which became part of Stantec UK in April 2022, was formed as an architectural practice in the 1930s. It developed into a comprehensive planning, architectural, landscape and urban design practice in the 1970s to 1990s and has a strong track record in the design and implementation of major housing and mixed-use development.

1.2.2 I am currently a Director at Stantec, having been a Partner at the Birmingham Office of Barton Willmore since 2013. At Stantec, I lead the East and West Midlands Planning Teams. I joined the company as a Senior Planner in October 2003, having previously been employed as a Planning Consultant by the Derek Lovejoy Partnership (now part of Capita Symonds). I have also held positions at Chiltern District Council and Cherwell District Council. In total, I have over 25 years' experience working in both the public and private sector.

1.2.3 I currently undertake a wide range of professional town planning consultancy work advising private developers, landowners and public sector clients on a wide range of planning issues. I have extensive experience of S78 Appeals dealt with via all methods.

1.2.4 I was involved with the preparation and submission of the planning application and subsequently the planning appeal.

1.2.5 The evidence which I have prepared and provide for this appeal in this proof of evidence is true and has been prepared, and is given in accordance, with the guidance of my professional institution and I confirm that the opinions expressed are my true professional opinions.

2 THE APPEAL PROPOSALS

2.1.1 The Appeal Scheme was submitted and validated on 13th December 2021, with the following description of development:

‘Residential development (Class C3) with a vehicular access point onto Hither Green Lane, play areas, public open space including footways and cycleways, sustainable urban drainage systems and all other ancillary and enabling infrastructure’

2.1.2 The development would provide 214 new (Class C3) dwellings, including 66 affordable dwellings (30%) and 2 self / custom build units, on a sustainably located site within Redditch.

2.1.3 In terms of height, the proposed development will comprise of predominantly 2 storey dwellings, with some 2.5 storey dwellings plotted in key areas. The proposals include a variety of house types to ensure variation in the scale of dwellings, legibility and layout of the Site. As referenced above, 66 of the dwellings would be provided as affordable homes which equates to a policy compliant 30% of the development.

2.1.4 The proposed mix is outlined below:

Table 1: Housing Mix

	Market	Affordable	Total
1 bedroom	-	3	3
2 bedrooms	-	25	25
3 bedrooms	79	34	113
4 bedrooms	69 (inc 2 csb)	4	73
Total	148	66	214

2.1.5 The Design and Access Statement (as updated) (**CDD6**) provides detailed information regarding the design rationale. The design of the proposal was considered acceptable by the professional Officers of the Council.

2.1.6 The proposals will provide approximately 3.4ha of publicly accessible open space, including a Locally Equipped Area of Play (LEAP), informal recreational areas, SuDS features, buffer planting, retained trees and hedgerows, and areas of new tree planting and other habitat creation.

2.1.7 Access to the Site will be provided from Hither Green Lane and new footpath links will be provided within the development and to the surrounding area.

- 2.1.8 To support and secure the long term viability of the hotel and its continued recognition as a key tourist asset within Redditch, the operation of the hotel and golf course consequently need to evolve in respect of current demand. At present, the existing golf course consists of a championship standard golf course. However, given the challenges the course poses for even experienced golfers, it is considered that the course does not appeal as much as it could to those visiting the hotel for either leisure or business uses. As such, to ensure that the course is playable to all users and to assist in securing the hotel's future as a business incorporating leisure golf, the owners of the hotel wish to reconfigure the course to align with their future business aspirations, to ensure a sustainable long term future for the course.
- 2.1.9 In addition it is also apparent that health and safety incidents have occurred onsite and have increased since 2017. The proposed changes to the layout will address the existing health and safety issues onsite which feature in the south-west corner. Mr Smith's evidence demonstrates that the remodelled facility will deliver a high quality golf course that provides an improved experience in terms of operating standards and speed of play. The reconfigured course will also minimise new incidents arising going forwards.
- 2.1.10 In making the above changes, the hotel is seeking to deliver a golf facility that will continue to grow and operate in a sustainable manner. The reconfigured golf course will deliver a quality facility which will deliver a good visitor / Member experience.

2.2 Reasons for Refusal

- 2.2.1 The planning application was validated by the Council on 13th December 2021. It was given the planning application reference of 21/01830/FUL. Following considerable post submission discussions, the Appeal Scheme was presented at the Redditch Borough Council Planning Committee on 20th March 2024 with an Officer recommendation for approval (**CDC1**). However, members voted to refuse the application against the recommendation of their professional Officers. The Decision Notice was published on 22nd March 2024 (**CDC3**).
- 2.2.2 The Decision Notice was issued on 22nd March 2024. This confirmed the following three reasons for refusal:

1. Redditch Borough Council can demonstrate a 5-year housing land supply, meaning that the relevant development plan policies are up to date. The application site is located within designated open space and is not allocated for development. The proposed development has not sufficiently demonstrated that the loss of open space is acceptable against the need for new housing provision in the context of the Council's 10.32 year land supply. The proposal is therefore contrary to Policy 1 Presumption in Favour of Sustainable Development, Policy 4 Housing Provision, Policy 11 Green Infrastructure, Policy 12 Open Space Provision, and Policy 13 Primarily Open Space of the Borough of Redditch Local Plan No. 4 (Adopted 30 January 2017) and to the guidance within the National Planning Policy Framework (2023).

2. The proposed density of the development, at 36 dwellings per hectare, combined with its layout and design,

results in an urban development that is unacceptable in terms of visual impact and its affect upon the character and appearance of the area. The proposal does not create a high-quality development in terms of layout or design (including for affordable dwellings) and is out of character with the setting of the site on the edge of Redditch, and particularly the adjacent residential development on Hither Green Lane. The proposal is therefore contrary to Policy 4 Housing Provision, Policy 5 Effective and Efficient Use of Land, Policy 6 Affordable Housing, Policy 39 Built Environment and Policy 40 High Quality Design and Safer Communities of the Borough of Redditch Local Plan No. 4 (Adopted 30 January 2017), the Borough of Redditch High Quality Design SPD (June 2019) and to the guidance within the National Planning Policy Framework (2023).

3. The proposed development will result in the loss of designated open space under Policy 13 Primarily Open Space. The proposal has not sufficiently demonstrated that the merits of the development outweigh the value of the land as open space. The proposal is therefore contrary to Policy 13 Primarily Open Space of the Borough of Redditch Local Plan No. 4 (Adopted 30 January 2017) and to the guidance within the National Planning Policy Framework (2023).

2.3 Updated Information

2.3.1 The reasons for refusal raised matters, especially in relation to design, which were not raised at all during the c2 year lifespan of the planning application. The Appellant has therefore provided the following additional documentation submitted with the appeal.

- Site Plan – showing additional tree planting / changes to surface materials. (CDD7)
- Design and Access Statement (August 2024) (CDD6)
- Amended house type elevations (there are no changes to plots / numbers) (CDD8 – CDD44)

2.3.2 It is not considered that supplementary information gives rise to any procedural matters. Rather, this evidence has been produced in advance of the submission of evidence to respond to the reasons for refusal, which raised matters which were not previously put to the Appellants. All parties have therefore had a fair opportunity to respond to this evidence in their evidence to the Inquiry as agreed at the Case Management Conference (CMC).

2.3.3 A schedule detailing the evolution of the Appeal Scheme is enclosed at **CDD46**.

2.3.4 It was confirmed at the CMC on the 5th November 2024, that neither Redditch Borough Council nor the North Redditch Communities Alliance (NoRCA) objected to the updated plans with both agreeing that they were not prejudicial to any party and that the early submission of this additional documentation (as opposed to being submitted

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with evidence) was of assistance to all parties. The evidence for this appeal from the Appellant's team has been prepared on the basis of the amended plans.

3 THE APPEAL CASE

3.1 Main Issues / Evidence Structure

3.1.1 Following the Case Management Conference (CMC) on the 5th November 2024, the following matters were confirmed by the Inspector as the likely main issues:

- a) the effect of the proposal on green infrastructure provision with regard to designated open space and recreational use;
- b) the effect on the character and appearance of the area, including design quality;
- c) transport matters by way of traffic impact and the use of modes of transport other than the car; and
- d) planning balance (including housing land supply and the benefits of the scheme if not a separate issue) and conclusion.

3.1.2 On the 31st October 2024, the Council confirmed in their Statement of Case (**CDD2**) (paragraph 1.5) that:

“... the Council have resolved to not defend the appeal and accepts that planning permission should therefore be granted. Consequently, the Council will not adduce any evidence to support the aforementioned reasons for refusal”.

3.1.3 The Appellant and the Council then signed a Statement of Common Ground (**CDD5**) which confirms, at paragraph 6.35, that:

“It is agreed that there are no matters in dispute between the Appellant and the Council and both parties are agreed that planning permission should be granted for the Appeal Scheme”.

3.1.4 At the CMC, the Inspector confirmed that he only wanted to hear evidence from the Appellant’s team insofar as it related to the identified main issues. My evidence deals with main issues (a) (supported by Mr Smith) and (d) and in doing so I draw conclusions on the compliance of the scheme with the Development Plan and also carry out the planning balance.

3.1.5 The other witnesses for the Appellant are therefore set out below:

Table 2: Witnesses for the Appellant

Mr Mark Smith	-	Smith Leisure Golf	(who deals with golf related matters – Main Issue (a))
Mr Stephen Tucker	-	Stantec	(who deals with design – Main Issue (b))

Mr Ben Fairgreave	-	Mode Transport	(who deals with transport matters – Main Issue (c))
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- 3.1.6 It was agreed by the Council at the CMC that reason for refusal 2 related to urban design matters only and that the Council were not advancing a landscape character / landscape and visual case. For this reason, as agreed at the CMC, the Appellant does not therefore call any landscape evidence.
- 3.1.7 It is also noted that main issue (c) does not relate to a reason for refusal but has however been raised by third parties and it was therefore agreed that the Appellant would call proportionate evidence in this regard.
- 3.1.8 It should be noted that in light of the Council no longer defending the appeal, the extent of evidence to be called by the Appellant and the number of witnesses was agreed at the CMC and should in no way be taken as a reduction in the strength of the Appellant's case in relation to matters for which evidence is not longer to be called.
- 3.1.9 As set out at Section 10 of my evidence; I draw the conclusion that the scheme is in accordance with the Development Plan when taken as a whole and I conclude that the Appeal Scheme should therefore be **approved without delay** as per paragraph 11c) of the NPPF. In the event that the Inspector should disagree with me on the above, I also conduct the planning balance and conclude that there are no adverse impacts which outweigh the benefits, let alone significantly and demonstrably and I therefore conclude that following this approach, planning permission should also be granted.
- 3.1.10 My evidence is structured as follows:
- Section 4.0 - The Development Plan
 - Section 5.0 - Other Material Considerations
 - Section 6.0 - Third Party Submissions
 - Section 7.0 - Main Issue (A)
 - Section 8.0 - Main Issue (B)
 - Section 9.0 - Main Issue (C)
 - Section 10.0 - Main Issue (D)
 - Section 11.0 - Obligations and Conditions
 - Section 12.0 - Summary and Conclusions

4 THE DEVELOPMENT PLAN

4.1 Development Plan

4.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires local planning authorities to determine planning applications in accordance with the Development Plan unless material considerations indicate otherwise.

4.1.2 The above principle is also referenced within the National Planning Policy Framework ('NPPF') (December 2024) at paragraph 2, which states:

“Planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise”

4.1.3 The Development Plan comprises the following:

- Borough of Redditch Local Plan (2017) (**CDE1**).

4.1.4 There is no Neighbourhood Plan covering this area.

4.2 Borough of Redditch Local Plan (2017)

4.2.1 The Borough of Redditch Local Plan (BRLP) covers the period 2011 – 2030. I deal with the relevant policies in each with a particular focus on those in the reasons for refusal (in bold / italics).

Table 3: Redditch Local Plan Policies

POLICY NUMBER	-	POLICY NAME
1	-	<i>Presumption in Favour of Sustainable Development</i>
2	-	Settlement Hierarchy
3	-	Development Strategy
4	-	<i>Housing Provision</i>
5	-	<i>Effective and Efficient Use of Land</i>
6	-	<i>Affordable Housing</i>
11	-	<i>Green Infrastructure</i>
12	-	<i>Open Space Provision</i>
13	-	<i>Primarily Open Space</i>
14	-	Protection of Incidental open Space
15	-	Climate Change

16	-	Natural Environment
17	-	Flood Risk Management
18	-	Sustainable Water Management
19	-	Sustainable Water Management
20	-	Transport Requirements for New Development
36	-	Historic Environment
39	-	Built Environment
40	-	High Quality Design and Safer Communities
43	-	Leisure, Tourism and Abbey Stadium

4.2.2 With regard to those policies which are not highlighted, a summary of the policy compliance position can be found in **Appendix A** of my evidence.

4.2.3 The Redditch Local Plan No 4 ('RLP') was adopted on 30th January 2017 and covers the period to 2030. The Local Plan Inspector's Report (**CDE3**), dated 16th December 2016, summarises the context around the evidence for the now adopted Local Plan housing requirement of 6,400 dwellings in the period 2011-30.

4.2.4 The Introduction to the Local Plan (paragraph 1.6) highlights the local challenges including:

“Population projections indicate significant new demand for housing over the Plan period due to natural growth and migration

Land availability is scarce, particularly Previously Developed Land

Cooperate with our neighbours to locate a significant amount of Redditch's unmet requirements in adjoining Districts”

4.2.5 Policy 1 (Presumption in Favour of Sustainable Development) is cited in the reason for refusal and is therefore set out in full below:

“When considering development proposals the Borough Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.

Planning applications that accord with the policies in this Local Plan (and, where relevant, with polices in

neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.

Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Borough Council will grant permission unless material considerations indicate otherwise - taking into account whether:

- any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole;***
- or specific policies in that Framework indicate that development should be restricted.”***

4.2.6 In effect, via Policy 1, the presumption in favour of sustainable development is embedded into the Development Plan. As I set out later in my evidence, I do not therefore consider that this is a Policy which can be breached; it is an instruction and allows for a position where there may be some conflict with the Development Plan but that this can be considered through the planning balance.

4.2.7 **Policy 2 (Settlement Hierarchy)** confirms that the location and scale of development should accord with the settlement hierarchy. Redditch urban area is identified as the Main Settlement which (2.2):

“shall be the focus for development as it provides the highest range of services and facilities.”

4.2.8 The Officer’s report to Planning Committee (paragraph 10.3) states that:

Part of the site (0.38 ha) is shown as “white land” on the Borough of Redditch Local Plan Proposals Map, indicating that it lies within the main urban area of Redditch. Policy 2 Settlement Hierarchy states that the Redditch urban area, as the main settlement, shall be the focus of development as it provides the highest level of services and facilities and offers the most sustainable location.

4.2.9 However for the avoidance of doubt, the above statement is factually incorrect. The Key Diagram on page 17 of the BRLP (CDE4) confirms the whole of the Appeal Site to be within the Urban Area and thus, the Appeal Site is located fairly and squarely within the Main Settlement identified as the focus for development.

4.2.10 Paragraph 2.5 affirms that:

“Due to the compact and built up nature of Redditch’s most sustainable settlement, it is important that future development which cannot be accommodated within the urban area, is directed to the most appropriate and sustainable locations on the edge of the urban area.”

4.2.11 **Policy 3 (Development Strategy)** emphasises that all strategic sites for development can come forward imminently for development. Paragraph 3.3

“With regard to all development, sites focussed on the urban area of Redditch are encouraged to be developed earlier in the Local Plan period in accordance with Policy 2 Settlement Hierarchy...”

- 4.2.12 The reasoned justification for Policy 3 amplifies further the imperative for a continuous supply of land for development and that in order to ensure that this requirement is met:

“all development within the Redditch urban area, as the Borough’s principal sustainable settlement, would be required for development immediately as there is limited land availability and little choice about the locations for development within the Borough.”

- 4.2.13 Paragraph 4.1 states that there is insufficient land within Redditch Borough to address housing needs of its population up to 2030 and confirms some cross boundary growth is needed in Bromsgrove District to contribute to those needs.

- 4.2.14 **Policy 4 (Housing Provision)** identifies a requirement for around 6,400 new dwellings over the Plan period 2011-2030. Of this amount some 53% (3,400 homes) are to be accommodated in neighbouring Bromsgrove District with the remaining 47% (3,000 homes) within Redditch Borough itself. Thus, from the outset the ability to address the housing need of Redditch requires delivery in neighbouring Bromsgrove.

- 4.2.15 Appendix 1 of the BRLP details Policy RCBD1 (Redditch Cross Boundary Development). It sets the context for the housing need shortfall within Redditch and confirms the approach to this being addressed within neighbouring Bromsgrove:

“The Worcestershire Strategic Housing Market Assessment (SHMA) identifies that Redditch’s housing requirements up to 2030 should be around 6,380 dwellings. The Redditch Strategic Housing Land Availability Assessment (SHLAA) identifies that Redditch Borough only has the capacity to accommodate around 3000 dwellings within its own boundaries, leaving a shortfall of around 3400. Bromsgrove District Council and Redditch Borough Council have worked together in accordance with the Duty to Cooperate to find preferred locations to accommodate this shortfall. An assessment (Housing Growth Development Study January 2013) has been carried out, building upon a consultation conducted in 2010, to ensure that the most suitable and sustainable sites have been selected.”
(Paragraph 8.53)

- 4.2.16 Paragraph 8.54 confirms two sustainable mixed use urban extensions (Foxlydiat and Brockhill) are proposed adjacent to the west and north of Redditch Town which will deliver two new sustainable communities, and the location of these sites (located within Green Belt) is shown on a corresponding map on page 122. These sites are identified **“to meet some of Redditch’s housing requirements up to 2030”** (emphasis added). The policy details the split in housing numbers between each site:

“RCBD1.2 Site 1 Foxlydiat will include approximately 2800 dwellings, a first school and a Local Centre, including associated community infrastructure.

RCBD1.3 Site 2 Brockhill will contain approximately 600 dwellings which will integrate with the Strategic Site at Brockhill East, as shown in the Borough of Redditch Local Plan No.4 and should integrate well into the existing urban fabric of Redditch.

4.2.17 The current Local Development Scheme dates from November 2021 and assumed adoption of a new Local Plan by May 2024: this has not yet commenced. The Council's web-site currently states:

"The Council is currently considering the recently announced planning reforms. As soon as possible we will publish a new timetable for the Borough of Redditch Local Plan Review".

4.2.18 Though not forming part of the Development Plan for this Appeal, it is important to identify the policy basis in Bromsgrove which exists to support the delivery of the unmet housing needs in the adjoining District as this is of direct relevance to consideration of the delivery of new homes to address the assessed housing need for Redditch. The Bromsgrove Local Plan was adopted in 2017 and Policy BDP3 identified a housing requirement of 7,000 homes to meet Bromsgrove's own need and allocated a further 3,400 homes to address the unmet need arising from Redditch. With regard to its own need, the Plan only identified 4,700 homes, with a further 2,300 homes to be identified and allocated via a Local Plan review – involving a review of the Green Belt, which Paragraph 8.15 advises would be completed by 2023 at the latest: this review has not commenced let alone been completed. The Local Plan contains Policy RCBD1 to identify the Redditch Cross Boundary Development, mirroring the policy which sits within the Redditch Local Plan.

4.2.19 Bromsgrove is reviewing its adopted Local Plan, and the current LDS from 2021 assumed a Preferred Options consultation in 2022, a Reg 19 consultation in 2023 and Examination in late 2023 with adoption by May 2024. This is out of date and is under review. No further consultation on the Local Plan has taken place since an Issues and Options Consultation in the Autumn of 2018. Of particular note is that the 2018 consultation document confirmed the importance of the review and the need for this to be undertaken by 2023:

"1.4 The current Bromsgrove District Plan (BDP) (2011 2030), was adopted in January 2017 and contained a policy which required a plan review to be undertaken by 2023 (Policy BDP3) as the BDP did not allocate enough housing land in locations not covered by Green Belt designation. The Plan Review is needed to ensure at the very least that the full housing requirement for Bromsgrove District up to 2030 can be delivered and that safeguarded land for the longer term can be identified."

4.2.20 More recently a consultation had been expected across the summer of 2024, dates still to be confirmed including further stages beyond. However following the announcement of a General Election, the Plan was delayed and then with the changes to the NPPF, the following undated update is on the Council's web-site:

"The Council is currently considering the recently announced planning reforms. As soon as possible we will publish a new timetable for the Bromsgrove District Plan."

Please check back regularly on this website for more updates, we would ask kindly that you do not contact the Council requesting further updates - updates will only be provided via this website and emails sent to those registered on our database. This ensures all stakeholders receive the same information at the same time”.

4.2.21 The above shows that both the Redditch and Bromsgrove Local Plans should have already been the subject of a review which has yet to be completed. As such current housing need is not being met.

4.2.22 **Policy 5 (Effective and Efficient Use of Land)** of the BRLP is set out in full below:

5.2 Effective and efficient use of land must be sought in all new development schemes. With respect to residential development, this will be achieved in the following ways:

- i. the reuse and regeneration of Previously Developed Land (PDL) will be actively encouraged. Where the economic viability of a scheme on PDL is questionable, and can be fully demonstrated by the applicant, the Borough Council may negotiate a more appropriate level of infrastructure provision, or deferred payment scheme with the applicant, in order to secure beneficial reuse of a site;***
- ii. densities of between 30 and 50 dwellings per hectare will be sought in Redditch Borough, and 70 dwellings per hectare will be sought on sites for residential development that are within or adjacent to Redditch Town Centre and the District Centres;***
- iii. higher densities will be sought in locations close to public transport interchanges; and***
- iv. higher densities will also be sought in other locations where it can be demonstrated that there will be no detrimental impact on the amenity, character and environmental quality of an area.***

5.3 Applicants should refer to the most up to date Strategic Housing Market Assessment to determine the most appropriate types of dwellings required throughout the Borough. Lower density developments may be appropriate on some smaller sites, self-build sites or when providing bungalows. In these situations, lower densities will be considered acceptable where the scheme reflects the Borough's housing needs, there are site specific limitations which negate standard densities being met, or where there would be a detrimental impact on the amenity, character and environmental quality of an area if the standard densities were to be pursued on-site.

5.4 Schemes for the development of private residential gardens will generally not be supported unless they lie within existing settlements, integrate fully into the neighbourhood, and can clearly demonstrate that there

would be no detrimental impact on the current and future amenity, character and environmental quality of the neighbourhood. Development may be supported if there are substantial overriding environmental, social and economic benefits to justify the development.

5.5 With respect to non-residential development, schemes on PDL, which propose the re-development of tired or redundant sites, will be considered favourably.

5.6 There will be a presumption against development on PDL where it can be clearly demonstrated that over time, land has been afforded beneficial amenity value or where biodiversity issues would be compromised through redevelopment of the site.

5.7 Development proposals on land likely to be affected by contamination should demonstrate that the site is capable of appropriate remediation without compromising development viability or the delivery of sustainable development

4.2.23 The above is a multi-part policy and the reason for refusal does not expressly state which criteria are allegedly breached, however it is assumed that it is 5.3 and the Appellant's evidence is prepared on this basis. Paragraphs 5.3 – 5.7 are not applicable to the Appeal Scheme.

4.2.24 **Policy 6 (Affordable Housing)** states:

“6.5 Redditch Borough Council is keen to promote opportunities for its residents to access low cost, high quality housing, which presents opportunities to buy as well as rent. Therefore, the Borough Council will seek to create sustainable communities by ensuring that a mixture of dwellings with regard to size, type and tenure that reflect local housing need, are provided on, and integrated within, each site as appropriate.

6.6 Contributions towards affordable housing will not normally be sought from development of 10 units or less, and which have a maximum combined gross floorspace of no more than 1000 sq m (gross internal area). On sites of 11 or more dwellings (net), a 30% contribution towards the provision of affordable housing will be expected. On-site provision should be made and must incorporate a mix of dwelling types and sizes, which reflect the site's characteristics, the development as a whole, and meets the needs identified in the Borough Council's most up to date Strategic Housing Market Assessment or other up to date local housing need surveys, and in consultation with the Borough Council's Housing Strategy Team.

6.7 The Borough Council will seek to negotiate the mix of affordable housing tenures on individual schemes taking account of local needs, the housing mix in the local area

and the impact on viability. A mix of the following tenures will generally be sought:

- ***Social rented;***
- ***Intermediate housing/ Affordable rent.***

6.8 To create mixed and balanced communities affordable housing should be distributed throughout new developments and not be visually distinguishable from market housing.

6.9 In exceptional circumstances, where the economic viability of affordable housing contribution is questionable, and this can be fully demonstrated against the Affordable Housing Viability Assessment Toolkit, the Borough Council may negotiate a more appropriate level of affordable housing provision, or deferred payment scheme where appropriate, with the applicant.”

4.2.25 Again this is a multi-part policy and it is not confirmed which aspect is allegedly breached, however it is assumed that is part 6.8 only given that the quantum and mix of affordable housing has been agreed with the Council and is not expressly referenced as a reason for refusal.

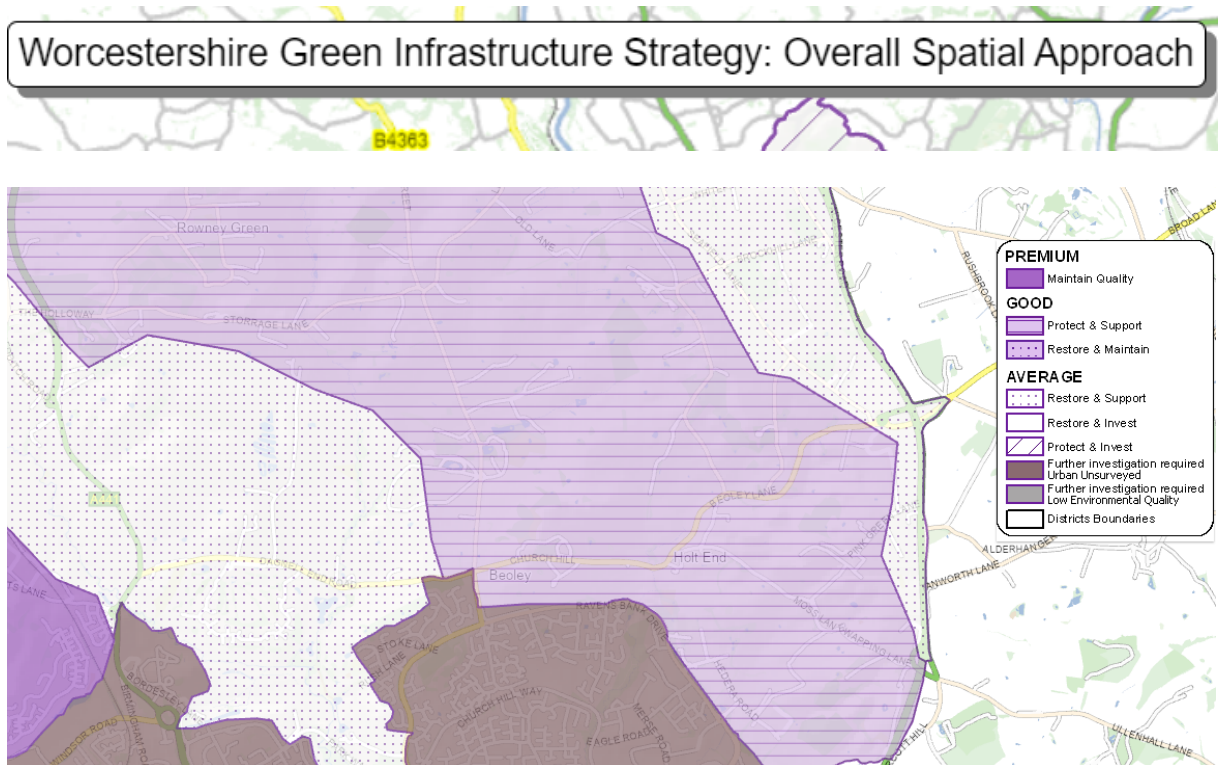
4.2.26 **Policy 11 (Green Infrastructure)** states:

“11.2 The Green Infrastructure (GI) Network makes an important and valued contribution to the Borough of Redditch and its distinctiveness. The GI Network is a multifunctional resource that includes, but is not limited to, green spaces and corridors, waterways, natural heritage and wildlife habitats.

11.3 The existing GI Network will be safeguarded and new development will be required to contribute positively to the GI Network, in line with the findings of the Redditch Borough GI Strategy and to support the Worcestershire Sub-Regional GI Framework. Opportunities will be sought to improve and maintain the Network for the benefit of people, wildlife and the character and appearance of the Borough.

11.4 The Borough Council will produce Green Infrastructure Concept Statements to guide masterplanning and development of Strategic Sites.”

4.2.27 Green Infrastructure is not defined on the Proposals Map of the BRLP. The Redditch GI Strategy has never been produced. The Worcestershire Green Infrastructure Strategy 2023 (**CDE5**): Overall Spatial Approach maps the site as “Average: Restore and Support” as set out overleaf:



4.2.28 A large scale map is set out overleaf – the Appeal Site falls within Area 12 (Bromsgrove – Redditch Corridor). The Appeal Site is almost directly under the end of the ‘12’ line.

4.2.29 The profile for Area 12 is set out below:

Bromsgrove-Redditch Corridor

Name	Description
Strategic GI Approach	Restore environmental quality / support socio-economic enhancements.
Overarching principles – Environment	Protect and restore the ancient countryside character.
Overarching principles – Socio-Economic	Primary focus on overall health-related improvements.

4.2.30 Looking at the above considerations, I comment as follows:

- (i) Whilst there is development on the Appeal Site, the site is not a natural landscape – it’s a “manufactured” landscape which has been engineered to become a golf course. The Appeal Scheme will deliver new tree planting; high quality landscaped areas alongside socio-economic benefits with the delivery of market and affordable housing.
- (ii) As set out above, the Appeal Site is not a natural landscape but is already engineered to form a golf course – as such there will be no loss of ancient countryside character.
- (iii) Currently the health benefits of the Appeal Site are available only to those who pay to play golf as there is no other lawful public access to the Appeal Site. These health benefits will remain as the wider course will remain as an 18 hole

course; and based on the evidence of Mr Smith – use of the course is likely to improve thus increasing the health related benefits. The Appeal Site itself will contain play space and amenity areas for wider public access and thus the use of the Appeal Site will generate health related benefits for a wider cross section of the population.

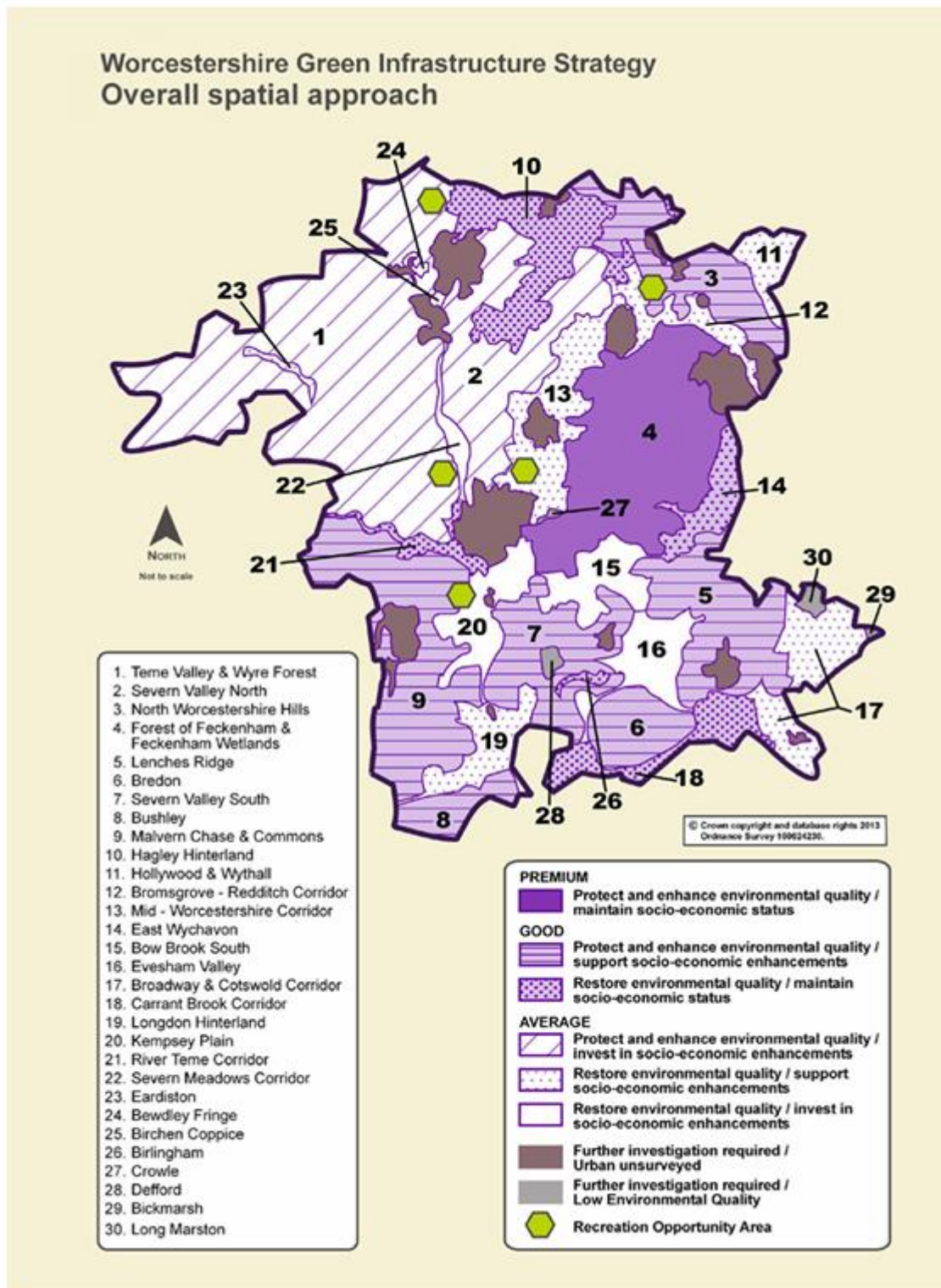
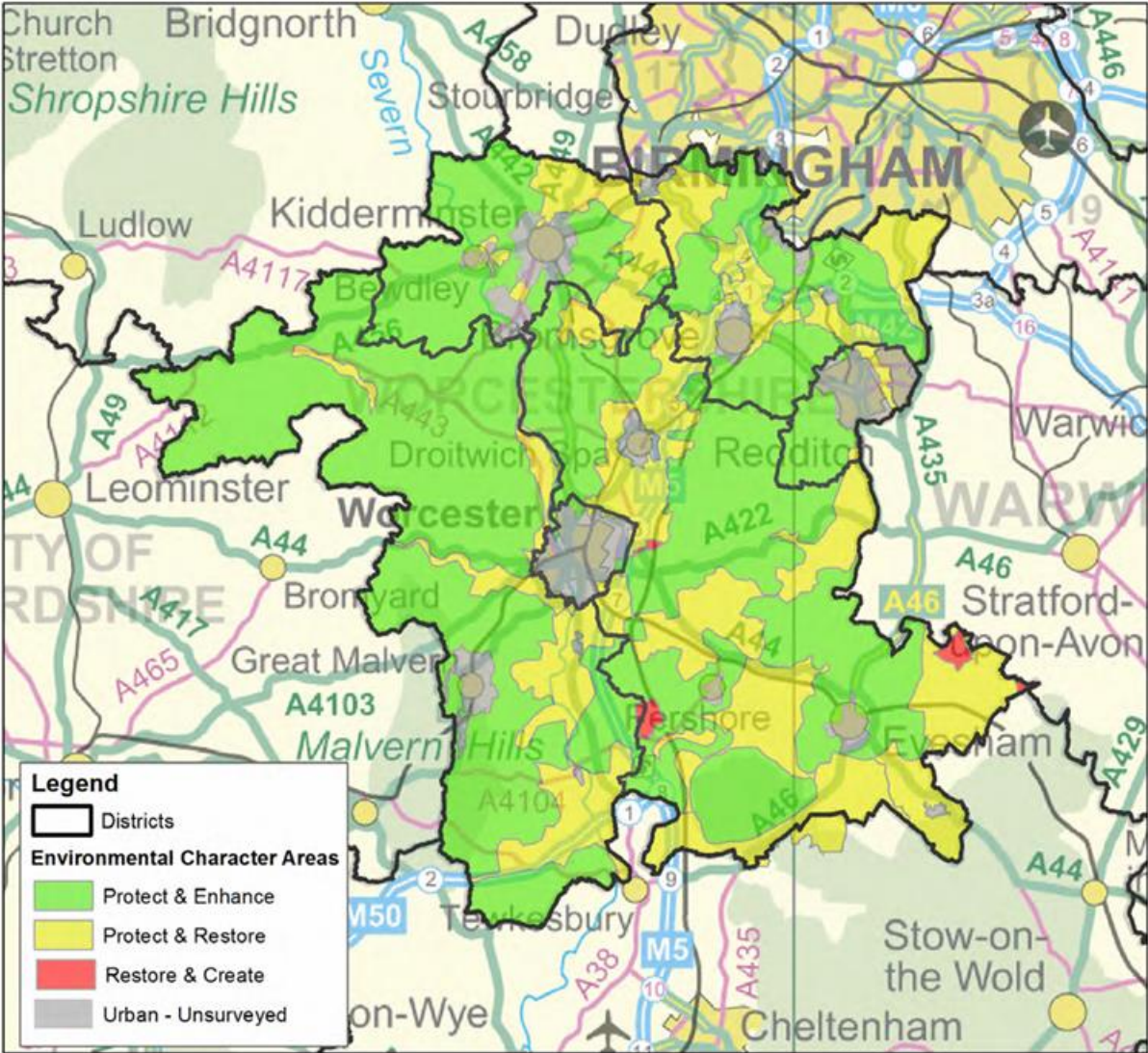


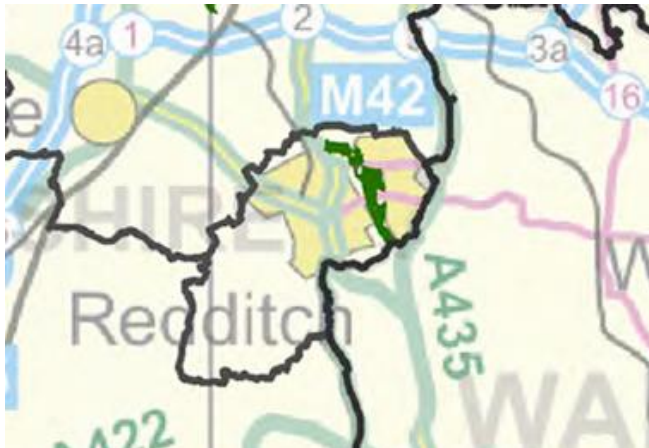
Figure 5. Spatial priorities for green infrastructure in Worcestershire

4.2.31 Within the Environmental Character areas, the site is classified as “protect and restore” as shown on the plan overleaf.



4.2.32 Paragraph 5.15 of the strategy acknowledges that GI provision in new residential development can take many forms – including (but not limited to) informal greenspace, footpaths, SUDS and street trees. Appropriately managed gardens can also make a contribution.

4.2.33 Appendix B identifies ‘strategic GI assets’ (dark green) – in relation to the Appeal Site, this designation stops south of the Appeal Site encompassing Arrow Valley Country Park but not the Appeal Site itself as shown on the extract overleaf. Whilst there is a loss of GU, I considered the wider objectives are achieved.



4.2.34 **Policy 12 (Open Space Provision)** is set out in full below:

12.2 The Borough Council will aim to maintain minimum standards of open space provision as identified in the Open Space Needs Assessment and Playing Pitch Strategy. New development will be required to make provision for new and/or improvements to open space, sports and recreation facilities in accordance with the Borough Council's Adopted Open Space Provision Supplementary Planning Document (SPD) or any other form of planning obligation the Borough Council adopts. New open space should be strategically located in order for it to contribute to the Green Infrastructure Network and increase its multifunctionality. The Borough Council will support, in principle, the development of new open space, sports and recreation facilities.

12.3 If the demand for allotments increases during the course of this Plan period beyond that which can be accommodated within existing allotments, developers may be required to provide new allotments in association with new developments.

12.4 Local Green Spaces will be designated by the Borough Council through the Allocations Plan, where appropriate, in accordance with the provisions of the National Planning Policy Framework (NPPF). Once designated, Local Green Space will be managed in line with planning policy for Green Belts

4.2.35 No request has been made for allotments and therefore 12.3 does not apply. The site is not designated as Local Green Space and therefore 12.4 does not apply.

4.2.36 It is therefore only 12.2 which can be considered applicable. No objection has been raised in respect of the provision of new open space on site and thus the objection is in relation to the maintenance of minimum standards of open space which overlaps with Policy 13 below and thus in the event there is accordance with Policy 13, then it follows that there is accordance with Policy 12 also.

4.2.37 **Policy 13 (Primarily Open Space)** is set out in full below:

13.1 Open space will be protected and, where appropriate, enhanced to improve quality, value, multifunctionality and accessibility. In order to maintain the levels of open space provision in the Borough, proposals which would result in the total or partial loss of Primarily Open Space will not normally be granted planning permission unless it can be demonstrated that the need for development outweighs the value of the land as an open area.

13.2 In assessing applications for development on Primarily Open Space the following will be taken into account:

- i. the environmental and amenity value of the area;***
- ii. the recreational, conservation, wildlife, historical, visual and community amenity value of the site;***
- iii. the merits of retaining the land in its existing open use, and, the contribution or potential contribution the site makes to the Green Infrastructure Network, character and appearance of the area;***
- iv. the merits of protecting the site for alternative open space uses;***
- v. the location, size and environmental quality of the site;***
- vi. the relationship of the site to other open space areas in the locality and similar uses within the wider area;***
- vii. whether the site provides a link between other open areas or as a buffer between incompatible uses;***
- viii. that it can be demonstrated that there is a surplus of open space and that alternative provision of equivalent or greater community benefit will be provided in the area at an appropriate, accessible locality; and***
- ix. the merits of the proposed development to the local area or the Borough generally.***

13.3 If development is permitted which results in the loss of a playing pitch or allotment site the Borough Council will require the provision of equivalent or improved facilities and/or financial contributions from developers.

13.4 Proposals for development on Primarily Open Space land that contribute to both the Green Infrastructure Network in the Borough and the nature and purpose of the open space may be deemed acceptable by the Borough Council.

4.2.38 Paragraphs 13.3 is not relevant to the consideration in the Appeal Scheme.

4.2.39 When considering the above policy (and Policy 12), it is also necessary to have regard to the Council's latest Open Space Study (2023) **(CDE6)** which I consider further in Section 6 of my evidence. However I note that paragraph 13.1 advises that planning permission will not "normally be granted planning permission unless it can be demonstrated that the need for development outweighs the value of the land as an open area". There are 2 points which can be taken from this:

- (i) The use of the word 'normally' clearly sets out that the policy envisages a position where planning permission can be granted on areas identified as 'primarily open space'.
- (ii) The 'planning balance' is effectively embedded into this policy i.e. if it can be shown that the need (akin to the benefit) outweighs the value of the land as an open area, then planning permission can be granted.

4.2.40 I assess this further in Sections 7 and 10 of my evidence.

4.2.41 Mr Tucker deals with Policies 39 and 40 in his evidence, however I set out these policies below and reference these as appropriate.

4.2.42 **Policy 39 (Built Environment)** states:

39.2 All development in the Borough should contribute positively to the local character of the area, responding to and integrating with the distinctive features of the surrounding environment, particularly if located within a historic setting.

39.3 All development proposals should:

i. seek to optimise the potential of the site to accommodate sustainable development through making the most efficient use of the space available;

ii. be innovative and resilient to the effects of climate change, whilst also protecting and enhancing locally distinctive and historic features to improve the character and quality of the local environment; and

iii. incorporate features of the natural environment including Green Infrastructure into the design to preserve and continue Redditch's unique landscape features;

39.4 To ensure character and appearance isn't compromised, temporary buildings will be approved for a maximum of 3 years where it is related to an approval for a permanent building. The Borough Council will not look favourably on applications for renewal of temporary permissions.

39.5 Areas should be designed to ensure they make places better for people and proposals have demonstrated that community views have been taken into account in the design of the development.

4.2.43 Paragraph 39.4 is not relevant to the Appeal Scheme as it applies to temporary buildings only. Details of pre-application consultation are set out in the Planning Statement submitted with the application (**CDB44**).

4.2.44 With regard to the relevant paragraphs of Policy 39, I note the need to balance good design with optimising the use of the land – a matter which is of particular importance in Redditch Borough which has a very tight administrative boundary in which to meet its housing need. This is confirmed in the reasoned justification at paragraph 39.6 where it is stated that:

“Redditch Borough has extremely limited development potential, therefore all future development should seek to ensure that all proposals are designed in such a way as to maximise the use of the space available. While it is important to make efficient use of land, a balance must be struck between new developments and protecting and enhancing what is special in the Borough, for example our green spaces”.

4.2.45 Policy (High Quality Design and Safer Communities) states:

40.2 Good design should contribute positively to making the Borough a better place to live, work and visit. All development, including proposals for individual buildings, public and private spaces and wider development schemes will be expected to:

i. be of a high quality design that reflects or complements the local surroundings and materials;

ii. be of an appropriate siting and layout with distinctive corner buildings, landmarks, gateways and focal points at key junctions and other important locations;

iii. protect and enhance key vistas to create visual links between places in the Borough;

iv. include where appropriate, public art that is well designed, takes into account the risk of crime, is integrated within the overall design and layout of the development, located where it can be easily observed, improves public outdoor space and legibility and creates landmarks;

v. aid movement by ensuring all developments benefit from accessibility, connectivity, permeability and legibility, particularly aiding sustainable modes of movement such as walking, cycling and access to public transport;

vi. encourage community safety and ‘design out’ vulnerability to crime by incorporating the principles, concepts and physical security standards of the ‘Secured by Design’ award scheme; providing infrastructure for policing and emergency services;

and considering the incorporation of fire safety measures;

vii. provide appropriate space for waste and recycling to minimise any adverse visual impact on the property or the street-scene; and

viii. incorporate any relevant guidance contained within Supplementary Planning Documents, for example Designing for Community Safety and Encouraging Good Design.

4.3 Summary

- 4.3.1 I set out at paragraph 10.3.2 of my evidence that in my opinion, the scheme is in accordance with the Development Plan taken as a whole, and this continues to represent an agreed position with the Council as per the signed Statement of Common Ground.

5 OTHER MATERIAL CONSIDERATIONS

5.1 National Planning Policy Framework (NPPF) (December 2024)

- 5.1.1 The NPPF sets out the Government's planning policies for England and how these are expected to be applied. Its focus is primarily on achieving sustainable development and is a material consideration in the determination of planning applications and appeals.
- 5.1.2 A new version of the NPPF was published in December 2024, post determination of the Appeal Scheme by the Council. The reasons for refusal do not set out which paragraphs of the NPPF are allegedly breached.
- 5.1.3 Paragraph 7 confirms that the purpose of the planning system is to contribute to the achievement of sustainable development. As such, the objective of sustainable development is summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.
- 5.1.4 Paragraph 8 outlines three overarching objectives for achieving sustainable development – economic, social and environmental. These are independent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives).
- 5.1.5 At the heart of the NPPF is a presumption in favour of sustainable development (paragraph 10) which, as set out a Paragraph 11 c) for decision-taking means:

“approving Development Proposals that accord with an up-to-date development plan without delay”;

- 5.1.6 Or, as per Paragraph 11 d):

“where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date [Footnote 8], granting planning permission unless:

- i. The application of policies in this Framework that protect areas or assets of particular importance [Footnote 7] provides a strong reason for refusing the development proposed; or***
- ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination [footnote 9]”.***

- 5.1.7 NPPF Footnote 7 directs that the policies are those in the Framework as opposed to those in Development Plans, and it is well established that the matters listed in

footnote 7 represent a “closed list”. There is nothing within footnote 7 which would dis-apply the presumption in favour of sustainable development on the Appeal Site.

- 5.1.8 With regard to footnote 8, it is confirmed that this applies to situations where the Council cannot demonstrate a five year supply of housing (with the appropriate buffer) or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75%) of the housing requirements.
- 5.1.9 The latest Housing Delivery Test results were published in December 2024 and identify that Redditch Borough delivered 285% of its housing. However as set out in paragraphs 5.4.3 of my evidence, the new Local Housing Need (LHN) figures were published in December 2024 and the Council’s housing land supply position moves from 10.32 years (as per Reason for Refusal 1 albeit the latest monitoring report states 10.1 years) to 2.8 years (using the Council’s own calculations) or to 1.8 years (the Appellant’s figures). It should be noted that the Appellant did not agree with the Council’s initial assessment of 10.32 years and considered the true position to be 6.5 years. However with the publication of the new figures, under both sets of calculations, the housing land supply position sits below 5 years. The current position is actually remarkably similar to that at the time of the application submission in 2021. The Planning Statement submitted with the application (**CDB44**) sets out that:

“5.30 Redditch Borough Council’s April 2021 Report on Housing Land Supply sets out the Council’s latest published calculation of its five-year housing land supply.

5.31 The Report found that, at 1st April 2021, the Borough Council could only demonstrate a 2.61 year housing land supply.”

- 5.1.10 However under the previous published revisions to the housing need figure, the Council’s annual housing need requirement was reduced significantly which enabled the Council to move from 2.61 years to 9.83 years in 2022. With the latest revisions to the housing need figures, the housing land supply shortfall returns to a level comparable with that at the time of the application submission using the Council’s calculations albeit the Appellant’s position shows that this has in fact worsened.
- 5.1.11 In respect of footnote 9, I address the relevant paragraphs of the NPPF¹ in this section of my evidence and conclude that the development is in a sustainable location (being within the urban area); that as evidenced by Mr Tucker, the scheme makes effective use of land and secures a well-designed place; and affordable housing is provided in accordance with the Council’s policy.
- 5.1.12 As set out in Section 10 of my evidence, it is my conclusion that the appeal scheme is in accordance with the up to date policies of the Development Plan, taken as a whole. In addition, I also conclude that the Council cannot demonstrate the requisite supply of housing land such that the ‘tilted balance’ is engaged and that there are no adverse impacts which outweigh the benefits let alone significantly and demonstrably with having regard to the key policies and paragraphs in the NPPF as set out in footnote 9.

¹ The policies referred to are those in paragraphs 66 and 84 of chapter 5; 91 of chapter 7; 110 and 115 of chapter 9; 129 of chapter 11; and 135 and 139 of chapter 12

- 5.1.13 The extent of the shortfall is explored latest in this Section of my evidence. The extent of the shortfall is a relevant material consideration in the determination of this Appeal (as per *Hallam Land Management Ltd v Secretary of State for Communities And Local Government & Anor* [2018] EWCA Civ 1808) [CDH1]. I afford very substantial weight to the provision of market housing in my planning balance.
- 5.1.14 Paragraph 12 confirms the statutory provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004, in that the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision making.
- 5.1.15 Paragraph 34 confirms that Local Plans should be reviewed at least once every 5 years and then updated as necessary. Footnote 19 confirms that this is a legal requirement for all local plans. This paragraph specifically cites circumstances including where the local housing need figure has changed significantly. The Redditch Local Plan was adopted in 2017 and thus should have been reviewed by 2022 however this review has yet to commence.
- 5.1.16 Paragraph 40 identifies that local planning authorities should approach decisions on proposed development in a positive and creative way. Decision-makers at every level should seek to approve applications for sustainable development where possible.
- 5.1.17 Paragraphs 40 - 43 identify the benefits of resolving matters at the pre-application stage and includes the engagement of statutory consultees also. The aim being to secure the issue of timely decisions and ensure that Applicants do not incur unnecessary delays and costs. The Appeal Scheme was submitted to the Council in 2021 and has been the subject of extensive discussion and engagement with Officers and other consultees leading to a positive recommendation for approval.
- 5.1.18 Paragraph 48 re-affirms the primacy of the Development Plan and the use of other material considerations in decision-making. I note that in making a recommendation for approval, Officers considered the scheme to be in accordance with the BRLP (CDC1).

22.12 Therefore, it is considered that the development proposals accord with the development plan as a whole and, in accordance with the s38(6) duty, should be approved unless material considerations indicate otherwise.

22.13 It is concluded that, in accordance with paragraph 11(c) of the NPPF, the application should be approved, subject to conditions and a s106 agreement.

- 5.1.19 Paragraph 49 advises that weight can be given to relevant policies in emerging plans depending on the stage of preparation; the extent of unresolved objections and the degree of consistency of emerging policies with the NPPF. At the time of writing evidence, a draft Plan has not been published and thus there are no draft policies to afford any weight to.
- 5.1.20 In accordance with paragraph 50 and the scale of the Appeal Scheme, it is not considered that there are any issues of prematurity which arise.
- 5.1.21 Paragraph 61 clearly highlights that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and

variety of land can come forward where it is needed and that the overall aim should be to meet identified housing need including provision of an appropriate housing mix. Details of the mix have been agreed with the Council. The addition of the appeal scheme to the Council's housing supply (mindful it is a full planning application being delivered by a national housebuilder and can thus deliver in full within 5 years) would move the Council's housing land supply position to 3.24 years (using the Council's figures) and to 2.25 years (using the Appellant's figures). As such I consider that the Appeal Scheme would make a very substantial contribution to immediate housing need.

- 5.1.22 Paragraph 62 specifies that the local housing need figure should inform strategic policies to determine the minimum housing requirement. The plan was examined under the 2012 NPPF and therefore does not align with current local housing need.
- 5.1.23 Paragraph 63 specifically references the need to plan for different groups in the community including "people wishing to commission or build their own homes". The Appeal Scheme proposes the delivery of 2 self-build / custom build homes to further add to the housing mix across the site.
- 5.1.24 Paragraph 64 outlines that where a need for affordable housing is identified, planning policies should specify the type of affordable housing required. The Appellants have committed to 30% affordable housing provision, with the tenure split agreed with Officers.
- 5.1.25 Paragraph 66 advises that for major residential developments a mix of affordable housing should be required meeting identified local needs. In this respect, the tenure split for the scheme and the affordable mix have been agreed with the Council and this will be set out in the signed S106 Agreement. I deal with the need for affordable housing later in this section by reference to evidence produced by Mr James Stacey of Tetlow King and I adopt his conclusions on the need for affordable housing in the Borough.
- 5.1.26 With regard to the supply and delivery of housing, paragraph 78 states:

78. Strategic policies should include a trajectory illustrating the expected rate of housing delivery over the plan period, and all plans should consider whether it is appropriate to set out the anticipated rate of development for specific sites. Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies³⁸, or against their local housing need where the strategic policies are more than five years old.³⁹ The supply of specific deliverable sites should in addition include a buffer (moved forward from later in the plan period) of:

a) 5% to ensure choice and competition in the market for land; or

b) 20% where there has been significant under delivery⁴⁰ of housing over the previous three years, to improve the prospect of achieving the planned supply; or

c) From 1 July 2026, for the purposes of decision-making only, 20% where a local planning authority has a housing requirement adopted in the last five years examined against a previous version of this Framework⁴¹, and whose annual average housing requirement⁴² is 80% or less of the most up to date local housing need figure calculated using the standard method set out in national planning practice guidance.

- 5.1.27 Based on paragraph 78, the Council are required to demonstrate a minimum 5 year supply of housing land with a 5% buffer.
- 5.1.28 Paragraph 79 deals with the Housing Delivery Test (HDT) and consequences of the failure to have delivered sufficient housing over the previous 3 years. However as the HDT results for the Council show delivery at 285%, paragraph 79 is not a relevant consideration for the appeal scheme.
- 5.1.29 Paragraph 84 is referenced in footnote 9 in relation to the application of the tilted balance however this paragraph deals with isolated homes in the countryside and is not relevant to the Appeal Scheme.
- 5.1.30 Paragraph 85 identifies that the Government places significant weight on the need to support economic growth. An Economic Benefits Statement is included at my **Appendix B** in this respect and I afford this matter significant weight in my planning balance as set out in Section 11 of my evidence.
- 5.1.31 Paragraph 91 is cited in footnote 9 however it is dealing with a sequential approach to development in town centres and is not therefore relevant to the assessment of the Appeal Scheme.
- 5.1.32 Paragraph 103 emphasises the importance of having access to a network of high quality open space and opportunities for sport and physical activity. It is then stated that planning policies should be based upon robust and up to date open space assessments.
- 5.1.33 Paragraph 104 states:

104. Existing open space, sports and recreational buildings and land, including playing fields and formal play spaces, should not be built on unless:

(a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or

(b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or

(c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

- 5.1.34 I address paragraph 104 in detail in Section 7 of my evidence when addressing the main issue in this regard to avoid repetition here.

5.1.35 Section 9 (Paragraphs 109 - 114) relates to 'promoting sustainable transport' and requires transport issues to be considered from the earliest stages of plan-making and development. Mr Fairgrieve addresses this in his evidence however I note the need to consider a vision led approach to identifying transport solutions.

5.1.36 Paragraph 110 advises that significant development should be focused on locations which are or can be made sustainable by limiting the need to travel and offering a genuine choice of transport modes. The paragraph also notes that opportunities can vary between urban and rural locations. The Appeal Scheme is located within the urban area as identified on the Key Diagram of the Adopted Local Plan and thus is located within the area which is expected to be the key focus for development. Alongside this, pedestrian footways towards the Abbey Stadium (where buses can then be taken to other destinations) are proposed along with the bus route through the Appeal Site itself.

5.1.37 Paragraph 115 advises that when assessing development proposals, it should be ensured that:

“(a) sustainable transport modes are prioritised taking account of the vision for the site, the type of development and its location;

(b) safe and suitable access to the site can be achieved for all users;

(c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code ⁴⁸ ; and

(d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree through a vision-led approach”.

5.1.38 Mr Fairgrieve deals with this in his evidence however in addressing the above points:

(a) A bus route is proposed within the site alongside improvements in pedestrian routes to Abbey Stadium (a key bus interchange).

(b) There is no objection in respect of the access design for the site.

(c) The design of the streets has been developed working closely with the highway authority and as set out in the evidence of Mr Tucker, care has been taken to balance highways design and the principles of good urban design.

(d) As set out in the evidence of Mr Fairgrieve, it is not considered that there are any significant impacts arising and a package of mitigation works has been agreed with the highway authority to mitigate what impact there is from the development.

5.1.39 Paragraph 116 states that development should only be prevented or refused on highways grounds if there would be unacceptable impacts on highway safety, or the residual cumulative impacts on the road network would be severe, taking into account all reasonable scenarios. Mr Fairgrieve deals with this paragraph and concludes that

the impact of the development will not be severe. I adopt his conclusions in this regard.

5.1.40 Consideration has been given to public transport and non-vehicular movements in accordance with paragraphs 117 and 118 of the NPPF and a Transport Assessment (**CDB1**) and Travel Plan (**CDA20**) were produced to support the Application. The highway aspects of the appeal scheme were agreed with the County Council as part of the application such that there is no objection from the highway authority to the Appeal Scheme. Mr Fairgrieve deals with this matter in his evidence.

5.1.41 Paragraph 129 advises that planning decisions should support the efficient use of land, taking account of:

(a) the identified need for different types of housing and other forms of development, and the availability of land suitable for accommodating it;

(b) local market conditions and viability;

(c) the availability and capacity of infrastructure and services – both existing and proposed – as well as their potential for further improvement and the scope to promote sustainable travel modes that limit future car use;

(d) the desirability of maintaining an area's prevailing character and setting (including residential gardens), or of promoting regeneration and change; and

(e) the importance of securing well-designed, attractive and healthy places.

5.1.42 Mr Tucker addresses matters pertaining to the design aspect of this paragraph in his evidence, however I summarise as follows;

- a) As I set out later in this section, the need for housing is substantial and options for accommodating this need are limited given the tight administrative boundary and the prevalence of Green Belt land on the periphery as shown on the Key Diagram of the BRLP at **CDE4**.
- b) No case has been made by the Appellant's in respect of viability or that the development is not an appropriate type / mix when viewed against current market conditions.
- c) Contributions are sought in respect of healthcare and education amongst other things. As set out above, the development provided the opportunity for sustainable travel modes.
- d) Mr Tucker addresses the prevailing character of the area in his evidence and I note that the Council are no longer raising any objection in this regard.
- e) Mr Tucker's evidence addresses the design and attractiveness of the Appeal Scheme and I adopt his conclusions in this regard. I note that there will be an increase in publicly accessible open space on the Appeal Site.

5.1.43 I also note that paragraph 130 specifically states that where there is an existing (or anticipated) shortfall of land (as is the case in Redditch Borough), planning policies

should avoid homes being built at low densities and developments should make the optimal use of each site. Indeed criteria (c) advises that local planning authorities should refuse applications which do not make efficient use of land. Drawing on the evidence of Mr Tucker, I conclude that the Appeal Scheme makes the optimal use of the Appeal Site.

- 5.1.44 Section 12 (Paragraphs 131-141) relates to 'achieving well-designed places'. Paragraph 131 highlights that good design is a key aspect of sustainable development. Following on from this Paragraph 135 states that planning decisions should ensure that developments: function well; add to the overall quality of the area for the lifetime of development; are visually attractive; have appropriate and effective landscaping; are sympathetic to the local character including the surrounding built environment; maintain a strong sense of place; optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space); and create places that are safe, inclusive and accessible and which promote health and well-being with a high standard of amenity for existing and future users. Drawing on the evidence of Mr Tucker, it is clear that these objectives are achieved.
- 5.1.45 Paragraph 137 advises that design should be considered throughout the scheme evolution and that schemes which demonstrate early pro-active engagement with the community should be looked upon more favourably than those which don't. Consultation on this scheme first took place in 2021 prior to the submission of the application. The Appellant has worked closely with the Council and other statutory consultees to overcome any objections and to provide additional material to assist in the assessment of the scheme.
- 5.1.46 Paragraph 139 identifies that permission should be refused for development of poor design especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Significant weight should be given to development which reflects local design policies and government guidance on design.
- 5.1.47 The Appeal Site has been the subject of discussions between the Appellants and the City Council since 2021 and the scheme has evolved to take account of comments received. The Council no longer raises any objection in respect of design matters which is consistent with the approach of Officers in their recommendation to Planning Committee.
- 5.1.48 Section 14 deals with matters relates to, amongst others, climate change and flooding. No objection is raised in this regard. In accordance with paragraph 175, there is no proposed built development or vulnerable development within flood zones 2 or 3. However even if this were the case, in accordance with the judgement of Mr Justice Holgate on the 12th February 2024², this is a matter for consideration in the planning balance and would be considered against the benefits of the scheme (for example, the need to deliver housing in the face of an acute shortfall in supply).

² R (Mead Realisations Ltd. & Redrow Homes Ltd.) v. Secretary of State for Levelling Up, Housing and Communities [2024] EWHC 279 (Admin)

- 5.1.49 Paragraph 182 sets out the provision of SUDS scheme and the need to engage with the Lead Local Flood Authority (LLFA). There is no objection from the LLFA to the Appeal Scheme.
- 5.1.50 Paragraphs 180 – 182 relate to, amongst other matters, harm to biodiversity, loss or deterioration of irreplaceable habitats, protection of habitats sites. No objections are raised in this regard and the Appeal Scheme can deliver a biodiversity net gain.
- 5.1.51 Paragraph 187 deals with the enhancement of the natural and local environment. Given that the site is currently a manicured golf course, there can be no dispute that the site does not represent a valued landscape. With regard to securing a net gain in bio-diversity, the Appeal Scheme was submitted in 2021 and therefore pre-dates the requirement for 10% BNG by some distance.
- 5.1.52 A Framework Biodiversity Net Gain Plan (incorporating a report) (**CDB42**) was submitted in July 2023 which details not only the proposals to secure a net gain in bio-diversity but other ecological enhancements which would satisfy 187(d) by supporting priority or threatened species.
- 5.1.53 In order to achieve a net gain, it is proposed that land is utilised immediately south east of the application site (but within the ownership of the Abbey Hotel and Golf Course) alongside the River Arrow. Utilizing this land will deliver a 1.84% net gain in habitat units and a 4.85% increase in hedgerow units. The locations for these improvements is shown on the plans appended to the Framework Biodiversity Net Gain Plan.
- 5.1.54 In addition as set out in table 3.2 of the abovementioned document, a number of other ecological enhancements are proposed including:
- 32 bird boxes
 - 25 bat boxes
 - 4 amphibian hibernacula log piles
 - Compost heap for grass snakes
- 5.1.55 Turning then to paragraph 193, in addition to the above, it is necessary to consider whether development would have an adverse impact on a Site of Special Scientific Interest (SSSI). The Appeal Scheme falls within the SSSI Impact Risk Zone for Dagnell End Meadow and Windmill Naps Wood which are located 460m south east and 4,770m north east from the site respectively.
- 5.1.56 This has been assessed in the Preliminary Ecological Appraisal 2021 (**CDA18**) which concluded at Section 6.2 that direct impacts are considered unlikely given the intervening distance between the sites however indirect impacts are possible. It was therefore recommended that Natural England were consulted to determine whether any further work would be required.
- 5.1.57 Natural England responded on the 20th December 2023 (**CDB140**) and advised:

No objection

Based on the plans submitted, Natural England considers that the proposed development will not have significant

adverse impacts on designated sites Dagnell End Meadow Site of Special Scientific Interest and has no objection.

Dagnell End Meadow Site of Special Scientific Interest

Based on the plans submitted, Natural England considers that the proposed development will not damage or destroy the interest features for which the site has been notified and has no objection.

We note that the Updated Preliminary Ecological Appraisal, dated October 2021, produced by Middlemarch Environmental recommends a Construction Ecological Management Plan (CEcMP); this is important in order to minimise potential impacts from the construction phase on the existing ecology on and off site. This document should be agreed with the Local Planning Authority before work commences. We welcome the Construction Ecological Management Plan, dated November 2021, by Middlemarch Environmental which states that an Ecological Clerk of Works will be appointed to ensure that best ecological practice is adhered to at all times.

- 5.1.58 A Construction Ecological Management Plan was first submitted in December 2021 and revised in February 2023, April 2023 and subsequently July 2023 (**CDB39**) and this will be captured by planning condition.
- 5.1.59 Whilst the Natural England response does not capture the Windmill Naps Wood SSSI – given this is just shy of 5km from the site and lies alongside the M42 motorway, this is unsurprising.
- 5.1.60 Based on the response from Natural England, it can be concluded that there is no adverse impact on any SSSI.
- 5.1.61 There is no loss or deterioration of irreplaceable habitats and there are no ancient or veteran trees on the Appeal Site. There are Tree Preservation Orders: Redditch New Town TPO No.1 1965 and Tree Preservation Order No.180 2022 – the latter being confirmed during the lifetime of the planning application for the Appeal Scheme.
- 5.1.62 Key trees, with high and moderate retention value, will be retained and incorporated into the landscape strategy. A number of trees, groups of trees and a hedgerow will be removed. Three trees are unsuitable for retention, and one is of moderate retention value. New tree planting is proposed to mitigate the loss as Mr Tucker explains in his evidence, he has sought where possible to further increase tree planting.
- 5.1.63 The Arboricultural Impact Assessment (AIA) (**CDB37**) confirms that the long-term health of retained trees will be mitigated. Recommendations include construction exclusion zones, tree protection barriers, and ground protection measures. This can be captured via planning condition.
- 5.1.64 During the life of the planning application, there were extensive discussions on arboricultural matters and agreement was reached that the trees to be removed are generally unremarkable trees of low arboricultural value that could be replaced or

mitigated reasonably easily with an appropriate level of new planting within the landscaping scheme.

5.1.65 I therefore consider that the objectives of paragraph 193 are achieved.

5.1.66 Section 16 deals with the conservation and enhancement of the historic environment. There are no designated heritage assets on site however Bordesley Abbey Scheduled Monument is located approximately 500m south of the nearest proposed new dwelling. The Conservation Officer raises no objection to the Appeal Scheme. Historic England raise no objection and advise that:

“Given the location, the relationships between the monument and the application site, and the buffer created by the proposed attenuation pond; we are satisfied that any negative impacts would be comparatively low. They are unlikely to result in harm to the significance of the monument”.

5.1.67 Some potential for landscape harm is identified and Historic England suggested:

“... it would be beneficial to ensure impact and potential harm is minimised as far as possible. We would therefore recommend more natural screening is added along the edge of the housing and / or around the attenuation pond. This would help soften any potential visual intrusions. You should also seek to ensure this area between the monument and the edge of the housing is maintained and kept free of any structures or built development going forwards”.

5.1.68 Additional tree planting has been proposed for the site including around the attenuation pond and given it is a full planning application and that the intervening land is in Flood Zone 3, no development is proposed beyond the extent of the built environment currently shown on the site plan. Furthermore, any additional built development would require a further planning application and Historic England would be a statutory consultee

5.1.69 The Appellant's also produced a Heritage Statement (CDB2) which accompanied the planning application and which concluded (with regard to Bordesley Abbey and its setting) that:

“Regarding the identified Scheduled Monument (Bordesley Abbey), only setting is a consideration. There is a distinct lack of visual link between the proposed residential development area (the former golf course) and the identified Scheduled Monument, the significance of which will be conserved. The previous 20th century development in the area (including the Hither Green Lane homes, the golf course and new build around Bordesley), has changed the original functional associative connections with the surrounding land and therefore appreciation of these heritage assets (i.e., change in setting). Overall, it is considered that the Proposed Development would sustain the designated heritage assets in a manner appropriate to their significance and would

cause no harm to any designated asset via a change in setting”.

- 5.1.70 On the basis of the above report, I adopt its conclusions and consider that no harm will arise. However when conducting the planning balance, I include a scenario where harm is identified, albeit based on the response from Historic England – I consider the interpretation of harm would at the lower end of “less than substantial” harm. In accordance with paragraph 215 of the NPPF, I consider that the public benefits of the Appeal Scheme (namely the provision of much needed market and affordable housing; publicly accessible open space improving opportunities for greater appreciation of the Abbey and its setting; improved golf facilities; wider pedestrian connectivity improvements) are set against the limited harm to the setting (mindful Historic England do not object and consider that it is unlikely that any harm to significance will result) and conclude that the public benefits outweigh any harm to the heritage asset.
- 5.1.71 With regard to archaeological matters, the Appellant accepts a condition requiring trial trenching prior to commencement of development. However as the site is a functioning golf course and that much of the leisure use at the hotel is linked to the course, the Appellant has agreed with the Council that this is not feasible prior to determination due to the impact this would have on the course. Whilst Worcestershire Archive and Archaeological Service express a preference for pre-determination trial trenching; their response does acknowledge that the Appeal Scheme is a functioning golf course and set out that in the event pre-determination trenching is not carried out, a conditional programme of archaeological investigation will be required. It is therefore clear that dealing with this matter by planning condition is an acceptable approach for them.
- 5.1.72 The Appellant’s heritage statement concludes:

“Regarding the archaeological planning considerations for the Proposed Development, it is considered that within the search area there could be potential for below ground archaeological features and deposits from the prehistoric through to post medieval and modern periods, given the proximity of recorded artefacts and features. There could also be good potential for palaeo-environmental deposits within the search area, particularly towards the south where the River Arrow borders the site. However, the previous landscaping of the site to facilitate the golf course use, is likely to have caused disturbance to any surviving archaeological remains”.

“7.6 The proposals are unlikely to impact on significant archaeological remains (non-designated heritage assets of archaeological interest equivalent to a Scheduled Monument). There is a residual potential for the archaeological deposits which may survive beyond the depths and extents of previous ground disturbance. However, any archaeological deposits that survive are likely to comprise agricultural remains associated with the previous phases of use on the site as evidenced in the historic mapping and therefore are likely to be of lower significance and would fall into Category 2 of non-designated heritage assets of archaeological interest as

delineated by the PPG (see Section 2 of this report). This category of assets, though of lesser heritage significance are still subject to a conservation objective (in line with NPPF para 205 [now 216]). Due to past ground disturbance and the likely lesser significance of any surviving remains, it is considered that pre-determination archaeological fieldwork is not necessary, and any archaeological fieldwork can be secured by a planning condition”.

“7.7 Therefore, archaeological mitigation is likely to comprise a two-stage approach. Stage one of this approach will involve a programme of evaluation fieldwork. The results of the evaluation will determine whether any further stage two mitigation work will be necessary (should assets of archaeological interest be identified). This might comprise targeted archaeological excavations in advance of construction, and/or an archaeological watching brief during enabling works/construction for remains of lesser significance. Alternatively, the evaluation may indicate that no further work is required”.

5.1.73 I note therefore that there is no objection from the statutory consultees in respect of the impact of the proposed development on either the setting of Bordesley Abbey and, that a programme of archaeological works can be covered by planning condition – which the Appellant has previously agreed to.

Summary

5.1.74 I therefore conclude that the policies / paragraphs in the NPPF pull in favour of the grant of planning permission. With regard to the paragraphs referenced in footnote 9 and their relationship to paragraph 11d ii), I consider that the appeal scheme accords with these paragraphs and thus there is nothing which would otherwise dis-apply the application of the tilted balance.

5.2 High Quality Design SPD (June 2019)

5.2.1 This SPD is to be read in conjunction with Policy 39 (Built Environment) and Policy 40 (High Quality Design and Safer Communities). The SPD applies more widely than just to new residential developments. Section 4 (Residential Development – Creation of New Dwellings) is the section applicable to the Appeal Site. The Appeal Scheme is classed as a large scale development (10 or more dwellings) which should have regard to the key considerations in Section 4.2 alongside other requirements such as open space and affordable housing.

5.2.2 Mr Tucker deals with this in his evidence and I adopt his conclusions in this regard. I also note that in the Officer Report to Planning Committee, Officer’s conclude

“Overall, it is considered that the proposal in broadly in accordance with good placemaking and design principles and would meet with the policy requirements in the development plan to form a comprehensive and integrated development with the neighbouring estate. The design and appearance of the dwellings are of good quality in

accordance with Policies 39 and 40 of LP4, Redditch High Quality Design SPD and the NPPF”.

- 5.2.3 Furthermore, the Statement of Common Ground confirms the agreed position between the Council and the Appellant as:

“It is agreed between the Council and the Appellant that the proposals are in accordance with placemaking and design principles, and form a comprehensive and integrated development with the surrounding area”.

5.3 Open Space Assessment (2023)

- 5.3.1 An updated Open Space Study for Redditch Borough was published in September 2023 (**CDE6**). An Open Space Needs Assessment was first published in 2005 and was later updated in 2009 and 2014 due to alterations to ward boundaries, developments on open space, and the preparation of the Core Strategy. Within the previous Open Space Needs Assessment (2009), the Appeal Site was located in the Abbey Ward and classified as a sports facility. The Assessment identified that Abbey Ward offered a consistently greater provision than the Borough standards for most categories of open space. With regards to the Borough’s performance, some wards such as Abbey Ward were noted as having a high proportion of sports facilities.
- 5.3.2 However the Open Space Study (2023) is the most recently published document and replaces previous versions. It was undertaken as part of a suite of documents to inform the wider work to develop a Leisure and Culture Strategy for Redditch and Bromsgrove. The study sets out the most recent open space analysis findings for Redditch Borough Council and presents the results of the most recent Borough wide consultation, which notes open space demand and public perceptions.
- 5.3.3 Section 3 of the Study provides an overview of the supply of open space across the Borough, its type, accessibility and distribution. A map is included within the Study showing all open spaces in Redditch Borough. The Appeal Site is shown on the map as an ‘Outdoor Sports Facility’ with limited accessibility, within the Abbey Ward.
- 5.3.4 Section 5 sets out the current supply and consultation data relating to the potential demand for open space and proposes updated local standards for the quantity and accessibility of open space within the Borough, which will be included within the revised Local Plan. As set out at paragraph 5.3.4 of the study, **golf courses and driving ranges which are privately owned have been excluded from local standards** relating to outdoor sports provision, given they have ‘limited’ accessibility. The outdoor sports provision included in the assessment only includes publicly accessible, unrestricted open space. **Therefore, the Site does not contribute towards the Ward or Borough standards.**
- 5.3.5 Therefore, the loss of the Site and its contribution towards open space provision would have no impact on the current standards within the Open Space Assessment i.e. there would be no loss against the latest calculations and in fact through the delivery of unrestricted open space there would be an approximate 3.4ha net gain. I deal with this in further detail in the following Section of my evidence and will demonstrate that the Officers, in their assessment of the Appeal Scheme in the report to Planning Committee, reach the same conclusions.

5.4 Housing Land Supply

5.4.1 I enclose at my **Appendix C**, a more detailed report on the current housing position. However as the Council are no longer defending the appeal, it was agreed at the CMC, that specific evidence would not be called in this respect and I therefore summarise the results of this report below.

Housing Requirement

5.4.2 The Borough of Redditch Local Plan No.4 became five years old on the 30th January 2022. As a consequence, the Local Housing Need is calculated by the standard method. Redditch Borough Council has published a Five-Year Housing Land Supply statement for the period from April 2024 to March 2029, with a base date of 31st March 2024.

5.4.3 The new standard method current housing requirement for Redditch is 486 dwellings per annum or 2,430 dwellings over the five-year period 2024-29. With the 5% buffer required by the NPPF, the requirement is 2,552 dwellings (rounded) or 510dpa (rounded).

5.4.4 **Table 1** below shows the historic patterns of completions in RBC since the start of the plan period. It shows delivery within the first 13 years of the plan period against the Local Plan housing requirement.

Table 4: Redditch Housing Delivery and Local Plan Requirement

Year	Annual Requirement	Net Completions	Surplus/Shortfall
2011/12	337	63	-274
2012/13	337	130	-207
2013/14	337	150	-187
2014/15	337	312	-25
2015/16	337	181	-156
2016/17	337	183	-154
2017/18	337	384	47
2018/19	337	392	55
2019/20	337	279	-58
2020/21	337	199	-138
2021/22	337	127	-210
2022/23	337	103	-234

2023/24	337	276	-61
Total	4,381	2,779	-1,602

5.4.5 The Local Plan requires 6,400 homes in the period 2011-2030. With completions currently comprising 2,779 homes to 2023/24, and with 6 years left in the Local Plan period to 2030, the Council is 68% through the Local Plan time period and has delivered 43% of the homes required. The residual requirement against the Local Plan in the period 2024-2030 is 3,621 homes, or 604 dwellings per annum.

Housing Supply

5.4.6 Redditch Borough Council published a Five-Year Housing Land Supply statement for the period from April 2024 to March 2029, with a base date of 31st March 2024. RBC concludes that it has a five-year supply of 10.1 years using the current standard method housing requirement.

5.4.7 It sets out the components of the supply which comprise:

- Net commitments
- Deliverable Sites
- Windfall allowance

5.4.8 Sites which do not involve major development and have planning permission, and all sites with detailed planning permission should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within 5 years, the onus in a s78 appeal falls to the Appellant to demonstrate such clear evidence that such sites will not be capable of delivery within 5 years. In contrast, reflecting the PPG, sites with outline permission, or those sites that have been allocated, should only be considered deliverable where there is clear evidence that housing completions will begin on sites within five years. The onus is on the Local Planning Authority to provide that clear evidence for outline planning permissions and allocated sites.

Net Commitments

Site 1 Foxlydiate

5.4.9 The developer’s own phasing indicates no completions in year 1 of the development. The Council’s trajectory assumes 35 completions in 2025/26, 135 in 2026/27 and 180 in 2027/28 and 210 in 2028/29. The Appellant considers that this is not evidenced and concludes that the site will deliver 222 dwellings in the 5-year period to 2028/29 rather than the 560 dwellings relied upon by the Council: **a difference of 338 dwellings.**

5.4.10 The Appellant concludes that this is an allocated site and the permission for new homes is made in outline only, and as a Category B site and the Council is required to provide clear evidence of deliverability within the 5-year period, which it has not. The Appellant considers that there is no evidence of progress beyond the first reserved matters application, nor evidence of a planning performance agreement which sets out the timescale for reserved matters or the phasing of the development.

Deliverable Sites

5.4.11 The NPPF states that where a site has been allocated in a development plan or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within 5 years (Annex 2: Glossary). For these Category B sites, the onus is on the Council to provide this clear evidence to justify their considered delivery of these sites within the five-year period. The Council does not rely on any sites in this category for the purposes of its housing land supply.

Windfall Allowance and Lapse Rate

5.4.12 The NPPF advises at Paragraph 75 that

“Where an allowance is to be made for windfall sites as part of anticipated supply, there should be compelling evidence that they will provide a reliable source of supply. Any allowance should be realistic having regard to the strategic housing land availability assessment, historic windfall delivery rates and expected future trends.”

5.4.13 A windfall allowance of 22 dwellings per annum is agreed.

5.4.14 With regard to the appropriateness of a lapse rate for non-implementation of permissions, the Appellant considers that that **170 dwellings** (34x5) should be removed from the supply to reflect the evidence which supports the likely lapse of small permissions in the Borough.

Summary

5.4.15 The difference between the Appellant and Council is as follows:

Table 5: 5 Year Housing Land Supply

		Council Supply	Appellant Supply
		Current Standard Method including 5% buffer	
A	Five-year requirement	2,552	2,552
B	Annual requirement	510	510
C	5YHLS supply at 1st April 2024	1,440	932
D	Supply in years	2.8 years	1.8 years
E	Over / under supply	-1,112	-1,620

- 5.4.16 I conclude that using the Council's own calculations, the Council has **2.8** years' supply of deliverable housing sites using the current Standard Method; or 4.3 years supply against the Development Plan housing requirement of 337dpa; or 2.4 years supply against the residual Development Plan housing requirement of 604dpa.
- 5.4.17 The Appellant concludes that RBC has **1.8** years' supply of deliverable housing sites using the current Standard Method; or 2.8 years supply against the Development Plan housing requirement of 337dpa; or 1.5 years supply against the residual Development Plan housing requirement of 604dpa.
- 5.4.18 The conclusion which is therefore reached is that the policies which are most important for determining the application are out-of-date and the presumption in favour of sustainable development applies in accordance with Paragraph 11d of the NPPF.
- 5.4.19 I adopt the conclusions of Mr Paterson-Neild in this regard and afford the provision of market housing (separate to affordable housing – detailed below) very substantial weight in the planning balance.

5.5 Affordable Housing

- 5.5.1 Included at **Appendix D** to my evidence is a short proof of evidence commissioned from Mr James Stacey of Tetlow King. He concludes (2.30 – 2.37):

The Future Supply of Affordable Housing

“The future delivery of affordable housing is highly uncertain. The delivery of a higher number of affordable homes in one year does not guarantee this will continue for future years. The supply of affordable housing is affected by the local market factors, including the number of sites with planning permission and also wider national factors including availability of public funding”.

“Since the start of the 2022 HEDNA monitoring period, the Council have overseen the delivery of 25 affordable homes (net of Right to Buy) against a need of 270 net new affordable homes which has resulted in a shortfall of -245 affordable homes over the three-year period. I consider that any shortfall in delivery should be dealt with within the next five years. This is an approach set out within the PPG³ and endorsed at appeal”.

“When the -245 affordable home shortfall is factored into the 2022 HEDNA identified need of 90 affordable homes per annum for the period 2021/22 to 2039/40, the number of affordable homes the Council will need to complete significantly increases to 139⁴ net affordable homes per annum for the period 2024/25 to 2028/29. This would ensure that for the remainder of the period up to 2039/40 the annual affordable housing need reduces to 90 per annum to deal solely with newly arising needs”.

³ Paragraph: 031 Reference ID: 68-031-20190722

⁴ (245/5) + 90 = 139

“The Council published its latest Five-Year Housing Land Supply (“5YHLS”) Position in April 2024 (CDE8), covering the period 1 April 2024 to 31 March 2029. If we were generously to assume that all 1,440 dwellings included in the 5YHLS will come forward on sites eligible for affordable housing; and that all of these sites would provide policy compliant levels of affordable housing (i.e. 30%) as a proportion of overall housing completions, this is likely to deliver 432 affordable dwellings over the period, equating to 86⁵ new affordable dwellings per annum”.

“This figure falls considerably short of the 139 per annum figure required when back log needs are addressed in the first five years in line with the Sedgefield approach as well as the 90 net affordable housing needs per annum identified in the 2022 LHNA”.

“Further illustration of the severity of the situation can be seen in Figure 2.8 below which illustrates that the Council need to deliver 695 net affordable homes over the next five years to address backlog needs in line with the Sedgefield approach.”

Annual Affordable Housing Need 2024/25 to 2028/29 incorporating Backlog Needs Accrued between 2021/22 and 2023/24 when applying the Sedgefield Approach

Monitoring Period	2022 HEDNA Net Affordable Housing Need	Net Affordable Housing Need When Addressing Backlog Within Next Five Years
2024/25	90	139
2025/26	90	139
2026/27	90	139
2027/28	90	139
2028/29	90	139
Total	450	695

“It is clear that the backlog affordable housing needs in Redditch will continue to grow unless the Council takes urgent and drastic action to address needs and deliver more affordable homes”.

Conclusion

“In light of the key findings of my updated evidence and the acute need for affordable housing within Redditch, I consider that substantial weight should be attributed to the delivery of up to 66 affordable homes through the appeal scheme in the planning balance”.

5.5.2 I adopt the conclusions of Mr Stacey and afford this matter substantial weight in the planning balance in Section 10 of my Evidence.

⁵ 432/5 = 86.4

5.6 Custom / Self Build

- 5.6.1 The Appeal Scheme proposes the delivery of 2 custom / self build plots.
- 5.6.2 The Council’s latest monitoring data is the Redditch Borough Council Authority Monitoring Report – December 2023. The 2024 report has yet to be published.
- 5.6.3 With regard to the number of additions to the Self Build Register – there are currently 33 registered persons as set out in the tables below. It is noted that of the 33 who are entered – 24 of these meeting the local eligibility criteria.

Table 8: Number of additions to the Self-build Register within the relevant Monitoring Periods (Part 1 and 2 of the Register)

Monitoring period	Number of additions to the Self-Build Register
17/05/16 – 30/10/16	6
31/10/16 – 30/10/17	10
31/10/17 – 30/10/18	3
31/10/18 – 30/10/19	3
31/10/19 – 30/10/20	3
31/10/20 – 30/10/21	4
31/10/21 – 30/10/22	4

Table 9: Number of entries on each part of the Self-build Register

Part of Register	Number of entries
Part 1	24
Part 2	9

- 5.6.4 The Council’s Annual Monitoring Report 2024 (CDE7) identifies (at page 32), one scheme delivering 9 self build / custom build homes. Thus there remains a need for at least 24 self build / custom build homes and the Appeal Scheme will contribute towards meeting that need.

5.7 Summary

- 5.7.1 This section of my Evidence demonstrate that there are a number of other material considerations which pull in favour of a grant of planning permission.

6 THIRD PARTY COMMENTS

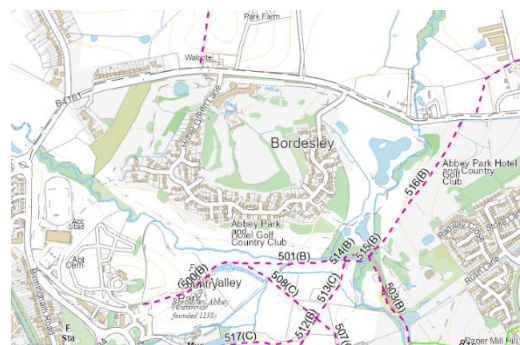
6.1 Summary of Responses to 3rd party comments

- 6.1.1 I set out in the table below, the Appellant's response to comments made by 3rd parties during the lifetime of the application. I note that with regard to the Appeal, the North Redditch Communities Alliance (NoRCA) has helpfully coordinated all responses through them and therefore I address their submission later in this section.
- 6.1.2 As discussed at the CMC, I am mindful that in light of the decision by the Council not to defend the appeal, NoRCA have been afforded the opportunity to submit a further statement and therefore the Appellants reserves their right to respond to this should new points be raised.
- 6.1.3 So as to avoid repetition, I deal here with matters which are not otherwise covered in evidence by others. For example, Mr Fairgrieve's evidence deals with all matters related to highways and transportation; Mr Tucker in relation to design and character and Mr. Smith in relation to the future operation of the golf course. I have also grouped the matters into topic areas.

Planning

	<u>COMMENT</u>	<u>RESPONSE</u>
(i)	Redditch Borough Council has met in housing targets and there is no need for any more housing.	The Housing Land Supply Report included at my Appendix 1 shows that there is a shortfall in supply against both the Development Plan annual requirement; and also the new local housing need figure. There is a national requirement to maintain a minimum 5 year supply of housing land and Redditch do not have a 5 year supply thus there is a pressing need to deliver more housing in the Borough.
(ii)	There are sufficient brownfield sites to meet housing need	The Council's housing land supply shortfall includes consideration of all known (and unknown – via a windfall allowance) brownfield sites and this still shows there to a shortfall in supply.
(iii)	Impact on education and health care services (including A&E).	Matters in relation to the S106 are on-going however at the time of writing my evidence, contributions include sums towards education and healthcare provision (including acute services).
(iv)	The Appeal Site is an incursion into the Green Belt and its development	The Appeal Site is greenfield but does not lie within the Green Belt.

	<u>COMMENT</u>	<u>RESPONSE</u>
	causes harm to the Green Belt and is contrary to Green Belt purposes.	
(v)	The Appeal Site is not allocated for development	The Council's Local Plan should have been reviewed by 2022 however this review has yet to commence. The Local Plan does not address current housing need and the Council cannot demonstrate a 5 year supply of housing. Therefore there is an immediate need for other land to come forward to meet housing need and there is no plan led way to meet need.
(vi)	The development is located in an area of outstanding beauty.	On the assumption that this comment considers the site to be located within an Area of Outstanding Natural Beauty (now a National Landscape) – this is incorrect. The site is not located in a National Landscape.
(vii)	The site is / was designated as a park and garden	The BRLP Proposals Map does not designate the site as such. The site was originally shown as a golf course on the original New Town Plans as confirmed in the evidence of Mr Tucker.
(viii)	This development will set a precedent for future development on the remaining land.	Any development on adjoining land will be the subject of another application and is not a matter for consideration as part of this application.
(ix)	The PROW which crosses the course is to be removed.	It is not clear which PROW is being referred to however for the avoidance of doubt, there are no PROW's which cross the Appeal Site as confirmed by extract from the Worcestershire PROW map.



Open Space

	<u>COMMENT</u>	<u>RESPONSE</u>
(x)	Loss of green space	It is acknowledge that green space is lost however this site does not currently contribute towards the Council's open space standards as it is not publicly accessible save by payment. The site will however deliver c3.4ha of publicly accessible open space so there will be a net gain in accessible open space.
(xi)	Development will prevent the site being used for leisure; dog walking; recreation.	The site has no lawful public access bar for golf and thus its redevelopment will increase opportunities for wider public use.
(xii)	The site is part of the GI network	The Appeal Site forms part of the GI network although unlike the Arrow Valley Country Park to the south, it does not play a functional role as there is no public access through the site or across the land to the north to which it connects.
(xiii)	The site is located within the Arrow Valley Country Park	This is incorrect – the Country park does not include the Appeal Site.

Golf Course

	<u>COMMENT</u>	<u>RESPONSE</u>
(ix)	The reduction in the course to a 9 hole course will discourage people from using it.	The course will remain as an 18 hole course – there is no reduction in the number of holes.
(xv)	There will be disruption to the hotel and the golf course during the building works	Some disruption is likely however the Appellant's have agreed to England Golf's proposition that the new holes are laid out and available for play before work commences on the existing course to minimise any disruption.
(xvi)	There is a lack of clarity on future golf provision.	A scheme for the future course was included within the application (CDB77). Mr Smith assesses this in his evidence.

	<u>COMMENT</u>	<u>RESPONSE</u>
(xvii)	Likely to be future pressure to reduce the course to a 9 hole course.	That is not proposed through the current application and is not therefore a material consideration for this application.
(xviii)	The course will be reduced to 10 holes initially	Whilst there may be some disruption whilst the new works to the course are completed – an 18 hole course will be delivered. Mr Smith deals with the potential temporary disruption in this evidence.

Flood Risk / Drainage

	<u>COMMENT</u>	<u>RESPONSE</u>
(xix)	The site is at risk of flooding	All built development is contained within flood zone 1 where residential development is acceptable in principle. There is no development within the floodplain.
(xx)	Site is red clay and drainage is difficult	The Flood Risk Assessment and Drainage Strategy (CDB41) specifically notes at 3.1.1 that following infiltration testing, the site could not be effectively drained by soakaway and therefore drainage will be via an attenuation basis with a vortex flow control providing the flow restriction. The drainage strategy has been agreed with the LLFA.
(xxi)	Foul drainage network is insufficient to accommodate the development.	This matter is dealt with in Section 3.3 of the Flood Risk Assessment and Drainage Strategy (CDB41). There is no objection on foul drainage grounds to the Appeal Scheme.
(xxii)	The attenuation ponds will be overwhelmed due to climate change	The ponds are designed to take account of climate change as confirmed in the Flood Risk Assessment and Drainage Strategy (CDB41).

Environmental

	<u>COMMENT</u>	<u>RESPONSE</u>
(xxiii)	There is a significant impact on bio-diversity and wildlife.	<p>There is a national; requirement to achieve a net gain in bio-diversity which this site will deliver as set out in the Framework Biodiversity Plan.</p> <p>With regard to wildlife, protected species surveys have been carried out and appropriate mitigation developed. Furthermore, there will be bird and bat boxes, compost heaps for the grass snake and hibernation logs for amphibians.</p>
(xxiv)	Loss of trees and hedgerows	I deal with this in paragraphs 5,1.61 – 5.1.64 of my evidence. Whilst there is some loss, the Appellants have worked close with the Council to minimise loss and increase opportunities to new planting.
(xxv)	The site contains large amounts of wildlife which will be lost if the site is developed – including various species of bird; deer; foxes; badgers and newts.	<p>Deer and foxes are not protected species. The following protected species surveys have been carried out:</p> <p>Amphibians – no great crested newts were recorded in any of the ponds on site or within 250m of the site boundary. Common toad was recorded and there is anecdotal evidence of common frog and smooth newts.</p> <p>Dawn and dusk bat surveys were completed and whilst 7 bat species were recorded no roosts were found. Bat boxes will be provided.</p> <p>An assemblage of 21 confirmed / probable breeding birds comprising common generalist species – no significant concentrations in either a local or national context were recorded.</p> <p>A total of 36 wintering bird species were recorded – the majority of which were widespread generalist</p>

	<u>COMMENT</u>	<u>RESPONSE</u>
		<p>species. Overall the site is of low value to overwintering species.</p> <p>Bird boxes will be provided.</p> <p>Hedgehogs are likely to be intermittently present.</p> <p>There is no evidence of badgers and therefore any use is likely to be intermittent.</p> <p>A low population of grass snakes was recorded and mitigation in the form of a compost heap is proposed.</p>
(xxvi)	There is a climate emergency	The houses will be built to current building regulations standards which are part of the Government strategy to move towards net zero.
(xxvii)	Potential impact on the SSSI	I deal with this in paragraphs 5.1.55 – 5.1.60 of my evidence. Natural England have confirmed that there will be no impact on the SSSI.
(xxviii)	The scheme will include gas boilers	Gas boilers are still permitted on new developments. It maybe that new legislation is introduced under the forthcoming Future Homes Standards however this has not yet been confirmed.
(xxix)	There are no shops in the local area.	Whilst this may be the case (bar the M&S at the petrol filling station), the Council and Highway Authority have been keen to secure pedestrian enhancements to Abbey Stadium where buses can then be caught to other destinations,
(xxx)	Potential for light pollution	The level of lighting for this development would be no different to any other residential scheme. The Appeal Site is not covered by any 'dark skies' designation and a lighting scheme will be submitted for approval.

	<u>COMMENT</u>	<u>RESPONSE</u>
(xxx1)	Potential impact on the River Arrow Local Wildlife site	<p>The River Arrow is identified as a LWS – the recommendation in the Construction Ecological Management Plan (CDB39) is to adhere to standard noise, pollution and lighting standards.</p> <p>There is no development alongside the River Arrow and a suitable lighting scheme can therefore be developed.</p>

Legal

	<u>COMMENT</u>	<u>RESPONSE</u>
(xxxii)	The site is subject to a legal covenant in favour of Homes England preventing its development for housing.	<p>Homes England are the Government's housing and regeneration agency – who believe that affordable, quality homes in well-designed places are key to improving people's lives.</p> <p>Their objective is accelerate the pace of house building and regeneration across the country, and deliver homes and places people are proud to live in – for generations to come.</p> <p>The Appellant's are aware of the covenant and given their objective, Homes England will be minded to lift the covenant as it as legacy from the designation of Redditch as a New Town in 1964. The Appellant's legal team advise that this matter is likely to take around 6 months to be finalised from the grant of planning permission.</p> <p>Fundamentally however this is not a planning matter and is not a reason against which planning permission can be refused.</p>

Miscellaneous

	<u>COMMENT</u>	<u>RESPONSE</u>
(xxxiii)	There will be increased waste	The Council's waste department were consulted during the planning application process and raised no objection subject to contributions towards recycling bins for each household.
(xxxiv)	Increased pollution into the River Arrow	There will be no discharge into the River Arrow.
(xxxv)	Loss of tranquillity during construction and once developed – for example, with a children's play area.	<p>The site will be subject to a Construction Management Plan which will set out measures to manage deliveries; hours of work; management of noise and dust etc. The site will also have a Site Manager who will be on site during working hours and will be a point of contact for residents.</p> <p>With regard to noise post submission, the Appeal Site is not located in an area which has been identified for its tranquillity and normal household noise would not be expected to be at an unacceptable level. Children's play areas are to be encouraged and its use is normally in day time hours.</p>
(xxxvi)	Reduction in property value	This is not a planning matter.
(xxxvii)	Lack of parking / visitor parking	<p>Parking is provided in accordance with the relevant parking standards set out within WCC's Streetscape Design Guide (2022), with the minimum requirements as follows:</p> <p>1 bedroom unit: 1 vehicle space & 1 cycle space;</p> <p>2-3 bedroom units: 2 vehicle spaces & 2 cycle spaces; and</p>

	<u>COMMENT</u>	<u>RESPONSE</u>
		<p>4-5 bedroom units: 3 vehicle spaces & 2 cycle spaces.</p> <p>A number of on street visit parking spaces are provided.</p> <p>The level of parking provision has been agreed with the Worcestershire County Council as highway authority,</p>
(xxxiii)	Loss of small car park on the western side of Hither Green Lane	The Appeal Scheme will result in the loss of a small car park of around 20 spaces. This car park is mainly used for maintenance and also golf parking. The hotel has a large car park and with golf provision now focused on the eastern side of Hither Green Lane – this car park may have been used less in any event.

6.2 Response to NoRCA Appeal Statement

6.2.1 A significant amount of NoRCA’s comments relate to highway matters which are covered in the evidence of Mr Fairgrieve. Golf related matters are covered by Mr Smith. I also note that NoRCA’s comments were issued prior to the publication of the December 2024 NPPF and therefore it may be that some of these comments are revised in their new statement to be issued on the 7th January and therefore the Appellant’s team reserve their right to respond if necessary particularly if new material is produced which was not submitted with its original statement. It is also the case that subsequent to the production of the statement by NoRCA dated 28th October 2024, the Council withdraw from defending the appeal and therefore where reference is made to the reasons for refusal still standing whilst this is technically correct, the Council and its elected members have made a formal decision to withdraw from the appeal and indeed the Council have signed a Statement of Common Ground stating that planning permission should be granted.

6.2.2 I therefore cover matters related to Planning and summarise the current position in respect of ‘Environment and Biodiversity’ – mindful that the latter forms no part of the reasons for refusal.

6.2.3 I use the headings in the NoRCA statement for ease of reference,

HLS / HDT and the Local Plan Review

6.2.4 Matters relating to 5 year housing land supply (5YHLS) and the results of the Housing Delivery Test (HDT) should not be conflated. The latter is looking backwards and the former is looking forward. In this case, whilst the HDT has no consequence for the

Appeal Scheme, the shortfall in 5YHLS does. I deal with the current housing land supply position post the publication of the NPPF in Section 5.4 of my evidence and would not propose to repeat it here suffice to say that the Council cannot demonstrate a 5YHLS and thus notwithstanding that it is both my view and the view of the Council that the Appeal Scheme is in accordance with the Development Plan (and therefore paragraph 11c of the NPPF also applies); in the event that a different view is taken it is now also the case that paragraph 11d applies and the tilted balance is engaged.

6.2.5 NoRCA advise that the Local Plan review is imminent. However this has yet to commence and there is no up to date Local Development Scheme – thus there is no plan led solution in place for meeting housing need (against either the Development Plan housing numbers or the local housing need numbers).

6.2.6 It is well established in countless appeal decisions and indeed in the NPPF itself (and under Policy 1 of the ALP) that in the absence of a 5 year housing land supply and indeed in many cases even when there is no shortfall, when the housing policies are out of date as they are here – the test is whether the benefits are significantly and demonstrably outweighed by adverse impacts.

Traffic and Transport

6.2.7 This is dealt with by Mr Fairgrieve.

Environment / Open Space

6.2.8 As a result of the shortfall in housing land, the most important policies for the determination of the application are out of date (this includes Policies 11, 12 and 13) and therefore the weight to be afforded to them should be moderated insofar as they pull against the grant of planning permission. I consider (and the officer report confirms the same) that there is accordance with Policies 12 and 13 particularly as the Appeal Site does not contribute towards the current open space standards in the Borough and as such as a result of its development, there will be a net gain in open space of 3.43ha against current standards. With regard to Policy 11, whilst there will be some impact on the GI network – the appeal site does not form a functional part of this as there is no public access and if anything, its functionality will be improved providing connections through the site and an opportunity then to link to the GI network to the north which is not currently an option.

6.2.9 There is reference to the wildlife corridor – it is not clear which corridor is referenced. The only formal designated Local Wildlife Site is along the River Arrow which is not being built on as part of the development and there is no ecological objection in this regard.

6.2.10 Reference is made to Policy 43.3 – Policy 43 is set out below:

Policy 43

A. Leisure, tourism and culture

43.2 Leisure, tourism and culture proposals, including new build, extensions or additions to existing facilities will be promoted and supported where:

i. the proposal is located in places that are sustainable and accessible by a choice of transport

modes, principally Redditch Town Centre and/or where additional visitor numbers can be accommodated without detriment to the local economy and environment; and

ii. they support sustainable tourism or leisure developments and benefit the economy of the Borough and enhance community facilities.

43.3 Consideration should also be given to the potential of the natural environment, including Public Rights of Way and water corridors to provide opportunities for leisure and recreation activities, whilst ensuring that this does not place undue pressure on the natural environment. All proposals should contribute positively to the Green Infrastructure network of the Borough.

43.4 The Borough Council realises the potential for the historic environment to provide opportunities for leisure and tourism and proposals for such will be encouraged, particularly where they result in the enhancement of a heritage asset.

B. Abbey Stadium

43.5 The Borough Council will safeguard land within the curtilage and land adjacent to the Abbey Stadium Complex for development which is for leisure and leisure-related uses

6.2.11 The statement does not set out what harm will arise or how it will arise other than building on designated leisure land. As stated previously, the site is not currently publicly accessible and as such does not fulfil a leisure function save for paid golf. There are no PROW's which currently run through the site. It is considered that the creation of routes through the site linking the Arrow Valley (GI) to the south with the GI to the north is a positive functional contribution.

Proposed Design

6.2.12 This is dealt with by Mr Tucker,

Golf

6.2.13 This is dealt with by Mr Smith.

Covenant

6.2.14 I have addressed this in the table above however I note that NoRCA agree that it is not a planning matter.

6.3 Response to NoRCA Application Submission – February 2022

Planning – page 4

6.3.1 Redditch has a sufficient supply of housing land (8.9 years) - as confirmed in the latest 5YHLS (31st January 2022).

- 6.3.2 Appellant response – The Council can no longer demonstrate a 5YHLS as per Section 5.4 of my evidence.**
- 6.3.3 Redditch has exceeded its requirements under the Housing Delivery Test published by the government on 14th January 2022.
- 6.3.4 Appellant response - It is agreed that the Council have passed the HDT as of December 2024. This is of no consequence to the assessment of the Appeal Scheme.**
- 6.3.5 The Redditch Local Plan 4 is up-to-date and current.
- 6.3.6 Appellant response – the Local Plan was adopted in 2017 and should have been reviewed by 2022. The plan was examined under the 2012 – its does not address current housing need and its housing policies are therefore out of date. This position is exacerbated by the current shortfall in housing land as demonstrated by the shortfall in 5 year housing land supply which renders the most important policies out of date.**
- 6.3.7 The application site is not designated for housing development.
- 6.3.8 Appellant response – it is agreed that the Appeal Site is not designated for housing development however the Council cannot meet its housing requirements through plan led development as per my Section 5.4. Furthermore, there is no up to date Local Development Scheme in place and as such there is no plan led solution to meeting housing need.**
- 6.3.9 The application site is designated as “Primarily Open Space”.
- 6.3.10 Appellant response – it is agreed that the Appeal Site is designated as Primarily Open Space. However that policy is now out of date and in any cases, envisages a situation where such sites could come forward for development. It is the agreed position between the Appellant and the Council that the criteria within Policy 13 are met.**
- 6.3.11 The site is not a sustainable location for further residential development.
- 6.3.12 Appellant response – the Appeal Site is located within the Redditch urban area which is where Policy 2 directs the focus for development as “it provides the highest level of services and facilities provision and offers the most sustainable location for development”.**
- 6.3.13 The site has potential flood and environmental impacts which will affect both the site itself and have wider impacts.
- 6.3.14 Appellant response: the Appeal Scheme is accompanied by a Flood Risk Assessment and Drainage Strategy and a suite of environmental reports. No objection is raised by the LLFA; the Council’s appointed ecological consultants or Natural England. No material has bene produced to substantiate these points.**
- 6.3.15 The golf course is an important local facility and will be materially impacted by the proposed development.

6.3.16 Appellant response: Mr Smith addresses this in his evidence however the golf course is, and will remain, an 18 hole course.

6.3.17 It is clear that the application conflicts with the Development Plan in a number of key aspects such that the provisions of Paragraph 11 (c) of the NPPF do not apply in support of this application. Moreover, these conflicts are such that the planning application would cause demonstrable harm to key aspects of the Development Plan and other material planning considerations such that planning permission should be refused.

6.3.18 Appellant response: it is the view of both the Council and the Appellant that the Appeal Scheme is in accordance with the Development Plan and therefore paragraph 11c of the NPPF also applies. As set out in my Section 10, in the event that an alternative view is taken it is my view that the balancing exercise required under paragraph 11d tilts decisively in favour of the grant of planning permission.

Environment and Biodiversity

6.3.19 This Primarily Open Space is 'a valuable part of the Green Infrastructure Network' (BORLP4) providing an 'invaluable formal and informal recreational resource, is beneficial for nature and conservation and has a bearing on people's quality of life'.

6.3.20 Appellant response: The site currently plays no functional role in the GI network and as it currently stands, effectively prevents access between the Arrow Valley Country Park to the south and the footpath running through the GI network to the north. Whilst there is development on the GI network resulting from this site, it is considered that its functional role can be improved through its development.

6.3.21 It makes an invaluable contribution to reducing the town's Carbon Footprint, fundamental to its Climate Change Emergency Declaration.

6.3.22 Appellant response: This statement is not qualified with any evidence and indeed it does not form part of any reason for refusal. However I have already set in Section 5 of my evidence the efforts that have been made to retain as much tree planting as possible and Mr Tucker addresses the new tree planting which will be provided as part of the Appeal Scheme.

6.3.23 The Environment Act 2021 will, before any construction commences, require evidence of a verifiable 10% biodiversity net gain over 30 years, commencing with a significant negative as the current green environment is destroyed by the estate built to replace it.

6.3.24 Appellant response: The Appeal Scheme is not required to deliver 10% net gain, a "net gain" is sufficient. I deal with this in paragraphs 5.1.51 - 5.1.53 of my evidence where I set out how a net gain in biodiversity will be achieved,

6.3.25 Waste generation, chemical contamination, sewage, noise, light and air pollution will be significant (216 house estate : 600+ residents; 400+ vehicles; 300+ children).

6.3.26 Appellant response: Whilst a significant impact is claimed above, none of the claims are backed up with evidence. The Appeal Scheme was accompanied by a full suite of supporting documents which were the subject of discussion with

consultees over a lengthy period. Officers concluded that the Appeal Scheme would be in accordance with the Development Plan and raised no objections in this respect.

6.3.27 Wildlife habitat on the site is currently extensive including numerous roe deer, snakes including adders, rabbits, owls, birds of prey, bats, wildfowl, ducks, extensive bird life including owls and buzzards, foxes, badgers, freshwater fish (*Carp, Perch, Roach, Dace in abundance in pool at northern part of the site*) aquamarine and other small animals you would expect to find in the countryside but these will largely disappear near a big housing estate with all the above pollutions.

6.3.28 Appellant response: the Appeal Scheme was accompanied by a Preliminary Ecological Appraisal, a Biodiversity Framework Plan and protected species surveys (as listed earlier in this section). No objection has been raised from the Council's ecological consultants or Natural England.

6.3.29 Established trees, longstanding hedgerows, numerous water features are all at severe risk, along with disappearance of the wide expanses of verdant grassland on the proposed site.

6.3.30 Appellant response: the extent of tree loss is dealt with in the table above. The scheme was the subject of extensive discussions with the Council's arboricultural officer who raised no objection to the Appeal Scheme.

6.3.31 The River Arrow Corridor Special Wildlife Site, which links onwards to a series of other similar sites along the river, on the edge of the proposed development will be at serious risk once threatened by increased population footfall, usage, and proximity of housing with associated contaminations, leading to almost total loss of riverside habitats.

6.3.32 Appellant response: The River Arrow LWS is assessed in the Preliminary Ecological Appraisal and Biodiversity Framework Plan. No development is located in adjoining the LWS and recommendations are made in respect of lighting which can be captured by condition.

6.3.33 There will be Increased Surface Water Flood Risks on land that floods regularly after heavy rainfalls which are likely to increase with Climate Change.

6.3.34 Appellant response: the LLFA (CDB142) have advised as follows:

The proposed development site is situated in the catchment of River Arrow. The site falls within flood zone 1 and it is not considered that there is any significant fluvial flood risk to the site. Based on the EA's flood mapping, there is some risk from surface water flooding but this is minimal. Correctly designed drainage will mitigate any flood risk from surface water on the site and in the surrounding area.

6.3.35 River Arrow pollution and dangers will arise from placing a large housing estate adjacent to the river with all sorts of rubbish and detritus ending up in the water.

6.3.36 Appellant response: there are no restrictions pertaining to 'rubbish control' on building new developments near to watercourses. It is not clear why it is

assumed that future residents would seek to dispose of their rubbish in the River Arrow.

6.3.37 Fast flowing water and steep embankments, within 10 metres of the site, will pose a life-threatening hazard to children who will inevitably treat the river, its embankment and riverside woodlands as their play area. A further tragedy as occurred at the nearby Five Tunnels, must be avoided.

6.3.38 *Appellant response: Whilst the River Arrow is in close proximity to the site, there are no homes which immediately adjoin the river. It would be expected that parents pay adequate care and attention to their children as they would if, for example, they lived next to a road.*

6.3.39 The proposed development will deprive residents of the open space amenities to the detriment of their well-being.

6.3.40 *Appellant response: There is no lawful public access to the site save for those paying to play golf. There have been a number of references to the site being used for recreational purposes and dog walking. There are no PROW's through the site and no lawful access other than for golf purposes.*

6.3.41 The extensive 'mitigations' recommended to alleviate the large number of environmental and biodiversity risks of proceeding with this application are just that: mitigations not eliminations. For example, using downward facing LED road lighting will be energy efficient but will still keep most wildlife away, as will lit up houses, continuous road traffic and general estate noise.

6.3.42 *Appellant response: It is normal for a housing development (or any form of development) to include mitigation to seek to ameliorate the impact of development. This is good practice.*

6.4 Summary

6.4.1 The Appeal Scheme was submitted in 2021 and was eventually taken to planning committee some 2.5 years later. In the intervening period, much work was done by the Applicants, the Council and the respective statutory consultees to work proactively to find solutions despite the ever changing national planning position. At the time of the determination of the Appeal Scheme, Officers had considered all the responses from local residents and the statutory consultees and concluded that the Appeal Scheme was in accordance with the Development Plan and should be approved (that recommendation being reached when, in the Council's opinion, they had more than 10 years housing land supply).

6.4.2 Since the submission of the Appeal, the new Labour Government is part way through the introduction of major changes to the planning system. This does not affect the conclusions of any of the technical work undertaken but does mean that there is a significant housing shortfall in the Borough which must now weight heavily in the planning balance when assessing the scheme. If the Appeal Scheme were considered acceptable following consideration of all local and statutory responses; then it must follow that in the event of a shortfall in housing land supply – the balance tips even more in favour of the grant of planning permission and therefore whilst the comments from NoRCA and others are noted; it now falls to demonstrate that any adverse

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impacts of allowing the development must significantly and demonstrably outweigh the benefits. Neither the Council nor the Appellant believe this to be the case.

7 MAIN ISSUE (A)

7.1 The effect of the proposal on green infrastructure provision

7.1.1 I approach this issue as a 3 stage process:

1. Review the quantity and quality of open space provision in the locality.
2. Review the Appellants proposals in terms of quantum, quality and location having regard to the evidence of Mr. Smith also.
3. Review the planning policy position in relation to the main issue.

7.2 Stage 1

7.2.1 An updated Open Space Study for Redditch Borough was published in September 2023 (**CDE6**) – in so far as it relates to the open space considerations for this appeal, this is the most recent publication and supersedes other versions.

7.2.2 The Open Space Study (2023) was undertaken as part of a suite of documents to inform the wider work to develop a Leisure and Culture Strategy for Redditch and Bromsgrove. The study sets out the most recent open space analysis findings for Redditch Borough Council and presents the results of the most recent borough wide consultation, which notes open space demand and public perceptions.

7.2.3 Section 3 of the Study provides an overview of the supply of open space across the Borough, its type, accessibility and distribution. A map is included within the Study showing all open spaces in Redditch Borough (page 9). The Appeal Site is shown on the mapping as ‘Outdoor Sports Facility’ with limited accessibility, within the Abbey Ward. Table 8 on page 10 shows that Abbey Ward is the only area to have unrestricted access⁶ to all forms of open space.

7.2.4 Table 11 (overleaf) shows that Abbey Ward has 13.75 hectares of unrestricted open space per 1,000 population which is approximately 5ha / 1000 population greater than the Borough average.

⁶ Unrestricted access is defined on page 4 of the Open Space Assessment as: Publicly accessible, without prior appointment. Some sites may be locked or gated from dusk until dawn or have other time limited restrictions to public access.

Ward	Population	Area (Ha)	Hectares per 1,000 population
Matchborough	6,054	90.38	14.93
Abbey	6,620	91.02	13.75
Winyates	8,184	102.73	12.55
West	5,823	61.82	10.62
Central	6,844	64.68	9.45
Astwood Bank & Feckenham	6,029	56.25	9.33
Headless Cross & Oakenshaw	8,295	71.77	8.65
Borough-wide average	85,261	732.18	8.59
Lodge Park	5,591	43.04	7.70
Batchley & Brockhill	8,783	51.66	5.88
Greenlands	9,329	45.51	4.88
Crabbs Cross	5,647	23.05	4.08
Church Hill	8,062	30.26	3.75

7.2.5 Section 5 sets out the current supply and consultation data relating to the potential demand for open space and proposes updated local standards for the quantity and accessibility of open space within the Borough, which will be included within the revised Local Plan. As set out at paragraph 5.3.4 of my evidence, **golf courses and driving ranges which are privately owned have been excluded from local standards relating to outdoor sports provision, given they have limited accessibility**. The outdoor sports provision included in these figures only includes publicly accessible, unrestricted open space. **Therefore, the Appeal Site does not contribute towards the Ward or Borough standards.**

7.2.6 Appendix C of the Assessment sets out the open space data per 1,000 population. The total / Borough proposed standard per 1,000 population is 4.99ha with Abbey Ward being below the standard at 3.739ha / 1000 population. However the Appeal Site, being a privately owned golf course, is not included within the assessment and thus its loss will not worsen the position. Indeed the addition of 3.4ha of publicly accessible open space would improve the amount of open space set against this Assessment.

RBC Conclusion

7.2.7 With regard to my Stage 1, the Officer’s Report to Planning Committee states:

“10.7 Abbey Ward has an overall deficiency in open space compared to the local standards identified in the Open Space Study (2023₁). Table 1 shows Abbey Ward has 3.739 ha of open space per 1000 population compared to the Borough average of 4.990 ha open space per 1000 population, which equates to a deficit of 1.251 ha open space per 1000 population”.

10.8 However, the outdoor sports provision included in these figures above (0.386 ha) only includes publicly accessible and unrestricted open space. The golf course is

considered to be a limited-access open space within the Open Space Study, therefore, it has not contributed towards the ward or Borough standards and the figures outlined in Table 1. On that basis the loss, because of the proposed development, would have no impact on the current deficit identified within the Open Space Study.

7.2.8 It is therefore clear that based on the latest Open Space Assessment, there would be no loss of open space and this is an agreed position between the Council and the Appellant.

7.3 Stage 2

7.3.1 As referenced above and in the Open Space Assessment, the Appeal Site has not contributed towards the open space standards within the Borough, on the basis of the Council's own analysis, given it has limited accessibility. The Appeal Site is not considered to be publicly accessible as it is in private use as a golf course and is only available to those with either a membership or day pass.

7.3.2 With regard to the enhancement to golf provision, I draw on the conclusions of Mr Smith who advises that in respect of the existing course

- (i) The current 18-hole layout is too hard for the primary target golfing market of recreational/casual golfers – and particularly those taking golf breaks at the hotel. Slow play is a problem.***
- (ii) Poor drainage (clay subsoil) adversely affects its winter appeal.***
- (iii) The irrigation system will need a substantial and expensive upgrade soon.***
- (iv) The large acreage makes the course expensive to maintain (increased mowing).***
- (v) If possible, improving the health and safety issues relating to stray shots on holes 1 and 5 would be a good thing.***
- (vi) From a strategic perspective, making the course easier and faster to play would better align it with the primary target golfing market of recreational/casual golfers many of which would be golf breaks golfers.***

7.3.3 In respect of the proposed alterations to the course, Mr Smith covers this in detail in his report and concludes:

Overall, and purely from a golf related perspective, my professional opinion is that the collective golf related benefits of the proposed development significantly outweigh any golf related harm.

It therefore does not surprise me that the game's national governing body, England Golf, have no objections to the proposed course redesign.

Whilst I acknowledge the concerns of NoRCA regarding the proposed course redesign, I do not agree with their main assertions.

- 7.3.4 In respect of golf provision and the response of statutory consultees, Sport England (CDB141) confirm that

"the proposed development does not fall within either our statutory remit (Statutory Instrument 2015/595), or non-statutory remit (National Planning Policy Guidance (PPG) Par. 003 Ref. ID: 37-003-20140306), therefore Sport England has not provided a detailed response in this case..."

- 7.3.5 England Golf comment as follows:

Thanks again for allowing me the time and opportunity to provide comments on this application.

It is encouraging to see that designs have been created to show the redesign of the golf course so that the course remains as 18 holes.

From an England Golf point of view, as I think I alluded to in my initial comment, the two key areas of concern were that the overall amount of golf provision remained the same, and also most importantly, the disruption to current active users of the golf course was not significantly impacted by the development. Any reduction in provision even if temporary could have a significant impact on the amount of golf being played which could in turn lead to players potentially migrating to other courses or even away from the game altogether.

On that basis, I would like to request that a Grampian condition be considered which should cover that no development can take place on the existing golf course until the new holes have been opened and are fully operational. This then ensures there is no overall impact on golfers and that the onsite golf provision is maintained.

Without this I would have genuine concerns that the necessary development needed to keep the golf course as 18 holes could be sidelined or not delivered as promised.

Other than this, I have no additional comments to make in respect of the application.

- 7.3.6 I can confirm that the Appellant has previously confirmed (and re-affirm) their commitment to the imposition of such a condition.

- 7.3.7 With regard to new publicly accessible open space, as set out in the evidence of Mr Tucker and the Design and Access Statement (**CDD6**), c3.4ha of new open space is to be provided on site and will provide unrestricted access to open space for the local community and future residents of the development – set against the current site which offers limited opportunities beyond golf; and on a site which does not offer wider public lawful access.. The accessible open space onsite will also provide connections to the Boroughs wider GI network. As such, by delivering accessible open space onsite, the current deficits in the open space standards typologies will be reduced and will bring the Abbey Ward closer to the Borough average.
- 7.3.8 On this basis, it is considered that the proposals would further enhance unrestricted public access to open space provision and would deliver a net improvement in the public value of the open space to be provided onsite. There is also a benefit to the existing golf course and hotel. Whilst the Site has not contributed towards the open space provisions within the Borough due to its classification as having restricted access, the development of the Site will make provision for the improvements to open space, and sports and recreation facilities in accordance with Policy 12 of the Development Plan. The Appeal Scheme will deliver new accessible open space onsite and equivalent or better provision in terms of the golf course to support the long term viability of the hotel as per the evidence of Mr Smith.

RBC Conclusion (CDC1)

10.10 The proposal would result in a direct loss of more than 9ha of designated open space.

10.11 It should be noted that while there would be a quantitative loss of designated open space, this open space is currently in a private golf course use and there is currently no designated Public Right of Way (PROW) over the application site. This means that the proposal site is currently not a publicly available open space to be used and therefore does not contribute to the supply of open space for Abbey ward as described in Table 1 above.

10.12 However, should this proposal be allowed, the development would result in around 3.2ha (around 32% of the application site) becoming publicly accessible open space. This would be in the form of natural and semi natural green spaces, amenity green spaces, provision for children and a community garden. Outdoor sports facilities and provision for teenagers (if not provided on site) would be met by way of a commuted sum to contribute towards off-site provision.

- 7.3.9 It is therefore an agreed position that there will be a net gain in publicly available open space and that the Appeal Site does not currently contribute to open space within the Borough.

7.4 Stage 3

Policies 12 and 13 and NPPF 104(b)

- 7.4.1 For the purpose of the Development Plan, the Appeal Site is classified as ‘Primarily Open Space’ in accordance with Policy 13. As set out previously, with regard to Policy

12, the test is against the Open Space Assessment and there is no loss in this regard. It is my opinion that compliance with Policy 13 will mean compliance with Policy 12 also.

Policy 13

7.4.2 Dealing with Policy 13 before then turning to the NPPF, it is agreed that the Appeal Site is designated as 'primarily open space' on the proposals map of the BRLP but does not contribute towards the open space figures within the Open Space Assessment (2023) given its restricted access. It would appear to follow that, should the Plan be updated (as required by Reg 10^A Local Plan Regs and the NPPF) the Appeal Site would not be designated as Open Space. Nonetheless, the position with regard to the Development Plan is acknowledged. Policy 13 advises that in assessing applications for development on Primarily Open Space, the following principles will be taken into account:

- i. the environmental and amenity value of the area;
- ii. the recreational, conservation, wildlife, historical, visual and community amenity value of the site;
- iii. the merits of retaining the land in its existing open use, and the contribution or potential contribution the site makes to the Green Infrastructure Network, character and appearance of the area;
- iv. the merits of protecting the site for alternative open space uses;
- v. the location, size and environmental quality of the site;
- vi. the relationship of the site to other open space areas in the locality and similar uses within the wider area;
- vii. whether the site provides a link between other open areas or as a buffer between incompatible uses;
- viii. that it can be demonstrated that there is a surplus of open space and that alternative provision of equivalent or greater community benefit will be provided in the area at an appropriate, accessible locality; and
- ix. the merits of the proposed development to the local area or the Borough generally.

7.4.3 The table below sets out the Appellants case in relation to the principles within Policy 13. The Council's assessment can be found in the Officer's Report to Planning Committee (**CDC1**) albeit the report was completed at a time when the Council considered that they could demonstrate in excess of 10 years housing land supply.

Table 5: Summary of Policy 13 objectives

Policy 13 Principles	Appellant Case
<p>i. the environmental and amenity value of the area</p>	<p>The amenity value of the Site is limited as it is in private ownership and does not provide publicly accessible open space. The Site is currently comprised of a manicured and engineered golf course – the environmental value of the Site is therefore compromised by this.</p> <p>Whilst the site forms part of the Green Infrastructure network linking Arrow Valley Park to the south to the open countryside to the north – there is currently no direct route through the Appeal Site as there are no PROW's which run through the site. The development of the Appeal Site will therefore enhance connectivity from Arrow Valley to the south and the countryside to the north.</p>
<p>ii. the recreational, conservation, wildlife, historical, visual and community amenity value of the site;</p>	<p>The golf course will be retained as an 18-hole course. A reconfigured golf course of equivalent or better provision is proposed within the context of the hotel to ensure that it is accessible and playable to those visiting the hotel as well as local members / experienced players. As set out within the evidence of Mr Smith, the reconfiguration of the course will remain appropriate for the hotel leisure provision and improve the useability, speed of play, and health and safety issues that currently exist onsite. The Site is currently only accessible to those with memberships or visitor passes and does not provide any legal Public Rights of Way. However, the proposals will considerably enhance the community amenity value of the Site by:</p> <ul style="list-style-type: none"> ▪ Providing active sport recreation; ▪ Enhance active recreation rights of way; ▪ Enhance passive recreation walks; ▪ Provide enjoyable onsite amenity; ▪ Provide present and future amenity opportunities; and ▪ Provide an attractive visual amenity. <p>The proposals seek to provide onsite biodiversity net gain, thus enhancing the wildlife onsite.</p>
<p>iii. the merits of retaining the land in its existing open use, and the contribution or potential contribution the site makes to the</p>	<p>Given the Site is not publicly accessible, it is considered that there is limited merit in the Site's current contribution to public open space or the wider Green Infrastructure network. As such, as a part of the proposals, the Site will provide publicly accessible connections to the surrounding GI network and will improve public accessibility to open space within the urban area of Redditch.</p>

Policy 13 Principles	Appellant Case
<p>Green Infrastructure Network, character and appearance of the area</p>	<p>Whilst the comments in respect of the severance of the GI corridor are noted, this is a corridor which the residents of Redditch cannot currently appreciate as there is no public access through the Appeal Site and provision of routes through the site will improve the overall connectivity across the GI network.</p>
<p>iv. the merits of protecting the site for alternative open space uses</p>	<p>As set out in the Open Space Assessment (2023), the Site is in private ownership and it is considered that a qualitative improvement to wider open space would be better achieved through enhancements to Arrow Valley Country Park alongside onsite provision. To ensure the long term viability and operation of the hotel as a key asset to Redditch, the operation and provisions of the hotel and golf course will need to evolve. Further to this, given the Site remains as one of the few remaining locations for sustainable development within the urban area of Redditch, the Council should look to the development of the Site for residential purposes favourably.</p> <p>At no point has the Council or England Golf (or Sport England) proposed an alternative open space use for the site. The Council correctly notes that in any case, some of development would likely be required in order to fund its delivery.</p>
<p>v. the location, size and environmental quality of the site</p>	<p>The Site is sustainably located to the north of Redditch, within the Borough's urban area. The development of the Site would allow for the reconfiguration and enhancement of the golf course, which would improve its usability and relationship with the hotel. As a part of the proposals, a net gain of biodiversity (+1.84% habitat units, +4.85% hedgerow units) will be provided across the Appeal Site and golf course, further enhancing the environmental quality (mindful that the planning application was submitted in 2021 and was therefore considerably in advance of the introduction of the mandatory 10% BNG provision).</p>
<p>vi. the relationship of the site to other open space areas in the locality and similar uses within the wider area</p>	<p>The Open Space Assessment (2023) recognises that the Site has restricted accessibility. On this basis, the Site has been excluded from the open space standards and from contributing towards the Boroughs open space provisions. As such, it is considered that the Site serves little benefit to the wider community, given it is only accessible to those with either a membership or visitor golf pass and does not allow for legal public access onto the Site. Given the proposals seek to deliver an enhanced and more accessible golf course provision alongside on-site open space, it is considered that its loss will not have an adverse effect on the open space provision as a whole for the local community. The development of the Site will see a net improvement in the public value and access to open space.</p>

Policy 13 Principles	Appellant Case
<p>vii. whether the site provides a link between other open areas or as a buffer between incompatible uses</p>	<p>Whilst the appeal site forms part of the GI network, as referenced above, the Site is not currently accessible to the wider public and therefore, does not serve as a functioning link between open spaces.</p> <p>The Appeal Site does not serve as a buffer between incompatible uses.</p>
<p>viii. that it can be demonstrated that there is a surplus of open space and that alternative provision of equivalent or greater community benefit will be provided in the area at an appropriate, accessible locality</p>	<p>There is no surplus of open space provision in the ward however the Appeal Site does not contribute towards current standards having limited public access. The site will deliver c3.4ha of publicly accessible open space and thus it is considered that the development of the Site will deliver accessible open space and provide a reconfigured golf course that is of greater benefit to the hotel's operation and its long term viability and enhance open space provision in the ward.</p>
<p>ix. the merits of the proposed development to the local area or the Borough generally</p>	<p>The Council cannot demonstrate a 5 year supply of housing land – and thus as a site which can deliver 214 new homes including 30% affordable housing on a site within the urban area – it is considered that this is of substantial merit to the Borough as a whole.</p> <p>The Appeal Scheme would assist in securing the long term viability of the hotel. The reconfiguration of the course will see improved play time, speed of balls, and address existing health and safety concerns, which will allow for the relationship between the hotel and golf facilities to be strengthened. As such, it is considered that the proposed development offers merits not only to the local area, but also to the wider Borough.</p>

7.4.4 The Officer Report states:

“It is considered that the proposal is not contrary to the aims and objectives of the Policy 13. The proposal would not sever the green corridor linking the north of Arrow Valley Country Park to the open countryside. Even after considering any reconfiguration, the PROW (516B) that runs to the east of the hotel and through the existing golf course is not altered because of the proposed development. This route remains, whatever the outcome of the planning

application. On this basis, parts (i), (iii), (vi) and (vii) of Section 13.2 of Policy 13 are satisfied”.

7.4.5 The Officer’s conclude that all 9 parts of the policy are satisfied.

7.4.6 It is my view that accordance with Policy 13 (and therefore Policy 12 also) is achieved. When dealing with a 9 part policy, were the Inspector of the view that one or more criteria is not met, this does not mean that accordance with the policy or the Development Plan as a whole cannot be achieved.

Baseline public open space value

7.4.7 The baseline public value of the open space now is set out below:

7.4.8 The Appeal Site is 9.85 hectares and there is no authorised unfettered public access. The site is currently well enclosed with most views being internal to the site. I therefore consider the public value of the site to be:

- Lawful active use of the golf course following payment and with permission. There are no public rights of way which cross the site.
- Value as a future opportunity - the owners are able to reconfigure the course and shorten the holes (absent significant earthworks) without the need for planning permission.
- There is passive recreation / amenity of the course as you can see the course along the road; from the hotel and from existing residential properties.

7.4.9 Accordingly therefore the tangible public value of the Appeal Site as open space today is derived from:

- The lawful active use of the course
- Passive recreation / amenity of the course.

The public value of the site if permission is granted

7.4.10 The adverse impact to the public value of the site will be:

- A quantitative net loss of open space of 6.45ha of open space – albeit this land is not currently able to accessed without payment or permission; and there will be no net loss of golf holes as an 18n hole course will be maintained.

7.4.11 The beneficial impact to the public value of the site will be:

- 3.4ha of publicly accessible open space.
- Enhanced connectivity to Arrow Valley Country Park.
- There will be ecological works and on-going management on the site.
- Improved golf provision.
- Provision of amenity space / children’s play space.

7.4.12 In the context of paragraph 104(b) of the NPPF, it is acknowledged that whilst there will be a quantitative loss in terms of the existing golf course area, the qualitative improvements to the new golf course will provide equivalent or better provision. I therefore conclude that this is in accordance with paragraph NPPF 104(b).

NPPF - Paragraph 104

7.4.13 Paragraph 104 is one of the key paragraphs in the NPPF which relates directly to the reason for refusal and interpretation of the Development Plan policies. I cite this paragraph in full below:

Existing open space, sports and recreational buildings and land, including playing fields and formal open space, should not be built on unless:

a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or

b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or

c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.

7.4.14 Open Space is defined in Annex 2 of the NPPF as:

All open space of public value, including not just land, but also areas of water (such as rivers, canals, lakes and reservoirs) which offer important opportunities for sport and recreation and can act as a visual amenity.

7.4.15 Paragraph 104 of the NPPF applies to “open space of public value”. The definition of open space can include therefore:

- (i) Land which offers an important opportunities for sport and recreation; and
- (ii) Land which can act as a visual amenity.

Important Opportunity

7.4.16 Dealing with “important opportunity” first – firstly, I consider that

- (i) A Golf course can provide a present opportunity for sport; and
- (ii) A site without unfettered lawful public access (as is the case for the Appeal Site) can provide a future opportunity for sport and recreation if public access is allowed and the site is laid out for it.

7.4.17 In relation to the appeal site, it is acknowledged that the golf course presents a current opportunity for sport. However as set out at paragraph 7.3.2 above, there are some limitations with the existing course and its position alongside the hotel.

7.4.18 Likewise, recreation can be considered in terms of:

- (i) Active recreation – the active use of open space; and
- (ii) Passive recreation – looking over / across a site of open space.

7.4.19 Turning then to the recreation element, the course is actively used for recreation albeit only for members or those who have paid for its use.

7.4.20 There is passive recreation / amenity of the golf course albeit this is mostly internal and to nearby houses. The Appeal Site can also be seen from the main road. However the Appellant's Landscape and Visual Appraisal (2021) (**CDA13**) noted that the site is visually contained by a strong network and existing hedgerows and trees as well as existing buildings

NPPF – Paragraph 104(a)

7.4.21 With regard to paragraph 104 of the NPPF, it is accepted that there would be conflict with criterion (a) of paragraph 104 as there is no robust, up to date assessment undertaken which shows the land surplus to requirement. Albeit it is however of importance to note that the Council's up to date assessment, does not include the Site within the assessment when looking at open space calculations at a ward and Borough level, as access to it is restricted. Furthermore, it is not necessary to achieve compliance with both parts (a) and (b) of paragraph 104 – one or the other will suffice.

NPPF - Paragraph 104(b)

7.4.22 Criteria 2 requires replacement of the lost site by a similar piece of open space, at least as accessible and of similar quality and size. NPPF 104(b) seeks the equivalent or better provision in terms of quantity and quality in a suitable location.

7.4.23 The yardstick of this Policy and paragraph 104(b) is whether there will be "equivalent or better" provision and it is my view that whether the provision is "equivalent or better" can be looked at on the basis of quantity, quality and the suitability of the location. Thus it is necessary to compare the public value of the open space now with the public value of the open space if permission is granted. It is my opinion that if the public value of the open space, with a planning consent, is equivalent (or better), in terms of quantity or quality, there is accordance with 104 (b).

7.4.24 I also note that "equivalent" does not have to mean "identical to" in either quantitative or qualitative terms; and there can be change.

7.4.25 I note that NPPF 104(b) is addressing a scenario where open space is to be built on – i.e. there **will be** a quantitative loss and likely a qualitative loss alongside. The policy is therefore dealing with a position where there will be loss (both qualitatively and quantitatively) and setting out the circumstances under which this will be acceptable and in accordance with policy. Following this, I consider that a quantitative loss does not mean that there is conflict with NPPF 104(b) and qualitative improvements alone to open space can provide "equivalent or better provision" as per *R(Brommell) v Reading BC and Anr (2018) EWHC 3529 (Admin) (CDH2)*. This case clarified that the overall aim of the policy is that open space land lost should be compensated for and that how this is made up is a matter of planning judgement. This is to have regard to both the quantity of what is to be provided against the quality but allows for one to be off-set against the other. The case also established that qualitative improvements to the open space which remains, can provide "equivalent or better provision". In essence, it is established that it is not necessary to achieve both quantitative and

qualitative improvements – one or the other may be sufficient and this is a matter for the decision maker.

7.4.26 I am firmly of the view that there is a net improvement in the public value of open space and I attach very significant weight to this. If a view is taken that there is any conflict with 104(b) (which I do not agree with) then the decision maker should only attach weight to net impact in the tilted balance i.e. were the Inspector to determine that provision was not equivalent or better but marginally worse than it is this marginal adverse impact which is weighed in the planning balance (i.e. the net result of the difference in public value). As I have already stated, I consider that there is little by way of public value in relation to the part of the Appeal Site which is lost, in its current state.

7.4.27 Whilst there would be a loss of open space quantitatively, there would be, amongst others:

- A gain in unrestricted open space to new and existing residents;
- No net loss to golf provision and the delivery of a reconfigured course of better provision;
- Qualitative improvements in accessible open space provision, taking into account both active and passive recreation; and
- Enhanced provision at Arrow Valley Country Park and improved connectivity between across the GI network.

7.4.28 Mr Smith lists a number of benefits to golf provision which would be derived from the reconfigured course.

7.4.29 Overall, the Planning Officer found the Appeal Site to comply with Policy 13 and paragraph 104 of the NPPF given the proposals would provide equivalent / better open space provision to offset the loss of designated open space, which itself has limited accessibility. The Appellants' view accords with this.

RBC Conclusion

It is acknowledged that the proposal will result in the loss of at least 9ha of designated open space. The remaining space and reconfigured golf course will ensure that an 18-hole course would be retained on the wider site. This would be secured via the planning obligation. The open space onsite created as part of the proposed application would be more accessible to existing and future residents, there would be improvement to the retained area in terms of ecology; landscaping; the improvement of footpaths and additional footpaths. I consider that opening of public access to the remainder of the application site and the associated qualitative improvements would off-set the net loss of designated open space that is not publicly available. In my judgement, given the significant proposed improvements to ecology, landscaping and the retention of the golf course., the provision would be at least equivalent

to the existing position. Hence criterion b) is met and no conflict arises with paragraph 103 [now 104] of the NPPF overall.

7.5 Green Infrastructure Network

- 7.5.1 Whilst the Redditch GI strategy has not been produced at the time of writing my evidence as set out above, I accept that there is a visual connection to the north and the south albeit arguably the GI network terminates at the Arrow Valley Country Park. However the Appeal Scheme will deliver enhanced pedestrian connectivity through the site towards the GI network to the north. As such, I accept that there is some conflict with Policy 11 as there is built development on the GI network, however given that the Appeal Site does not currently fulfil a functional role in this regard, I consider any conflict should attract only limited weight in the planning balance.
- 7.5.2 Furthermore, the designation of the GI network is built around land which is not either developed or allocated as such. This is a policy which is linked to the housing policies and in circumstances where the housing policies are out of date (as is the case here), then this policy which is intrinsically built around land which is not otherwise developed or proposed to be developed, is infected by the out of date housing policies and therefore the weight to any conflict should also be reduced.

7.6 Summary

- 7.6.1 With regard to Main Issue A, I conclude that drawing also on the evidence of Mr Smith, the Appeal Scheme is in accordance with Policies 12 and 13 and paragraph 104 of the NPPF. Whilst there is some conflict with Policy 11, I consider that the weight to any conflict should be reduced as the appeal site does not fulfil a functional role in this regard and furthermore, the GI network is drawn around land which is not developed or allocated for development under policies which are now out of date. The conflict does not reflect actual harm. It does not preclude a finding of accordance with the development plan as a whole; and in any event it does not come close to significantly and demonstrably outweighing the many and considerable benefits of granting planning permission.

8 MAIN ISSUE (B)

8.1 The effect on the character and appearance of the area, including design quality

8.1.1 The Appeal Scheme was the subject of 2.5 years worth of engagement with the Borough Council officers culminating in an Officer recommendation for approval. At no point during the discussion were matters of character and appearance of the area (including design quality) raised. It is for this reason that the Appellant's prepared and submitted updated material with the appeal.

8.1.2 I turn to the evidence of Mr Tucker in this regard, who concludes (in his Section 6) that:

6.1 *The applicants design process on Hither Green was entirely appropriate. The design evolved in response to pre application and local concerns....*

6.2 *The character of development along the northern edge of Redditch has been carefully assessed in the design process and recorded in the appeal DAS. Reason for Refusal 2 seems heavily focused upon the apparent impact on the existing Hither Green Lane development. That is also the focus of the community objection.*

6.3 *In truth however that development is a very low density golf related scheme of which there were a number delivered across the UK in the 1980's. Hither Green Lane has significant architectural variety and also some good streetscaping and planting. It is however not a scheme whose density would be in keeping with modern policy at either local or national level. At no point in the pre application process was the applicant asked to simply recreate the neighbouring scheme or its density. As can be seen from the committee report the scheme was deemed appropriate.*

6.4 *Planning Committee Report, Section 11.12 Design and Layout p.41 "Overall, it is considered that the proposal is broadly in accordance with good placemaking and design principles and would meet with the policy requirements in the development plan to form a comprehensive and integrated development with the neighbouring estate. The design and appearance of the dwellings are of good quality in accordance with Policies 39 and 40 of LP4, Redditch High Quality Design SPD and the NPPF."*

6.5 *Density has a fundamental relationship with character. That relationship is explained in the character assessment section in the appeal DAS.*

The existing Hither Green Lane was considered in some detail, as were a number of schemes on the northern edge of Redditch. Clearly, several of the more recently completed developments have been built at densities comparable or above the density of this proposal. It is also fair to say that residential densities have crept upwards since the construction of Hither Green Lane in line with a greater awareness of and importance given to achieving more sustainable development.

6.6 *Character and density go hand in hand. This is why the gateways and edges of the development are treated with one eye on proximity to and visibility from neighbouring existing development. The final layout and the appeal DAS identified areas where there was clear visual connection with Hither Green Lane and Dagnell End Road. The resultant character analysis influenced choice of house type, plot size, streetscape, architecture, materiality and roofscape. All were considered to reflect and blend with the existing character. This process and detail are fully explained in the appeal DAS.*

6.7 *I would conclude with my view that the proposal aligns with sound placemaking and design principles in its context, meets the policy requirements of the development plan, and creates a coherent and integrated development with the adjacent Hither Green neighbourhood.*

8.1.3 I wholly endorse the conclusions of Mr Tucker in this regard. As set out in Section 4 of my Evidence, the BRLP acknowledges that there is a need to balance high quality design and efficient use of land. This balance is also acknowledged in paragraph 130 of the NPPF with particular reference to situations where, as is the case here, the Council cannot demonstrate a 5 year supply of housing land.

8.2 Summary

8.2.1 Drawing on the conclusions of Mr Tucker, I conclude that the Appeal Scheme is in accordance with Policies 4, 5, 6, 39 and 40 of the BRLP and the NPPF positively supports the design approach taken for the Appeal Scheme.

9 MAIN ISSUE (C)

9.1 Transport matters by way of traffic impact and the use of modes of transport other than the car

9.1.1 I draw on the evidence of Mr Fairgrieve who concludes that:

“As part of the evidence base for the planning application, mode prepared a TA (CDB1) and TP (CDA20), examining the transport implications of the proposals. WCC in their capacity as LHA provided comments in February 2022 (CDI6, Page 1), in which they recommended that the application be deferred, citing a requirement for further information pertaining to the Transport and Highways impacts of the proposals.

Following this initial response, mode prepared two Technical Notes; TN 002 (CDI12) and TN 003 (CDI13) in October and December 2022 respectively, and a TA Addendum Report (CDB35) in April 2023, in order to address the outstanding points addressed WCC’s formal response. WCC subsequently submitted a revised officers response in June 2023 (CDI7, Page 1) which summarised a change of position by the LHA; to one of no objection subject to conditions and financial obligations.

In February 2024, additional drawings were prepared by mode (CDI8, CDI9 and CDI10) and submitted to WCC to illustrate the proposed off-site improvement works to Dagnell End Road, the existing footpath along the River Arrow and the A441 Birmingham Road.

The final WCC officers response is dated February 2024 and reconfirmed no objection (CDI11, Page 1), subject to conditions and financial obligations. This position is echoed in the Redditch Borough Council (RBC) planning committee report (CDC1, Page 12).

No highways related reason for refusal was provided following the planning committee and hence this PoE has been prepared at the request of the Inspectorate given local representations. This PoE therefore addresses the headline areas of sustainable accessibility of the site and the traffic impact of the proposals.

9.1.2 Mr Fairgrieve then concludes by saying that:

It can be concluded that the proposed development provides access to sustainable modes of transport and will not have a significant adverse impact on the operation or safety of the surrounding highway network and therefore, in accordance with the NPPF, the proposal should be considered acceptable in terms of transport and highways.

9.2 Summary

- 9.2.1 Noting that all highway matters had been agreed with both National Highways and Worcestershire Highways in their role as the Highways Authority and that highway matters do not form a reason for refusal, I endorse the conclusions of Mr Fairgrieve noting that his conclusions are also supported by the Council and the Local Highway Authority.
- 9.2.2 Mindful that the Appeal Site lies within the existing urban area (i.e. the area in which new development should be focused), the Appeal Scheme will deliver a bus route through the site along with enhanced pedestrian connections to the north and south – which will lead to the bus interchange at Abbey Stadium and which will be of benefit to existing residents as well as future residents on the site. These enhancements will provide opportunities for public transport use as an alternative to the private car.

10 MAIN ISSUE (D)

10.1 Planning Balance

10.1.1 Main Issue D is identified as comprising the assessment of the planning balance (including housing land supply and the benefits of the scheme if not a separate issue) and conclusion.

10.1.2 I have already dealt with housing land supply matters in Section 5 of my evidence however I draw conclusions on the implications of the shortfall in supply in this section.

10.2 Weight to be afforded to Development Plan Policies.

10.2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 (“the Act”) states that:

“If regard is to be had to the development plan for the purposes of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise”.

10.2.2 As per the Statement of Common Ground, it is an agreed position between the Council and the Appellant, that the schemes is in accordance with the Development Plan and that planning permission should be granted.

10.2.3 In dealing with circumstances where the Inspector were to conclude that there is an alleged breach of the Development Plan, despite the agreed position, it is important to assess whether or not the policies of the Development Plan in question are up to date. There are two circumstances when policies can be deemed out of date. The first is that the policy is out of date as it has been overtaken by things which have taken place since the plan was adopted. In this regard, in 2020, the Court of Appeal (**CDH3**) held that the analysis of the meaning of ‘out of date’ in the former NPPF 2012 by Lindblom (**CDH6**) applied in the same way to the 2012 NPPF in that policies are out-of-date (for purposes other than those that relate to Footnote 8 of para 11(d) of the NPPF) if they have been:

“...overtaken by things that have happened since the plan was adopted, either on the ground or through a change in national policy, or for some other reason, so that they are now out-of-date”.

10.2.4 With regard to this appeal, I consider that the same approach can be taken to the 2024 NPPF, the housing requirement as set out in the BRLP does not address current housing need as the Plan is over 5 years old.

10.2.5 The second is when the Council is unable to demonstrate a five year supply of housing land as is the case here.

10.2.6 Paragraph 11d) advises that the most important policies for determining the application are to be considered out of date when the Council is unable to demonstrate the requisite housing land supply. For the purpose of this appeal, I consider the most

important policies for determining the application to be those which are cited in the reason for refusal; along with those policies which are relevant to the supply and distribution of housing:

Table 6: Most Important Policies

POLICY NUMBER	-	POLICY NAME
1	-	Presumption in Favour of Sustainable Development
2	-	Settlement Hierarchy
3	-	Development Strategy
4	-	Housing Provision
5	-	Effective and Efficient Use of Land
6	-	Affordable Housing
11	-	Green Infrastructure
12	-	Open Space Provision
13	-	Primarily Open Space
39	-	Built Environment
40	-	High Quality Design and Safer Communities

10.2.7 However, I acknowledge that simply because the policies are out of date does not automatically mean a reduction in the weight to be afforded to them. However, as a matter of principle, I consider that the weight to them is to be reduced insofar as they pull against the grant of planning permission.

10.2.8 Policies 2, 3 and 4 are all linked to a level of housing growth which is not up to date and therefore the weight to these should be reduced accordingly. However these policies then "infect" other policies and the way in which those policies are constructed.

10.2.9 I set out overleaf the assessment of weight to be afforded to the most important policies:

Table 7: Weight to Most Important Policies

POLICY NUMBER	-	POLICY NAME	Weight
2	-	Settlement Hierarchy	Limited Settlement hierarchy linked to out of date housing numbers.
3	-	Development Strategy	Limited Development strategy linked to out of date housing numbers.
4	-	Housing Provision	Limited Housing need not based on an NPPF compliant assessment of housing need and does not reflect latest local housing need. Furthermore, the Council cannot demonstrate a 5 year supply of housing land.
5	-	Effective and Efficient Use of Land	Full
6	-	Affordable Housing	Limited Housing need (and therefore affordable housing need) not based on an NPPF compliant assessment of housing need
11	-	Green Infrastructure	Limited GI designations based on land which is not identified for development – which in itself is based on an out of date level of housing need.
12	-	Open Space Provision	Full
13	-	Primarily Open Space	Limited

POLICY NUMBER	-	POLICY NAME	Weight
			Appeal Site no longer identified as open space in the Council's own assessment.
39	-	Built Environment	Full
40	-	High Quality Design and Safer Communities	Full

10.3 The Development Plan

- 10.3.1 In assessing whether the scheme is in accordance with the Development Plan, I take account of the case of ***Cornwall Council v Corbett [2020] EWC Civ 508 (CDH4)*** and the Court of Appeal findings which confirmed the Council's approach of identifying a policy conflict (in that case a conflict in respect of the harm to an Area of Great Landscape Value) but concluding that there was accordance with the Development Plan as a whole. The Court of Appeal noted that Local Plan policies can pull in different directions and that the weight to be given to policies and to determine accordance with the Development Plan as a whole, is a matter of planning judgement. It is my view, that this clearly confirms that the accordance with the Development Plan does not mean accordance with every policy therein, and that a failure to comply with a Policy in the Development Plan does not automatically mean that the proposals are not in accordance with the Development Plan.
- 10.3.2 In respect of the Appeal Scheme, I conclude within this Section of my evidence that the proposals are in accordance with the Development Plan taken as a whole (as agreed with the Council) – dealing with the specific Development Plan policies cited within the reason for refusal first.
- 10.3.3 I have already set out my assessment and approach to the consideration of Policies Policies 12 and 13 alongside paragraph 104 of the NPPF and that in all 3 cases, there is no blanket restriction on development and that in each case development is permitted subject to accordance with a criteria based policy - i.e. each envisages a scenario under which development can come forward and there is not an objection to development in principle. Furthermore, the evidence of Mr Smith demonstrates an enhanced golfing offer and there is no objection from England Golf.
- 10.3.4 I acknowledge that there is potentially some conflict with Policy 11 but consider that this policy is out of date and that any conflict should be afforded only limited weight given that the Appeal Scheme does not play a functional role in the GI network and indeed will actually enhance connectivity between Arrow Valley Country Park to the south and the GI to the north. The conflict with Policy 11 does not, in the circumstances of this case, reflect actual harm.
- 10.3.5 I have also highlighted previously that the Appeal Site lies in the Urban Area which is the main focus for growth – which is of particular importance when one looks at the Key Diagram and notes most of the land around Redditch is in fact Green Belt.

- 10.3.6 Drawing also on the conclusions of Mr Tucker, it is clear that the Appeal Scheme is a high quality well designed scheme and that there is no conflict with any design policies.
- 10.3.7 Whilst highways is not a reason for refusal, the evidence of Mr Fairgrieve further confirms that there are no unresolved highway matters and that the Appeal Scheme makes provision for alternatives to the private car.
- 10.3.8 Taking account of conclusions reached in the aforementioned Cornwall case, I conclude that the scheme is in accordance with the Development Plan read as a whole; and that in the event it is considered to be a breach of policy, the weight to be afforded to that breach should be reduced for the reasons that I have already set out.
- 10.3.9 My overall conclusion therefore is one of accordance with the up to date policies of the Development Plan read as a whole. I note that through Policy 1 of the BRLP the presumption in favour of sustainable development is embedded in the Development Plan; thus even if some conflict were identified but the benefits outweighed the harm created by this conflict; then it would still be possible to find accordance with the Development Plan taken as a whole.

10.4 Planning Balance

- 10.4.1 The NPPF is a material consideration. Since the proposal complies with the Development Plan as a whole, then in accordance with NPPF paragraph 11c, the proposals should have been approved without delay as per the recommendation of Officers. With its support for boosting significantly, the supply of housing, and the opportunity for open space to be developed for alternative uses subject to criteria based policies, I find the NPPF very much supports the proposals.
- 10.4.2 Even if the Inspector were to disagree with my view about there being no conflict with the Development Plan as a whole, I highlight the joint view of the Appellant and the Council that the lack of identified harm would be more than outweighed by the many material considerations weighing in favour of the proposal as reviewed below:
- 10.4.3 I use the following scale in assessing the weight to be afforded to harms and benefits :

-	Very Substantial
-	Substantial
-	Very Significant
-	Significant
-	Moderate
-	Limited
-	Neutral

10.5 Benefits

The Delivery of New Housing to Add Choice and Competition in the Market

10.5.1 The delivery of new housing in an identified growth area when the Development Plan fails to address the identified housing needs of the area and where there is a significant shortfall in supply. The appeal proposal would provide a considerable market housing benefit in a scenario where there is currently unaddressed need, **very substantial weight** should be afforded to this.

Affordable Housing

10.5.2 Due to the scale of unmet need and in light of the conclusions, I afford **substantial weight** to the provision of 30% affordable housing on this site.

Custom / Self Build

10.5.3 In the face of identified unmet need for custom / self build homes, I afford **moderate weight** to the provision of 2 such homes.

Economic Benefits

10.5.4 Significant weight should be afforded to both economic and retail benefits in accordance with paragraph 85 of the NPPF as demonstrated in the Economic Benefits Statement at **Appendix B** of my evidence. In this respect I acknowledge the recent High Court case (Bewley Homes PLC v Secretary of State for Levelling Up, Housing and Communities & Anor – **CDH5**) which effectively advised that the decision maker was not bound to give significant weight to the provision of economic benefits. However in that instance, the Court also held that the scheme in question lacked specific evidence on the economic benefits of its proposal. That is not the case here and thus I maintain my view that **significant weight** should be afforded to the economic benefits.

The provision of 3.4ha of publicly accessible open space

10.5.5 The Appeal Site does not currently provide unfettered public access The Appeal Scheme will deliver 3.4ha of publicly accessible open space providing a betterment against current ward provision which I afford **significant weight** in the planning balance.

Reflection of local design policies

10.5.6 Drawing on the evidence of Mr Tucker, mindful that this is a full planning application, in accordance with paragraph 139 of the NPPF, I attribute **significant weight** to the development as it reflects local design policies and Government guidance on design along with the Council's High Quality Design SPD

Off-site improvements to play provision

10.5.7 The scheme will deliver off-site open space improvements – a matter to which I afford **moderate weight** in the planning balance.

Off-site pedestrian connectivity.

10.5.8 This will be of benefit to existing and future residents and I afford this **moderate weight** in the planning balance.

Opportunities for public transport improvements

10.5.9 The Appeal Scheme includes a bus route through the site and contributions towards bus provision which will be of benefit to existing and future residents. I afford this **moderate weight** in the planning balance.

Biodiversity net gain

10.5.10 The Appeal Scheme will deliver Bio-diversity net gain which I afford **limited weight**.

Golf Benefits

10.5.11 Mr Smith identifies the following golf related benefits in his evidence and I adopt his weighting to these.

10.5.12 Repositioning the course in this way is a **substantial strategic benefit** in weighting terms. It will support the hotel's business positively because it will increase the appeal to a wider playing audience of recreational/casual golfers, and in particular to the hotel's golf break customers.

10.5.13 The course will continue to be open for the general public to play. An easier course will increase the venue's market appeal rather than decrease it – which I weight as a **significant benefit**. An easier course to play will appeal more to beginners, ladies, elderly golfers and generally all golfers of modest playing abilities – which accounts for the largest section of the UK's golfing market.

10.5.14 If the appeal was allowed, it is anticipated that some funds released from the housing aspect could be used to fund improvements to the course in the areas of land drainage and upgrading the irrigation system. Without such funds, it would be hard to justify such high capital expenditure on the existing course in 'return on capital invested' terms.

10.5.15 If course drainage and the irrigation system were substantially improved this would improve course presentation standards and extend the playing season – which would weigh as a **significant benefit**.

10.6 Harms

Loss of Open Space

10.6.1 I accept that there is a quantitative, but not qualitative, loss of open space. However that open space does not benefit from unfettered public access and furthermore, there is no loss of golf provision (an 18 hole golf course will remain) and the Council no longer include the site in the assessment of open space provision. I afford this **moderate weight** in the planning balance.

Impact on the GI network

10.6.2 I accept that there is some conflict with the aims and objectives of the GI network and afford this **limited weight** in the planning balance.

Landscape

10.6.3 In addition, drawing on the conclusions of the landscape and visual appraisal, there is some landscape harm which is localised given that the site is visually contained by a strong network of existing hedgerows and trees as well as existing buildings. I afford this **limited weight** in the planning balance.

Tree / Hedgerow loss

10.6.4 Loss of trees / hedgerow – I afford this **limited weight** as no high quality trees are lost.

Golf

10.6.5 With the redesign the walk from the new 12th green (the old 1st green) to the new 13th tee is around 500m. The walk is not ideal but is acceptable for a golf course which appeals primarily to casual/recreational golfers including those on golf breaks – this weight as **moderate weight**.

10.6.6 Temporary disruption whilst the course is re-designed – I afford this **limited weight** due to its temporary nature.

Heritage

10.6.7 Whilst I do not consider that there is any harm to the setting of Bordesley Abbey, as per Section 4 of my evidence, in the event that a conclusion is reached that there is less than substantial harm, I afford this **moderate weight** in the planning balance.

Table 8: Harms and Benefits

HARMS	BENEFITS
Loss of open space (moderate)	Provision of new market housing (very substantial)
Impact on GI network (limited)	Provision of 30% affordable housing (substantial)
Localised landscape harm (limited)	Increased appeal of golf course (substantial)
Increased walk between 12 th and 13 th tees (moderate)	Improved playability of course (significant)
Heritage If it is considered that there is some impact on the setting of Bordesley Abbey	Potential for improved drainage to extend playing season (significant)

HARMS	BENEFITS
(moderate)	
Temporary disruption during course reconfiguration (limited)	Economic benefits (significant)
Tree / hedgerow loss (limited)	Provision of 3.43ha of open space (significant)
	Provision of 2 x custom / self-build homes (moderate)
	Off-site open space improvements (moderate)
	Off-site pedestrian connectivity improvements (moderate)
	Potential for enhanced bus provision (moderate)
	Bio-diversity net gain (limited)
	High quality design (significant)
	Provision of 2 csb homes (moderate)

10.6.8 Through the submission of evidence, it has been demonstrated that there are no technical or environmental constraints to the development of the site, which cannot otherwise be dealt with via a scheme of mitigation.

10.6.9 The Appeal Scheme will deliver a high-quality development of up to 214 new homes which is a very substantial benefit given the significant shortfall in market housing in the time of a national housing crisis.

10.7 Flat Balance

10.7.1 Notwithstanding that my primary case (and the Council's) is firmly one of accordance with the Development Plan, were the Inspector to take a contrary view, I consider that the benefits are not outweighed by the harms. Turning to Section 38(6) of the Planning and Compulsory Purchase Act 2004, I conclude that are 'other material considerations' (these being the benefits which I have highlighted) which justify the grant of planning permission under the flat balancing exercise.

10.8 The Tilted Balance

10.8.1 Even if the Inspector were to find that the proposal does conflict with the Development Plan when taken as a whole, mindful aspects of the Development Plan can pull in different directions and it is not necessary to comply with each and every policy to demonstrate accordance with the Development Plan taken as a whole; and that any conflict, is not outweighed by material considerations, there is a need also for the Inspector to consider the proposal against the application of the tilted balance .

10.8.2 Conflict with paragraph 104 of the NPPF is not a 'clear reasons for refusal' as per footnote 7 of the NPPF. In this context therefore, in the event that any breach is identified (which I don't consider that there is), this is included within the planning balance exercise and weighed against the benefits provided.

10.8.3 Applying a tilted balance I consider the adverse impacts of the proposal do not therefore outweigh the benefits of the proposal, let alone doing so significantly and demonstrably. That would be so even if more significant breaches of policy were identified, which I do not consider they are. Furthermore, through Policy 1 of the BLP – the planning balance exercise can be undertaken and if it is concluded that the benefits are not significantly and demonstrably outweighed by the harms, then a finding of compliance with the Development Plan can be achieved.

11 Obligations and Conditions

11.1 Planning Obligations

11.1.1 As it currently stands (and subject to demonstration of CIL compliance), requested planning obligations comprise:

- 30% affordable housing (66 dwellings)
- Provision of 2 custom build plots (4 bed)

Education Contribution

- First school contribution required: £993,859
- Middle school contribution required: £837,981
- High school contribution required: £858,330
- SEND contribution required: £531,676

Total education infrastructure contribution required: £3,221,846

- Redditch Town Centre (Enhancement Contribution) £542 per dwelling
- Waste Refuse bins (1 x green bin / 1 x grey bin) £31.29 per dwelling
- Offsite Sports Facility Contribution £50,635.80 and Provision for Teenagers / Young People £33,143 (if Teenagers / Young People provision is not provided on site)
- Community Transport £22,937
- Bus Service Contribution £10,000
- Bus Service Strategy £439,576.80
- School Transport £644,261.94
- Off-site Infrastructure improvements (including the procurement of the Land to facilitate s278 works (River Arrow Walk Route and Footway enhancements to A441))
- Herefordshire & Worcestershire Clinical Commissioning Group (CCG) £81,650

Worcester Acute Hospitals NHS Trust

- Emergency attendances at A&E: £24,339
- Emergency admissions: £106,946
- Follow up outpatient attendances: £19,999
- Maternity case: £10,063

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- Diagnostic examination attendances referred by GP's: £28,947

Total Worcester Acute Hospitals Trust: £190,295

- The completion of the reconfigured golf course as outlined on Golf Masterplan (Ref: GGD2951C) or subsequently amended masterplan prior to the commencement of any residential development.
- Planning Obligation Monitoring Fee

11.2 Planning Conditions

11.2.1 A schedule of draft planning conditions is submitted by the Council and the Appellant alongside this evidence.

12 Conclusion

12.1.1 When recommending the Appeal Scheme for approval at Planning Committee, Officer's concluded:

22.12 Therefore, it is considered that the development proposals accord with the development plan as a whole and, in accordance with the s38(6) duty, should be approved unless material considerations indicate otherwise.

22.13 It is concluded that, in accordance with paragraph 11(c) of the NPPF, the application should be approved, subject to conditions and a s106 agreement.

12.1.2 This recommendation was reached by Officers in a situation in which they believed that they had in excess of 10 years housing land supply.

12.1.3 The scheme was then refused contrary to Officer recommendation however subsequent to that, the Council took the view not to defend the appeal and have now signed a Statement of Common Ground with the Appellant reaffirming the view that the Appeal Scheme is in accordance with the Development Plan and that planning permission should be granted.

12.1.4 I firmly consider that the Appeal Scheme is in accordance with the Development Plan and I note that via Policy 1, the presumption in favour of sustainable development is embedded within the Development Plan. Thus should any conflict with the Development Plan be found, Policy 1 allows the balancing exercise under paragraph 11dii) of the NPPF to be undertaken and a finding of compliance with the Development Plan, taken as a whole, to still be found.

12.1.5 Since the original recommendation for approval was made by Officers, the December 2024 NPPF has been published – the consequence of which is that the Council now have a significant shortfall in housing land against the local housing need figure (it should be noted that a shortfall exists against the Development Plan requirements also). There is nothing which would otherwise dis-apply the application of the tilted balance under paragraph 11d) of the NPPF and thus the most important policies for the determination of the application are out of date and planning permission should therefore be granted unless the adverse impacts significantly and demonstrably outweigh the benefits.

12.1.6 In undertaking the planning balance, I consider that the balance tilts firmly and decisively in favour of the grant of planning permission and that there are no adverse impacts which outweigh the benefits (of which there are many), let alone significantly and demonstrably.

12.1.7 I therefore consider that all routes lead to a grant of planning permission and respectfully request this appeal be allowed and that planning permission is granted in line with the views of the Appellant and the Council.

Appendix A Development Plan Policy Summary

Proof of Evidence: Mrs Kathryn Ventham (Planning)
Appeal Reference: APP/Q1825/W/24/3350905

Appendix B Economic Benefits Statement

Appendix C 5 Year Housing Land Supply Review

Appendix D Evidence of Mr James Stacey

Hither Green – Accordance with Development Plan Policies

It is agreed at paragraph 5.2 of the signed SoCG that the Development Plan, insofar as it relates to this assessment of the Appeal Scheme, comprises:

- Redditch Borough Plan No. 4 (2030), adopted in January 2017.

Redditch Borough Plan No. 4 (2030)

The Reasons for Refusal allege a breach of the following Borough Plan policies:

- Policy 1 – The Presumption in Favour of Sustainable Development
- Policy 4 – Housing Provision
- Policy 5 – Effective and Efficient Use of Land
- Policy 6 – Affordable Housing
- Policy 11 – Green Infrastructure
- Policy 12 – Open Space Provision
- Policy 13 – Primarily Open Space
- Policy 39 – Built Environment
- Policy 40 – High Quality Design and Safer Communities

Other policies considered relevant to the proposals include:

- Policy 2 – Settlement Hierarchy (covered in evidence)
- Policy 3 – Development Strategy (covered in evidence)
- Policy 15 – Climate Change
- Policy 16 – Natural Environment
- Policy 17 – Flood Risk Management
- Policy 18 – Sustainable Water Management
- Policy 19 – Sustainable Travel and Accessibility
- Policy 20 – Transport Requirements for New Development
- Policy 22 – Road Hierarchy
- Policy 28 – Supporting Education, Training and Skills
- Policy 29 – Broadband and Telecommunications
- Policy 31 – Regeneration for the Town Centre
- Policy 36 – Historic Environment
- Policy 43 – Leisure, Tourism and Culture
- Policy 44 – Health Facilities

The above policies and the proposals accordance with them are set out in further detail below (where not previously covered in the submitted appeal statement).

Policy 15 (Climate Change) – informs that to be sustainable, new developments must have regard for the need to be climate resilient. Applications will be judged against their accessibility, energy efficiency, seeking to meet new technical standards, demonstrate the use of sustainable and locally sourced materials, and maximise adaption measures.

The development proposals promote a sustainable development that is well located to the urban area of Redditch. The proposals have had regard to climate resilience as set out within the supporting Design and Access Statement. The Applicants commitment to creating high quality development that responds to sustainability is further supported by the Barratt David Wilson Homes 'Creating Great Places' document.

Further to the above, the proposals aim to integrate the built form and landscape design into a cohesive whole, whilst reducing environmental impacts and improving the quality of life for residents. The proposals have specifically had regard to health and wellbeing, resource use, habitat creation, sustainable movement, and community development to deliver a scheme with a smaller environmental footprint. The proposals also make a commitment to achieving the appropriate energy efficiency

requirements under Building Regulations, achieve high levels of watery efficiency and promote a sustainable transport network. Therefore, the proposals are considered to be in accordance with Policy 15.

Policy 16 (Natural Environment) – advises that a high quality natural environment and landscape is integral to delivering the vision of the Local Plan. Proposals will be required to demonstrate how natural resources will be protected and enhanced, demonstrate that the Borough’s distinct landscape is protected, and retain existing trees where possible.

The proposals seek to create a broader mixed environment that improves connectivity with neighbouring development and its surroundings. The open space proposed onsite is a key part of the wider vision and has ensured that high quality open spaces are provided that create a linked green network within and throughout the Site. The Green Infrastructure provides a variety of options across the Site including formal and informal play areas, less formal / managed spaces, and seating areas alongside green and woodland walkways which provides variety for existing and future residents. The woodland edge to the Site will be strengthened to improve Green Infrastructure and ecological linkages and the multi-functional open space will accommodate the sustainable drainage and enhance local biodiversity and habitats.

Considering the above, the proposals are considered to be in accordance with Policy 16 of the Reading Local Plan.

Policy 17 (Flood Risk Management) – informs that it is the expectation that all development should fall with Flood Zone 1. Where land in Flood Zones 2, 3a or 3b, or above one hectare in Flood Zone 1 is proposed for development, a comprehensive Flood Risk Assessment will be required.

As identified in the Officer’s Committee Report, *“the Site falls within Flood Zone 1 and it is not considered that there is any significant fluvial flood risk to the Site. Based on the EA’s flood mapping, there is some risk from surface water flooding but this is minimal. Correctly designed drainage will mitigate any flood risk from surface water on the Site and in the surrounding area”*.

Further to the above, a Flood Risk Assessment and Surface Water Drainage Scheme has been prepared and submitted as part of the application submission. The Officer recommended that a drainage condition was included as part of the recommendation for approval to ensure the continued function of the River Arrow as an important wildlife corridor and to mitigate the impacts of the integrity of the River Arrow Local Wildlife Site. The proposals are therefore considered to be in accordance with Policy 17.

Policy 18 (Sustainable Water Management) – requires all development proposals to manage surface water and to treat surface runoff onsite. As set out within the Flood Risk Assessment and the Surface Water Drainage Scheme, a surface water drainage scheme has been designed to incorporate SuDS features and pollution prevention measures. The required surface water storage will be in the form of an attenuation basin with a vortex flow control to provide flow restriction.

The Officer confirmed within the Committee Report that North Worcestershire Water Management have reviewed the supporting drainage strategy plans and confirmed their acceptability. On this basis and given the proposals manage surface water drainage onsite, the Officer confirmed that the proposals are in accordance with Policy 18.

Policy 19 – Sustainable Travel and Accessibility – sets out that transport will be coordinated to improve accessibility and mobility, so that sustainable means of travel, reducing the need to travel by car and increasing public transport use, cycling and walking are maximised. A Transport Assessment and Travel Plan have been submitted as part of the proposals to demonstrate its suitability for development and the promotion of sustainable transport measures. The proposals have also had regards to the comments made by Worcestershire County Council (WCC) as the Highways Authority, who have confirmed acceptance that the proposals are safe, suitable and sustainable.

In terms of access, a single point of access is to be created from Hither Green Lane into the Site. An alternative point of access into the north of the Site has also been proposed to serve emergency vehicles.

With regards to sustainable modes of transport, the proposals make provision for pedestrian and cycle routes, a new section of footway along the southern side of Dagnell End Road, improvements to existing footways adjacent to the A441, and wider connections to the local surroundings.

Therefore, considering the development proposals promote sustainable travel measures and provide suitable access, it is considered that the Site is in accordance with Policy 19 of the Local Plan.

Policy 20 – Transport Requirements for New Development – sets out a series of aspirations and requirements in relation to transportation and highways matters when considering planning applications. A Transport Assessment and Travel Plan have been submitted as part of the proposals to demonstrate its suitability for development and the promotion of sustainable transport measures. Revisions has also been made to the Transport Assessment and layout of the Site proposals to accommodate comments made by WCC Highways.

Access into the Site will be provided via a new priority crossroads junction along the Site's eastern frontage, formed with Hither Green Lane. The supporting trip rates, capacity assessments and Dagnell End Road signal junction have been agreed with WCC Highways who confirmed there would be no severe impact arising from the proposals. A package of offsite works and financial contributions are also proposed to ensure that any impacts on the highway network are mitigated. Further information on the proposed contributions are detailed within the supporting Section 106 Agreement.

Whilst regard has been had to the comments made in respect of highways by local residents, given the proposals have been deemed as acceptable by WCC Highways, the Officer concluded that the proposals were acceptable and in accordance with Policy 20.

Therefore, taking the above into account, it is considered that the proposals are in accordance with Policy 20.

Policy 22 – Road Hierarchy – advises that the Council will continue to endorse the principles of a structured road hierarchy and will seek to extend such principles to any new development. The proposals have been designed in accordance with the WCC Streetscape Design Guide, with 5.5m carriageways and 2m footways provided throughout. For roads designated as a future bus route, a carriageway width of 6.1m is provided. Appropriate junction radii and visibility requirements are provided and vehicle tracking has been presented for an appropriately sized refuge and fire tender. The Site design is deemed to be functional, whilst seeking to minimise the scope for conflicts between pedestrians, cyclists and vehicles. On this basis, the proposals are in accordance with Policy 22.

Policy 28 – Supporting Education, Training and Skills – informs that developers of all major applications will be required to provide education and training or funding towards the provision of education and training for local residents in order for them to have the necessary skills to access employment opportunities. The development proposals will provide the appropriate education contributions, in accordance with Policy 28, as set out within the supporting Section 106 Agreement.

Policy 29 – Broadband and Telecommunications – advises that all developments should make provision for the service infrastructure required at the design stage of any proposal suitable for occupiers of all development. The development proposals have ensured that sufficient provision is made for the required service infrastructure to serve the Site and future occupiers of the development.

Policy 31 – Regeneration for the Town Centre – requires regard to be had to potential development opportunities in order to secure the regeneration and future of Redditch Town Centre. Given the urban area of Redditch is constrained by Green Belt and the Site forms one of the few parcels of land that is within close proximity to Redditch Town Centre and is not allocated in the Green Belt, it is considered that the proposals align with Policy 31's principle of 'realising potential development opportunities'. To help secure the regeneration, future and shaping of Redditch Town Centre, suitable and sustainable residential development should be forthcoming to help sustenance employment and retail growth. It is

therefore considered that the proposals present a suitable residential opportunity to help support the regeneration of the Town Centre and support opportunities for living and working within Redditch.

Policy 36 – Historic Environment – sets out that designated heritage assets will be given the highest levels of protection and should be conserved and enhanced. The Site contains no designed or non-designated heritage assets. Whilst there are listed assets, including a Scheduled Monument, located within proximity to the Site, the Conservation Officer considers that there will be no material harm to the significance of nearby heritage assets and Historic England have no objections to the proposals. In terms of archaeological investigation, the Council have accepted that given the Site consists of a working golf course, undertaking a predetermination Site investigation is no reasonable. As such, Site investigation and any required assessment will be agreed as a pre-commencement condition to ensure that this element is fully investigated. The proposals are therefore in accordance with Policy 36.

Policy 43 – Leisure, Tourism and Culture – notes that all proposals affecting leisure assets should contribute positively to the Green Infrastructure network of the Borough. The Site proposals form part of the Abbey Hotel and Golf Club which contribute to the local economy and is recognised as a tourist asset within Redditch. The Officer recognises within the Committee Report that given the proposals would provide equivalent open space to offset the loss of designated open space, which itself has limited public accessibility, and the golf course is proposed to be reconfigured to retain an 18 hole golf course to suit members as well as those visiting the hotel, it is considered that the Site contributes positively to the Green Infrastructure network of the Borough, in accordance with Policy 43.

Policy 44 – Health Facilities – informs that support will be given to the principle of the provision of new or improved primary health care and related activities. As set out within the supporting Section 106 Agreement, the proposals will make financial contributions towards health facilities, as requested by Hertfordshire and Worcestershire Clinical Commissioning Group. The proposals are therefore in accordance with Policy 44.

Economic Benefits Statement

Land West of Hither Green Lane, Redditch



Stantec UK Limited

Prepared for:
Barratt David Wilson Homes Mercia

Prepared by:
Stantec Development Economics

6 January 2025

Project/File:
333101173

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1 Introduction

This Economic Benefits Statement (EBS) has been prepared by Stantec's Development Economics Team on behalf of Barratt David Wilson Homes Mercia. This Statement is submitted in support of an appeal (Appeal Reference: APP/Q1825/W/24/3350905) against the refusal of planning permission by Redditch Council for the following development:

“Residential Development (Class C3) with a vehicular access point onto Hither Green Lane, play areas, public open space, including footways and cycleways, sustainable urban drainage systems and all other ancillary and enabling infrastructure”.

The appeal scheme (“the Development”) would provide 214 new (Class C3) dwellings, including 66 affordable dwellings (30%) and 2 self/custom build units on Land West of Hither Green Lane (“the Site”) in the local authority of Redditch.

This Statement presents the economic benefits associated with the development lifecycle of the Development, assessing benefits realised during both the construction phase and operational phase.

Benefits generated throughout the construction period are expressed in terms of employment sustained and the value of the economic output (Gross Value Added (GVA)) generated.

The operational phase will consider the economic benefits resulting from the future resident population, highlighting the level of GVA generated by economically active residents, along with the potential annual commercial household expenditure. It will also assess the fiscal impacts of the Development, including council tax payments.



2 Economic Benefits of the Development

This Section assesses the range of economic benefits arising from the construction and operational phases of the Development. Given the nature of the Development, the following associated benefits are discussed:

- Direct and indirect employment supported during the construction phase,
- Local expenditure by the new resident population,
- Economic Output via Gross Value Added (GVA) over the construction and operational phases; and,
- Additional Council Tax receipts.

2.1 Construction Phase Benefits

It is estimated that Development will be built over an estimated four years (indicatively 2026 to 2030), generating a range of temporary economic benefits. These include the following:

- Direct construction jobs safeguarded, across a diverse range of occupations,
- Supply chain (indirect) jobs and employment in local services safeguarded (the construction multiplier effect); and,
- GVA sustained by the direct and indirect construction activity associated with the Development.

2.1.1 Direct Construction Employment

The number and type of jobs that will be required to construct the Development, is estimated using the Construction Industry Training Board (CITB) Labour Forecasting Tool (LFT). Stantec are amongst a select group of UK-based consultancies licensed by the CITB to use their LFT.

The inputs to the LFT are broad type of development, construction cost and duration. The LFT is populated by construction cost and labour demand data from development projects across the UK.

The LFT accounts for 28 occupation groups, split into the following work types:

- Design - those involved in design process, including senior managers and support staff with design organisations,



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- Management of construction - those staff involved with the management of the delivery of the construction or installation. This includes professionals employed for the construction stage of the projects; and,
- Construction operatives - those operatives involved in the delivery of the construction or installation.

Construction projects such as proposed here are relatively short term, during which several phases of construction activity take place. For the contractors involved, this is likely one of several projects that they will be involved in during the course of a year or number of years. Construction activity will take place temporarily and then move on to other projects, which might be local, elsewhere in the region or further afield. For this reason, we consider construction to be an activity that is safeguarded (sustained) by this type of project and treat the jobs (and associated GVA) accordingly, safeguarded because of the project, but not created by it.

It is estimated that the Development could support approximately **79 direct construction jobs over the construction period**. This will consist of a mix of design, management and construction operative roles.

Table 2.1 sets out the split across the three groups that make up the occupations assessed within the LFT. It emphasises the varied occupation profile and skill requirements across the sector. Demand for each occupation type will vary throughout the construction programme.

Table 2.1: Construction Employment – Occupational Profile

Group	Occupation Category	Average Number
Design	Senior, executive and business process managers	1
	Civil engineers	1
	Other construction professionals and technical staff-Design	7
	Architects	2
	Surveyors	1
	Non-construction professional, technical, IT and other office-based staff (excl. managers)	2
	DESIGN TOTAL	12
Management	Senior, executive and business process managers	4
	Civil engineers	0
	Other construction professionals and technical staff-Design	2
	Architects	0
	Surveyors	2
	Non-construction professional, technical, IT and other office-based staff (excl. managers)	9
	Construction project managers	1
	Other construction process managers	5
	Construction trades supervisors	1
MANAGEMENT TOTAL	25	
Operatives	Wood trades and interior fit-out	6
	Bricklayers	6



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Group	Occupation Category	Average Number
	Building envelope specialists	4
	Painters and decorators	3
	Plasterers	2
	Roofers	1
	Floorers	1
	Glaziers	1
	Specialist building operatives nec	2
	Scaffolders	1
	Plant operatives	1
	Plant mechanics/fitters	1
	Steel erectors/structural fabrication	1
	Labourers nec	5
	Electrical trades and installation	3
	Plumbing and HV&C trades	5
	Logistics	0
	Civil engineering operatives nec	0
	Non-construction operatives	1
	OPERATIVES TOTAL	43
TOTAL		79

Source: CITB, LFT. Figures may not sum due to rounding

Direct employment activity throughout the construction phase will generate GVA. The GVA (£) per annum estimates we provide, are the product of our estimate of jobs (n) and GVA per job (£) sourced from Oxford Economics, under licence. GVA per job (£) is calculated by dividing total jobs (n) by total GVA (£) in relevant sectors (in this case the construction sector) across defined areas (in this case Redditch Borough).

Based on an average GVA per construction worker of around £60,119 per annum across Redditch (Oxford Economics, October 2024), the **79 direct construction jobs could generate GVA of approximately £4.8m per annum, equivalent to £19.1m in total over the assumed 4-year construction period.**

2.2 Indirect Construction Employment

In addition to the direct jobs resulting from the construction and management of the Development, further indirect jobs would be sustained as a result of spin-off and multiplier effects.



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To establish the number of indirect jobs that could be supported during the construction phase, we apply employment multipliers published in The Green Book (HM Treasury, 2022)¹. Specifically, we apply the 'low' employment multipliers (x 0.4), recognising that new jobs are not created, just safeguarded.

Applied to the 79 direct construction jobs, this suggests that construction of **the Development could support a further 32 indirect jobs**.

Based on a national average GVA per worker of around £60,739 per annum across all industries (because the indirect jobs could be nationwide across different industries) (Oxford Economics, October 2024), **the 32 indirect construction jobs could generate GVA of approximately £1.9m per annum, equivalent to £7.7m over the assumed 4-year construction period**.

2.2.1 Net Local Employment to Redditch

A proportion of the employment sustained throughout the construction phase will directly benefit Redditch residents. The employment effect to Redditch is calculated through application of 'additionality' factors following guidance published in the 'Additionality Guide' (HCA, 2014)² and The Green Book.

Assessment of additionality involves consideration of the following factors:

- Deadweight - the extent to which the economic activity associated with the Development will happen anyway, whether or not the Development takes place.
- Substitution - where firms substitute one type of labour for another to benefit from the Development but do not increase employment or output.
- Displacement - the economic activity likely to be lost, moved, or adversely affected by construction and proposed use.
- Leakage - referring to the number of jobs likely to be taken up by people outside the local (target) area.
- Multiplier effects - the additional economic benefit that will be derived as a direct result of the income earned by the new employment as an indirect result of the supply chain linkages.

The extent to which each factor is relevant and applicable depends on the nature of the uses envisaged, professional judgement and having regard to published data and or guidance in the Additionality Guide and Green Book.

¹ HM Treasury (2022) The Green Book: Central Government Guidance on Appraisal and Evaluation

² Homes and Communities Agency (2014) Additionality Guide, 4th Edition



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In this instance, no deadweight, substitution or displacement is applied during the construction phase because construction workers are transient and will move from one construction job to another.

The leakage factor is estimated by reference to Census 2021 commuting data. The 2021 Census identified that 59% of people who work in Redditch, also live in Redditch, identifying a leakage factor of 41% (= % of the Redditch workforce who live outside of Redditch).

As stated earlier, the Green Book's low employment multiplier (x 0.4) is applied to calculate indirect employment in the supply chain.

The additionality factors applied to direct construction employment of 79 FTE jobs (gross) is detailed in Table 2.2.

Table 2.2: Net Employment Effect to Redditch – Construction Phase

	Jobs (FTE)
Gross direct job creation	79
Deadweight and Displacement (0%)	0
Net jobs in Redditch (gross jobs minus displaced jobs)	79
Jobs filled by people who live outside of Redditch (43%)	33
Jobs (net direct) filled by Redditch residents	46
Indirect supply chain jobs (multiplier effects x 0.4)	19
Total net employment (direct and indirect) to Redditch	65

Table 2.2 illustrates that of the 79 direct FTE jobs supported during the construction of the Development, 46 of these will provide employment for residents of Redditch. A further 19 indirect FTE jobs will also provide employment for Redditch residents. Therefore, the net employment effect to Redditch during the construction phase is 65 FTE jobs.



2.3 Operational Phase Benefits

2.3.1 Net Homes

The Development will deliver 214 homes comprising a range of tenures and bedroom sizes as summarised in Table 2.3.

Table 2.3: Proposed Housing Mix of the Development

Size	Affordable units	Market units	Total number of units
1-bed	3	0	3
2-bed	25	0	25
3-bed	34	79	113
4+ bed	4	69	75
Total	66	148	214

2.3.2 Future Residents and Economically Active Population

Applying the average household size for Redditch, according to 2021 Census data³, of 2.38 persons per household to the Development's proposed 214 homes, **it is calculated that the Development will provide homes for approximately 510 residents.**

A proportion of the Development's future residents will be economically active and in employment. It is assumed, based on the proportion of Redditch's population who are currently economically active (56%)⁴, that the **Development could accommodate 284 economically active residents, of whom 273 are likely to be in employment** (on the basis that 54%⁴ of Redditch residents are in employment).

Utilising a GVA per worker figure of £52,393 per annum⁵, **it is estimated that those residents in employment could generate around £14.3m of economic output (GVA) per annum**, contributing to the success of the local and wider economy.

2.3.3 Commercial Expenditure

The Development's residents will contribute to the local economy through spend in local shops, other local community facilities and throughout the supply chain.

³ Office for National Statistics, 2021 Census. Derived from Table RM136

⁴ Office for National Statistics, Annual Population Survey (July 2023 to June 2024)

⁵ Oxford Economics (October 2024) 2018-2022 average GVA for Redditch (all industries)



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Experian provide up to date retail and leisure expenditure data for all local authorities across the UK. Experian report (Experian Retail Planner Data, 2022 prices) that the average annual household expenditure on convenience (food), comparison (non-food), and leisure goods and services for Redditch is as follows:

- Convenience - £5,911 per household per annum;
- Comparison - £9,019 per household per annum; and
- Leisure - £7,956 per household per annum.

On the basis of these figures, the Development's provision of 214 dwellings will generate an annual convenience goods expenditure of £1.3m; comparison goods expenditure of £1.9m; and expenditure on leisure goods and services of £1.7m.

Collectively this will provide approximately £4.9m of commercial expenditure per annum (figures subject to rounding), a proportion of which will be spent within the local area and beyond.

2.3.4 Council Tax

Based on the average of Council Tax bands (groups A and H) for 2024/2025 in Redditch of £2,471 per annum, the Development's 214 homes could generate around £529,000 in council tax payments per annum.



3 Summary

This EBS has identified the economic benefits associated with the Development which are summarised in Table 3.1.

Table 3.1: Economic Benefits Generated by the Development

Economic Indicator	
Construction Phase (4 years)	
Gross direct jobs	79
Gross indirect jobs	32
Gross economic output (GVA) generated by direct jobs	£19.1m
Gross economic output (GVA) generated by indirect jobs	£7.7m
<i>Direct jobs benefitting Redditch residents</i>	46
<i>Indirect jobs benefitting Redditch residents</i>	19
<i>Net employment effect to Redditch (jobs)</i>	65
Operational Phase	
No. of Homes	214
1-bed	3
2-bed	25
3-bed	113
4+ bed	73
No. of affordable Homes (30%)	66
Resident Population	510
Resident population economically active	284
Resident population in employment	273
GVA generated by employed residents (per annum)	£14.3m



Economic Benefits Statement

Total commercial expenditure (per annum):	£4.9m
Convenience Goods	£1.3m
Comparison Goods	£1.9m
Leisure Goods	£1.7m
Council Tax Receipts (per annum)	£529,000





With every community, we redefine what's possible.

Stantec is a global leader in sustainable engineering, architecture, and environmental consulting. The diverse perspectives of our partners and interested parties drive us to think beyond what's previously been done on critical issues like climate change, digital transformation, and future-proofing our cities and infrastructure. We innovate at the intersection of community, creativity, and client relationships to advance communities everywhere, so that together we can redefine what's possible.

Town and Country Planning Act 1990

Planning and Compulsory Purchase Act 2004

Section 78 Appeal by Barratt David Wilson Homes Mercia

**Land West of Hither Green
Lane, Redditch**

Statement on Housing Land Supply

LPA: 21/01830/FUL

APP/Q1825/W/24/3350905

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Tables

Table 1: Redditch Housing Delivery and Local Plan Requirement

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1 INTRODUCTION

1.1 Introduction

1.1.1 This Statement relates to an appeal by Barratt David Wilson Homes Mercia ('the Appellant') against the refusal of planning permission by Redditch Borough Council ('RBC'), for the proposed residential development of Land West of Hither Green Lane, Redditch (the 'Appeal Site').

1.1.2 The description of development is as follows:

“Residential development (Class C3) with a vehicular access point onto Hither Green Lane, play areas, public open space including footways and cycleways, sustainable urban drainage systems and all other ancillary and enabling infrastructure” (LPA ref 21/01830/FUL)

1.1.3 The planning application was considered at the 20th March 2024 Planning Committee. The Planning Committee Report recommended that the Committee should grant planning permission subject to planning obligations and planning conditions. However, the Members resolved to refuse the application.

1.1.4 The Decision Notice for the full planning application was published on 22nd March 2024 which listed the following three reasons for refusal:

- 1. Redditch Borough Council can demonstrate a 5-year housing land supply, meaning that the relevant development plan policies are up to date. The application site is located within designated open space and is not allocated for development. The proposed development has not sufficiently demonstrated that the loss of open space is acceptable against the need for new housing provision in the context of the Council's 10.32 year land supply. The proposal is therefore contrary to Policy 1 Presumption in Favour of Sustainable Development, Policy 4 Housing Provision, Policy 11 Green Infrastructure, Policy 12 Open Space Provision, and Policy 13 Primarily Open Space of the Borough of Redditch Local Plan No. 4 (Adopted 30 January 2017) and to the guidance within the National Planning Policy Framework (2023).**
- 2. The proposed density of the development, at 36 dwellings per hectare, combined with its layout and design, results in an urban development that is unacceptable in terms of visual impact and its affect upon the character and appearance of the area. The proposal does not create a high-quality development in terms of layout or design (including for affordable dwellings) and is out of character with the setting of the site on the edge of Redditch, and particularly the adjacent residential development on Hither Green Lane. The proposal is therefore contrary to Policy 4 Housing Provision, Policy 5 Effective and Efficient Use of Land, Policy 6 Affordable Housing, Policy 39 Built Environment and Policy 40 High Quality Design and Safer Communities of the Borough of Redditch Local Plan No. 4 (Adopted 30 January 2017), the Borough of Redditch High Quality Design SPD (June 2019) and to the guidance within the National Planning Policy Framework (2023).**
- 3. The proposed development will result in the loss of designated open space under Policy 13 Primarily Open Space. The proposal has not sufficiently demonstrated that the merits of the development**

outweigh the value of the land as open space. The proposal is therefore contrary to Policy 13 Primarily Open Space of the Borough of Redditch Local Plan No. 4 (Adopted 30 January 2017) and to the guidance within the National Planning Policy Framework (2023).

- 1.1.5 This Statement specifically refers to RBC's five-year land supply position and sets out an overview of the housing land supply position relied upon by each of the Parties both in respect of the housing requirement as a consequence of the publication of the revised NPPF on 12th December 2024 and in light of the revised standard method for local housing need published at the same time as the NPPF.
- 1.1.6 Paragraph 231 of the NPPF confirms that "The policies in this Framework are material considerations which should be taken into account in dealing with applications from the day of its publication."
- 1.1.7 Accordingly, the NPPF and associated Standard Method housing requirement published in December 2024 apply for the purposes of this Appeal.
- 1.1.8 The Planning Officer report to Committee stated in section 8 that the Council's housing land supply was reported at that time as 10.32 years, and then went on to confirm:

"However, the merits of providing additional homes (including affordable homes) on this site are noted and it is acknowledged that the proposal would assist in delivering new homes and meeting overall housing requirements under Policy 4 Housing Provision to 2030." (Paragraph 8.2)

and

"The Council's housing land supply position of 10.32 years means that the relevant development plan policies are up-to-date and that development proposals must be assessed in accordance with the Development Plan. Whilst the NPPF states that the requirement to have a 5-year supply is not a cap on development, the housing policies of the Development Plan are a starting point for decision taking and afforded full weight.

The proposed development would provide 214 new dwellings (both market and affordable). The provision of new homes for households of various sizes is a significant benefit of this proposal." (Paragraph's 8.3 and 8.4)

- 1.1.9 The Report then specifically highlighted the position of delivery to meet the Local Plan housing requirement:

"In terms of overall supply, 2,503 homes have been completed between April 2011 and March 2023. To meet the Local Plan requirement, another 3,897 dwellings need to be built during the remaining six years of the plan period to 2030.

Whether taken in isolation or seen within the context of the Council's housing supply and delivery position, the provision of 214 new homes on this site should be seen as a benefit of the proposal. It should also be seen as supporting the Government's stated objective of significantly boosting the supply of housing (paragraph 60, NPPF)." (Paragraph's 8.6 and 8.7)

- 1.1.10 The Planning Officer report concludes in Paragraph 22.5 that:

“The proposal would make a meaningful contribution to both market and affordable housing. It is recognised that the government’s aim is to significantly boost the supply of housing, both market and affordable. In this context, notwithstanding the Council’s demonstrable 5-year housing land supply, weight should be given to the provision of 214 dwellings in Redditch, including 30% of which would be affordable. The development will also provide two custom build plots, which carry some, albeit limited, weight.”

- 1.1.11 The Council’s Statement of Case (31st October 2024) confirmed that **“the Council have resolved to not defend the appeal and accepts that planning permission should therefore be granted. Consequently, the Council will not adduce any evidence to support the aforementioned reasons for refusal”** and that the Council will seek to enter into a Statement of Common Ground (SOCG) with the appellant to cover all of the matters considered pertinent to the case.
- 1.1.12 Paragraph 6.2 of the Council’s Statement of Case confirms the main issues which the Council considers relevant to the consideration of the case, and these do not include the presence or absence of a 5-year supply of deliverable housing sites.

2 THE DEVELOPMENT PLAN

2.1 The Development Plan

2.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires local planning authorities to determine planning applications in accordance with the Development Plan unless material considerations indicate otherwise.

2.1.2 The Development Plan comprises the following:

- Redditch Local Plan No 4 (January 2017)

2.1.3 The Redditch Local Plan No 4 ('RLP') was adopted on 30th January 2017 and covers the period to 2030. The Local Plan Inspector's Report, dated 16th December 2016, summarises the context around the evidence for the now adopted Local Plan housing requirement of 6,400 dwellings in the period 2011-30.

2.1.4 The Introduction to the Local Plan highlights that of the local challenges this includes:

- "Population projections indicate significant new demand for housing over the Plan period due to natural growth and migration
- Land availability is scarce, particularly Previously Developed Land
- Cooperate with our neighbours to locate a significant amount of Redditch's unmet requirements in adjoining Districts"

2.1.5 Policy 2 (Settlement Hierarchy) confirms that the location and scale of development should accord with the settlement hierarchy. Redditch urban area is identified as the Main Settlement which:

"shall be the focus for development as it provides the highest range of services and facilities."

2.1.6 Paragraph 2.5 affirms that:

"Due to the compact and built up nature of Redditch's most sustainable settlement, it is important that future development which cannot be accommodated within the urban area, is directed to the most appropriate and sustainable locations on the edge of the urban area."

2.1.7 Policy 3 (Development Strategy) emphasises that all strategic sites for development can come forward imminently for development. Paragraph 3.3

"With regard to all development, sites focussed on the urban area of Redditch are encouraged to be developed earlier in the Local Plan period in accordance with Policy 2 Settlement Hierarchy..."

2.1.8 The reasoned justification for Policy 3 amplifies further the imperative for a continuous supply of land for development and that in order to ensure that this requirement is met:

"all development within the Redditch urban area, as the Borough's principal sustainable settlement, would be required for development immediately as there is limited land availability and little choice about the locations for development within the Borough."

- 2.1.9 Paragraph 4.1 states that there is insufficient land within Redditch Borough to address housing needs of its population up to 2030 and confirms some cross boundary growth is needed in Bromsgrove District to contribute to those needs.
- 2.1.10 Policy 4 (Housing Provision) identifies a requirement for around 6,400 new dwellings over the Plan period 2011-2030. Of this amount some 53% (3,400 homes) are to be accommodated in neighbouring Bromsgrove District with the remaining 47% (3,000 homes) within Redditch Borough itself. Thus, from the outset the ability to address the housing need of Redditch requires delivery in neighbouring Bromsgrove.
- 2.1.11 Appendix 1 of the Local Plan details Policy RCBD1 (Redditch Cross Boundary Development). It sets the context for the housing need shortfall within Redditch and confirms the approach to this being addressed within neighbouring Bromsgrove:

“The Worcestershire Strategic Housing Market Assessment (SHMA) identifies that Redditch’s housing requirements up to 2030 should be around 6,380 dwellings. The Redditch Strategic Housing Land Availability Assessment (SHLAA) identifies that Redditch Borough only has the capacity to accommodate around 3000 dwellings within its own boundaries, leaving a shortfall of around 3400. Bromsgrove District Council and Redditch Borough Council have worked together in accordance with the Duty to Cooperate to find preferred locations to accommodate this shortfall. An assessment (Housing Growth Development Study January 2013) has been carried out, building upon a consultation conducted in 2010, to ensure that the most suitable and sustainable sites have been selected.” (Paragraph 8.53)

- 2.1.12 Paragraph 8.54 confirms two sustainable mixed use urban extensions (Foxlydiate and Brockhill) are proposed adjacent to the west and north of Redditch Town which will deliver two new sustainable communities, and the location of these sites (located within Green Belt) is shown on a corresponding map on page 122. These sites are identified **“to meet some of Redditch’s housing requirements up to 2030”** (emphasis added). The policy details the split in housing numbers between each site:

“RCBD1.2 Site 1 Foxlydiate will include approximately 2800 dwellings, a first school and a Local Centre, including associated community infrastructure.

RCBD1.3 Site 2 Brockhill will contain approximately 600 dwellings which will integrate with the Strategic Site at Brockhill East, as shown in the Borough of Redditch Local Plan No.4 and should integrate well into the existing urban fabric of Redditch.”

- 2.1.13 The Appeal site is designated in the Local Plan as Primarily Open Space (Policy 13), with a small part shown as white land (part of the main urban area of Redditch). Proposals which would result in the loss or partial loss of Primarily Open Space will not normally be granted planning permission unless it can be demonstrated that the need for the development outweighs the value of the land as an open area.
- 2.1.14 Redditch BC has begun the preparation of a new Local Plan, but it is at an early stage and sometime before adoption of a new plan. The current Local Development Scheme dates from November 2021 and assumed adoption of a new Local Plan by May 2024: this has not occurred, and the Council is currently reviewing its position in light of the imminent changes to national policy and at the time of writing there is no programme published for the review and adoption of a new Local Plan. The website currently states **“The Council is currently considering the recently announced planning reforms. As soon as possible we will publish a new timetable for the Borough of Redditch Local Plan Review.”**

2.1.15 Though not forming part of the Development Plan for this Appeal, it is important to identify the policy basis in Bromsgrove which exists to support the delivery of the unmet housing needs in the adjoining District as this is of direct relevance to consideration of the delivery of new homes to address the assessed housing need for Redditch. The Plan was adopted in 2017 and Policy BDP3 identified a housing requirement of 7,000 homes to meet Bromsgrove's own need and allocated a further 3,400 homes to address the unmet need arising from Redditch. With regard to its own need, the Plan only identified 4,700 homes, with a further 2,300 homes to be identified and allocated via a Local Plan review – involving a review of the Green Belt, which Paragraph 8.15 advises would be completed by 2023 at the latest: this review has not been undertaken. The Local Plan contains Policy RCBD1 to identify the Redditch Cross Boundary Development, mirroring the policy which sits within the Redditch Local Plan.

2.1.16 Bromsgrove is reviewing its adopted Local Plan, and the current LDS from 2021 assumed a Preferred Options consultation in 2022, a Reg 19 consultation in 2023 and Examination in late 2023 with adoption by May 2024. This is out of date and is under review. No further consultation on the Local Plan has taken place since an Issues and Options Consultation in the Autumn of 2018. Of particular note is that the 2018 consultation document confirmed the importance of the review and the need for this to be undertaken by 2023:

“1.4 The current Bromsgrove District Plan (BDP) (2011 2030), was adopted in January 2017 and contained a policy which required a plan review to be undertaken by 2023 (Policy BDP3) as the BDP did not allocate enough housing land in locations not covered by Green Belt designation. The Plan Review is needed to ensure at the very least that the full housing requirement for Bromsgrove District up to 2030 can be delivered and that safeguarded land for the longer term can be identified.”

2.1.17 More recently a consultation had been expected across the summer of 2024, dates still to be confirmed including further stages beyond. However following the announcement of a General Election to be held on 4th July 2024, Bromsgrove confirmed a delay to the scheduled consultation on the Local Plan update.

3 THE NEED FOR HOUSING

3.1 Housing Need

3.1.1 The purpose of the planning system is to contribute to the achievement of sustainable development including, inter alia, the provision of homes and supporting infrastructure in a sustainable manner (Paragraph 7). Paragraph 8 of the NPPF recognises importantly that achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives). Paragraph 9 of the Framework notes that these objectives should be delivered through the preparation and implementation of plans and the application of policies in the Framework and that they are not criteria against which every decision can or should be judged.

3.1.2 Moreover, paragraph 10 of the NPPF goes on to emphasise that at the heart of the Framework there is a presumption in favour of sustainable development. Paragraph 11 adds that this should apply in plan-making and decision taking. For decision taking this means:

“(c) approving development proposals that accord with an up-to-date development plan without delay; or

(d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole, having particular regard to key policies for directing development to sustainable locations, making effective use of land, securing well-designed places and providing affordable homes, individually or in combination.”

3.1.3 Footnote 8 clarifies that out-of-date includes the situation where the local planning authority cannot demonstrate a five-year supply of deliverable housing sites (with the appropriate buffer as set out in paragraph 78); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years.

3.1.4 NPPF Paragraphs 61 to 84 deal with delivering a sufficient supply of homes. The Framework provides a clear and concise statement of Government policy on the matter of housing supply, as stated at paragraph 61 seeking **“significantly boosting the supply of homes”** and that it is:

“it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay. The overall aim should be to meet an area’s identified housing need, including with an appropriate mix of housing types for the local community.”

3.1.5 Paragraph 78 confirms that:

“Local planning authorities should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years’ worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need where the strategic policies are more than five years old. The supply of specific deliverable sites should in addition include a buffer (moved forward from later in the plan period) of:

- a) 5% to ensure choice and competition in the market for land; or**
- b) 20% where there has been significant under delivery of housing over the previous three years, to improve the prospect of achieving the planned supply...”**

3.1.6 Paragraph 79 confirms that to maintain the supply of housing, local planning authorities should monitor progress in building out sites which have permission. Where the Housing Delivery Test indicates that delivery has fallen below the local planning authority’s housing requirement over the previous three years, the following policy consequences should apply:

- a) Where delivery falls below 95% of the requirement over the previous three years, the authority should prepare an action plan to assess the causes of under-delivery and identify actions to increase delivery in future years;
- b) Where delivery falls below 85% of the requirement over the previous three years, the authority should include a buffer of 20% to their identified supply of specific deliverable sites as set out in paragraph 78 of the Framework, in addition to the requirement for an action plan; and
- c) Where delivery falls below 75% of the requirement over the previous three years, the presumption in favour of sustainable development applies, as set out in footnote 8 of the Framework, in addition to the requirements for an action plan and 20% buffer.

3.1.7 The 2022 Housing Delivery Test measurement for RBC published in December 2024 covers the period 2020-23 confirms the percentage for Redditch of 285%. Accordingly, the 20% buffer does not need to be applied.

3.1.8 Paragraph 75 confirms with regard to windfalls that:

“Where an allowance is to be made for windfall sites as part of anticipated supply, there should be compelling evidence that they will provide a reliable source of supply. Any allowance should be realistic having regard to the strategic housing land availability assessment, historic windfall delivery rates and expected future trends.”

3.1.9 The Glossary of the NPPF defines the meaning of ‘Deliverable’ in the context of housing supply and highlights a firm and important distinction between non major development with planning permission and all sites with detailed permission on the one hand, and those sites with outline planning permission for major development and those allocated in Local Plans on the other:

“To be considered deliverable, sites for housing should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years (emphasis added). In particular:

- a) Sites which do not involve major development and have planning permission, and all sites with detailed planning**

permission, should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within five years (for example because they are no longer viable, there is no longer a demand for the type of units or sites have long term phasing plans).

- b) Where a site has outline planning permission for major development, has been allocated in a development plan, has a grant of permission in principle, or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years.”

3.2 Planning Practice Guidance (PPG)

- 3.2.1 The Planning Practice Guidance (PPG) materialised in March 2014 and has been updated numerous times. The PPG provides further guidance on the application of national policy with regard to the assessment and consideration of the 5-year supply of housing:

“A 5-year supply is a supply of specific and deliverable sites sufficient to provide 5 years’ worth of housing (and appropriate buffer) against a housing requirement set out in adopted strategic policies, or against a local housing need figure, using the standard method, as appropriate in accordance with paragraph 77 of the National Planning Policy Framework.¹”

- 3.2.2 The PPG confirms in the context of what constitutes a deliverable housing site in the context of plan making and decision taking that:

“In order to demonstrate 5 years’ worth of deliverable housing sites, robust, up to date evidence needs to be available to support the preparation of strategic policies and planning decisions.²”

- 3.2.3 The PPG also clarifies that for decision-taking purposes, an authority will need to be able to demonstrate a 5-year housing land supply when dealing with applications and appeals.

“They can do this by using the latest available evidence such as a Strategic Housing Land Availability Assessment (SHLAA), Housing and Economic Land Availability Assessment (HELAA), or an Authority Monitoring Report (AMR).³”

- 3.2.4 With reference to the definition of ‘Deliverable’ in the NPPF, the PPG amplifies this by confirming that:

“As well as sites which are considered to be deliverable in principle; this definition also sets out the sites which would require further evidence to be considered deliverable, namely those which:

- **Have outline planning permission for major development;**
- **Are allocated in a development plan;**

¹ Paragraph: 002 Reference ID: 68-002-20240205, Revision date: 05 Feb 2024

² Paragraph 007, Reference ID: 68-007-20190722, Revision date: 22 July 2019

³ Paragraph 004, Reference ID: 68-004-20241212, Revision date: 12 Dec 2024

- Have a grant of permission in principle; or
- Are identified on a brownfield register.

Such evidence, to demonstrate deliverability, may include:

- Current planning status - for example, on larger scale sites with outline or hybrid permission how much progress has been made towards approving reserved matters, or whether these link to a planning performance agreement that sets out the timescale for approval of reserved matters applications and discharge of conditions;
- Firm progress being made towards the submission of an application - or example, a written agreement between the local planning authority and the site developer(s) which confirms the developers' delivery intentions and anticipated start and build-out rates;
- Firm progress with site assessment work; or
- Clear relevant information about site viability, ownership constraints or infrastructure provision, such as successful participation in bids for large-scale infrastructure funding or other similar projects⁴."

3.2.5 If an authority cannot demonstrate a 5-year housing land supply, the PPG confirms that:

"In decision-taking, if an authority cannot demonstrate a 5 year housing land supply, including any appropriate buffer, the presumption in favour of sustainable development will apply, as set out in paragraph 11d of the National Planning Policy Framework.⁵"

3.3 Relevant Judgments and Appeal decisions

3.3.1 In the Bloor Homes Hanging Lane, Birmingham Secretary of State decision⁶ the Inspector concluded that in the context of the definition of deliverable:

"The significant change, in the second part of the definition, is that the presumption of deliverability is removed in respect of sites with outline planning permission, permission in principle, allocated in a development plan or identified on a brownfield register, in respect of which there is now a requirement for clear evidence that housing completions will begin within five years. As agreed by the parties this places the onus on the local planning authority to justify the inclusion of such sites in the 5YHLS." (Paragraph 14.37)

3.3.2 LJ Lindblom confirmed in the Court of Appeal Judgment⁷ in East Bergholt in December 2019 that:

"49. ...A "realistic prospect" is not a legal concept. It is a broad concept of policy, which gives ample scope for a decision-maker's

⁴ Paragraph 007, Reference ID: 68-007-20190722, Revision date: 22 July 2019

⁵ Paragraph: 008 Reference ID: 68-008-20190722, Revision date: 22 July 2019

⁶ APP/P4605/W/18/3192918

⁷ R on the Application of East Bergholt Parish Council v Babergh District Council [2019] EWCA Civ 2200

reasonable planning judgment on the likelihood of development proceeding on a site within five years – a predictive judgment on future events that are inevitably not certain. The court recognized the range of legitimate planning judgment available to the decision-maker when considering whether sites have a “realistic prospect” of development in the five-year period.”

- 3.3.3 In the Sonning Common appeal decision⁸, the Inspector, when considering the matter of deliverable supply and what should constitute ‘clear evidence’ he indicated that:

“This advice indicates to me the expectation that ‘clear evidence’ must be something cogent, as opposed to simply mere assertions. There must be strong evidence that a given site will in reality deliver housing in the timescale and in the numbers contended by the party concerned.

Clear evidence requires more than just being informed by landowners, agents or developers that sites will come forward, rather, that a realistic assessment of the factors concerning the delivery has been considered. This means not only are there planning matters that need to be considered but also the technical, legal and commercial/financial aspects of delivery assessed. Securing an email or completed pro-forma from a developer or agent does not in itself constitute ‘clear evidence’.”

- 3.3.4 The extent of any shortfall in the 5-year supply of deliverable housing has material significance for the weight to be given in the overall planning balance given the Hallam Judgment, (Hallam Land Management Ltd v Secretary of State for Communities And Local Government & Anor [2018] EWCA Civ 1808 (31 July 2018). In relation to the materiality of a housing supply shortfall, Lindblom LJ opined:

“...in a case where the local planning authority is unable to demonstrate five years’ supply of housing land, the policy leaves to the decision-maker’s planning judgment the weight he gives to relevant restrictive policies. Logically, however, one would expect the weight given to such policies to be less if the shortfall in the housing land supply is large, and more if it is small. Other considerations will be relevant too: the nature of the restrictive policies themselves, the interests they are intended to protect, whether they find support in policies of the NPPF, the implications of their being breached, and so forth.” (Paragraph 47)

⁸ APP/Q3115/W/20/3265861

4 THE HOUSING REQUIREMENT

4.1 Local Housing Need

- 4.1.1 The Borough of Redditch Local Plan No.4 became five years old on the 30th January 2022. As a consequence, the Local Housing Need is calculated by the standard method.
- 4.1.2 Redditch Borough Council has published a Five-Year Housing Land Supply statement for the period from April 2024 to March 2029, with a base date of 31st March 2024, however this was based on the previous standard method which no longer applies following the December 2024 updated standard method.
- 4.1.3 The current standard method housing requirement for Redditch is 486 dwellings per annum or 2,430 dwellings over the five-year period 2024-29. With the 5% buffer required by the NPPF, the requirement is 2,552 dwellings (rounded) or 510dpa (rounded).
- 4.1.4 **Table 1** below shows the historic patterns of completions in RBC since the start of the plan period. It shows delivery within the first 13 years of the plan period against the Local Plan housing requirement.

Table 1: Redditch Housing Delivery and Local Plan Requirement

Year	Annual Requirement	Net Completions	Surplus/Shortfall
2011/12	337	63	-274
2012/13	337	130	-207
2013/14	337	150	-187
2014/15	337	312	-25
2015/16	337	181	-156
2016/17	337	183	-154
2017/18	337	384	47
2018/19	337	392	55
2019/20	337	279	-58
2020/21	337	199	-138
2021/22	337	127	-210
2022/23	337	103	-234
2023/24	337	276	-61
Total	4,381	2,779	-1,602

- 4.1.5 This represents significant under delivery against the annual Local Plan requirement in the period above, having delivered 63% of the homes needed to meet the Development Plan requirement to date.
- 4.1.6 The Local Plan requires 6,400 homes in the period 2011-2030. With completions currently comprising 2,779 homes to 2023/24, and with 6 years left in the Local Plan period to 2030, the Council is 68% through the Local Plan time period and has delivered 43% of the homes required. The residual requirement against the Local Plan in the period 2024-2030 is 3,621 homes, or 604 dwellings per annum.

5 THE HOUSING SUPPLY

5.1 Council's Supply

- 5.1.1 Redditch Borough Council published a Five-Year Housing Land Supply statement for the period from April 2024 to March 2029, with a base date of 31st March 2024. RBC concluded at that time that it had a five-year supply of 10.1 years using the current standard method housing requirement.
- 5.1.2 It sets out the components of the supply which comprise:
- Net commitments
 - Deliverable Sites
 - Windfall allowance
- 5.1.3 Sites which do not involve major development and have planning permission, and all sites with detailed planning permission should be considered deliverable until permission expires, unless there is clear evidence that homes will not be delivered within 5 years, the onus in a s78 appeal falls to the Appellant to demonstrate such clear evidence that such sites will not be capable of delivery within 5 years. In contrast, reflecting the PPG, sites with outline permission, or those sites that have been allocated, should only be considered deliverable where there is clear evidence that housing completions will begin on sites within five years. The onus is on the Local Planning Authority to provide that clear evidence for outline planning permissions and allocated sites.

Net Commitments

Site 1 Foxlydiate

- 5.1.4 The Appellant disputes the extent of delivery from one site which forms part of the Council's supply. This site allocation straddles both Redditch Borough and Bromsgrove District and is one of two sites which are required to deliver 3,400 homes to address the unmet need of Redditch Borough. Hybrid planning applications to each LPA were submitted on behalf of Heyford Developments Ltd and UK Land and Developments Ltd in 2016, a year prior to the site allocation, in respect of 2,560 dwellings, a local centre, health and community facilities (all new dwellings are in outline) and a detailed permission for access and associated works was approved on 21st January 2022 by each Authority (Decision Notices ref 16/0263 RBC and 2016/077/OUT BDC).
- 5.1.5 The detailed element of the permission is required to be commenced by 21st January 2025. Pre-commencement outline planning conditions have been discharged. The proposal has been subject to three non-material amendment applications (NMA B1 to amend condition 20 (to amend the quantum of dwellings occupied from 600 to 200 prior to the completion of engineering works for the main site access onto Birchfield Road) (30th November 2022); NMA B2 to amend condition 26 (to include an additional requirement within the Construction Environmental Management Plan: Details of the proposed duration of works) (28th November 2022), and NMA B3 to amend condition 3 (to include a requirement that the Reserved Matters are submitted to the Local Planning Authority within which the application is situated) (28th October 2024).
- 5.1.6 The first reserved matters application is required to be made by 21st January 2025, with all reserved matters applications within 15 years of the permission. Reserved Matters applications are required to include a Design Code for the relevant area (condition 7). The development is split into 6 phases (detailed in the Design and Access Statement with a maximum delivery rate of 150dpa, with zero completions in year 1, 83 in year 2, 169 in year 3 and not reaching a peak delivery of 252dpa until year 6. This assumes 4 sales outlets operating on the site.

- 5.1.7 To date, a single reserved matters application has been submitted on 22nd May 2024 (ref RM 24/00533/REM) by St Philips Homes in respect of 222 homes. Despite the application having been submitted 5 months ago, there are only 3 consultee responses to date. National Highways and Redditch Borough (as adjoining authority) have raised no objection. The Highway Authority has, however, recommended deferral of the application (30th July consultation response) to enable a series of matters to be addressed including how the site will connect to the main spine road access, revisions to the layout to ensure 20mph design speed, traffic calming measures to be included, changes to visibility splays, private drive access arrangements, changes to address refuse vehicle tracking concerns, a series of other detailed comments and the need to submit a travel plan.
- 5.1.8 The Appellant considers that it is evident that significant changes will be required to the layout to address these concerns. It is unclear how long this process will take and whether there will be other changes required. The Appellant however considers that the submission of a reserved matters application does demonstrate evidence of progress towards a detailed permission for the first part of the site and given the scale of the proposal of 222 dwellings, and allowing at least another 6 months to determine the reserved matters application (thus no completions will take place in 2024/25), at a rate of 55dpa over 4 years the site is capable of delivering this first phase within the 5 year housing land supply period.
- 5.1.9 The lack of progress regarding delivery of this site in part relates to the hybrid planning permission being subject to legal challenge brought by Bentley Paucefoot Parish Council on 3 grounds and the challenge was heard by the High Court at a hearing on 6th December 2022 with the Judgment handed down on 2nd March 2023 with the Court dismissing all grounds of challenge which related to the use of Foxlydiat Lane as an access to the development for residential use and as a construction access, with the third ground relating to the lack of a financial contribution towards free school transport.
- 5.1.10 The site is in multiple land ownership. There are 13 parties who were signatory to the S106 agreement in addition to the County Council and Redditch and Bromsgrove, including 11 landowners, plus 3 option holders. The Land Registry indicates that the land remains in the control of a number of landowners. There is evidently a process of land assembly and acquisition, and the Appellant considers that the Council has not provided any evidence to confirm the progress of this nor details of the likely timescale for any subsequent reserved matters applications.
- 5.1.11 The site has a long and complex history, where the planning permission itself took over 5 years to obtain. Whilst pre-commencement conditions have been discharged, a number of planning conditions remain to be addressed alongside and as part of the reserved matters application: 7 (design code); 8 (levels); 9 (refuse details); 10 (hard surfacing details); 11 (boundary treatments); 12 (external lighting); 24 (cycle parking); 31 (communal open space); 35 (energy efficiency measures); 36 (foul and surface water); 37 (SUDS management).
- 5.1.12 The developer's own phasing indicates no completions in year 1 of the development. The Council's trajectory assumes 35 completions in 2025/26, 135 in 2026/27 and 180 in 2027/28 and 210 in 2028/29. The Appellant considers that this is not evidenced and concludes that the site will deliver 222 dwellings in the 5-year period to 2028/29 rather than the 560 dwellings relied upon by the Council: **a difference of 338 dwellings**.
- 5.1.13 The Appellant concludes that this is an allocated site and the permission for new homes is made in outline only, and as a Category B site and the Council is required to provide clear evidence of deliverability within the 5-year period, which it has not. The Appellant considers that there is no evidence of progress beyond the first reserved matters application, nor evidence of a planning performance agreement which sets out the timescale for reserved matters or the phasing of the development.

Deliverable Sites

- 5.1.14 The NPPF states that where a site has been allocated in a development plan or is identified on a brownfield register, it should only be considered deliverable where there is clear evidence that

housing completions will begin on site within 5 years (Annex 2: Glossary). For these Category B sites, the onus is on the Council to provide this clear evidence to justify their considered delivery of these sites within the five-year period. The Council does not rely on any sites in this category for the purposes of its housing land supply.

Windfall Allowance and Lapse Rate

5.1.15 The NPPF advises at Paragraph 75 that **“Where an allowance is to be made for windfall sites as part of anticipated supply, there should be compelling evidence that they will provide a reliable source of supply. Any allowance should be realistic having regard to the strategic housing land availability assessment, historic windfall delivery rates and expected future trends.”**

5.1.16 The Council's Housing Land Supply Statement section 7 details the windfall allowance. The Council appropriately avoids double counting of the stock of small site permissions (windfalls with planning permission) for the first 3 years of the 5-year period and applies a windfall allowance to the remaining two years only. The Council also provides in Table 10 a breakdown of windfall completions over the last 27 years which averages 11 dwellings per annum. This is also justified by looking at the most recent 10-year period which averages 12dpa. Therefore, the Appellant agrees that the windfall allowance of 22 dwellings in the housing supply is in accordance with Paragraph 75 of the NPPF.

5.1.17 With regard to the appropriateness of a lapse rate for non-implementation of permissions, this should be evidenced, and the applicability of a lapse rate and the percentage will be specific to the circumstances of the locality. The Council has reported lapsed permissions as part of its Annual Monitoring Reports which are available from 2018/19 to 2021/22 and the number of lapsed permissions is as follows (averaging 34 dwellings per annum over the last 5 years):

- 2021/22 - 50 dwellings
- 2020-21 - 30 dwellings
- 2019-20 - 20 dwellings
- 2018/19 - 37 dwellings

5.1.18 The Appellant considers that that **170 dwellings** (34x5) should be removed from the supply to reflect the evidence which supports the likely lapse of small permissions in the Borough.

Summary of position

5.1.19 The difference between the Appellant and Council is as follows:

		Council Supply	Appellant Supply
		Current Standard Method including 5% buffer	
A	Five-year requirement	2,552	2,552
B	Annual requirement	510	510
C	5YHLS supply at 1st April 2024	1,440	932
D	Supply in years	2.8 years	1.8 years
E	Over / under supply	-1,112	-1,620

6 CONCLUSION

6.1 Concluding Summary

- 6.1.1 Using the Council's own published supply information, RBC now has 2.8 years' supply of deliverable housing sites using the current Standard Method; or 4.3 years supply against the Development Plan housing requirement of 337dpa; or 2.4 years supply against the residual Development Plan housing requirement of 604dpa.
- 6.1.2 The Appellant concludes that RBC has 1.8 years' supply of deliverable housing sites using the current Standard Method; or 2.8 years supply against the Development Plan housing requirement of 337dpa; or 1.5 years supply against the residual Development Plan housing requirement of 604dpa.
- 6.1.3 The Appellant considers that in accordance with the NPPF, the policies which are most important for determining the application are out-of-date and the presumption in favour of sustainable development applies in accordance with Paragraph 11d of the NPPF.

Nick Paterson-Neild, Planning Director, Stantec

2nd January 2025

Affordable Housing Proof of Evidence of James Stacey BA (Hons) Dip TP MRTPI

Land West Of, Hither Green Lane, Redditch, Worcestershire

Affordable Housing Proof of Evidence of James Stacey BA (Hons) Dip TP MRTPI

Residential development (Class C3) with a vehicular access point onto Hither Green Lane, play areas, public open space including footways and cycleways, sustainable urban drainage systems and all other ancillary and enabling infrastructure

Land West Of, Hither Green Lane, Redditch, Worcestershire

Barratt David Wilson Homes (Mercia)

January 2025

PINS REF: APP/Q1825/W/24/3350905

LPA REF: 21/01830/FUL

OUR REF: M24/0412-02.RPT

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Introduction

Section 1

- 1.1 This Affordable Housing Proof of Evidence has been prepared by **James Stacey BA (Hons) Dip TP MRTPI** of **Tetlow King Planning** on behalf of **Barratt David Wilson Homes (Mercia)**.
- 1.2 Outline planning permission is sought for up to 214 dwellings, of which 30% are proposed as affordable homes equivalent to up to 66 affordable. This level of provision meets the requirements of Policy 6 (30%) of the adopted Borough of Redditch Local Plan No.4 2011-2030 (2017).
- 1.3 The tenure split would be policy compliant at 75% Social Rented (up to 50 units), 25% Shared Ownership (up to 17 units).
- 1.4 The proposed affordable housing will be secured by way of a Section 106 planning obligation.
- 1.5 This Proof of Evidence deals specifically with affordable housing and the weight to be afforded to it in this planning decision¹ considering evidence of need in the area.
- 1.6 My credentials as an expert witness are summarised as follows:
 - I hold a Bachelor of Arts (Hons) degree in Economics and Geography from the University of Portsmouth (1994) and a post-graduate diploma in Town Planning from the University of the West of England (“UWE”) (1997). I am a member of the Royal Town Planning Institute (“RTPI”).
 - I have over 29 years’ professional experience in the field of town planning and housing. I was first employed by two Local Authorities in the South West and have been in private practice since 2001.
 - During my career, I have presented evidence at more than 150 Section 78 appeal inquiries and hearings. I act for a cross-section of clients and advise upon a diverse range of planning and housing related matters.

¹ For the clarity, the weightings I apply are as follows: very limited, limited, moderate, significant, very significant, substantial, and very substantial.

- In December 2022, I was appointed as Managing Director of Tetlow King Planning. Prior to this I held the position of Senior Director. I was first employed by Tetlow King Planning in 2009.
- Both Tetlow King generally and I have acted on a wide range of housing issues and projects for landowners, house builders and housing associations throughout the country. Tetlow King Planning has been actively engaged nationally and regionally to comment on emerging development plan documents and supplementary planning documents on affordable housing throughout the UK.

1.7 In accordance with the Planning Inspectorate’s Procedural Guidance, I hereby declare that:

“The evidence which I have prepared and provide for this appeal in this Statement is true and has been prepared and is given in accordance with the guidance of the Royal Town Planning Institute. I confirm that the opinions expressed are my true and professional opinions.”

1.8 Providing a significant boost in the delivery of housing, and in particular affordable housing, is a key priority for the Government. This is set out in the most up-to-date version of the National Planning Policy Framework (“NPPF”) (2024), the Planning Practice Guidance (“PPG”), the National Housing Strategy and the Government’s Housing White Paper (**CDJ1**).

1.9 Having a thriving active housing market that offers choice, flexibility and affordable housing is critical to our economic and social well-being. The consequences of failing to meet affordable housing needs in any local authority is well documented and acknowledged by the SOS and Inspectors alike. These consequences are important to understand. They are real consequences, afflicted upon many households who are in dire need of assistance with their housing. The consequences affect the ability of households, families, and individuals in leading the best lives that they can. I set out my summary of the consequences at **Appendix JS1**.

1.10 As part of my evidence, I have sought data from the Council, upon which I rely, through a Freedom of Information (“FOI”) request submitted to Redditch on 15 May 2024. A full response was received on 19 July 2024. The full FOI correspondence is attached at **Appendix JS2**.

1.11 There is an acute need for more affordable homes to be delivered in Redditch, to which the appeal proposals would make a substantial contribution towards addressing.

Affordable Housing Evidence

Section 2

2.1 This Section deals specifically with affordable housing and the weight to be afforded to it in the planning decision in light of the evidence of need in the Redditch area.

Development Plan

2.2 The relevant development plan in respect of affordable housing for the appeal site comprises the adopted Borough of Redditch Local Plan No.4 2011-2030 (2017).

2.3 Policy 6 (Affordable Housing) of the Redditch Local Plan (2017) is the Council's main affordable housing policy. Policy 6 seeks 30% affordable housing provision on qualifying sites delivering 11 or more dwellings and specifies that *"Redditch Borough Council is keen to promote opportunities for its residents to access low cost, high quality housing, which presents opportunities to buy as well as rent."*

2.4 Supporting paragraph 6.7 states that the Council will seek to negotiate the mix of affordable housing tenures on a site-by-site basis.

2.5 Redditch Borough Council announced in April 2024 that it had begun evidence collection and the early stages of consultation for a new Local Plan. At the time of writing, a Regulation 18 consultation is yet to have taken place. Given its infancy, the emerging Local Plan should carry no weight in the determination of this appeal.

Corporate Documents

2.6 Corporate documents identify the delivery of affordable housing as a high corporate priority for Redditch Borough Council. These include the following documents:

- Redditch Borough Council Plan 2020 - 2024 (**CDE15**);
- Worcestershire Housing Strategy 2023 - 2040 (**CDE13**); and
- Worcestershire Homelessness and Rough Sleeping Strategy 2022 - 2025 (**CDE14**).

Affordable Housing Needs

- 2.7 Local Plan Policy 6 does not define a numerical target for the provision of affordable homes in Redditch, instead it requires 30% provision from qualifying developments in Redditch.
- 2.8 In the absence of a defined affordable housing target figure in adopted and/or emerging policy, it is important to consider the objectively assessed need for affordable housing within the most up-to-date assessment of local housing need.
- 2.9 I note that paragraph 6.10 of the Redditch Local Plan (2017) states that “...any changes to the Borough’s housing needs will be reflected through regular SHMA updates. Therefore it is imperative that the required need identified in the most up to date SHMA is provided for at that time” (my emphasis).

Redditch Strategic Housing Market Assessment (2012)

- 2.10 The 2012 Redditch Strategic Housing Market Assessment (“SHMA”) (**CDE12**) forms part of the housing evidence base for the adopted Local Plan (2017).
- 2.11 Table 7.9 (page 196) of the 2012 SHMA identifies a net need for 100 social rented dwellings and a further 67 intermediate affordable dwellings per annum over the five years between 2011/12 and 2015/16. When combined this equates to a total net need for **167 affordable homes per annum over the five-year period**.

Redditch Housing and Economic Development Needs Assessment (2022)

- 2.12 The 2022 Housing and Economic Development Needs Assessment (“HEDNA”) (**CDE11**) forms part of the housing evidence base for the emerging Local Plan and provides the most up to date assessment of affordable housing need in Redditch.
- 2.13 Figure 41 (page 123) of the 2022 HEDNA identifies a net need for 90 affordable dwellings per annum over the 20-year period between 2020/21 and 2039/40. This comprises 51 social/affordable rented dwellings and a further 39 affordable home ownership dwellings per annum as clarified at paragraph 22.2.10 of the 2022 HEDNA. When combined this equates to a total net need for **90 affordable homes per annum over the 20-year period**.

Affordable Housing Delivery

- 2.14 Figure 2.1 illustrates the delivery of affordable housing (“AH”) in Redditch since the start of the Local Plan period in 2011.

Figure 2.1: Gross Additions to Affordable Housing Stock, 2011/12 to 2023/24

Monitoring Year	Total Housing Completions (Net)	Additions to AH stock (Gross)	Gross affordable additions as a %age of total completions
2011/12	63	7	11%
2012/13	130	51	39%
2013/14	150	52	35%
2014/15	312	145	46%
2015/16	181	55	30%
2016/17	183	73	40%
2017/18	384	81	21%
2018/19	392	122	31%
2019/20	279	64	23%
2020/21	199	65	33%
2021/22	127	19	15%
2022/23	103	39	38%
2023/24	166	110	66%
Totals	2,669	883	33%
Avg. PA.	205	68	

Source: Freedom of Information Response (Annual Monitoring Report data) dated 19 July 2024; MHCLG Live Tables 691 and 693c2; Statistical Data Returns

- 2.15 Between 2011/12 and 2023/24, a total of 2,669 dwellings were delivered in Redditch, equivalent to 205 per annum. Of these, 883 dwellings were affordable tenures, equivalent to 68 per annum. This equates to 33% gross affordable housing delivery.
- 2.16 However, it is important to note that the gross affordable completions figure does not take into account any losses from the affordable housing stock through demolitions nor through Right to Buy (“RtB”) sales from existing Council and Registered Provider (“RP”) affordable housing stock. The gross position also fails to take into account any acquisitions added to the stock.
- 2.17 Figure 2.2 below calculates the affordable housing delivery per annum since the start of the Local Plan period in 2011, net of Right to Buy sales. A net loss of 517 affordable dwellings over this period equates to a concerning 19% of the gross affordable housing completions of 2,669 affordable dwellings over the 13-year period.

Figure 2.2: Net of Right to Buy Additions to Affordable Housing Stock, 2011/12 to 2023/24

Monitoring Period	Total housing completions (Net)	Additions to AH Stock (Gross)	LPA Acquisitions	LPA RtB sales	RP RtB sales	Additions to AH Stock (Net of RtB)	Additions to AH Stock (Net of RtB) as a %age of total completions
	A	B	C	D	E	F (B + C) - (D + E)	G (F / A) X 100
2011/12	63	7		7	0	0	0%
2012/13	130	51		19	0	32	25%
2013/14	150	52		43	1	8	5%
2014/15	312	145		41	0	104	33%
2015/16	181	55		50	1	4	2%
2016/17	183	73		70	0	3	2%
2017/18	384	81	7	55	0	33	9%
2018/19	392	122	21	64	0	79	20%
2019/20	279	64	30	65	5	24	9%
2020/21	199	65	20	30	1	54	27%
2021/22	127	19	3	74	0	-52	-41%
2022/23	103	39	0	38	2	-1	-1%
2023/24	166	110	0	32	0	78	47%
Total	2,669	883	81	588	10	366	14%
Avg. PA.	205	68	12	45	1	28	14%

Source: Freedom of Information Response (Annual Monitoring Report data) dated 19 July 2024; MHCLG Live Tables 691 and 693c2; Statistical Data Returns

- 2.18 Figure 2.2 demonstrates that on average between 2011/12 and 2023/24, the Council has added just 28 affordable dwellings per annum net of Right to Buy sales and additions from acquisitions, equivalent to 14% of the total average number of net housing completions.
- 2.19 The above evidence clearly demonstrates that Right to Buy sales are depleting the affordable housing stock across Redditch faster than the replacements from acquisitions.
- 2.20 The seriousness of the impact was considered in an article in the Independent newspaper in June 2020. The article is attached as **Appendix JS3**. The reporter considered how Council housing sell-off continues as government fails to replace most homes sold under Right to Buy. It advised that, *“Two-thirds of the council homes sold off under Right to Buy are still not being replaced by new social housing despite a promise by the government, official figures show.”* It went on to say that *“Housing charities warned that enough “desperately needed” genuinely affordable housing is simply not being built, with an overall net loss of 17,000 homes this year from social stock. Since the policy was updated in 2012-13, 85,645 homes have been sold through the policy, but only 28,090 built to replace them, statistics from the Ministry of Housing, Communities and Local Government show”*.
- 2.21 The articles goes on to quote Jon Sparkes, Chief Executive at homelessness charity Crisis, who said: *“These statistics demonstrate just how serious the current housing crisis is. What few social homes that are available are largely being removed from the market as part of Right to Buy, and the supply is not being replenished in line with this. People in desperately vulnerable circumstances are being left with dwindling housing options as a consequence of our threadbare social housing provision”* More recently, in her Written Ministerial Statement of 30 July 2024, the Secretary of State, Angela Rayner, acknowledged that Right to Buy sales have not been matched by the rate of replacements, making it harder for Councils to accommodate households in need:

“Over the last five years, there has been an average of 9,000 council Right to Buy sales annually, but only 5,000 replacements each year. Right to Buy provides an important route for council tenants to be able to buy their own home. But the discounts have escalated in recent years and councils have been unable to replace the homes they need to move families out of temporary accommodation.”

- 2.22 In light of this issue, the Government is holding a consultation on how the Right to Buy should be reformed to deliver a fairer and more sustainable scheme, following recognition that a “*reform of Right to Buy is essential to better protect much-needed social housing stock, boost council capacity and build more social homes than we lose.*” The Right to Buy consultation is due to last for 8 weeks from 20 November 2024 to 15 January 2025.
- 2.23 As can be seen in Figure 2.2, Redditch is a local authority that has particularly suffered the negative effects of the Right to Buy on its affordable housing stock. It is important, therefore, that gains and losses to affordable housing stock through the Right to Buy and acquisitions are taken into account to reflect the actual level of affordable houses available.
- 2.24 The recent comments of Crisis underline the serious effect this is having upon the supply of affordable homes and for those people in housing need. For the purposes of subsequent analysis, the net of Right to Buy figures have been applied.

Affordable Housing Delivery Compared to Affordable Housing Needs

- 2.25 Figure 2.3 illustrates net of Right to Buy affordable housing delivery compared to the affordable housing need of 167 net affordable dwellings per annum between 2011/12 and 2015/16, as set out in the 2012 SHMA.

Figure 2.3: Net of Right to Buy Additions to Affordable Housing Stock vs Needs Identified in the 2012 SHMA, 2011/12 to 2015/16

Monitoring Year	Additions to AH Stock (Net of RtB)	2012 SHMA AH Needs (Net)	Annual Shortfall	Cumulative Shortfall	Additions as a %age of Needs
2011/12	0	167	-167	-167	0%
2012/13	32	167	-135	-302	19%
2013/14	8	167	-159	-461	5%
2014/15	104	167	-63	-524	62%
2015/16	4	167	-163	-687	2%
Total	148	835	-687		18%
Avg. Pa	30	167	-137		

Source: Freedom of Information Response (Annual Monitoring Report data) dated 19 July 2024; MHCLG Live Tables 691 and 693c2; Statistical Data Returns; 2012 SHMA

- 2.26 Since the start of the 2012 SHMA period in 2011/12, affordable housing completions (net of Right to Buy) have averaged just 30 net affordable dwellings per annum, against a need of 167 net affordable dwellings per annum. A shortfall of 687 affordable dwellings has arisen over the five-year period, equivalent to an average annual shortfall of -137 affordable dwellings.
- 2.27 As demonstrated by Figure 2.3, delivery of only 148 affordable homes net of Right to Buy over the period means that just 18% of identified affordable housing needs were met. Put another way 82% households in need of an affordable home were let down by the councils inability to deliver.
- 2.26 Figure 2.4 below illustrates net of Right to Buy affordable housing delivery compared to the affordable housing need of 90 net affordable dwellings per annum between 2021/22 and 2039/40, as set out in the 2022 HEDNA.

Figure 2.4: Net of Right to Buy Additions to Affordable Housing Stock vs Needs Identified in the 2022 HEDNA, 2021/22 to 2039/40

Monitoring Year	Additions to AH Stock (Net of RtB)	2022 HEDNA AH Needs (Net)	Annual Shortfall	Cumulative Shortfall	Additions as a %age of Needs
2021/22	-52	90	-142	-142	-58%
2022/23	-1	90	-91	-233	-1%
2023/24	78	90	-12	-245	87%
Total	25	270	-245		9%
Avg. PA.	8	90	-82		

Source: Freedom of Information Response (Annual Monitoring Report data) dated 19 July 2024; MHCLG Live Tables 691 and 693c2; Statistical Data Returns; 2022 HEDNA

- 2.27 Since the start of the 2022 HEDNA period in 2011/12, affordable housing completions (net of Right to Buy) have averaged just 8 net affordable dwellings per annum, against a need of 90 net affordable dwellings per annum. A shortfall of 245 affordable dwellings has arisen over the three-year period, equivalent to an average annual shortfall of 82 affordable dwellings.
- 2.28 As demonstrated by Figure 2.4, delivery of only 25 affordable homes net of Right to Buy over the period means that just 9% of identified affordable housing needs were met. Put another way 91% households in need of an affordable home were let down by the councils inability to deliver.

Affordability Indicators

2.29 The following affordability indicators are material considerations and in this particular case demonstrate a worsening situation in Redditch for any household seeking an affordable home:

Housing Register

- The Council's FOI response (**Appendix JS2**) confirms that as on 31 March 2024 there were 1,028 households on the Housing Register. This represents a 18% increase in a single year from 870 households² on 31 March 2023.
- Of the 1,028 households on the Housing Register on 31 March 2024, 500 households specified a preference for an affordable home in Abbey Ward; this represents 49% of the housing register. This signifies that there is a very clear need for new affordable homes in the vicinity of the site to meet the needs of those on the housing register.
- Redditch Borough Council could not provide a response in regard to the average waiting time for an affordable home in Redditch over the 2023/24 monitoring period, but made the following comments (see **Appendix JS2**) regarding the average waiting times for households on the housing register:

“Waiting time is dependent on the applicants housing need and priority on the Housing Register, so it is difficult to give an indication of waiting time as those in Band 1 will be housed more quickly than those in lower bands.

Limited supply of accommodation means that those in lower bands have very little prospect of being successful when bidding for social or affordable rented housing” (My emphasis).

- The FOI response at **Appendix JS2** details that between 1 April 2023 to 31 March 2024 there were just 28 social housing lettings in Abbey Ward. This should be viewed in the context of the 500 households that specified a preference for an affordable home in Abbey Ward at 31 March 2024.
- There are clearly many households who are unable to have their needs met locally and are left waiting for an affordable home. Evidently there is a clear and pressing need for affordable homes within the ward that is not being met.

² MHCLG Live Table 600 data.

Temporary Accommodation

- MHCLG statutory homelessness data highlights that on 31 March 2023, there were 32 households housed in temporary accommodation by the Borough. The council has a responsibility to house these households.
- Of these 32 households, 21 households (66%) were households with children. It is notable that 76% of households with children had been in temporary accommodation for at least six months.
- Not only does this mean that those in need of affordable housing are being housed in temporary accommodation, which is unlikely to be suited to their needs, but they may also be located away from their support network, at significant cost to local taxpayers.
- The Council's Freedom of Information response (**Appendix JS2**) confirms that Redditch spent £314,445 on temporary accommodation between 1 April 2023 and 31 March 2024, 55% of which was spent on bed and breakfast hotels and 45% was spent on "*Dispersed Units and Use & Occupation Licences*".

Homelessness

- MHCLG statutory homelessness data shows that in the 12 months between 1 April 2022 and 31 March 2023, the Council accepted 198 households in need of homelessness prevention duty³, and a further 319 households in need of relief duty⁴ from the Council.
- Page 9 of the Redditch Borough Council Housing and Homelessness Strategy 2020-2024 states that: "*During the last couple of years a small number of individuals have had a high street profile in the town centre... Loss of private sector tenancy has now become the primary cause of homelessness in the borough, ahead of parents/relatives refusing to accommodate and incidents of domestic violence.*" (My emphasis).
- It is for this reason that the Private Rented Sector ("PRS") is not a suitable substitute for affordable housing and does not have an equivalent role in meeting the housing needs of low-income families. It is highly pertinent that in the NPPF, PRS housing is not included within the Annex 2 definition of affordable housing.

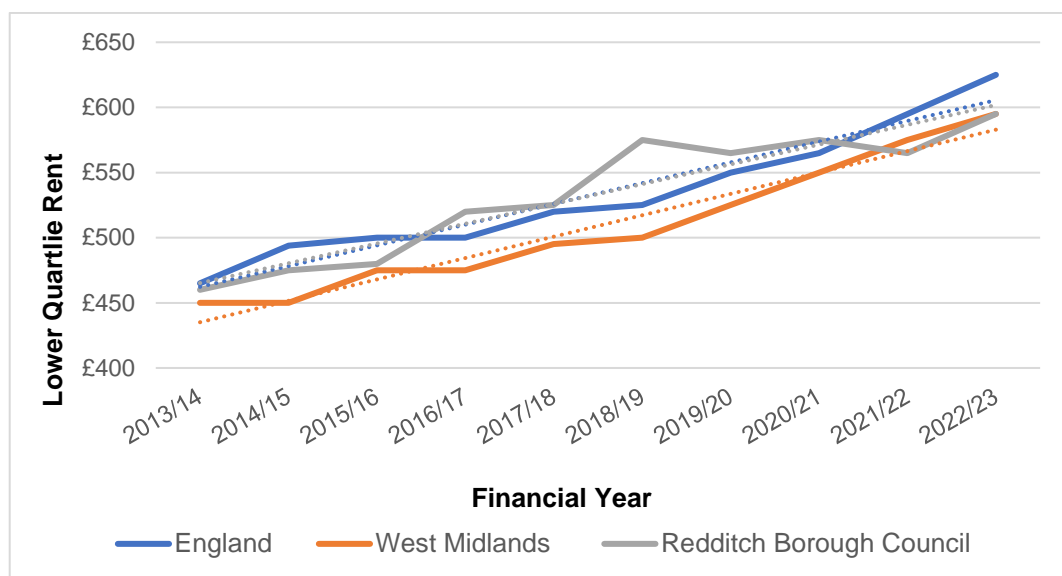
³ The Prevention Duty places a duty on housing authorities to work with people who are threatened with homelessness within 56 days to help prevent them from becoming homeless. The prevention duty applies when a Local Authority is satisfied that an applicant is threatened with homelessness and eligible for assistance.

⁴ The Relief Duty requires housing authorities to help people who are homeless to secure accommodation. The relief duty applies when a Local Authority is satisfied that an applicant is homeless and eligible for assistance.

Lower Quartile Private Rental Market

- Lower quartile private sector rents are representative of the ‘entry level’ of the private rented sector and include dwellings sought by households on lower incomes.
- Valuation Office Agency (“VOA”) and Office for National Statistics (“ONS”) data (first produced in 2013/14) show that the average lower quartile monthly rent in Redditch in 2022/23 was £595 pcm. This represents a 29% increase from 2013/14 where average lower quartile monthly rents stood at £460 pcm.

Figure 2.5: Lower Quartile Private Sector Rents, 2013/14 to 2022/23



Source: VOA and ONS.

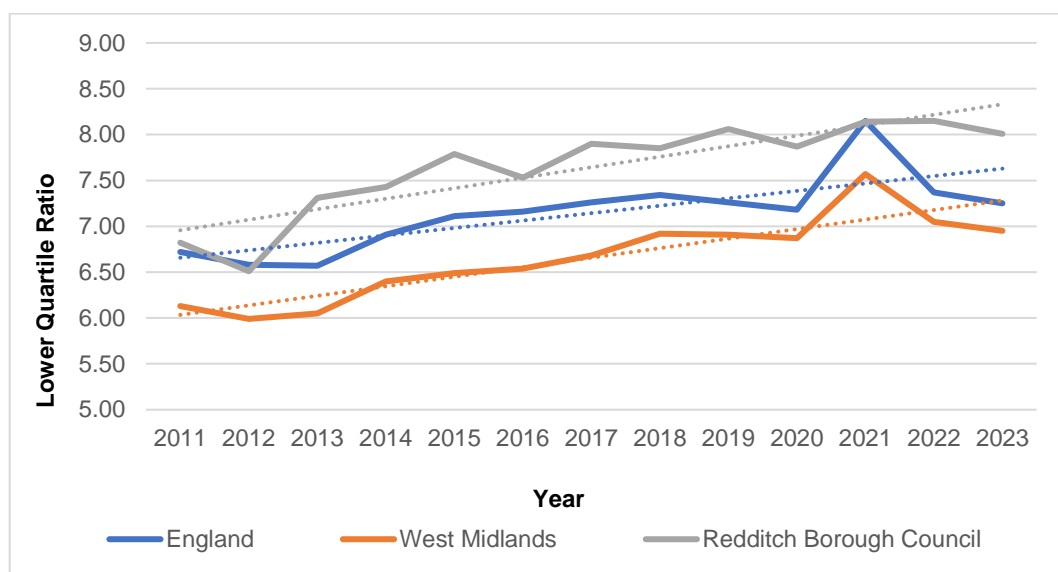
- A lower quartile rent of £595 pcm in 2022/23 is the same as the West Midlands figure of £595 pcm which is slightly lower than the national figure of £625 pcm. Since the start of the 2022 HEDNA period in 2021/22, lower quartile rents in Redditch have increased by 3%.
- It is important to note that VOA/ONS rental data is calculated using all transaction data i.e., existing lets as well as new lets over the period. The data is therefore not necessarily representative of the cost of renting for new tenants in Redditch.

Lower Quartile House Prices

- For those seeking a lower quartile priced property (typically considered to be the ‘more affordable’ segment of the housing market), the ratio of lower quartile house price to incomes in Redditch in 2023 stood at **8.01**, a 17% increase since the start of the Local Plan period in 2011 when it stood at 6.82.

- This means that those on lower quartile incomes in Redditch, seeking to purchase a lower quartile priced property, now need to find more than eight times their annual income to do so.
- The affordability ratio in Redditch stands above the national average of 7.25 (+10%) and significantly above the West Midlands average of 6.95 (+15%). It follows that housing in this area is significantly unaffordable for a significant part of the local population.

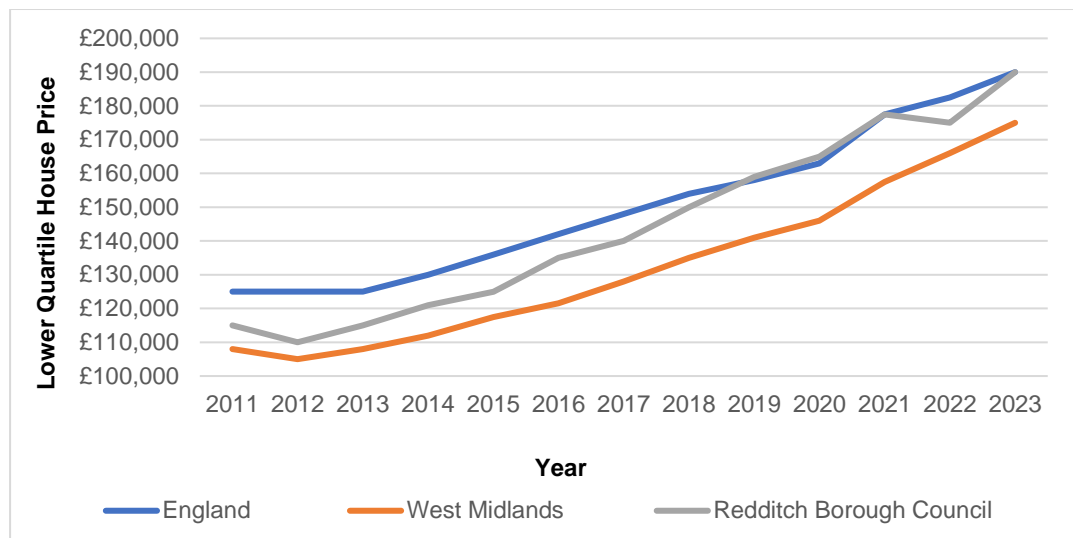
Figure 2.6: Lower Quartile Workplace-Based Affordability Ratio comparison, 2011 to 2023



Source: ONS.

- It is also worth noting that mortgage lending is typically offered on the basis of up to 4.5 times earnings (subject to individual circumstances). Here, the affordability ratio is some 78% higher than that.
- Figure 2.7 below illustrates the lower quartile house sale prices for England, West Midlands, and Redditch. It demonstrates that they have increased dramatically between the start of the Local Plan period in 2011 and 2023.

Figure 2.7: Lower Quartile House Prices, 2011 to 2023



Source: ONS.

- The lower quartile house price across Redditch has risen by 65% from £115,000 in 2011 to £190,000 in 2023. This compares to a 62% increase across the West Midlands and higher than the national increase of 52% over the same period.
- In 2023 lower quartile house prices in Redditch (£190,000) were 9% higher than across the West Midlands (£175,000) and on par with the national figure (£190,000). It should also be noted that since the start of the 2022 HEDNA period in 2021, lower quartile house prices in Redditch have increased by 7%.
- The evidence shows that home ownership in Redditch has become increasingly difficult to obtain. The proposed shared ownership homes will help to meet the needs of local households looking to make their first steps toward home ownership in Redditch.

The Future Supply of Affordable Housing

- 2.30 The future delivery of affordable housing is highly uncertain. The delivery of a higher number of affordable homes in one year does not guarantee this will continue for future years. The supply of affordable housing is affected by the local market factors, including the number of sites with planning permission and also wider national factors including availability of public funding.
- 2.31 Since the start of the 2022 HEDNA monitoring period, the Council have overseen the delivery of 25 affordable homes (net of Right to Buy) against a need of 270 net new affordable homes which has resulted in a shortfall of -245 affordable homes over the three-year period. I consider that **any shortfall in delivery should be dealt with**

within the next five years. This is an approach set out within the PPG⁵ and endorsed at appeal.

- 2.32 When the -245 affordable home shortfall is factored into the 2022 HEDNA identified need of 90 affordable homes per annum for the period 2021/22 to 2039/40, the number of affordable homes the Council will need to complete significantly increases to **139⁶ net affordable homes per annum for the period 2024/25 to 2028/29**. This would ensure that for the remainder of the period up to 2039/40 the annual affordable housing need reduces to 90 per annum to deal solely with newly arising needs.
- 2.33 The Council published its latest Five-Year Housing Land Supply (“5YHLS”) Position in April 2024 (**CDE8**), covering the period 1 April 2024 to 31 March 2029. If we were generously to assume that all 1,440 dwellings included in the 5YHLS will come forward on sites eligible for affordable housing; and that all of these sites would provide policy compliant levels of affordable housing (i.e. 30%) as a proportion of overall housing completions, this is likely to deliver **432 affordable dwellings over the period, equating to 86⁷ new affordable dwellings per annum**.
- 2.34 This figure falls considerably short of the 139 per annum figure required when back log needs are addressed in the first five years in line with the Sedgefield approach as well as the 90 net affordable housing needs per annum identified in the 2022 LHNA.
- 2.35 Further illustration of the severity of the situation can be seen in Figure 2.8 below which illustrates that the Council need to deliver 695 net affordable homes over the next five years to address backlog needs in line with the Sedgefield approach.

Figure 2.8: Annual Affordable Housing Need 2024/25 to 2028/29 incorporating Backlog Needs Accrued between 2021/22 and 2023/24 when applying the Sedgefield Approach

Monitoring Period	2022 HEDNA Net Affordable Housing Need	Net Affordable Housing Need When Addressing Backlog Within Next Five Years
2024/25	90	139
2025/26	90	139
2026/27	90	139
2027/28	90	139
2028/29	90	139
Total	450	695

⁵ Paragraph: 031 Reference ID: 68-031-20190722

⁶ (245/5) + 90 = 139

⁷ 432/5 = 86.4

- 2.36 It is clear that the backlog affordable housing needs in Redditch will continue to grow unless the Council takes urgent and drastic action to address needs and deliver more affordable homes.

Conclusion

- 2.37 The proposed development is fully policy compliant, delivering 30% affordable housing. It is important to note that affordable housing policies are designed to generate a benefit, rather than ward off a harm.
- 2.38 Based on the lengthy and increasing housing register; the level of identified affordable housing need; past delivery in Redditch and the net loss of affordable dwellings in the Redditch area; the local need for affordable housing; worsening affordability indicators and an insufficient future supply of affordable housing, I consider that there is an acute need for affordable housing in Redditch and that **substantial weight** should be attributed to the delivery of up to 66 affordable homes through the appeal scheme in the planning balance.

Appendix JS1

Consequences of Failing to Meet Affordable Housing Needs



Consequences of Failing to Meet Affordable Housing Needs

Appendix JS1

Introduction

- 1.1 The National Housing Strategy¹ sets out that a thriving housing market that offers choice, flexibility and affordable housing is critical to our social and economic wellbeing.
- 1.2 A debate took place in the House of Commons on 24 October 2013 concerning the issue of planning and housing supply. Despite the debate taking place over a decade ago the issues remain, and the commentary is sadly still highly pertinent to the issues surrounding affordable housing in Three Rivers.
- 1.3 The former Planning Minister, Nick Boles, provided a comprehensive and robust response to the diverse concerns raised, emphasising the pressing need for more housing, and in particular affordable housing across the country. He opened by stating:
- “I need not start by underlining the scale of the housing crisis faced by this country, the extent of the need for housing or the grief and hardship that the crisis is visiting on millions of our fellow citizens.”*
- 1.4 When asked to clarify the word “*crisis*” by the MP for Tewkesbury, Nick Boles, commented that in the past year the percentage of first-time buyers in England who were able to buy a home without their parents’ help had fallen to the lowest level ever, under one third. He also commented that the first-time buyer age had crept up and up and was now nudging 40 in many parts of the country. He stated that the crisis “*is intense within the south-east and the south, but there are also pockets in parts of Yorkshire*”.
- 1.5 In response to questions, Nick Boles reaffirmed that:
- “Housing need is intense. I accept that my hon. Friend the Member for Tewkesbury (Mr Robertson) does not share my view, but many hon. Members do, and there are a lot of statistics to prove it”.*

¹ Laying the Foundations: A Housing Strategy for England (November 2011)

- 1.6 He went on to say: *“It is not unreasonable, however, for the Government to tell an authority, which is representing the people and has a duty to serve them, “Work out what’s needed, and make plans to provide it”. That is what we do with schools. We do not tell local authorities, “You can provide as many school places as you feel like”; we say, “Provide as many school places as are needed”. We do not tell the NHS, “Provide as many GPs as you feel you can afford right now”; we say, “Work out how many GPs are needed.” The same is true of housing sites: we tell local authorities, “Work out how many houses will be needed in your area over the next 15 years, and then make plans to provide them.”*
- 1.7 Mr Boles’ full response highlighted the Government’s recognition of the depth of the housing crisis and continued commitment to addressing, in particular, affordable, housing needs. The final quote above also emphasised the importance of properly assessing and understanding the needs; and planning to provide for them.
- 1.8 Mr Boles indicates that there are *“a lot of statistics to prove it”*. My evidence in subsequent sections sets out an array of statistics, which I consider demonstrates that the crisis remains as prominent now as it did in 2013.

Consequences of Failing to Meet Affordable Housing Need

- 1.9 This section highlights some of the evidence gathered in recent years demonstrating the significant consequences of failing to meet affordable housing needs.
- 1.10 In August 2019 the Children’s Commissioner produced a report titled *“Bleak Houses: Tackling the Crisis of Family Homelessness in England”* to investigate the impact of homelessness and in particular the effect of this upon children.
- 1.11 The report identified that family homelessness in England today is primarily a result of structural factors, including the lack of affordable housing and recent welfare reforms².
- 1.12 It stated that the social housing sector has been in decline for many years and that between the early 1980s and early 2010s, the proportion of Britons living in social housing halved, because of losses to stock through the Right to Buy and a drop in the amount of social housing being built.
- 1.13 The research found that the decline in social housing has forced many households, including families, into the private rented sector. High rents are a major problem: between 2011 and 2017 rents in England grew 60% quicker than wages. It stated that

² The Children’s Commissioner Report references a National Audit Office Report titled ‘Homelessness’ (2017) which concludes that government welfare reforms since 2011 have contributed towards homelessness, notably capping, and freezing Local Housing Allowance.

“Simply put, many families cannot afford their rent. It is telling that over half of homeless families in England are in work”.

- 1.14 The report particularly focused on the effect on children. The report revealed that many families face the problem of poor temporary accommodation and have no choice but to move out of their local area, which can have a *“deeply disruptive impact on family life”*. This can include lack of support (from grandparents for example) and travel costs.
- 1.15 It found that a child’s education can suffer, even if they stay in the same school, because poor quality accommodation makes it difficult to do homework and that younger children’s educational development can also be delayed.
- 1.16 Temporary accommodation also presents serious risks to children’s health, wellbeing, and safety. This is particularly so for families in B&Bs where they are often forced to share facilities with adults engaged in crime, anti-social behaviour, or those with substance abuse issues.
- 1.17 Other effects include lack of space to play (particularly in cramped B&Bs where one family shares a room) and a lack of security and stability. The report found (page 12) that denying children their right to adequate housing has a *“significant impact on many aspects of their lives”*.
- 1.18 More recently, in May 2021, Shelter published its report *“Denied the Right to a Safe Home – Exposing the Housing Emergency”* which sets out in stark terms the impacts of the affordable housing crisis. The report affirms that affordability of housing is the main cause of homelessness (page 15) and that *“we will only end the housing emergency by building affordable, good quality social homes”* (page 10).
- 1.19 In surveying 13,000 people, the research found that one in seven had to cut down on essentials like food or heating to pay the rent or mortgage. In addition, over the last 50 years the average share of income young families spend on housing has trebled. The following statements on the impacts of being denied a suitable home are also made in the report:

“Priced out of owning a home and denied social housing, people are forced to take what they can afford – even if it’s damp, cramped, or away from jobs and support networks.” (Page 5)

“... people on low incomes have to make unacceptable sacrifices to keep a roof over their head. Their physical and mental health suffers because of the conditions. But because of high costs, discrimination, a lack of support, and fear

of eviction if they complain to their landlord, they are left with no other option.”
(Page 5)

The high cost of housing means the private-rented sector has doubled in size over the last 20 years. [...] Most private rentals are let on tenancies of 6 to 12 months, and renters can be evicted for no reason because of section 21. This creates a permanent state of stress and instability. (Page 6)

If you live in an overcrowded home, you're more likely to get coronavirus. If you live in a home with damp and black mould on the walls, your health will suffer.
(Page 9)

“14% of people say they've had to make unacceptable compromises to find a home they can afford, such as living far away from work or family support or having to put up with poor conditions or overcrowding” (Page 12)

“Spending 30% of your income on housing is usually the maximum amount regarded as affordable. Private renters spend the most, with the average household paying 38% of their income on rent, compared to social renters (31%) and owner-occupiers (19%).” (Page 14)

“19% of people say their experiences of finding and keeping a home makes them worry about the likelihood they will find a suitable home in the future.” (Page 15)

“Families in temporary accommodation can spend years waiting for a settled home, not knowing when it might come, where it might be, or how much it will cost. It's unsettling, destabilising, and demoralising. It's common to be moved from one accommodation to another at short notice. Meaning new schools, long commutes, and being removed from support networks. Parents in temporary accommodation report their children are 'often unhappy or depressed', anxious and distressed, struggle to sleep, wet the bed, or become clingy and withdrawn.” (Page 25)

“Landlords and letting agents frequently advertise properties as 'No DSS', meaning they won't let to anyone claiming benefits. This practice disproportionately hurts women, Black and Bangladeshi families, and disabled people.” (Page 29)

“The situation is dire. A lack of housing means landlords and letting agents can discriminate knowing there is excess demand for their housing.” (Page 30)

- 1.20 Shelter estimate that some 17.5 million people are denied the right to a safe home and face the effects of high housing costs, lack of security of tenure and discrimination in the housing market (Page 32).
- 1.21 The Report concludes (page 33) that for change to happen, “*we must demand better conditions, fight racism and discrimination, end unfair evictions, and reform housing benefit. But when it comes down to it, there’s only one way to end the housing emergency. **Build more social housing***” (emphasis in original).
- 1.22 In April 2022 Shelter published a further report titled “*Unlocking Social Housing: How to fix the rules that are holding back building*”. The first paragraph of the Executive Summary is clear that:

“Our housing system is broken. Across the country, renters are stuck in damp, crumbling homes that are making them sick. Private renters are forced to spend more than 30% of their income on rent. As a result, nearly half have no savings. Desperate parents fighting to keep a roof over their heads are forced to choose between rent and food.”

- 1.23 The Executive Summary goes on to state that “**An affordable and secure home is a fundamental human need**” (emphasis in original) noting that one in three of us don’t have a safe place to call home and that finding a good-quality home at a fair price is impossible for so many people.
- 1.24 At page 6 the report considers the impacts of the Government plans to scrap developer contributions (Section 106 – s106) and replace it with a flat tax called the ‘infrastructure levy’. It states that:

“This would mean that developers no longer build social housing on site, in return for planning permission, but instead pay a tax to the local council when they sell a home. The unintended consequence could add yet more barriers to social housebuilding and spell the end of mixed developments where social tenants live alongside private owners.” (My emphasis).

- 1.25 In considering the impact of the PRS the report highlights at page 7 that nearly half of private renters are now forced to rely on housing benefit to pay their rent – “*That’s taxpayer money subsidising private landlords providing insecure and often poor-quality homes.*” The paragraph goes on to note that:

“The lack of social housing has not just pushed homeownership out of reach, it’s made it nearly impossible for working families to lead healthy lives and keep stable

jobs. Poor housing can threaten the life chances and educational attainment of their kids. If we want to level up the country, we must start with home.”

- 1.26 Regarding the temporary accommodation (“TA”) the report notes on page 10 that number of households living in such accommodation has nearly doubled over the last decade and the cost to the taxpayer has gone through the roof. The page also notes that *“TA cost councils £1.45bn last year (2020/21). 80% of this money went to private letting agents, landlords or companies.”*
- 1.27 Page 11 goes on to highlight that *“Of the nearly 100,000 households living in TA, more than a quarter (26,110) of these households are accommodated outside the local authority area they previously lived in.”* This means that *“Families have been forced to endure successive lockdowns in cramped, unhygienic, and uncertain living conditions, away from jobs, family, and support networks.”*
- 1.28 The page goes on to conclude that *“As a result, the national housing benefit bill has grown. Tenants’ incomes and government money is flowing into the hands of private landlords, paying for poorer quality and less security. **There are now more private renters claiming housing benefit than ever before.**”* (emphasis in original).
- 1.29 Page 9 is also clear that *“Since 2011, freezes to Local Housing Allowance (housing benefit for private renters) and blunt policies like the benefit cap have been employed to limit the amount of support individuals and families can receive. As a result, many thousands of renters’ housing benefit simply doesn’t meet the cost of paying the rent.”*
- 1.30 In considering the consequences of this page 12 notes that *“With fast growing rents, mounting food and energy bills, and a dire shortage of genuinely affordable social housing, these policies have failed to curb the rising benefits bill. Instead, they have tipped people into poverty, destitution and homelessness.”*
- 1.31 Finally, page 21 is clear that:

“For the over 1 million households on housing waitlists across England, who in the current system may never live with the security, safety, and stability that a good quality social home can provide, reforms cannot come any faster. Access to good housing affects every aspect of one’s life and outcomes like health, education, and social mobility. More to the point, the outcomes and holistic wellbeing of an individual or an entire household is not only meaningful for their trajectory, but also contributes to the threads of society by helping people contribute to their communities.”

The evidence is clear, the financial requirements to own one's home are out of reach for many. And many will spend years stuck in a private rented sector that's not fit for purpose. The answer is clear: build many more, good quality social homes for the communities that so desperately need them.” (My emphasis).

- 1.32 The consequences of failing to provide enough affordable homes were also recognised by the Inspector in a recent decision in Mole Valley where I provided affordable housing evidence. Inspector McGlone (**CDG3, p.16, [88]**) was clear at paragraph 88 of his decision that:

“The consequences of not providing enough affordable homes affect people. Being able to access good housing has a bearing upon everyday life and there are socio-economic effects such as financial security and stability, physical and mental health, decreased social mobility and adverse effects on children’s education and development. In Mole Valley the number of people on the housing register has risen, there are increasing affordability ratios and people are paying significantly over 30% of their income on rent.”

- 1.33 It is also pertinent to highlight that Three Rivers themselves recognise the consequences of failing to meet affordable housing needs.

The Cost of Living Crisis

- 1.34 On 8 March 2024, the House of Commons published its ‘Rising Cost of living in the UK’ briefing report³ which highlights the affordability of goods and services for households.
- 1.35 The briefing report details at Section 5.1 that *“47% of adults in Great Britain reported an increase in their cost of living in February 2024 compared to a month ago.”* Moreover, Section 5.1 further specifies that *“64% of those who reported a rise in the cost of living between 14 and 25 February 2024 said they are spending less on non-essentials as a result, while 45% reported using less energy at home and 40% report cutting back on essentials like food shopping. 3% were being supported by a charity, including food banks.”*
- 1.36 Additionally, page 45 of the House of Commons report recognises that renting in the private sector is becoming more unaffordable to people receiving benefits.

³ Source: <https://commonslibrary.parliament.uk/research-briefings/cbp-9428/>

- 1.37 Shelter published a briefing report in September 2022 titled 'Briefing: Cost of Living Crisis and the Housing Emergency' which further explains the private rented sector problem on page one:

"LHA which determines the amount of housing benefit private renters receive has been frozen since March 2020 while private rents have risen 5% in England – and even more in some parts of the country. The freeze has left low-income private renters in an incredibly precarious position. 54% of private renters claiming housing benefit have a shortfall to their rent." (My emphasis).

- 1.38 The Shelter briefing sets out that low-income households (including those at risk of homelessness) have no choice but to turn to the private rented sector due to a severe shortage of affordable housing, and concludes on page two that *"the only sustainable solution is to address the causes of the housing emergency by investing in truly affordable social homes"*.

The Cost of Temporary Accommodation

- 1.39 In my opinion the cost of temporary accommodation is an important material consideration in the determination of this appeal.
- 1.40 BBC News reported on 13 October 2023 that English Councils spent more than £1.7bn on temporary accommodation for homeless people in the 2022/23 financial year. In my opinion this is a significant cost arising primarily as a consequence of a lack of affordable housing to adequately house people in need.
- 1.41 The article highlighted that the figure, published by the Ministry of Housing, Communities and Local Government ("MHCLG"), has increased by around 9% from the previous year. B&B accommodation alone in 2022/23 accounted for almost £500m in gross costs, increasing by a third on the previous year.
- 1.42 Shelter's chief executive Polly Neate was quoted in the article, stating that the amount spent on temporary accommodation was not only *"outrageous, but it's also illogical"*. She went on to say that:

"We simply can't keep throwing money at grim B&Bs and hostels instead of focusing on helping families into a home. [...]"

This decision combined with the decades of failure to build enough social homes has meant that families can't find anywhere affordable to live and as a result are forced into homelessness in cramped and unsuitable temporary accommodation,

often miles away from their children's schools and support networks." (Emphasis added)

- 1.43 Inside Housing reported in October 2023 that homelessness in England is continuing to increase, with figures published in July 2023 showing the number of people in temporary accommodation was at a record high and that the number of children in this situation is also at the highest level since records began in 2004.
- 1.44 On the 5 March 2024 MHCLG published data on the age of children under ten in temporary accommodation. The study found that there were 86,945 children under the age of ten living in temporary accommodation at the 30 June 2023, with 19,430 of these children less than 12 months old.
- 1.45 The Inside Housing article also highlighted that the growing cost of temporary accommodation is putting local authorities' budgets under strain. It noted that that Hastings Borough Council recently faced bankruptcy, partly due to its large expenditure on temporary accommodation, which had risen to £5.6m per year, compared with £730,000 in 2019.
- 1.46 The report added that London councils are expected to overspend on temporary accommodation by £90m this year.
- 1.47 In December 2023, ITV News reported that almost one in five council leaders in England expect to issue Section 114 notices⁴ in 2024.
- 1.48 On the 23 January 2024, ITV News reported that the increasing cost of housing homeless people in temporary accommodation is putting local authorities on the brink of financial ruin.
- 1.49 The ITV News article added that according to homelessness charity Crisis, some 298,430 households approached their local council for homelessness support in the past year. Jasmine Basran, head of policy and campaigns at Crisis, said:
- "Crippling financial pressures from rising living costs, unaffordable rents and a severe lack of social homes is forcing more and more people into homelessness."*
(Emphasis added)
- 1.50 The ITV News article continued, adding that Eastbourne Borough Council ("EBC") is currently spending 49p of every £1 on temporary accommodation for homeless people.

⁴ A section 114 notice means the council cannot make new spending commitments and must meet within 21 days to discuss what to do next.

Stephen Holt, the leader of EBC said ministers must “recognise the gravity of this situation” and work out how to resolve it “before it is too late”, adding that:

“Simply put, without government intervention to tackle the tremendous cost of temporary accommodation and homelessness, the next step for many councils of all stripes is emergency budgets and section 114 notices.”

- 1.51 A further article from Inside Housing on 24 January 2024 reported that the surge in spending on temporary accommodation could spell the “end of local government”.
- 1.52 The article highlighted that Councillors from across the political spectrum had expressed serious concerns over temporary accommodation spending at an emergency meeting in Westminster on 23 January 2024 where more than 50 local leaders met to discuss the “national crisis” caused by the cost of temporary accommodation.
- 1.53 I agree that the cost of housing people in affordable housing is spiralling out of control. I also agree with Polly Neate that, *“We simply can't keep throwing money at grim B&Bs and hostels instead of focusing on helping families into a home.”*

Summary and Conclusions

- 1.54 Evidently, the consequences of failing to meet affordable housing needs in any local authority are significant. Some of the main consequences of households being denied a suitable affordable home have been identified as follows:
- A lack of financial security and stability;
 - Poor impacts on physical and mental health;
 - Decreased social mobility;
 - Negative impacts on children’s education and development;
 - Reduced safety with households forced to share facilities with those engaged in crime, anti-social behaviour or those with substance abuse issues;
 - Being housed outside social support networks;
 - Having to prioritise paying an unaffordable rent or mortgage over basic human needs such as food (heating or eating); and
 - An increasing national housing benefit bill.

- 1.55 These harsh consequences fall upon real households, and unequivocally highlight the importance of meeting affordable housing needs. These are real people in real need. An affordable and secure home is a fundamental human need, yet households on lower incomes are being forced to make unacceptable sacrifices for their housing.
- 1.56 I am strongly of the opinion that a step change in the delivery of affordable housing is needed now.
- 1.57 The acute level of affordable housing need in Three Rivers coupled with worsening affordability, will detrimentally affect the ability of people to lead the best lives they can. The National Housing Strategy requires urgent action to build new homes, acknowledging the significant social consequences of failure to do so.

Appendix JS2

Freedom of Information Response (25 June and 19 July 2024)



Lisa Luong

From: Julie Hemming-Smout <J.Hemming-Smout@bromsgroveandredditch.gov.uk> on behalf of foi RBC <foi@redditchbc.gov.uk>
Sent: 25 June 2024 08:56
To: Lisa Luong
Subject: RE: Freedom of Information Request - Housing Data

Follow Up Flag: Follow up
Flag Status: Flagged

Our Reference: 8765

Dear Lisa,

Thank you for your recent Information request. I can now offer you the following information:

1. The total number of households on the Council's Housing Register at 31 March 2024. [1,028](#)
2. The average waiting times at 31 March 2024 for the following types of affordable property across the Authority:

a. 1-bed affordable dwelling;	Waiting time is dependent on the applicants housing need and priority on the Housing Register, so it is difficult to give an indication of waiting time as those in Band 1 will be housed more quickly than those in lower bands. Limited supply of accommodation means that those in lower bands have very little prospect of being successful when bidding for social or affordable rented housing.
b. 2-bed affordable dwelling;	
c. 3-bed affordable dwelling; and	
d. A 4+ bed affordable dwelling.	

3. The average waiting times at 31 March 2023 for the following types of affordable property across the Authority:

a. 1-bed affordable dwelling;	Waiting time is dependent on the applicants housing need and priority on the Housing Register, so it is difficult to give an indication of waiting time as those in Band 1 will be housed more quickly than those in lower bands. Limited supply of accommodation means that those in lower bands have very little prospect of being successful when bidding for social or affordable rented housing.
b. 2-bed affordable dwelling;	
c. 3-bed affordable dwelling; and	
d. A 4+ bed affordable dwelling.	

4. The total number of households on the Council's Housing Register at 31 March 2024 specifying the following locations as their preferred choice of location:

Location	Household Preferences (31 March 2024)
Abbey Ward	500

5. The number of properties advertised, and the average number of bids per property over the 2023/24 monitoring period for the following types of affordable property in the locations listed below: **Not held. The council do not currently collate this information.**

Type of affordable property	Abbey Ward	
	Number of properties advertised	Average Bids per Property
1-bed affordable dwelling		
2-bed affordable dwelling		
3-bed affordable dwelling		
4+ bed affordable dwelling		

6. Any changes the Council has made to its Housing Register Allocations Policy since 2011 including:

- The date they occurred;
- What they entailed; and
- Copies of the respective documents

[REPORT TITLE \(redditchbc.gov.uk\)](http://redditchbc.gov.uk)

The changes to the Allocations Policy 2009, updated 2012 are: · Relevant legislation updated (p3) · Included Strategic Purposes (p4) · Introduced new Purpose of the Allocations Policy section (p5) · Introduced a new section Statement of Choice (p6), this explains how applicants will be prioritised for housing and when bidding will not be used. · Refined the eligibility and reasonable preference section (p7) and included the requirement of the armed forces regulations for access to housing register. · Introduced in Applying to go on the Housing Register (p8) that all applicants to have an interview with a Housing Options Officer to discuss their housing needs and the available housing options, to come to a housing decision together before accessing the housing register. · The current 'Priority' and 'Gold' bands to be amalgamated into a single 'Gold' band (p13). · Introduced in the Allocations section (p16) that all applicants in the 'Gold' band to be directly matched to a suitable offer of accommodation, rather than going on to bid on properties. · Included regulations on Armed Forces applicants and additional preferences(p15) · The ability to identify properties for transfers only (p16). · Applicants for whom the council has accepted a duty under homelessness legislation to be made a single offer of suitable accommodation instead of the current two offers (p21). · In The Right to A review decision (p29) the option of a 2nd stage appeal has been removed as this is not provided for in legislation. · Deleted section 20 Tolerated

Trespass as no longer relevant · Deleted section 28 Forces as no longer relevant and included in other sections. · Deleted section 35 Monitoring included in section 10 Redditch Home Choice Banding

REPORT TITLE (redditchbc.gov.uk)

Qualification Criteria - Redditch is an area of high levels of housing need and demand for social housing. It is proposed that a Qualification Criteria is adopted that prioritises households with a local connection to the Borough where the applicant does not fall into a reasonable preference category as defined by the Housing Act 1996 as amended. In determining whether the household has a local connection the Council will agree a connection exists in the following circumstances; · Where the local connection arises due to residency - applicant(s) must have lived in Redditch Borough for a minimum period of two years or has resided in the Borough for three out of the last five years at the point of application. · Where the local connection arises due to employment and the applicant(s) has been in permanent, paid employment for a minimum period in the Borough immediately prior to the application or the applicant(s) has a certified offer of employment in the Borough. · Where the applicant(s) has a close family member living in the Borough for a minimum period of three years, immediately prior to the application. · Has a local connection as a result of special circumstances. 3.6 Local connection for homeless applicants will be assessed having regard to the definition of local connection contained in s.199 Housing Act 1996 as amended and the code of guidance. 3.7 In determining permanent employment the Council will give consideration to the Local Government Association guidelines which state that this is employment other than that of a casual nature and will include zero hours contracts. 3.8 Housing Need - All applicants wishing join the housing register must have a housing need. This will include those applicant(s) with Reasonable Preference, those who are under occupying social housing and those covered by the categories outlined under the section relating to the Banding Structure. Applicant(s) not satisfying at least one of these criteria will not be registered and will be offered alternative housing options. Applicant(s) will also be offered the right to request a review of this decision. Households considered to be in some housing need are: · In social housing and seeking a transfer. · Households with low level medical or welfare issues. · Households who are suffering financial hardship. · Households in privately rented accommodation that do not have a reasonable preference · Households who are sharing facilities with other non-related households. · Households residing in an institution or supported housing scheme e.g. hospital with no access to settled accommodation. · Households who have insecurity of tenure (those in tied accommodation or lodging). · Households that are living with family but want to live independently. · Two separate households wanting to live as one household. · Households eligible and interested in older peoples accommodation will not need to demonstrate a local connection or a housing need. · Households eligible and interested in shared ownership properties only. 3.9 Removing Points within Bands - The current policy has three bands (Gold, Silver and Bronze) and then points within these bands. It is difficult for applicants and our partners to understand the prospects of applicants being housed. When points are applied it has the effect of producing 22 bands. For example a snap shot of the list in April showed that 1,482 applicants occupied the Silver band of which there were 606 households with only 30 residency points but no identified housing need effectively in band. Allocations Policy removes the points in bands and applies six bandings numbering 1 to 6. Band 1 for those in the most urgent housing need who will be directly matched to a property and those in Bands 2 – 6 will be able to express an interest in a property by placing a bid on those that are advertised through the Choice Based Lettings property shop.

REPORT TITLE (redditchbc.gov.uk)

The proposed policy will, within legislative constraints, give priority to households with a local connection to the Borough. It will also be a closed list in that not everyone will qualify to join. The proposed policy will be more transparent and easier to understand and aligns with welfare reforms so that households are not accommodated in properties where they would be affected by the

housing benefit rules and deemed to have a spare room thereby having their housing benefit reduced. Some households will no longer qualify for a reasonable preference as they will no longer be deemed to be overcrowded and they may be placed in a lower band than they currently occupy. 3.12 The policy will make better use of social housing stock and will result in more families being housed in appropriately sized accommodation. 3.13 Applicants will have a better understanding of their position on the register and their prospects of resolving their housing needs through the social rented sector. 3.14 Applicants who are key workers and volunteers will be recognised through the award of additional waiting time within their band. Those applicants who are not key workers or volunteers may be unhappy that key workers and volunteers are receiving additional waiting time within their bands and in effect are being accelerated six months in advance of them. 3.15 Applicants will have a clear understanding of the consequences of any tenancy breaches through being placed into a demoted band and will be clear about how this situation might be resolved. 3.16 Many older people who are not in a reasonable preference housing need are currently occupying a low band within Silver as they only have residency points. Under the new policy these applicants are likely to be placed into Band 5. They may consider this to be a demotion despite having been occupying a much lower position within the silver band. 3.17 The Council's housing stock consists of a significant number of two bedroom flats and therefore this accommodation is considered suitable for households with children. Under the new policy it is proposed that the additional preference for children in flats will be removed. This means that households with children in flats will no longer occupy a reasonable preference band should they apply for a transfer. However, the Council will advertise some properties for existing tenants who are not in reasonable preference so that households with children who occupy flats may have an opportunity to move on into houses when they become available. Case law suggests that it would be reasonable to allocate around 5% of properties in this way.

REPORT TITLE (redditchbc.gov.uk)

Financial Resources Owner occupiers and people with sufficient financial resources available to them to meet their housing needs will be placed in Band 4. Applicants who have a household income (including benefits) of more than £45,000 per annum and / or savings/capital/assets/equity of £95,000 that will enable them to access and maintain private accommodation will be encouraged and supported to do so through the housing options service. Any household in receipt of a means tested benefit will not be subject to this reduced banding criteria (this does not include Child Benefit).

I hope this resolves your enquiry and that you are satisfied with the response.

However, if you are dissatisfied with the way your request has been handled, you have the right to request an internal review within 40 days of the date of our response.

If you are still dissatisfied following a review by the Council, you have the right to complain to the Information Commissioner. You can contact the Information Commissioner at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Telephone 0303 123 1113
www.ico.org.uk/foicomplaints

For information on how we keep your information, please refer to our privacy notices for Bromsgrove District Council:

[FOI/EIR Privacy Notice - bromsgrove.gov.uk](http://bromsgrove.gov.uk)
...and Redditch Borough Council:
[FOI/EIR request Privacy Notice - redditchbc.gov.uk](http://redditchbc.gov.uk)

Regards,

Julie Hemming-Smout
Information Support Officer, Bromsgrove District and Redditch Borough Councils

Tel: (01527) 64252, extension 3871
Email: j.hemming-smout@bromsgroveandredditch.gov.uk



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From: Julie Hemming-Smout **On Behalf Of** foi RBC
Sent: Friday, June 21, 2024 2:01 PM
To: Lisa Luong <lisa.luong@tetlow-king.co.uk>
Subject: RE: Freedom of Information Request - Housing Data

Our Ref: 8765

Dear Lisa,

I am sorry for the delay in responding. I have chased the department concerned several times during the time line of this request and hope to have a response to you by mid-week next week.

Apologies for any inconvenience.

Kind regards

Julie Hemming-Smout
Information Support Officer, Bromsgrove District and Redditch Borough Councils

Tel: (01527) 64252, extension 3871
Email: j.hemming-smout@bromsgroveandredditch.gov.uk



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From: Lisa Luong <lisa.luong@tetlow-king.co.uk>
Sent: Friday, June 21, 2024 1:47 PM
To: foi RBC <foi@redditchbc.gov.uk>
Subject: RE: Freedom of Information Request - Housing Data

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If you've already clicked on any links, contact the ICT helpdesk on 01527881766 or ext. 1766, failure to do so breaches the Information Security Policy.

Dear Julie,

Regarding FOI reference 8765, we were due to receive a response to our response by the 13th June 2024.

Please can you advise as to when we can expect a full response to the FOI data request.

Kind regards,

Lisa Luong BSc (Hons) MSc
Planner
TETLOW KING PLANNING



E: lisa.luong@tetlow-king.co.uk **T:** 0117 9561916 **M:** 07933 821572 **W:** tetlow-king.co.uk

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From: Julie Hemming-Smout <J.Hemming-Smout@bromsgroveandredditch.gov.uk> **On Behalf Of** foi RBC
Sent: Friday, May 17, 2024 2:29 PM
To: Lisa Luong <lisa.luong@tetlow-king.co.uk>
Subject: Freedom of Information Request - Housing Data

Our Reference: 8765

Dear Lisa,

Thank you for your recent request for information.

Your request will be dealt with in accordance with the Environmental Information Regulations (EIR) if it relates to environmental matters, or in accordance with the Freedom of Information (FOI) Act. For more information about FOI and EIR, please see:

[Guide to freedom of information | ICO](#)

[Guide to the Environmental Information Regulations | ICO](#)

We will respond by 13th June 2024 at the latest.

Please check spam folders as well as your usual inbox for our replies.

Privacy Notice

The Council collects information, including personal information that you provide about yourself and others, when you make a submission in relation to a Freedom of Information (FOI) or Environmental Information Regulations (EIR) request.

The Council collects this information for the purpose of dealing with your submission in accordance with the legislation; a request is not valid unless it is in writing and includes the following information:

- Enough of your real name to give *anyone* reading your request, a reasonable indication of your identity.
- Where you are an agent working on behalf of someone else, the other party will be interpreted as being the requestor therefore their details are required.
- Valid address for correspondence (including postal or email).
- A description of the information you require, which may include details of someone else.

The term 'in writing' covers requests submitted by letter and electronic form, including those sent via the internet through social networking sites such as Twitter and Facebook. Where a social media site is used to submit a request, the real name may be visible within the user profile. If you make the request public by publishing it on a website, as opposed to sending a private message to the authority's account, then we will consider it within the requester's reasonable expectations that the authority will also publish its response on the site.

Under legislation, we have to maintain a log of requests. This information is retained for 6 years. All other information associated with your request, such as the request, our acknowledgement, consultation with the department involved, and our subsequent response to you is retained for 2 years.

The council will not disclose your personal information to external entities. We will also take steps to limit the amount of personal information about you, is disclosed as part of any consultation process regarding your request.

If you do not provide the appropriate details required under the legislation, the information cannot be provided. Other rights are not affected. These can be found [here](#).

This information will not be shared/sold to any other service/organisation unless we have a duty to do so under law. This data will not be transferred outside of the UK

No decisions around this data are made by automated means.

Kind regards,

[Julie Hemming-Smout](#)

Information Support Officer, Bromsgrove District and Redditch Borough Councils

Tel: (01527) 64252, extension 3871

Email: j.hemming-smout@bromsgroveandredditch.gov.uk



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Our Ref: 8765

Dear Lisa – I can only apologise for the delay. I chased throughout last week. I can offer you more information below, but I am waiting on the remaining responses to Q8, 9, 10, 11 which I hope to get today.

Sorry for any inconvenience.

Kind regards

Social Housing Stock

7. The total number of social housing dwelling stock at 31 March 2024 in the following locations:

Location	Total Social Housing Stock (31 March 2024)
Abbey Ward	Not recorded according to Ward

Housing Completions

12. The number of NET housing completions in the Redditch Borough Council area broken down on a per annum basis for the period between 2000/01 and 2023/24. [Monitoring \(redditchbc.gov.uk\)](#) + the attached.
13. The number of NET affordable housing completions in the Redditch Borough Council area broken down on a per annum basis for the period between 2000/01 and 2023/24. [Monitoring \(redditchbc.gov.uk\)](#) + the attached.
14. The number of NET housing completions in Abbey Ward broken down on a per annum basis for the period between 2000/01 and 2023/24. [Not recorded.](#)
15. The number of NET affordable housing completions in Abbey Ward broken down on a per annum basis for the period between 2000/01 and 2023/24. [Not recorded.](#)

Julie Hemming-Smout
Information Support Officer, Bromsgrove District and Redditch Borough Councils

Tel: (01527) 64252, extension 3871

Email: j.hemming-smout@bromsgroveandredditch.gov.uk



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From: Lisa Luong <lisa.luong@tetlow-king.co.uk>

Sent: Tuesday, July 2, 2024 9:53 AM

To: foi RBC <foi@redditchbc.gov.uk>

Cc: Leonie Stoate <Leonie.Stoate@tetlow-king.co.uk>

Subject: RE: Freedom of Information Request - Housing Data

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If you've already clicked on any links, contact the ICT helpdesk on 01527881766 or ext. 1766, failure to do so breaches the Information Security Policy.

Hi Julie,

Have you had a response to the outstanding questions (Q's 7-15) of the attached?

We urgently need a full response to the FOI request, please can you advise as to when we could be in receipt.

Kind regards,

Lisa Luong BSc (Hons) MSc
Planner
TETLOW KING PLANNING



E: lisa.luong@tetlow-king.co.uk **T:** 0117 9561916 **M:** 07933 821572 **W:** tetlow-king.co.uk

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From: Julie Hemming-Smout <J.Hemming-Smout@bromsgroveandredditch.gov.uk> **On Behalf Of** foi RBC
Sent: Tuesday, June 25, 2024 9:40 AM
To: Lisa Luong <lisa.luong@tetlow-king.co.uk>
Subject: RE: Freedom of Information Request - Housing Data

Dear Lisa – I am so sorry, completely my error, I will chase the remainder now.

Kind regards

Julie Hemming-Smout
Information Support Officer, Bromsgrove District and Redditch Borough Councils

Tel: (01527) 64252, extension 3871

Email: j.hemming-smout@bromsgroveandredditch.gov.uk



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Lisa Luong

From: Julie Hemming-Smout <J.Hemming-Smout@bromsgroveandredditch.gov.uk> on behalf of foi RBC <foi@redditchbc.gov.uk>
Sent: 19 July 2024 10:23
To: Lisa Luong
Subject: RE: Freedom of Information Request - Housing Data

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: Blue Category

Our Ref: 8765

Dear Lisa,

I am so sorry for the protracted manner in which this information has been provided. Apologies for any inconvenience.

Social Housing Lettings

8. The number of social housing lettings in the period between 1 April 2022 and 31 March 2023; and between 1 April 2023 and 31 March 2024 in the following locations:

Location	Social Housing Lettings	
	1 April 2022 to 31 March 2023	1 April 2023 to 31 March 2024
Abbey Ward	22	28

Temporary Accommodation

9. The number of households on the Housing Register housed in temporary accommodation within and outside the Redditch Borough Council area on the following dates:

Households in Temporary Accommodation	31 March 2023	31 March 2024
Households Housed within Redditch Borough Council	40	5
Households Housed outside Redditch Borough Council	0	1
Total Households	40	6

10. The amount of money spent on temporary accommodation per household within the Redditch Borough Council region over the following periods:

- 1 April 2023 to 31 March 2024. £314,445

This is broken down as £173,902 for Bed and Breakfast Accommodation and £140,543 for other Temporary Accommodation (such as Dispersed Units and Use & Occupation Licences).

Caveat: Temporary accommodation is paid for by Government Procurement Card and the level of detail recorded does not allow us to quantify this within Homelessness, therefore the limitation of the figures is that it only relates to Housing Benefit that has been paid out on Housing Benefit applications received for

stays in Temporary Accommodation. There may be some people who have been placed in Temporary Accommodation who we have not received a Housing Benefit application from or insufficient information has been received to pay the claim.

11. The amount of money spent on temporary accommodation per household outside the Redditch Borough Council region over the following periods:
- 1 April 2023 to 31 March 2024. [As this is based on Housing Benefit, there is no differentiation between inside or outside the area.](#)

I hope this resolves your enquiry and that you are satisfied with the response.

However, if you are dissatisfied with the way your request has been handled, you have the right to request an internal review within 40 days of the date of our response.

If you are still dissatisfied following a review by the Council, you have the right to complain to the Information Commissioner. You can contact the Information Commissioner at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Telephone 0303 123 1113
www.ico.org.uk/foicomplaints

For information on how we keep your information, please refer to our privacy notices for Bromsgrove District Council:

FOI/EIR Privacy Notice - bromsgrove.gov.uk

...and Redditch Borough Council:

FOI/EIR request Privacy Notice - redditchbc.gov.uk

Regards,

Julie Hemming-Smout
Information Support Officer, Bromsgrove District and Redditch Borough Councils

Tel: (01527) 64252, extension 3871

Email: j.hemming-smout@bromsgroveandredditch.gov.uk



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Walter Stranz Square,
Redditch,
Worcestershire B98 8AH
www.redditchbc.gov.uk



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From: Julie Hemming-Smout **On Behalf Of** foi RBC
Sent: Monday, July 8, 2024 9:45 AM
To: Lisa Luong <lisa.luong@tetlow-king.co.uk>
Subject: RE: Freedom of Information Request - Housing Data

Our Ref: 8765

Dear Lisa – I can only apologise for the delay. I chased throughout last week. I can offer you more information below, but I am waiting on the remaining responses to Q8, 9, 10, 11 which I hope to get today.

Sorry for any inconvenience.

Kind regards

Social Housing Stock

7. The total number of social housing dwelling stock at 31 March 2024 in the following locations:

Location	Total Social Housing Stock (31 March 2024)
Abbey Ward	Not recorded according to Ward

Housing Completions

- 12. The number of NET housing completions in the Redditch Borough Council area broken down on a per annum basis for the period between 2000/01 and 2023/24. [Monitoring \(redditchbc.gov.uk\)](#) + the attached.
- 13. The number of NET affordable housing completions in the Redditch Borough Council area broken down on a per annum basis for the period between 2000/01 and 2023/24. [Monitoring \(redditchbc.gov.uk\)](#) + the attached.
- 14. The number of NET housing completions in Abbey Ward broken down on a per annum basis for the period between 2000/01 and 2023/24. [Not recorded.](#)
- 15. The number of NET affordable housing completions in Abbey Ward broken down on a per annum basis for the period between 2000/01 and 2023/24. [Not recorded.](#)

Julie Hemming-Smout
Information Support Officer, Bromsgrove District and Redditch Borough Councils

Tel: (01527) 64252, extension 3871
Email: j.hemming-smout@bromsgroveandredditch.gov.uk



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From: Lisa Luong <lisa.luong@tetlow-king.co.uk>
Sent: Tuesday, July 2, 2024 9:53 AM
To: foi RBC <foi@redditchbc.gov.uk>
Cc: Leonie Stoate <Leonie.Stoate@tetlow-king.co.uk>
Subject: RE: Freedom of Information Request - Housing Data

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If you've already clicked on any links, contact the ICT helpdesk on 01527881766 or ext. 1766, failure to do so breaches the Information Security Policy.

Hi Julie,

Have you had a response to the outstanding questions (Q's 7-15) of the attached?

We urgently need a full response to the FOI request, please can you advise as to when we could be in receipt.

Kind regards,

Lisa Luong BSc (Hons) MSc
Planner
TETLOW KING PLANNING



E: lisa.luong@tetlow-king.co.uk **T:** 0117 9561916 **M:** 07933 821572 **W:** tetlow-king.co.uk

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From: Julie Hemming-Smout <J.Hemming-Smout@bromsgroveandredditch.gov.uk> **On Behalf Of** foi RBC
Sent: Tuesday, June 25, 2024 9:40 AM
To: Lisa Luong <lisa.luong@tetlow-king.co.uk>
Subject: RE: Freedom of Information Request - Housing Data

Dear Lisa – I am so sorry, completely my error, I will chase the remainder now.

Kind regards

Julie Hemming-Smout
Information Support Officer, Bromsgrove District and Redditch Borough Councils

Tel: (01527) 64252, extension 3871
Email: j.hemming-smout@bromsgroveandredditch.gov.uk



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www.redditchbc.gov.uk



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www.bromsgrove.gov.uk



From: Lisa Luong <lisa.luong@tetlow-king.co.uk>
Sent: Tuesday, June 25, 2024 9:26 AM
To: foi RBC <foi@redditchbc.gov.uk>
Cc: James Stacey <James.Stacey@tetlow-king.co.uk>; Leonie Stoate <Leonie.Stoate@tetlow-king.co.uk>
Subject: RE: Freedom of Information Request - Housing Data

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If you've already clicked on any links, contact the ICT helpdesk on 01527881766 or ext. 1766, failure to do so breaches the Information Security Policy.

Dear Julie,

Thank you for providing the answers to questions 1-6 of our FOI request.

Please note that the FOI request is incomplete, and we have not had a response to questions 7-15 of the attached email.

Grateful if we could please receive a response to the outstanding questions.

Kind regards,

**Lisa Luong BSc (Hons) MSc
Planner
TETLOW KING PLANNING**



E: lisa.luong@tetlow-king.co.uk **T:** 0117 9561916 **M:** 07933 821572 **W:** tetlow-king.co.uk

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From: Julie Hemming-Smout <J.Hemming-Smout@bromsgroveandredditch.gov.uk> **On Behalf Of** foi RBC
Sent: Tuesday, June 25, 2024 8:56 AM
To: Lisa Luong <lisa.luong@tetlow-king.co.uk>
Subject: RE: Freedom of Information Request - Housing Data

Our Reference: 8765

Dear Lisa,

Thank you for your recent Information request. I can now offer you the following information:

1. The total number of households on the Council's Housing Register at 31 March 2024. **1,028**
2. The average waiting times at 31 March 2024 for the following types of affordable property across the Authority:

a. 1-bed affordable dwelling;	Waiting time is dependent on the applicants housing need and priority on the Housing Register, so it is difficult to give an indication of waiting time as those in Band 1 will be housed more quickly than those in lower bands. Limited supply of accommodation means that those in lower bands have very little prospect of being successful when bidding for social or affordable rented housing.
b. 2-bed affordable dwelling;	
c. 3-bed affordable dwelling; and	
d. A 4+ bed affordable dwelling.	

3. The average waiting times at 31 March 2023 for the following types of affordable property across the Authority:

a. 1-bed affordable dwelling;	Waiting time is dependent on the applicants housing need and priority on the Housing Register, so it is difficult to
b. 2-bed affordable dwelling;	
c. 3-bed affordable dwelling; and	

d. A 4+ bed affordable dwelling.

give an indication of waiting time as those in Band 1 will be housed more quickly than those in lower bands. Limited supply of accommodation means that those in lower bands have very little prospect of being successful when bidding for social or affordable rented housing.

4. The total number of households on the Council's Housing Register at 31 March 2024 specifying the following locations as their preferred choice of location:

Location	Household Preferences (31 March 2024)
Abbey Ward	500

5. The number of properties advertised, and the average number of bids per property over the 2023/24 monitoring period for the following types of affordable property in the locations listed below: **Not held.** **The council do not currently collate this information.**

Type of affordable property	Abbey Ward	
	Number of properties advertised	Average Bids per Property
1-bed affordable dwelling		
2-bed affordable dwelling		
3-bed affordable dwelling		
4+ bed affordable dwelling		

6. Any changes the Council has made to its Housing Register Allocations Policy since 2011 including:

- The date they occurred;
- What they entailed; and
- Copies of the respective documents

[REPORT TITLE \(redditchbc.gov.uk\)](http://redditchbc.gov.uk)

The changes to the Allocations Policy 2009, updated 2012 are: · Relevant legislation updated (p3) · Included Strategic Purposes (p4) · Introduced new Purpose of the Allocations Policy section (p5) · Introduced a new section Statement of Choice (p6), this explains how applicants will be prioritised for housing and when bidding will not be used. · Refined the eligibility and reasonable preference section (p7) and included the requirement of the armed forces regulations for access to housing register. · Introduced in Applying to go on the Housing Register (p8) that all applicants

to have an interview with a Housing Options Officer to discuss their housing needs and the available housing options, to come to a housing decision together before accessing the housing register. · The current 'Priority' and 'Gold' bands to be amalgamated into a single 'Gold' band (p13). · Introduced in the Allocations section (p16) that all applicants in the 'Gold' band to be directly matched to a suitable offer of accommodation, rather than going on to bid on properties. · Included regulations on Armed Forces applicants and additional preferences(p15) · The ability to identify properties for transfers only (p16). · Applicants for whom the council has accepted a duty under homelessness legislation to be made a single offer of suitable accommodation instead of the current two offers (p21). · In The Right to A review decision (p29) the option of a 2nd stage appeal has been removed as this is not provided for in legislation. · Deleted section 20 Tolerated Trespass as no longer relevant · Deleted section 28 Forces as no longer relevant and included in other sections. · Deleted section 35 Monitoring included in section 10 Redditch Home Choice Banding

REPORT TITLE (redditchbc.gov.uk)

Qualification Criteria - Redditch is an area of high levels of housing need and demand for social housing. It is proposed that a Qualification Criteria is adopted that prioritises households with a local connection to the Borough where the applicant does not fall into a reasonable preference category as defined by the Housing Act 1996 as amended. In determining whether the household has a local connection the Council will agree a connection exists in the following circumstances; · Where the local connection arises due to residency - applicant(s) must have lived in Redditch Borough for a minimum period of two years or has resided in the Borough for three out of the last five years at the point of application. · Where the local connection arises due to employment and the applicant(s) has been in permanent, paid employment for a minimum period in the Borough immediately prior to the application or the applicant(s) has a certified offer of employment in the Borough. · Where the applicant(s) has a close family member living in the Borough for a minimum period of three years, immediately prior to the application. · Has a local connection as a result of special circumstances. 3.6 Local connection for homeless applicants will be assessed having regard to the definition of local connection contained in s.199 Housing Act 1996 as amended and the code of guidance. 3.7 In determining permanent employment the Council will give consideration to the Local Government Association guidelines which state that this is employment other than that of a casual nature and will include zero hours contracts. 3.8 Housing Need - All applicants wishing join the housing register must have a housing need. This will include those applicant(s) with Reasonable Preference, those who are under occupying social housing and those covered by the categories outlined under the section relating to the Banding Structure. Applicant(s) not satisfying at least one of these criteria will not be registered and will be offered alternative housing options. Applicant(s) will also be offered the right to request a review of this decision. Households considered to be in some housing need are: · In social housing and seeking a transfer. · Households with low level medical or welfare issues. · Households who are suffering financial hardship. · Households in privately rented accommodation that do not have a reasonable preference · Households who are sharing facilities with other non-related households. · Households residing in an institution or supported housing scheme e.g. hospital with no access to settled accommodation. · Households who have insecurity of tenure (those in tied accommodation or lodging). · Households that are living with family but want to live independently. · Two separate households wanting to live as one household. · Households eligible and interested in older peoples accommodation will not need to demonstrate a local connection or a housing need. · Households eligible and interested in shared ownership properties only. 3.9 Removing Points within Bands - The current policy has three bands (Gold, Silver and Bronze) and then points within these bands. It is difficult for applicants and our partners to understand the prospects of applicants being housed. When points are applied it has the effect of producing 22 bands. For example a snap shot of the list in April showed that 1,482 applicants occupied the Silver band of which there were 606 households with only 30 residency points but no identified housing need effectively in band. Allocations Policy removes the points in bands and applies six bandings numbering 1 to 6.

Band 1 for those in the most urgent housing need who will be directly matched to a property and those in Bands 2 – 6 will be able to express an interest in a property by placing a bid on those that are advertised through the Choice Based Lettings property shop.

REPORT TITLE (redditchbc.gov.uk)

The proposed policy will, within legislative constraints, give priority to households with a local connection to the Borough. It will also be a closed list in that not everyone will qualify to join. The proposed policy will be more transparent and easier to understand and aligns with welfare reforms so that households are not accommodated in properties where they would be affected by the housing benefit rules and deemed to have a spare room thereby having their housing benefit reduced. Some households will no longer qualify for a reasonable preference as they will no longer be deemed to be overcrowded and they may be placed in a lower band than they currently occupy. 3.12 The policy will make better use of social housing stock and will result in more families being housed in appropriately sized accommodation. 3.13 Applicants will have a better understanding of their position on the register and their prospects of resolving their housing needs through the social rented sector. 3.14 Applicants who are key workers and volunteers will be recognised through the award of additional waiting time within their band. Those applicants who are not key workers or volunteers may be unhappy that key workers and volunteers are receiving additional waiting time within their bands and in effect are being accelerated six months in advance of them. 3.15 Applicants will have a clear understanding of the consequences of any tenancy breaches through being placed into a demoted band and will be clear about how this situation might be resolved. 3.16 Many older people who are not in a reasonable preference housing need are currently occupying a low band within Silver as they only have residency points. Under the new policy these applicants are likely to be placed into Band 5. They may consider this to be a demotion despite having been occupying a much lower position within the silver band. 3.17 The Council's housing stock consists of a significant number of two bedroom flats and therefore this accommodation is considered suitable for households with children. Under the new policy it is proposed that the additional preference for children in flats will be removed. This means that households with children in flats will no longer occupy a reasonable preference band should they apply for a transfer. However, the Council will advertise some properties for existing tenants who are not in reasonable preference so that households with children who occupy flats may have an opportunity to move on into houses when they become available. Case law suggests that it would be reasonable to allocate around 5% of properties in this way.

REPORT TITLE (redditchbc.gov.uk)

Financial Resources Owner occupiers and people with sufficient financial resources available to them to meet their housing needs will be placed in Band 4. Applicants who have a household income (including benefits) of more than £45,000 per annum and / or savings/capital/assets/equity of £95,000 that will enable them to access and maintain private accommodation will be encouraged and supported to do so through the housing options service. Any household in receipt of a means tested benefit will not be subject to this reduced banding criteria (this does not include Child Benefit).

I hope this resolves your enquiry and that you are satisfied with the response.

However, if you are dissatisfied with the way your request has been handled, you have the right to request an internal review within 40 days of the date of our response.

If you are still dissatisfied following a review by the Council, you have the right to complain to the Information Commissioner. You can contact the Information Commissioner at:

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...and Redditch Borough Council:
[FOI/EIR request Privacy Notice - redditchbc.gov.uk](http://www.redditchbc.gov.uk/foi/eir-privacy-notice)

Regards,

Julie Hemming-Smout
Information Support Officer, Bromsgrove District and Redditch Borough Councils

Tel: (01527) 64252, extension 3871
Email: j.hemming-smout@bromsgroveandredditch.gov.uk



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From: Julie Hemming-Smout **On Behalf Of** foi RBC
Sent: Friday, June 21, 2024 2:01 PM
To: Lisa Luong <lisa.luong@tetlow-king.co.uk>
Subject: RE: Freedom of Information Request - Housing Data

Our Ref: 8765

Dear Lisa,

I am sorry for the delay in responding. I have chased the department concerned several times during the time line of this request and hope to have a response to you by mid-week next week.

Apologies for any inconvenience.

Kind regards

Julie Hemming-Smout
Information Support Officer, Bromsgrove District and Redditch Borough Councils

Tel: (01527) 64252, extension 3871

Email: j.hemming-smout@bromsgroveandredditch.gov.uk



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From: Lisa Luong <lisa.luong@tetlow-king.co.uk>
Sent: Friday, June 21, 2024 1:47 PM
To: foi RBC <foi@redditchbc.gov.uk>
Subject: RE: Freedom of Information Request - Housing Data

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If you've already clicked on any links, contact the ICT helpdesk on 01527881766 or ext. 1766, failure to do so breaches the Information Security Policy.

Dear Julie,

Regarding FOI reference 8765, we were due to receive a response to our response by the 13th June 2024.

Please can you advise as to when we can expect a full response to the FOI data request.

Kind regards,

E: lisa.luong@tetlow-king.co.uk T: 0117 9561916 M: 07933 821572 W: tetlow-king.co.uk

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From: Julie Hemming-Smout <J.Hemming-Smout@bromsgroveandredditch.gov.uk> **On Behalf Of** foi RBC
Sent: Friday, May 17, 2024 2:29 PM
To: Lisa Luong <lisa.luong@tetlow-king.co.uk>
Subject: Freedom of Information Request - Housing Data

Our Reference: 8765

Dear Lisa,

Thank you for your recent request for information.

Your request will be dealt with in accordance with the Environmental Information Regulations (EIR) if it relates to environmental matters, or in accordance with the Freedom of Information (FOI) Act. For more information about FOI and EIR, please see:

[Guide to freedom of information | ICO](#)

[Guide to the Environmental Information Regulations | ICO](#)

We will respond by 13th June 2024 at the latest.

Please check spam folders as well as your usual inbox for our replies.

Privacy Notice

The Council collects information, including personal information that you provide about yourself and others, when you make a submission in relation to a Freedom of Information (FOI) or Environmental Information Regulations (EIR) request.

The Council collects this information for the purpose of dealing with your submission in accordance with the legislation; a request is not valid unless it is in writing and includes the following information:

- Enough of your real name to give *anyone* reading your request, a reasonable indication of your identity.
- Where you are an agent working on behalf of someone else, the other party will be interpreted as being the requestor therefore their details are required.
- Valid address for correspondence (including postal or email).
- A description of the information you require, which may include details of someone else.

The term 'in writing' covers requests submitted by letter and electronic form, including those sent via the internet through social networking sites such as Twitter and Facebook. Where a social media site is used to submit a request, the real name may be visible within the user profile. If you make the request public by publishing it on a website, as opposed to sending a private message to the authority's account, then we will consider it within the requester's reasonable expectations that the authority will also publish its response on the site.

Under legislation, we have to maintain a log of requests. This information is retained for 6 years. All other information associated with your request, such as the request, our acknowledgement, consultation with the department involved, and our subsequent response to you is retained for 2 years.

The council will not disclose your personal information to external entities. We will also take steps to limit the amount of personal information about you, is disclosed as part of any consultation process regarding your request.

If you do not provide the appropriate details required under the legislation, the information cannot be provided. Other rights are not affected. These can be found [here](#).

This information will not be shared/sold to any other service/organisation unless we have a duty to do so under law. This data will not be transferred outside of the UK

No decisions around this data are made by automated means.

Kind regards,

Julie Hemming-Smout
Information Support Officer, Bromsgrove District and Redditch Borough Councils

Tel: (01527) 64252, extension 3871

Email: j.hemming-smout@bromsgroveandredditch.gov.uk



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Appendix JS3

Independent Newspaper Article (June 2020)



Independent PremiumUK news

Council housing sell-off continues as government fails to replace most homes sold under Right to Buy

Home ownership has fallen since the policy was introduced and flats are ending up in the hands of private landlords, writes **Jon Stone**



Sunday 21 June 2020 09:18

Two-thirds of the council homes sold off under [Right to Buy](#) are still not being replaced by new [social housing](#) despite a promise by the government, official figures show.

[Housing](#) charities warned that enough “desperately needed” genuinely affordable housing is simply not being built, with an overall net loss of 17,000 homes this year from social stock.

Since the policy was updated in 2012-13, 85,645 homes have been sold through the policy, but only 28,090 built to replace them, statistics from the Ministry of Housing, Communities and Local Government show.

Under [Right to Buy](#), the government sells off council housing at discounts of up to £100,000 to tenants.

Despite pitching the policy as a way to get more people on the property ladder, overall home ownership has actually fallen significantly since it was introduced in the 1980s.

Previous studies have shown that around 40 per cent of flats sold under the policy since the 1980s have ended up in the hands of private landlords, who let the homes out to private tenants at higher rates. The proportion is thought to be even higher in areas of high housing pressure like London.

Councils warned ministers when the policy was updated that the steep discounts meant the money would not be enough to replace homes one-to-one, and that the very existence of the policy undermined their ability to finance housebuilding by making it impossible to reliably borrow against future rents.

The government officially committed to replace the extra homes sold due to an increase in discounts in 2012-13, but housing charities say the affordable sector cannot afford to bleed stock at all. The government is still around 7,000 homes short of its own target, which covers construction up to the third quarter of 2016-17 because councils are given three years to replace the sold stock.

Jon Sparkes, chief executive at homelessness charity [Crisis](#), said: “These statistics demonstrate just how serious the current housing crisis is. What few social homes that are available are largely being removed from the market as part of Right to Buy, and the supply is not being replenished in line with this.

“People in desperately vulnerable circumstances are being left with dwindling housing options as a consequence of our threadbare social housing provision. This is all the more worrying considering the rise we expect in people being pushed into homelessness as a result of the pandemic.

“To address this, we need to see the government suspend Right to Buy going forward and prioritisation for social housing being given to people who are homeless so they are able to better access what is currently available. Alongside this, we also need commitment to build significantly more social homes in the coming years to keep in step with demand.

“Ending homelessness in the UK is completely within our grasp, but requires a rethink of existing policies that stand in the way.”

In 2018 Theresa May announced that a long-standing borrowing cap preventing councils from building more homes would be lifting. A survey by the Local Government Association

conducted in March 2019 found that a startling 93 per cent of councils were planning to use the extra headroom.

The Scottish and Welsh governments have already ended Right To Buy, citing its effect on the council housing stock.

Commenting on the Right to Buy figures, Polly Neate, chief executive of the housing charity [Shelter](#), said: “The coronavirus pandemic has drummed into us the importance of having a safe home like nothing before. By the same token it’s made it crushingly clear that not enough people do – including the million-plus households stuck on social housing waiting lists. Many of whom are homeless or trapped in grossly overcrowded accommodation right now.

“Despite being desperately needed, our recent track record on building new social homes is atrocious. There was actually a net loss of 17,000 social homes last year, and as it stands Right to Buy isn’t helping. While some people have benefited from the scheme, the failure to replace the properties sold has deprived many others of a genuinely affordable social home.

“But the status quo can be changed. As the government plots its economic recovery from coronavirus, it could give councils the means they need to replace and build social housing. As well as helping to create jobs and get housebuilding going again, this would offer all those without one, their best shot at a safe home.”

Asked about the figures, a spokesperson for the Ministry of Housing, Communities, and Local Government said: “The government is committed to Right to Buy, which has helped nearly two million council tenants realise their dream of home ownership and get on the property ladder.

“Since 2010 we have delivered more homes for social rent – over 140,000 in total – compared to the number of homes sold under the Right to Buy scheme.”

The ministry’s statement is misleading, however, as the 140,000 figure refers to all social housebuilding rather than those homes built to replace housing sold under Right To Buy using receipts earmarked for this purpose.