

March 2014

Redditch Borough Council

Statement of Compliance with the Duty to Cooperate



1. Introduction

- 1.1 This statement explores the extent to which Redditch Borough Council has complied with the new legal requirement under S.33 (A) of the Planning and Compulsory Purchase Act 2004 and the guidance contained within the National Planning Policy Framework (NPPF) from paragraph 178.
- 1.2 Compliance can be demonstrated to the extent that Redditch Borough Council is satisfied that it can submit a Local Plan for examination that meets the policy tests set out in paragraphs 178-181 of the NPPF.

2. Background

- 2.1 In November 2011 the Localism Act came into effect, but different parts of the Act come into effect at different times through Regulations.
- 2.2 The Localism Act through clause 109 sets out the plans for the abolition of regional planning and the revocation of regional strategies. Following completion of a Strategic Environmental Assessment the West Midlands Regional Spatial Strategy was formally revoked on 20 May 2013 and no longer forms part of the Development Plan.
- 2.3 Also the Localism Act through clause 110 established the ‘duty to cooperate’. This means that any local planning authorities and other prescribed bodies in relation to planning for sustainable development need to cooperate when preparing Development Plan Documents, other Local Development Documents and other plans where there are strategic matters that need to be addressed.
- 2.4 The prescribed bodies are defined in Part 2 of the Town and Country Planning (Local Planning) (England) Regulations 2012. Those relevant to Redditch Borough are:
- Environment Agency
 - English Heritage;
 - Natural England;
 - Highways Agency;
 - Homes and Communities Agency;
 - Primary Care Trust;
 - Office of Rail Regulation;
 - Highway Authority.
- 2.5 In respect of other bodies, Local Enterprise Partnerships (LEPs) and Local Nature Partnerships (LNPs) are not defined by statute and are therefore not covered by the Duty. However, LEPs and LNPs have been identified in the regulations as bodies that those covered by duty ‘should have regard to’ when preparing local plans.

- 2.6 A strategic matter is anything relating to sustainable development or use of land, including infrastructure, which has or would have significant impact on at least two local planning areas. It requires that councils set out policies to address such issues proactively and to the mutual benefit of the authorities.

3. Methodology

- 3.1 In exercising its responsibility under the Duty to Cooperate, the Council must have regard to any guidance given by the Secretary of State about how the duty is to be complied with. No such guidance has been published to date by the Secretary of State.
- 3.2 The Planning Advisory Service (PAS) has published some guidance on the duty to co-operate which has been hinted by Inspectors at Examinations as a useful guide and it has informed both the process of compliance with the DTC and in the production of this statement. This PAS advice can be found at <http://www.pas.gov.uk/pas/core/page.do?pageld=2913231>
- 3.3 Rather than prepare a Statement that merely explains what joint working has taken place, this Statement will draw out the main strategic issues and demonstrate that the proposed outcome is the right one. The Statement examines any issue which crosses an administrative boundary and determines if this issue is a strategic priority as set out in paragraph 156 of the NPPF.
- 3.4 Each issue is then explained by authority area, and a chronological audit trail of the discussions and actions to resolve the issue are provided. This will include the consideration of any options to deal with the issue. There is an explanation of the proposed implementation of any agreed planning solutions and this will explain how the Councils have resolved each issue for the betterment of the Redditch Local Plan and the mutual benefit for the relevant other authorities.

4. Redditch Context

Redditch Borough is within the County of Worcestershire and borders Warwickshire County to the east and southeast. It is surrounded by Bromsgrove District to the west and north, Stratford District to the east and southeast and Wychavon District to the southwest. The Borough is situated at the outer edge of the Green Belt boundary for the West Midlands. The Borough lies 15 miles south of the Birmingham conurbation.

5. Cooperation in the preparation of the Borough of Redditch Local Plan 4

- 5.1 This statement has been prepared in consultation with Officers from neighbouring authorities. At present Redditch have strategic matters, as defined by the Duty to Co-operate with the authorities of Bromsgrove, Stratford-on-Avon and Birmingham.
- 5.2 These strategic matters are summarised below:
- Bromsgrove District Council – there are cross-boundary issues with regard to accommodating Redditch’s housing need. Bromsgrove and Redditch have worked closely together to ensure this strategic matter is resolved.
 - Stratford on Avon District Council - there are cross-boundary issues with regard to accommodation Redditch’s employment need. Stratford on Avon and Redditch have worked closely together to ensure this strategic matter is resolved.
 - Birmingham City Council - Birmingham has a significant unmet housing need that it cannot accommodate within its own boundaries. The Greater Birmingham and Solihull Local Enterprise Partnership (GBSLEP) are seeking a solution to identifying locations for meeting this need. Birmingham and Redditch have worked together to ensure that the appropriate wording is contained within the Redditch Local Plan.
- 5.3 Whilst it is not possible to accurately determine all strategic issues which might arise during the life of Local Plan No.4 (i.e. up to 2030) the issues detailed in the following sections constitute all key issues that Redditch Borough Council have been continuing to resolve through cooperation since the announced abolition of the Regional Strategies.
- 5.4 Redditch does not currently have any strategic matters with Solihull Metropolitan Borough Council, the South Worcestershire Councils, Wyre Forest District Council and Worcestershire County Council.

6. Joint Working Arrangements

- 6.1 Arrangements are in place for Redditch Borough Council, generally at officer level, to interact with other bodies in the preparation of the Local Plan. The different groups mentioned meet at various intervals on a regular basis to discuss working projects, or to reach consensus on strategic matters, or just to co-operate in strategic tasks:
- Worcestershire Strategic Housing Market Assessment (SHMA) Working Group - The Group comprises Strategic Housing and Policy Planning officers from each of the six local authorities within Worcestershire, and members of the County Research and Intelligence Team. The purpose of the Group is to commission and

maintain an up-to-date SHMA to ensure that all six Worcestershire Local Authorities gain a strategic view of housing supply and demand across all housing sectors. The SHMA provides a comprehensive understanding of the dynamics and segments of the functional housing markets operating within Worcestershire and forms part of the evidence base for emerging planning and housing policies. Regular Group meetings provide a forum to discuss strategic issues and to identify gaps in the data which can be addressed through the annual SHMA updates.

- Worcestershire Local Enterprise Partnership (WLEP) - Worcestershire was one of the first standalone, single-county LEPs to be approved in December 2010 by the Departments of Business Innovation and Skills (BIS) and Communities and Local Government (CLG). Worcestershire LEP is led by private sector businesses in partnership with the public sector – comprising Worcestershire County Council and the six district councils of Worcester City, Bromsgrove, Redditch, Malvern Hills, Wyre Forest and Wychavon.
- Greater Birmingham and Solihull LEP seeks to aid joint working between local authorities within the LEP. Currently it is seeking to ensure the unmet housing need from Birmingham is addressed within the LEP area. The LEP facilitates communication between all member Local Authorities to assist in strategic matters.
- Planning Officers Group (POG) is a quarterly meeting of the Planning Policy Managers from each of the six Worcestershire LAs and Worcestershire County Council. This forum offers the opportunity for the exchange of planning information and debate of emerging and new Government policy. POG also carries out task and finish tasks which are supportive of the Worcestershire Planning Officers' Group work.
- WPOG Identifies strategic issues of shared interest amongst the Local Authority members and facilitates countywide joint work.

7. Duty to Cooperate Activities

- 7.1 The following section of the Statement examines issues by Authority area however some issues do relate to more than one area. Whilst it is not possible to accurately determine all strategic issues which might arise during the life of Local Plan No.4 (i.e. up to 2030) the issues raised below constitute all key issues that Redditch Borough Council have been continuing to resolve through cooperation since the announced abolition of the Regional Strategies.

7.2 The last section of the Statement describes Redditch's co-operation with prescribed bodies throughout preparation of Local Plan No. 4.

8. Co-operation with Local Authorities

8.1 Bromsgrove District Council

8.2 Predominantly, the issues facing Redditch Borough Council (RBC) and Bromsgrove District Council (BDC) revolve around the limited capacity within Redditch Borough to accommodate growth needs and a previous assumption across the Region that unmet growth needs could best be partly accommodated in Bromsgrove District and partly in Stratford on Avon District.

8.3 The regional planning tier raised two key Redditch-related issues, namely the designation of Redditch as a Settlement of Significant Development (SSD) and limited development capacity within Redditch's administrative boundary to meet development needs.

8.4 The second of these forms the underpinning issue, which has led to the preferred cross boundary development option in both Redditch and Bromsgrove Development Plans and is explored further in this document.

8.5 The first issue relating to SSD status for Redditch has been resolved by virtue of the Government's removal of the regional planning tier. However, it is important to highlight that collaborative working across multiple local authorities was effective long before the introduction of the Localism Act (2011) and the current emphasis on the Duty to Cooperate. At the time (2007/09), the SSD designation for Redditch was an issue on which both LAs agreed and were able to present a collaboratively prepared response during Examination in Public (EiP) evidence preparation and at the EiP hearing itself. The RSS Panel Inspectors agreed with the Local Authorities (and other consultation submissions) that the SSD status for Redditch be removed. This course of action was identified as a recommendation in the Panel Report (September 2009) and demonstrates the successful collaborative approach of RBC and BDC.

8.6 In order to document events which relate to the above issues, Table 1 below presents a chronological account of events since 2006 in order to helpfully follow the history of the cooperation issues between the two Authorities. Following this, the pertinent Key Issues are identified and examined in greater detail. It should be noted that the introduction of the RBC and BDC shared service management team in April 2010, has facilitated and ensured alignment of working wherever possible i.e. sharing evidence gathering and resources, regular meetings etc, although the two councils still remain two independent local planning authorities.

RBC STATEMENT OF COMPLIANCE WITH THE DUTY TO COOPERATE – MARCH 2014

Table 1 – Timeline of Redditch & Bromsgrove Cross Boundary issues:

Date	Mechanism	What happened?
14 November 2006	RBC response to WCC's response to the RPB's Section 4(4) Authorities brief	<ul style="list-style-type: none"> Capacity of Redditch overestimated due to sites listed being completed already and some double-counting of existing commitments Raised prospect of Green Belt development to North/North West Redditch in Bromsgrove District First raised issues of development in SW Redditch Green Belt based on previous findings First raised issues of development in NW Redditch Green Belt based on previous findings Suggested more work on feasibility of options for growth
4 January 2007	Letter to P Maitland (WCC) - Redditch Joint Study	<ul style="list-style-type: none"> RBC having difficulty understanding implications of higher growth options Raised need for technical evidence about ability of the area to accommodate growth Evidence must explore potential of viable locations beyond Borough's boundaries in Worcestershire and Warwickshire Need to rule out or confirm the South West as a development option, an up-to-date survey needed
2 March 2007	RBC - RSS Spatial Options responses (Council endorsed response)	<ul style="list-style-type: none"> RBC stated Options 2 and 3 result in issues with allocating new sites to meet demands of the housing options Concern that without a Joint Study, WMRSS review process will not have information to determine whether RBC target meets WMRSS objectives and whether growth options are deliverable Could include the consideration of new settlement as an alternative to dwellings in Green Belt within Redditch Borough, Bromsgrove District and Stratford-upon-Avon
5 March 2007	BDC - RSS Spatial Options responses (Officer response)	<ul style="list-style-type: none"> BDC stated that there was limited justification for meeting Redditch's unmet need in Bromsgrove. Considered narrowing of strategic gap between Redditch and MUA damaging to function of Green Belt and unacceptable part of either option 2 or 3. BDC stated allocation in Bromsgrove to meet housing needs of Redditch will be strongly resisted
22 February 2007	WCC - RSS Spatial Options responses	<ul style="list-style-type: none"> WCC stated that to meet locally generated growth needs development would most likely have to be directed to the North West within Bromsgrove District. The only alternative would be to seek growth East to Warwickshire but this too has been ruled out in the past
12 June 2007	Letter to R Poulter (WMRA) re. Redditch joint study (WYG1)	<ul style="list-style-type: none"> Grateful for WCC lead and support from BDC but concerned about SOADC and Warks CC lack of contribution RPB should have taken a leading role in bringing all relevant parties to the discussion
2 May 2008	Joint letter to Mark Middleton re. cross boundary working (from RBC, BDC and SOADC)	<ul style="list-style-type: none"> Concerned about no local robust arrangements for splitting the target Concerned that second stage study may not be forthcoming GOWM not expressed a will for second stage study No political will from BDC and SOADC for commissioning second stage study

RBC STATEMENT OF COMPLIANCE WITH THE DUTY TO COOPERATE – MARCH 2014

Date	Mechanism	What happened?
September 2008	RBC response to BDC Town Centre AAP (Issues and Options)	<ul style="list-style-type: none"> • RBC fully supported statement “centre to serve their local communities in terms of retail provision, access to services and cultural and leisure facilities. The role of Bromsgrove Town Centre is not to provide retailing facilities for those from other districts and nearby rural settlements” and AAP's recognition of the role of Bromsgrove Town Centre in line with Policy PA12B Non-Strategic Centres - West Midlands Regional Spatial Strategy Phase Two Review (Preferred Options) • RBC questioned appropriateness of wording when considering the role of Bromsgrove as set out in the WMRSS "expanded retailing so the town can compete with other shopping centres." • RBC considered it inappropriate to attract shopping from elsewhere other than to meet local needs of Bromsgrove • The response was considered alongside all other responses at the issues and options stage and fed into further iterations of the AAP, no further comments were received from RBC on subsequent versions and therefore the issues are considered resolved.
9 December 2008	RBC - WMRSS Preferred Option responses	<ul style="list-style-type: none"> • Elements of BDC and RBC response agreed and sent jointly. Namely: Climate change, Creating Sustainable Communities, Emphasis on development on brownfield land, Sustainable design and construction, Spatial Strategy Objectives, Planning in Partnership, The Sub-Regional implications of the Strategy (Worcestershire), Communities for the future, Improving air quality for sensitive ecosystems, The Spatial Strategy, Housing within the MUAs, Level and distribution of new housing development, Quality of the environment – Waste policies, Transport and accessibility • BDC and RBC objected to Redditch SSD (Settlement of Significant Development) designation • BDC, RBC and SOADC asks for the Redditch growth level to be split between authorities
8 December 2008	BDC - WMRSS Preferred Option responses	<ul style="list-style-type: none"> • BDC objected to Redditch growth level accommodated adjacent to Redditch citing alternative more strategically viable sites within the District • BDC and RBC objected to Redditch SSD designation • BDC, RBC and SOADC asks for the Redditch growth level to be split between authorities • Elements of BDC and RBC response agreed and sent jointly
3 December 2008	SOADC - WMRSS Preferred Option responses	<ul style="list-style-type: none"> • SOADC stated that evidence suggests that its necessary for Bromsgrove and/or Stratford-on-Avon Districts to take more than the 3,300 dwellings initially stated in the emerging RSS Revision • BDC, RBC and SOADC asks for the Redditch growth level to be split between authorities • The findings of the study (WYG2) should be incorporated into the final version of the RSS. This would enable the RSS to specify that none of the Redditch housing requirement would be accommodated in Stratford-on-Avon District
Cabinet Report 5 March 2008	WCC – WMRSS Preferred Option responses	<ul style="list-style-type: none"> • Without acceptable further explanation, WCC cannot support the policy amendment in relation to Redditch's designation as an SSD

RBC STATEMENT OF COMPLIANCE WITH THE DUTY TO COOPERATE – MARCH 2014

Date	Mechanism	What happened?
8 December 2008	GOWM - WMRSS Preferred Option responses	<ul style="list-style-type: none"> • GOWM stated it would be helpful if RSS could be more specific in relation to Redditch allocations in neighbouring Districts • Suggested questions that the Panel might consider included: <i>“Does the draft RSS provide sufficient clarity to local authorities in preparing LDFs about the allocation of housing where there are cross border allocations, such as around Redditch?”</i>
9 December 2008	RBC response to Nathaniel Lichfield & Partners (NLP) Report	<ul style="list-style-type: none"> • RBC objected to NLP Report proposing additional growth towards Redditch in Bromsgrove District due to its SSD designation
April 2009	RSS Examination	<ul style="list-style-type: none"> • RBC, BDC and SOADC continuing to request a split target for both housing and employment • RBC, WCC and BDC objected to SSD designation • WCC suggest Redditch growth restricted to natural growth • RBC supported principle of accommodating natural growth but concerned that accommodating PO level of development undermines urban renaissance • RBC objected to NLP Report proposed increases to Bromsgrove and suggestion to direct towards Redditch • RBC submitted that studies (listed) provide up to date evidence • RBC and BDC suggested housing numbers a matter for panel but locations a matter for CS • BDC objected to level of Redditch growth within Bromsgrove and/or Stratford; re implications for Bromsgrove green belt • BDC now commented that housing 'overspill' can only about Redditch border and not be allocated to more appropriate sites in Bromsgrove
September 2009	RSS Phase 2 Panel Report	<ul style="list-style-type: none"> • Inspectors conceded that these Authorities needed a steer • Recommended 7000 dwellings for Redditch’s needs, this is rounded up • Around 3000 of the 7000 dwellings to be located adjacent to Redditch in Bromsgrove District (Panel Report p.88, Recommendation R3.1). Paragraph 8.84 p.194 states <i>“We agree, however, with Bromsgrove Council that the choice of locality around the boundary of Redditch should be locally determined whether at or adjacent to the Webheath/Foxlydiate or Brockhill ADRs or in the Bordesley Park area or in some combination of these possibilities or elsewhere”</i>. • Provision in Redditch should be at least 4,000 dwellings • The balance of employment to be located adjacent to Redditch in Bromsgrove District • Universally recognised Redditch has limited capacity • Provision in Redditch purely to meet local needs, not wider regional needs • Recommended removal of Redditch as SSD

Date	Mechanism	What happened?
		<ul style="list-style-type: none"> • Given constraints and overlapped travel to work area with MUA larger housing allocations not appropriate at Redditch • Green Belt review explicitly required to facilitate the development at Redditch in BD or SOAD • Disposition recognised to have not been resolved by the Councils. WYG Report intended to resolve issue, but did not • Near to Alvechurch, parts of Bordesley Park in clear view, some ADR and adjacent land appear well contained in landscape terms • No good reason to reverse October 2008 Study (WYG1) conclusions identifying parts or all of ADRs • Would have favoured development between Redditch and Studley on landscape and character grounds alone • Difficult to develop towards Studley or eastern Redditch fringe unless funded proposals solve traffic problems • Choice of locality around Redditch boundary to be locally determined • Important for closely aligned timetables and coordinated Examination
8 February 2010	Joint PINS Briefing	<ul style="list-style-type: none"> • Purpose was to consider what had been done so far in preparation of the two Plans and identify matters which may be problematic in terms of soundness • Cross boundary issues appear to present the greatest obstacle to the Plans' progress • Joint growth options for Redditch consultation is a promising start to joint working • There is still a lot of evidence-based work to undertake to inform the decision-making process • There appears to be some doubt as to which Plan is 'responsible' for cross-boundary strategic sites – PINS view is that both Plans have responsibility • Information should be collected and assessed on a joint basis and should be in place before either Plan is submitted • The matter of deliverability goes to the heart of both Plans and is a matter that should be jointly addressed • The issue of demonstrating the most sustainable and deliverable sites needs to be dealt with in both Plans, or their evidence bases, and the only sensible way to do so is through joint working • The Councils have set up a Joint Planning Board and a Joint Planning Advisory Panel which will provide the mechanism through which cross boundary issues can be aired • PINS welcomes the RSS Panels comments regarding the close alignment of Examination timetables • Options for 'swapping' employment/ housing allocations on SOAD/ BD land need to be explored jointly • Views of WMRA would need to be sought on the question of the effect these options would have on the general conformity of the Plans with the RSS • At any such Examination, it is critical that the two Councils are in a position to present a united front and produce robust evidence in support of their joint proposals • Any housing that is being provided specifically to meet RBs needs should go towards RBCs 5 year land supply • The same principle applies to employment land • If there is evidence which indicates a difference in house types to meet BDC or RBC needs, there is no inconsistency

RBC STATEMENT OF COMPLIANCE WITH THE DUTY TO COOPERATE – MARCH 2014

Date	Mechanism	What happened?
		<p>in the BDC Plan containing separate policies to deal with these requirements</p> <ul style="list-style-type: none"> • Capacity may be less than the Panel Report estimates. It should be possible to identify sufficient land to build in an element of flexibility • Cross boundary development will involve removing land from the Green Belt. Proposals affecting the GB should relate to a timescale beyond the Plan period. If this is not the case, clear reasons need to be given • Dealing with infrastructure costs, CIL etc jointly would benefit from BDCs previous experience when dealing with matters such as the Longbridge AAP
8 February to 30 April 2010	Joint development options consultation for Redditch expansion	<ul style="list-style-type: none"> • Consultation for development targets for RB as recommended by the RSS Phase 2 Panel Report and options for accommodating the required development in BD
6 July 2010	DCLG letter from Chief Planner announcing revocation of RSSs	<ul style="list-style-type: none"> • Revocation of RSSs announced with immediate effect • Q&A attachment stressed that local authorities would be responsible for establishing the right level of local housing provision without the burden of regional targets • Q&A attachment also stressed the importance of transparent justification for the housing numbers that should be based upon reliable information and defended at Examination • Subsequent issues arose following this announcement relating to the legality of the process and the need for SEAs to be undertaken before revocation could take place • After the change of Government and RSS revocation announcement: <ul style="list-style-type: none"> - BDC reverted to its pre RSS stance in resisting the large scale GB releases to meet RBC needs - RBC adopted a capacity-led approach and communicated a lack of political appetite for growth despite the evidence • Joint working halted in late 2011
21 January to 31 March 2011	Revised Preferred Draft Core Strategy consultation	<ul style="list-style-type: none"> • Consultation for 3200 dwellings (2006 to 2026). This target was based on the currently identified deliverable sites within Redditch • RPDCS stated that <i>“later in 2011, following more detailed evidence being collected and once some further clarity on the correct mechanisms for dealing with the Redditch growth issue is established, the Borough Council will be in a position to consult on all issues, both cross boundary and internal growth.”</i>
21 January to 15 April 2011	RBC officer response to BDC Draft CS2	<ul style="list-style-type: none"> • Highlights that Plan fails to address cross boundary issues • Offers to work collaboratively with BDC to research any new or emerging guidance on determining a locally derived housing requirement, other development requirements and to develop shared approaches which are consistent and which should be considered sound at Examination

RBC STATEMENT OF COMPLIANCE WITH THE DUTY TO COOPERATE – MARCH 2014

Date	Mechanism	What happened?
March 2011	County-wide SHMA commissioned (Published February 2012)	<ul style="list-style-type: none"> • All six Worcestershire Authorities jointly commissioned the preparation of a SHMA to evaluate existing housing stock, analyse the future housing market and project the needs of future households which might occur under different scenarios • The SHMA included separate Overview Reports for each Local Authority, which focussed on key areas and presented a more detailed individual authority narrative • RBC supplemented the SHMA Report with a further Annex (May 2012) to identify a specific housing requirement for Redditch
15 November 2011	Localism Act comes into force	<ul style="list-style-type: none"> • Insertion into the P&CP Act 2004 of “<i>Duty to co-operate in relation to planning of sustainable development</i>” • LPAs must co-operate to maximise the effectiveness of development plan preparation • The duty imposed requires constructive, active and on-going engagement
27 March 2012	Publication of the NPPF	<ul style="list-style-type: none"> • “<i>Planning strategically across local boundaries</i>” – paras 178-181 set out guidance for effective co-operation
27 April 2012	PINS briefing with Joint Management Team, RBC and BDC Members	<ul style="list-style-type: none"> • PINS advice at this meeting was interpretation of the intention of how the new planning system will work • Recognition that the situation had become more complicated without the regional tier • Emphasis on Duty to Cooperate • It would be a problem if the LA did not seek cooperation. This is a legal issue and there is nothing PINS can do about it • PINS considered that the Councils could demonstrate the Duty to Cooperate based upon what had already been done jointly • If there is a need to cooperate, can cooperation be demonstrated and is the outcome effective? • 5 years land supply would need to be demonstrated in the Plan and questioned whether the authorities were ‘persistent under deliverers’. LPAs would need to take into account peaks and troughs in the property market potentially over a 6-10 year period. If a 5 year supply of land cannot be demonstrated then LPAs vulnerable at appeal • A robust housing figure would be needed which was capable of withstanding challenges made at the Examination • Highlighted the tension between the notion of localism and the presumption in favour of sustainable development • Government priority is the delivery of houses and local views cannot ‘trump’ a national policy • PINS accepted the principle that the two plans could be brought forward in parallel but neither authority would be able to progress significantly ahead of the other
3 May 2012		<ul style="list-style-type: none"> • As a result of the local elections in May 2012 there was a change of political control to Labour at RBC
5 July 2012	RBC Leader Duty to Cooperate letter to BDC Leader	<ul style="list-style-type: none"> • Intention of letter is to establish the first formal agreement of joint working under the new Duty to Cooperate • States LPA responsibilities under Localism Act • States relevant NPPF Guidance • States that PAS has suggested various forms of evidence to demonstrate compliance with the Duty to Cooperate

RBC STATEMENT OF COMPLIANCE WITH THE DUTY TO COOPERATE – MARCH 2014

Date	Mechanism	What happened?
		<ul style="list-style-type: none"> • Outlines RBC issues of limited development capacity and the possibility of accommodating development to the north/north west of Redditch in BD, preferably contiguous to the boundary • Stresses the importance of addressing the Duty to Cooperate issues as soon as possible in the plan making process • States that PINS is unable to assist LPAs in resolving Duty to Cooperate problems and that all issues must be resolved before plans are submitted for Examination
3 August 2012	BDC Leader's response to RBC Leader's Duty to Cooperate letter	<ul style="list-style-type: none"> • Acknowledges BDCs responsibility under Duty to Cooperate and that BDC will be happy to formally open discussions with RBC • Acknowledges the issue of BD accommodating Redditch growth needs has challenged both LPAs for a number of years without resolution • RBC request for joint working is a step closer to securing some certainty on this issue which will allow both LPAs to prepare and adopt sound development plans • BDC officers have been instructed to continue working with RBC officers in an attempt to find a mutually acceptable solution to the issue
6 December 2012	Joint Member Briefing	<ul style="list-style-type: none"> • Member briefing in Bromsgrove for Members from both Councils to present the findings of the Green Belt Review and the identification of locations for cross boundary growth
18 February 2013	Redditch Full Council	<ul style="list-style-type: none"> • RBC Members voted not to endorse consultation material on cross boundary growth and hence not proceed with planned joint consultation on this issue nor with emerging Local Plan No 4
21 February 2013	BDC Leaders Duty to Cooperate letter to RBC Leader	<ul style="list-style-type: none"> • Reminds RBC of Duty to Cooperate • Asks RBC to reconsider Executive decision • States that BDC resolved to go out to consultation on issue but would delay start of consultation to give RBC time to reconsider
25 March 2013	Redditch Full Council	<ul style="list-style-type: none"> • Members reconsidered the decision taken on 18 February and voted to endorse the consultation material on cross boundary growth and emerging Local Plan No.4
1 April to 15 May 2013	Joint Housing Growth consultation	<ul style="list-style-type: none"> • Joint consultation for two cross boundary development locations in BD, contiguous to RB. Site 1 – Foxlydiate (2400 dwgs) and Site 2 – Brockhill East (600 dwgs)
23 April 2013	DCLG letter from Chief Planner announcing formal revocation of the WMRSS	<ul style="list-style-type: none"> • Letter informs that the Order to revoke the RSS had been laid before Parliament and the Order would come into force on 20 May 2013
30 September - 11 November	Publication of Bromsgrove District	<ul style="list-style-type: none"> • Aligned publication of both Plans at Proposed Submission stage and aligned period for representations with a view to eventual aligned date for Submission stage and Examinations in Public.

RBC STATEMENT OF COMPLIANCE WITH THE DUTY TO COOPERATE – MARCH 2014

Date	Mechanism	What happened?
2013	Plan 2011-2030 and Redditch Local Plan No 4 (Proposed Submission version)	
30 September 2013	Publication of IDPs	<ul style="list-style-type: none"> • IDP evidence to support delivery of both Plans involved joint working and consultation with infrastructure providers to produce individual IDPs with identical joint transport sections
10 December 2014	CLG briefing with Joint Management Team, RBC and BDC Officers	<ul style="list-style-type: none"> • CLG advice at this meeting regarding next steps if there was a rise in housing / employment numbers as a result of the Worcestershire SHMA refresh and GBSLEP Study • CLG advised that it would be logical for RBC and BDC to join up with the South Worcestershire Councils in providing an updated Objective Assessment of Housing Need for Worcestershire and to wait until this work was concluded before progressing to submission. • The outcomes of the GSSLEP study can be dealt with at later stages of the plan period and there is no need to include capacity for Birmingham's needs in the current plans until the need within the LPA's areas are clearly established.
December 2013	County-wide SHMA Re-refresh commissioned	<ul style="list-style-type: none"> • The Worcestershire SHMA (2012) was submitted as part of the evidence base with the South Worcestershire Development Plan Submission Document. Following the Initial Hearing sessions the Inspector published his Interim Conclusions which outlined how the SHMA should be revised to help provide an updated Objective Assessment of Housing Need • All six Worcestershire Authorities jointly commissioned the preparation of a SHMA refresh. • The work commissioned recognises that demographic and jobs change circumstances in the South and North of the County of Worcestershire vary. The SHMA refresh therefore has in-built flexibility in both original and the updated studies to enable different scenarios to be applied on a sub-regional basis whilst employing the same core data and methodologies including sensitivity scenarios. • SMHA Re-refresh accepts that there is a degree of overlap in North Worcestershire and specifically Bromsgrove and Redditch districts with the Birmingham metropolitan area housing market area. • BDC and RBC will supplement the SHMA Re-refresh to develop further the migration scenarios to consider the implications for housing need arising from internal migration within the Birmingham metropolitan housing market area (which includes Redditch and Bromsgrove Districts) and from potential unmet housing need arising from Birmingham.
March 2014	CLG briefing with Joint Management	<ul style="list-style-type: none"> • CLG advice regarding the additional work (Edge Analytics) carried out for the North and South Worcestershire Council's which takes account of new trend-based scenarios and further sensitivity scenarios taking account of an

RBC STATEMENT OF COMPLIANCE WITH THE DUTY TO COOPERATE – MARCH 2014

Date	Mechanism	What happened?
	Team, RBC and BDC Officers, RBC Leader, BDC Leader & Portfolio Holder	uplift of migration rates. <ul style="list-style-type: none"> • CLG agreement in the logic of BDC and RBC taking account of Birmingham City's potential housing need • CLG did not identify and reasons to postpone submission of BDC and RBC plans • CLG considers draft version of the overall viability work to be sufficient for submission provided it is closely followed by final report which aligns with draft findings • CLG advised that there is no update on the housing standards review

9. Issues

9.1 The following cross boundary strategic issues have been identified jointly by RBC and BDC:

Unmet Redditch Housing need;
Unmet Redditch Employment need;
Infrastructure Delivery.

9.2 The Section below explains key issues and options that have arisen and been addressed by Redditch Borough Council and its Bromsgrove District Council neighbour.

10. Issue: Unmet Redditch Housing Need

10.1 Background

10.2 It was established early on in the Phase 2 review of the WMRSS that there were limits to Redditch Borough's capacity to accommodate the required levels of sustainable development. RBC has explored its development capacity in detail but still has a shortfall of available and suitable land to meet its development needs. By way of introduction to the RBC/BDC issue of resolving unmet housing need, this background information sets out the housing requirement and then details the undertakings to explore capacity within the Borough, firstly focussing on the urban area, and then on Green Belt and Areas of Development Restraint (ADR).

10.3 Redditch Housing Requirement:

10.4 Although the regional planning tier has been removed, the evidence that underpinned the RSS is still considered to be robust as it has been scrutinised through the RSS Examination process. In order to move away from Government set housing targets, the NPPF promotes setting locally derived requirements as long as they are based on robust evidence, which meets the full objectively assessed housing need.

10.5 Undertaking a Worcestershire-wide Strategic Housing Market Assessment (SHMA) presented the six Worcestershire Authorities with the opportunity to determine housing requirements based on more up-to-date population projections than those used in the RSS evidence base. The SHMA (Feb 2012) presented a range of scenarios, within which development requirements should fall. RBC undertook further SHMA work to take account of migration issues raised in the main SHMA report in order to pinpoint a robust housing requirement figure on which to progress a sound Local Plan.

- 10.6 The SHMA Annex (May 2012) concluded that Redditch related housing need equated to 340 dwellings per annum/ 6400 dwellings over the Plan period. Redditch has limited capacity to meet this need within its administrative boundary.
- 10.7 In December 2013, all six Authorities jointly commissioned the preparation of an update to the Worcestershire SHMA (2012) to help provide an updated Objective Assessment of Housing Need. The Councils have received the Draft North Worcestershire Demographic Forecasts in March 2014.
- 10.8 This work recognises that demographic and jobs change circumstances in the South and North of the County of Worcestershire vary. The SHMA update of 2014 also accepts that there is a degree of overlap in North Worcestershire and specifically Bromsgrove and Redditch with the Birmingham metropolitan area housing market area.
- 10.9 RBC and BDC have asked for further additional work to supplement the 2014 SHMA update to address the specific circumstances influencing housing requirements in these areas. Specifically, Redditch Borough and Bromsgrove District intend to develop further the migration scenarios to consider the implications for housing need arising from internal migration within the Birmingham metropolitan housing market area (which includes Redditch and Bromsgrove Districts) and from potential unmet housing need arising from Birmingham.
- 11.1 Redditch Urban Capacity:
- 11.2 There has been a lot of debate and speculation about Redditch's urban capacity throughout the RSS process. RBC took an open book approach to its SHLAA throughout the process, and agreed to external scrutiny on numerous occasions. Initially the capacity was scrutinised by participants in the RSS Examination process including developers, agents, adjoining authorities, other government bodies and indeed the Panel itself. Furthermore, both WYG 1 and WYG2 considered the Redditch internal capacity issue, including a full review and a review of previously dismissed sites and all open spaces and ecological sites within the town. Throughout all of these processes there has been no significant additional capacity identified.
- 11.3 The first Redditch SHLAA was undertaken in 2008. At this point in time, due to the awareness of the probable shortfall in capacity within the Borough, RBC and BDC officers worked closely together to develop an aligned SHLAA methodology and site assessment appraisal process. There was an acknowledgement by both Local Authorities that, although there was no firm conclusion that BDC would meet Redditch's housing capacity shortfall in its District, joint SHLAA preparation offered

an appropriate opportunity to develop an aligned methodology should a joint capacity evidence base be required in the future. Once the methodology and appraisal processes were agreed, both LAs proceeded to assess sites within their administrative boundaries separately.

- 11.4 Following the RSS revocation announcement, BDC wished to further assess the capacity of the urban area so it could be satisfied that Redditch growth needed to be met in Bromsgrove District and prudent use of its Green Belt could be clearly justified to residents and members. Officers from both authorities undertook a thorough review of a range of various sites which RBC officers had previously dismissed from contributing towards its capacity. In all, 42 sites were considered as part of this exercise. This exercise offered a joint opportunity for frank and open scrutiny of the RBC SHLAA methodology and the opportunity to discuss the conclusions drawn regarding the appropriateness of site dismissals, especially in the context of RBCs high open space standard. As a result, there was no significant additional capacity identified and BDC concurred with the original RBC SHLAA conclusions.
- 11.5 Redditch Green Belt and ADR:
- 11.6 The recommended policy stance about the future status of Green Belt and ADR land within Redditch has become a confusing matter during the course of the plan-making process. The Redditch capacity assessments which informed the RSS process before spatial options were developed, excluded Green Belt development within Redditch. However once the RSS Preferred Option was released it became clear that growth in Redditch would be a lot higher than previously anticipated and would require Green Belt and ADR land to be considered as available capacity. As part of RBCs response to RSS consultation, it was stated that development in the Green Belt to the south west of Redditch's urban area was highly unlikely to be deliverable due to constraints and should be discounted from offering any capacity contribution at an early stage. WYG1 did not appear to imply that there would be any issues with including ADR or Green Belt in north Redditch for development. However by the time WYG2 was produced the consultants had reversed this conclusion.
- 11.7 The RSS Panel report concluded that there were no valid reasons to exclude ADR land, and the Panel report recommendations about growth and Green Belt around Redditch would suggest that the principle of development at northern Green Belt areas was necessary. Subsequently a planning application was submitted for 200 dwellings and 5000 sqm. of B1 office development on the Brockhill ADR at Weights Lane. The open space element of the proposal was located cross boundary in Bromsgrove District. As a consequence of this, both LAs considered and subsequently approved the planning application.

This proposal enables the ADR to be opened up at its eastern extent to ensure appropriate connectivity with Brockhill East (west of the railway) and the existing highway network. It was important that both LAs recognised the importance of enabling delivery of this site in order to secure opportunities and access to the wider northern Green Belt area both within Redditch Borough and beyond the Borough boundary in Bromsgrove District.

- 11.8 The RSS Panel recommendation to consider meeting Redditch needs cross boundary, acknowledges the RBC stance that development within the Borough in the south west Green Belt at the levels being proposed was unsuitable at that time. Further consideration of all the sites around Redditch was carried out as part of the Housing Growth Development Study (2013), which is discussed further below.

12. The unmet Redditch housing needs Issue:

- 12.1 Since the Panel Report was released Bromsgrove and Redditch Councils undertook a joint consultation on Redditch growth options (Feb 2010). The consultation focussed on three broad locations for development options in an arc to the north/ north west of Redditch's urban area. The Councils' received mixed opinions about the public preference for preferred locations for growth.
- 12.2 Since that time, the Government announced the revocation of the RSS which caused confusion and subsequently some delay in reaching a commitment to having a robust housing requirement from RBC and agreement from BDC to meet the growth requirements for Redditch. However, the six Worcestershire Districts did establish an up to date local evidence base through the Strategic Housing Market Assessment (SHMA). The draft findings of the SHMA, which presented a range of development scenarios for all six LAs, were presented to all LA members. As the SHMA was being finalised (2012), the NPPF was published and a joint discussion with PINS was undertaken with Members from both LAs to consider an appropriate way forward for both LAs Plans.
- 12.3 In May 2012, there was a change in political governance at RBC and an Annex for Redditch growth was undertaken to further analyse the SHMA scenarios and establish a housing requirement for Redditch.
- 12.4 With the two authorities of Bromsgrove and Redditch understanding the housing growth implications and levels of growth necessary, collaboration recommenced to find the Authorities' preferred growth location and this itself involved the investigation of a number of options. The collaborative approach of officers was underpinned by the formal acknowledgement and acceptance of the Duty to Cooperate by the Leaders of both LAs.

13. Options for resolving unmet Redditch housing need:

- 13.1 The option to deal with collaborative plan-making across administrative boundaries culminated in the preparation of the Housing Growth Development Study, which involved Broad Area Appraisals of all 20 areas around Redditch's urban area identified in WYG1, followed by Focussed Site Appraisals in the areas deemed to have the most growth potential. Undertaking the Study included joint team meetings to set out a methodology and a joint survey team to undertake the on-site assessments. The site assessments and subsequent Sustainability Appraisal led to the development of scenarios for alternative growth locations and a joint preferred option.
- 13.2 The identification of a preferred option for development led to the development of a cross boundary housing growth policy, which was the subject of a joint consultation period in April and May 2013. The consultation period and subsequent response to representations work was undertaken jointly by both Councils.

14. Outcome:

The outcome has resulted in both Plans preparing for concurrent proposed Submission/ Submission. BDCs District Plan includes a policy called 'Redditch Cross Boundary Development' jointly prepared and agreed by both Councils (within the Plan), which is included as a referenced Appendix in the RBC Local Plan.

15. Issue: Unmet Redditch Employment need

- 15.1 There has persistently been a call from the three authorities of RBC, BDC and SOADC for an indication of a development requirement split, mainly so that Bromsgrove and Stratford Councils have some clarity about what their plans would need to deal with. The RSS Panel recommended that the cross boundary employment provision be met through provision of at least 12 ha within SOAD, west of the A435 and the balance remaining out of a total of up to 37 ha in BD at a location or locations to be agreed in the RBC and BDC Plans.
- 15.2 Cross boundary provision of land for employment use is an issue which has previously been addressed by BDC in relation to RBC shortfall. The Ravensbank Business Park to the north east of the Borough was allocated for up to 30 ha of development in the Bromsgrove District Local Plan (2004) (policy E2). Furthermore, the Bromsgrove District Local Plan made provision for an Area of Development Restraint of 10.3 ha to the south east of the allocated land at Ravensbank (policy BE3). The purpose of the ADR was to satisfy possible future Redditch employment needs, beyond the Plan period.

16. Options:

- 16.1 Two options were viable to investigate, firstly cross boundary provision at Ravensbank and within SOAD, and secondly, identification of alternative employment locations in other BD areas analysed through the Housing Growth Development Study. A limited amount of land with employment opportunities was identified through the HGDS in an alternative location. However, the analysis concluded that this land was not needed as sufficient land was available to meet Redditch's employment needs at Ravensbank and it was therefore unnecessary to release further Green Belt land in this location for employment purposes.

17. Outcome:

- 17.1 There was sufficient land (15 ha) at the Ravensbank ADR coupled with outstanding capacity at the Ravensbank Business Park, in a location where employment development was already established and further cross boundary opportunities with SOADC were emerging. Both BDC and SOADC acknowledge the need to meet this requirement for Redditch within their Plans.

18. Issue: Infrastructure Delivery

- 18.1 It has long been recognised that critical discussions on infrastructure capacity and planning may be more effectively and efficiently carried out over a larger area than a single local planning authority area. Paragraph 179 of NPPF states that LPA's should consider producing joint planning policies on strategic matters and informal strategies such as joint infrastructure and investment plans.
- 18.2 Infrastructure needs are not necessarily constrained by LA administrative boundaries and both authorities need an understanding of the impact of development on their areas. It was acknowledged that the cross boundary sites in particular would impact on infrastructure in both authorities for example; schools, drainage and highways and a detailed understanding of these joint aspects was therefore essential. Both authorities also need to demonstrate that their plans are deliverable which means ensuring that the infrastructure needs of development are identified and viable.

19. Options:

- 19.1 Three options were explored to approach Infrastructure Delivery in both authorities:
1. Authorities to work separately, duplicate work and prepare IDPs which may be complementary. This was considered to be a waste of resources and may have stored up future problems.

2. Authorities to share resources and work efficiently together to prepare independent IDPs. This was the method chosen as it made sound economic sense for both authorities to work together in obtaining information from infrastructure providers. The sharing of resources meant that efficiencies in the use of resources could be made for the authorities (and the infrastructure providers) in collecting similar information for both authorities at the same time.
3. Authorities to work together to prepare joint IDP. This option was not considered realistic as both authorities have independent and separate Plans containing growth and policies which are unrelated to the other area.

20. Outcome:

- 20.1 Joint working on collecting up to date information was carried out. This involved compiling Infrastructure packs which were sent to infrastructure providers. The infrastructure packs explained background context in both areas: the purpose of the consultation and what information was needed. The joint working also involved the sharing of contact databases; joint meetings where necessary with various infrastructure providers; agreeing a joint section on transport to be included in both IDPs and agreeing the next steps.
- 20.2 Both Authorities now have draft IDPs which are fully informed by up to date information from infrastructure providers to support the delivery aspects of both Plans. It should be noted that due to the nature of the transport IDP work it proved impossible to separate this work out between the two authorities, so an agreed replica section is included in each document. These IDPs are 'live' documents and capable of being updated as new evidence emerges. It is planned to consult on the draft IDP's at the same time as the Publication of the Proposed Submission documents are published from 30th September to 11th November 2013. It is intended that if any new evidence on infrastructure delivery is received this will be reviewed and incorporated into revised Infrastructure Delivery Plans as appropriate before final Submission of the Redditch Local Plan No 4 and Bromsgrove District Plan.

21. Plan-making evidence base

- 21.1 To underpin the premise of collaborative working by the two Local Authorities, several studies have been undertaken or commissioned, which form a Joint Evidence Base, upon which both Plans rely:
 - WYG1 (Dec 2007);
 - SHLAA – shared methodology (2008);

- WYG2 (Jan 2009);
- Bromsgrove and Redditch Strategic Flood Risk Assessment Level 1 (2009);
- Bromsgrove and Redditch Scoping Water Cycle Study (Jan 2009);
- Green Infrastructure Baseline Report (2010);
- SHLAA – interrogation of RBC SHLAA by BDC (Oct 2011);
- Bromsgrove and Redditch Strategic Flood Risk Assessment Level 1 (2012);
- Worcestershire SHMA (Feb 2012);
- Worcestershire SHMA - Redditch Updated Household Projections Annex (May 2012);
- Bromsgrove and Redditch Outline Water Cycle Study (May 2012);
- Housing Growth Development Study (Jan 2013);
- Bromsgrove and Redditch Cross boundary sites (transport modelling) (Jan 2013);
- Hewell Grange Estate – Setting of Heritage Assets Assessment (Jan 2013);
- Infrastructure Delivery Plan (March 2014);
- North Worcestershire Demographic Forecasts (March 2014)

Stratford-on-Avon District

Background

22. Redditch Urban Capacity

- 22.1 It was established early on in the Phase 2 review of the West Midlands Regional Spatial Strategy (WMRSS) that there are limits to Redditch Borough's capacity to accommodate the required levels of development sustainably. RBC acknowledged the need to look cross-boundary in both Stratford-on-Avon District and Bromsgrove District. RBC therefore commissioned, jointly with Stratford-on-Avon DC, Bromsgrove DC, Worcestershire CC and Warwickshire CC consultants White Young Green to complete a 'Joint Study into the future growth implications of Redditch Town to 2026' (December 2007; known as WYG1). This study assessed parcels of land around the urban area of Redditch but did not draw conclusions about a preferred location(s) for cross-boundary development. A Stage 2 study (November 2008; known as WYG2) was therefore commissioned which identified a preferred location for the majority of cross-boundary development in Bromsgrove District. WYG2 also concluded that the area of land known as Winyates Green Triangle which is in Stratford on Avon District and adjacent to Redditch Borough would be suitable for B1 development (rather than residential development which WYG1 assessed it for).
- 22.2 Both WYG1 and 2 were submitted as evidence to the WMRSS Phase 2 review examination. Whilst the conclusions of WYG2 were largely discredited by the examination panel, the Panel Report did conclude that development in the Studley area of Stratford would be inappropriate and that cross boundary development in Bromsgrove District would be more likely to result in a more sustainable pattern of development (WMRSS Phase 2 Review Panel Report para 9.07). The Panel Report also recommended that provision should be made for 12 hectares of employment land to be located to the west of the A435 road in Stratford District to meet Redditch's needs (see section below on Employment allocations).
- 22.3 The joint commissioning of these studies and the agreement between RBC and SOADC at the WMRSS Examination in Public shows that cooperation between the two authorities to deal with Redditch's urban capacity issues began early on in the plan making process. The authorities agree on the issues (detailed below) and the need for them to be resolved with on-going cooperation between the two authorities (see options below).

23. Issues

23.1 Issue 1: Employment allocations in Stratford on Avon District to meet Redditch's needs

- 23.2 As stated above, the WMRSS Phase 2 review panel report recommended that provision should be made for 12 hectares of employment land, located to the west of the A435 road, in Stratford on Avon District to meet Redditch's needs. This recommendation was accepted by SOADC and to reflect this, the site known as Winyates Green Triangle, was included in the Stratford on Avon Core Strategy Draft Document published for consultation in 2007; the RBC response to this consultation was supportive of this inclusion (letters from RBC to SOADC January 2008 and March 2008). The next version of the SOADC Core Strategy, published in February 2010 for consultation continued to make provision for employment development at Winyates Green Triangle. The RBC response (initial letter of 23 March 2010) was again supportive of this but following endorsement at RBC Executive Committee, RBC submitted an additional response to SOADC (letter of 28th May 2010). This additional response informed SOADC that RBC had been made aware of a potential alternative site to Winyates Green Triangle, known as Gorcott, which could meet employment development needs for Redditch in SOA District. Subsequently, the Stratford on Avon Draft Core Strategy published for consultation in 2012 makes provision for the suitability of land at Gorcott to be assessed for employment use. The RBC response (letter of 29th March 2012) is supportive of this inclusion.
- 23.3 In addition to the development planning work being carried out by RBC and SOADC, Worcestershire County Council (WCC) has identified the Winyates Green Triangle and Gorcott land as well as land known as Ravensbank ADR located in Bromsgrove District as the 'Redditch Eastern Gateway'. WCC has determined through its Draft Infrastructure Strategy (Published for consultation in January 2013) that this should be one of the County's priority sites for economic development¹. Discussions are now taking place between the relevant land owners and Councils (Redditch Borough, Stratford-on-Avon District, Bromsgrove District, Worcestershire County and Warwickshire County) regarding the delivery of the Redditch Eastern Gateway. In addition, a report has been completed by consultants Amion on the economic benefits that could be realised from the delivery of this site for Redditch and the surrounding areas. This report was commissioned by North Worcestershire Economic Development and Regeneration on behalf of BDC, RBC and SOADC.

24. Issue 2: A435 ADR and Adjoining Lands

- 24.1 There is a linear area of land located to the east of Redditch Borough and to the west of the A435 road. It is bounded by the A435 road and Far Moor Lane/Claybrook Drive. Within this vicinity the land in Redditch

¹ See Worcestershire Infrastructure Strategy at:
<http://www.worcestershire.gov.uk/cms/strategic-planning/infrastructure-planning.aspx>

Borough is designated as Area of Development Restraint (ADR) and the land in Stratford on Avon District is 'white land' i.e. it has no planning designation. To the east of the A435 road the land within Stratford on Avon District is designated as Green Belt. In the northern parts, the area is bisected by the Borough's boundary with Stratford on Avon District (also the County boundary between Worcestershire and Warwickshire); for the most part, the boundary is a somewhat arbitrary line. RBC, with cooperation from SOADC, completed a review² (February 2013) of the development potential of this area which makes recommendations on the potential locations and type of development, disregarding the somewhat arbitrary administrative boundary. The amount of development that could be accommodated in this area is considered to be limited and not of 'strategic' importance. The RBC review suggests potential for 345 dwellings (RBC SHLAA) and 7.78 hectares of employment land (of which less than 1 hectare falls within Stratford on Avon District). The RBC SHLAA included the land within Redditch Borough because it is necessary to demonstrate the full urban capacity of the Borough and because of the Local Plan style approach. SOADC is taking a different approach to RBC, with a Core Strategy allocating only strategic sites and a Site Allocations document to follow. SOADC has not identified for development any of the land within this area and falling within its District. It is not proposing any alteration to the Green Belt boundary in the vicinity. Previous iterations of the Core Strategy had proposed both Green Belt and Area of Development Restraint Designations to which RBC objected based on the potential need for the land to be used to meet Redditch's needs.

25. Options to deal with the issues

- 25.1 It has been demonstrated through the preparation process of both the Borough of Redditch Local Plan No.4 and the Stratford on Avon District Core Strategy that both authorities recognise the issues associated with Redditch's urban capacity and meeting identified development need.
- 25.2 In relation to *Issue 1: Employment allocations in Stratford on Avon District to meet Redditch's needs*, discussions are on-going between all of the relevant authorities including the two county councils as highway authorities and the landowners regarding the delivery of the Redditch Eastern Gateway. SOADC has confirmed its intention to identify this strategically important proposal in its Proposed Submission Core Strategy, which is due to be published in May 2014.
- 25.3 With regards to *Issue 2: A435 ADR and Adjoining Lands*, SOADC submitted a representation to Redditch's Proposed Submission version of the Local Plan. Stratford's representation was accompanied by a

² A Review of the A435 ADR and Adjoining Land can be viewed at:
<http://redditch.whub.org.uk/cms/pdf/Final%20Copy%20of%20A435%20ADR%20Review%20013.pdf>

Landscape Appraisal which suggested some boundary changes to the proposed housing and employment allocations along the A435 corridor within Redditch. Following the receipt of in-house advice from the Landscaping team some minor suggested changes to the site boundaries are proposed to be incorporated into the Local Plan. The changes to the A435 allocations would reduce the potential of the land to 205 dwellings and 4.21 hectares of employment land. The boundary changes are represented through the minor changes to the Proposed Submission Local Plan No. 4.

26. Outcomes

- 26.1 To date, agreement has been reached between RBC and SOADC for provision to be made in Stratford-on-Avon District for employment development to meet Redditch's needs at the sites known as Winyates Green Triangle and Gorcott, which together with land in Bromsgrove District form the Redditch Eastern Gateway. This is reflected in the two emerging development plans which have timetables that broadly align. It is accepted by each Council that this is an issue of strategic significance which has been and continues to be discussed under the Duty to Co-operate.
- 26.2 It is apparent that there is a difference of view between the Councils regarding the capacity of the remaining areas within the A435 corridor to accommodate development. Following SOADC's representation to the Proposed Submission Local Plan RBC has made changes to some of the site boundaries along the A435. The matter will be resolved through the examination process. The Councils agree that this is not a matter of strategic significance.

Birmingham City Council

27. Background to the Issue of meeting un-met housing needs from Birmingham

27.1 It is widely acknowledged that Birmingham has a significant unmet housing need that it cannot accommodate within its own boundaries. This was first identified in the West Midlands Regional Spatial Strategy Phase II Revision and subsequently from Birmingham's own evidence base. Birmingham has sought to find a solution to meeting their unmet housing needs across the conurbation area (and wider) through using the Duty to Cooperate legal requirement. However more recently the main mechanism for seeking a solution to identifying locations for meeting Birmingham's unmet housing need is through the Greater Birmingham and Solihull Local Enterprise Partnership (GBSLEP).

28. Duty to Cooperate and Local Plans

28.1 With regard to the Duty to Cooperate, correspondence has been exchanged between Birmingham and Redditch, with Birmingham seeking assistance from many adjoining authorities to meet their unmet need. For context, clear evidence exists in the Redditch Local Plan Evidence Base and in the WMRSS Phase II Revision Panel Report, that Redditch has limited capacity to even meet its own development needs for both housing and employment. Redditch is only capable of meeting its own development needs through cross-border developments within neighbouring authorities. Therefore, this demonstrates that Redditch is unable to meet development needs of a wider area such as Birmingham, directly.

28.2 However, with regard to assisting Birmingham in seeking a resolution to the issue, Redditch has been preparing Local Plan No.4 with this issue in mind. Correspondences have been exchanged between Birmingham and Redditch to ensure that there is appropriate content within the Local Plan regarding this issue. It has been clearly acknowledged through locally produced evidence and the Panel Report to the WMRSS that Redditch does not have capacity. The Proposed Submission version of the Local Plan acknowledges this matter and states that "this issue may need to be dealt with during the preparation of the next Redditch Local Plan (i.e. the next plan period), or when a review of the development plan may be needed to consider these cross boundary matters". Following stage 1 of the examination of the South Worcestershire Development Plan, the Inspectors interim conclusions (November 2013) suggested the rewording of a policy dealing with the housing needs of another local authority. In the interests of consistency RBC made a suggested minor amendment to the Duty to Cooperate section of their Local Plan to reflect the recommendation.

- 28.3 Accordingly, the amendment proposed states that “As part of the Duty to Cooperate, due consideration will be given, including through a review of the BORLP4 where appropriate, to the housing needs of another local planning authority in circumstances when it has been clearly established through collaborative working that those needs must be met through provision in Redditch”.
- 28.4 At this stage it is too early to prepare an effective policy to address this matter as too little information is known. However it is considered that the ongoing duty to co-operate over other LPAs’ housing needs is recognised with the inclusion of this wording in the Local Plan.
- 28.5 An agreement on a joint approach is currently considered to be the most suitable way forward. Therefore, the wording within the emerging Redditch Local Plan has been prepared in consultation with Birmingham. Initially this was based on wording that was agreed with other Local Authorities (such as Cannock and Solihull) but with a view to seeking agreement on the exact content of the plan with Birmingham.

29. Greater Birmingham and Solihull Local Enterprise Partnership (GBSLEP)

- 29.1 As well as the Duty to Cooperate the GBSLEP are assisting in providing a solution to meeting the unmet housing needs of Birmingham. The GBSLEP was set up in October 2010 to help strengthen local economies, encourage economic development and enterprise, and improve skills across the region. The Partnership is formed of Birmingham, Solihull, East Staffordshire, Lichfield, Tamworth, Bromsgrove, Cannock Chase, Wyre Forest and Redditch.
- 29.2 In order to address the significant housing land supply issues facing Birmingham, the GBSLEP have commissioned a piece of work. It will consider the options for increasing the supply of land for housing and employment development within the city boundary and will also include a consideration of Green Belt options.
- 29.3 As a member of the GBSLEP, Redditch has been involved in this work. Redditch alongside all other Authorities involved were involved in adapting and refining to brief so that it was fit for purpose. In particular some authorities raised concerns about the first brief and its confusion at being a full Strategic Housing Market Assessment, a Housing Growth Study focusing on Birmingham needs, or a Green Belt Review. It was felt that if the study comprised a Green Belt review, then the scope needed extensive detail. Since then the remit of the study has been agreed and work is progressing on this study. This study is due for completion in early February 2014 in phaseskath. It will be for the GBSLEP and its Local Authority members to decide on next steps with

regard to implementing any recommendations that may come through this study.

- 29.4 It is considered that until further detail is known resulting from the emerging Housing Study no further detail can be added into the Redditch Local Plan, as this could quickly become factually inaccurate. However, Officers from both Authorities (as stated above) are working closely together to ensure that an appropriate solution for Birmingham's housing land supply is addressed.

30. West Midlands Regional Spatial Strategy (WMRSS) Phase II Review

- 30.1 By way of background to Redditch's status in the Region, the West Midlands Regional Spatial Strategy (WMRSS) Phase II Review Examination in Public (EiP) and subsequent Panel Report explored the spatial implications of housing in the region. This included the distribution of growth between Major Urban Area's (MUA's), Settlements of Significant Development and other large settlements.
- 30.2 Historically migration has been an issue in the Region, particularly the continuing decline in the MUAs, extensive development outside them and out-migration from the MUAs to the shire areas.
- 30.3 The "step change" sought by the WMRSS was to reverse these trends by placing a new emphasis on urban renaissance, focussing development and regeneration in the MUAs and stemming the loss of population and jobs to the shire areas. The key features of the spatial strategy were to concentrate development on the MUAs, including focussing development in and adjacent to towns which are most capable of balanced and sustainable growth. In line with this the West Midlands Regional Assembly (WMRA) and local authorities (both within the MUAs and in the shires), made representations to the Panel, that providing more housing in areas of high demand outside the MUAs would encourage out-migration. This would undermine the urban renaissance strategy.
- 30.4 Ten towns were identified as 'Settlements of Significant Development' (SSDs) (towns which are regarded as most capable of balanced and sustainable growth to complement the role of the MUAs). The needs of the MUAs were acknowledged and it was recognised that the region would not be able to channel all its economic growth and development needs solely into the MUAs. The large parts of the Metropolitan area (i.e. Birmingham and Solihull) simply do not have the physical capacity to accommodate all the needs they generate. It must also be recognised that many towns outside the MUAs are substantial urban areas in their own right, with their own housing and economic development needs.

- 30.5 The WMRA defended their reasoning as they suggested that the designation of SSDs recognised the reality that sufficient capacity could not be found solely within the MUAs. Therefore the SSDs were selected for additional growth as they are much further from the MUA than most of the former crescent towns to which overspill had been encouraged in the past.
- 30.6 With regard to Redditch, there was general opposition to Redditch being designated as a SSD. This was acknowledged by the WMRSS Inspector. Firstly, Redditch is a former New Town where overspill was acceptable and the SSD designation could be seen as having connotations of continued migration. This is contrary to the spatial strategy of securing urban renaissance within the MUAs. Secondly, Redditch can only meet its own local development needs through cross-border developments within neighbouring authorities. Therefore it should not be given a designation that implies an expectation of meeting development needs of a wider area. Accordingly Redditch was omitted from the list of SSDs (WMRSS Panel Report Recommendation R2.10) as it was not appropriate for Redditch to perform any other role than meeting its own natural growth.
- 30.7 In addition, the Panel Report stated that it would be perverse to make such provision on the edge of Redditch as that would entail longer distance commuting (paragraph 8.80 of the Panel Report). However, with regard to locations that may serve commuters to Birmingham, it is considered that north Redditch would be most obviously located to serve car-borne commuters to Birmingham and the Black Country.
- 30.8 Network Rail has recently completed the Examination in Public into the Redditch Branch Enhancement Scheme, which seeks to increase the train service from Redditch to Birmingham (and vice versa) to three trains per hour instead of two. Therefore, there are new investments in public transport provision in this area, which may support commuting to the conurbation by more sustainable modes.
- 31. Options and outcome for dealing with the Issue of meeting un-met needs from Birmingham**
- 31.1 Various capacity work has been completed which considers how Redditch can address its own local housing need. It is clear from this evidence there are no options within Redditch to meet some of Birmingham's unmet housing need. However, Redditch has continued to work alongside Birmingham to complete the housing study being prepared by the GBSLEP and to progress the Redditch Local Plan. The Local Plan will contain an appropriate acknowledgement that seeks to consider this issue further in the future, if it is deemed Redditch is able to assist in providing a solution.

32. Summary

- 32.1 The unmet housing need from Birmingham is an issue that has been recognised and dealt with appropriately at this stage in the Redditch Local Plan although the actual location for this is not yet resolved. Through the progression of the Redditch Borough Local Plan No.4 and as an active member of the GBSLEP it is felt that at this stage Redditch is actively working with Birmingham to seek a solution to this problem. The Local Plan contains a commitment to assisting with the issue when it has been clearly established through collaborative working that those needs must be met in Redditch and therefore it is felt that the Borough Councils Duty to Cooperate with Birmingham is being fully met and the solution is effective.

Solihull Metropolitan Borough Council

33. Background

- 33.1 Solihull is not a neighbouring authority to Redditch but is within the West Midlands area and shares a number of relationships which will be detailed briefly below. Solihull's Examination in Public on their Local Plan was completed in October 2013 and the Inspectors Report published in November 2013. Accordingly Solihull Local Plan was adopted by the Council on 3rd December 2013.
- 33.2 During the Examination of the Solihull Local Plan, Redditch Borough Council did not feel it had any strategic matters with Solihull that needed to be considered. There are relationships or linkages between the two Authorities, which will be explored briefly below but it is not felt there are any on-going issues that still require solutions through the Plan process.
- 33.3 With regard to the Inspectors Final Report for Solihull, the Inspector concluded that the Duty to Cooperate was engaged, because of the need to consider identified cross-boundary strategic matters, including housing. Also, the Council has met the requirements of the duty in terms of the process of co-operating and engaging with the relevant bodies. Lastly, the Inspector concluded that the most recent outcome of co-operation has some uncertainty, particularly with regard to meeting the future housing needs of Birmingham. In conclusion the Inspector felt that Solihull has identified and addressed all the strategic matters and requirements at this current time and that the legal requirements of the Duty to Cooperate have been met.

34. Relationship between Redditch and Solihull

- 34.1 Redditch Borough does not feel it has any strategic matters with Solihull which need to be addressed and therefore no policies are required.
- 34.2 However, it is felt that Redditch does have a relationship with Solihull, particularly with regard to economic development and travel to work links.
- 34.3 In particular the study 'Realising the Potential of the M42 Corridor Final Report to Advantage West Midlands' (ECOTEC Report March 2009) stated that the functional economic geography of the M42 exhibits a wide operational sphere of influence, including housing and labour markets and patterns of transport accessibility. Redditch and Solihull both form part of this wider functional area. The M42 Corridor Growth Area functional area is characterised by:

- Strong headline economic performance and growth characteristics;
 - Appreciable depth of knowledge based sectors and economic activities;
 - Quality of life and environmentally based factors which, in combination with transport accessibility potential, serve to both underpin economic success and increase residential attractiveness and liveability.
- 34.4 Six of the ten local authority areas within the M42 Corridor Functional Area are ranked in the top 20% of GB local economies in relation to employment in technology based manufacturing. Three of these areas (Solihull, Stratford-on-Avon and Redditch) are also ranked in the top 20% of GB local economies in relation to employment in knowledge based services.
- 34.5 The M42 Corridor Functional Area already makes an important contribution to the economic performance of the region. The M42 Corridor Growth Area and more specifically the strategic economic assets located within it provide a focus for the region's knowledge intensive industrial base. This provides a strong economic platform on which to build measures and promote development than can contribute to the narrowing of the West Midland's productivity gap.
- 34.6 As Redditch and Solihull are both within this area there are strong economic links between the two areas, however this has not led to any unresolved matters which need a solution.

35. Summary/ Conclusion

- 35.1 Through the GBSLEP, the issues regarding Birmingham's unmet housing needs will be progressed through the commissioned housing study and Redditch and Solihull are both involved in taking forward the recommendations from this study. There are no links between Redditch and Solihull directly. Redditch does not have any matters with Solihull which need addressing through the Plan process; therefore the Duty to Cooperate legal requirement with Solihull has been discharged.

36. South Worcestershire

36.1 There has been on-going liaison with the relevant authorities before the South Worcestershire Joint Core Strategy, during the production of the South Worcestershire Development Plan and the production of the Borough of Redditch Local Plan No. 4.

36.2 This engagement has taken place through monthly meetings of the Worcestershire Planning Officers Group, Worcestershire Housing officers Group and officer comments on consultation documents. The key points of discussion of these meetings were general planning liaison, identification of strategic issues of shared interest and facilitation of county wide joint work. In addition correspondence has taken place between South Worcestershire and RBC with regards to both plans:

Duty to cooperate letter	December 2012 (Appendix 1)
RBC officer response	December 2012 (Appendix 2)
Statutory consultee letter	January 2013 (Appendix 3)
RBC officer response	January 2013 (Appendix 4)

36.3 During this time no major cross boundary issues have presented themselves therefore there are no issues or options to address. The authorities will continue to engage where possible through the above modes.

36.4 On Tuesday 28th May 2013 Malvern Hills District, Worcester City and Wychavon District Councils jointly submitted the South Worcestershire Development Plan (SWDP) to the Secretary of State for independent examination

36.5 The Stage 1 hearings of the Examination of the South Worcestershire Development Plan (SWDP) considered housing need matters. In the Inspector’s Interim Conclusions (28 October 2013) the Inspector asked that additional work be undertaken to address two specific issues:

- (i) use of the latest official population projections in the demographic modelling work; and
- (ii) the preparation of more than one employment–based scenario using up-to-date, realistic and representative employment forecasts from more than one source.

36.6 Agreed wording was developed by all Worcestershire Councils with regards to the South Worcestershire Councils and North Worcestershire Councils Objective Assessment of Housing Need. For consistency with regards to the Duty to Cooperate, this same wording is provided within this statement at Appendix 5.

37. Wyre Forest

- 37.1 Liaison between Redditch Borough Council and Wyre Forest Council has been through officer comments on consultation documents and regional planning group meetings. During this period no cross boundary issues have presented themselves therefore there are no issues or options to address. Wyre Forest DC support the Redditch Proposed Submission Local Plan. The authorities will continue to engage where possible through the above modes.

38. Worcestershire County Council

38.1 As Redditch is part of a two tier authority system Worcestershire County Council (WCC) provide many functions and services at the local level. Redditch have worked with WCC for many aspects of the formulation of the emerging Local Plan No.4 and the emerging Infrastructure Delivery Plan. These aspects of joint working on the plan are detailed below.

39. Transport

39.1 On transport matters involving the Highways Agency and Office of Rail Regulation RBC has worked in very close liaison with Worcestershire County Council as the relevant Transport Authority. In this capacity Worcestershire County Council has been the lead authority on these matters on behalf of RBC. This has enabled RBC to ensure that their liaison with these bodies has been meaningful and credible whilst at the same ensuring that all such contacts are relevant to the wider transport strategy context and that the planning proposals coming forward through the BORLP4 demonstrably take account of the strategic infrastructure issues through the utilisation of joint (RBC/BDC/WCC/HA) modelling and evidence gathering and assessment.

39.2 The Transport Policy & Strategy Team (and other transport related teams in WCC's Business, Environment and Community) have been commissioned by Redditch and Bromsgrove Councils to assess the transport impact of their preferred growth strategy. This work identified the quantum, distribution and forecast mode shares of generated travel demand. This in turn was used to identify the transport infrastructure and services needed to mitigate the impact of Bromsgrove and Redditch's planned growth on the performance of the transport network. This information has been provided to the two LPAs. RBC has engaged with WCC in order to be able to understand the impact of the plan on the transport network and identify required schemes / infrastructure.

39.3 It should be noted that Bromsgrove DC have commissioned an additional piece of work to assess the impact of the additional growth planned for the period between 2022 and 2030 (this was excluded from the original commission). This growth will impact on both Bromsgrove and Redditch transport networks.

39.4 In addition to these evidence base studies, the Highways Team at WCC have provided continued guidance and advice with regard to the policy content within the emerging Local Plan. Responses to informal and formal consultations; and regular liaison meetings have led to policy changes in relation to sustainable travel (including the requirements of new development and the Road Hierarchy within the

Borough). Highways Officers have attended pre-application discussions with developers in order to support the safe and sustainable delivery of allocated our strategic sites. Highway Officers also attended joint Redditch and Bromsgrove Local Plan consultation events regarding the proposed cross boundary growth. This involved answering technical and transport policy questions raised by the public, resulting in more effective consultation and informed responses.

- 39.5 As a result of this on-going working relationship the policies contained within the Plan are supported by and endorsed by WCC up to the point of the Proposed Submission version.

40. Ecology / Green Infrastructure

- 40.1 WCC have been key consultees with regard to the development of the policies relating to the natural environment within the emerging plan. In particular WCC have provided guidance and advice with regard to polices which focus on the natural environment and climate change.
- 40.2 WCC have provided support with regard to the development of the Borough Councils Green Infrastructure Strategy. WCC have prepared a Strategy for the County which has informed and guided the development of the plan, and in addition has provided guidance to the development of the Borough Councils own Green Infrastructure Strategy.
- 40.3 WCC have also assisted in the formulation of the Strategic Site polices, in particular having prepared a Green Infrastructure Concept Statement for the Brockhill Strategic Site. This document will assist in ensuring the delivery of Green Infrastructure on the site and will provide a template for the Green Infrastructure Concept Statements for the other Strategic Sites.
- 40.4 Regarding the delivery of Strategic Sites in Redditch, WCC have provided assistance on the delivery of the green infrastructure elements of these sites, which is valuable to ensure sustainable development.
- 40.5 In addition, WCC have provided a number of supporting documents which have influenced the content of the policies contained within the Plan. This includes Technical Research Papers on Planning for Renewable Energy in Worcestershire and Planning for Water in Worcestershire. WCC have also attended pre-application discussions with Developers to ensure the appropriate delivery of Strategic Sites.
- 40.6 As a result of collaborative working the policies contained within the Proposed Submission version of the Plan are supported by and endorsed by WCC.

41. Children's Services

41.1 The Provision Planning & Admissions Team have had discussions with Redditch Planning Officers and will continue to liaise with them regarding the impact of housing development on schools. WCC have supplied, and will continue to supply information for Redditch's Infrastructure Delivery Plan and viability work associated with the establishment of a CIL. To date there has been due cooperation between RBC, BDC and the Education Authority at WCC.

42. Flood Risk and Surface Water Management

- 42.1 Worcestershire County Council is the Lead Local Flood Authority (LLFA) for Worcestershire as delegated by the Flood and Water Management Act (FWMA) 2010.
- 42.2 WCC are currently preparing the Worcestershire Surface Water Management Plan (SWMP). The 'emerging' SWMP will draw upon historic evidence of surface water flooding to identify 'hotspots' (as identified by the buffers) as well as using the Environment Agency's 2nd generation Map for Surface Water Flooding to identify location/extents of future potential surface water flooding.
- 42.3 In addition the LLFA (subject to enactment of schedule 3 of the FWMA) will be delegated the role of Sustainable urban Drainage Systems (SuDS) Approval Body and will be responsible for the approval, adoption and maintenance of SuDS.
- 42.4 With regard to the assistance in the delivery of the Strategic Sites contained within the emerging Local Plan, the LLFA has adopted a twin track approach of working with partners to respond to applications coming forward for Strategic Sites or infrastructure. The County Council continues to work with Severn Trent Water Ltd to identify opportunities and constraints for holistic water management.
- 42.5 The LLFA and partners are currently developing the Worcestershire Local Flood Risk Management Strategy (LFRMS). The LFRMS and Risk Management Authorities including the Environment Agency, Severn Trent Water and District authorities are required by the FWMA to have regard to 'emerging' Worcestershire Local Flood Risk Management Strategy (statutory document).
- 42.6 As demonstrated above, WCC as the LLFA has a number of statutory remits and roles in managing the risk of surface water flooding in Worcestershire. The scale and nature of Redditch's planned growth with Redditch and cross boundary within Bromsgrove reinforces the importance of collaborative working between RBC, BDC and WCC.

42.7 WCC have submitted representations in response to the emerging plans for both Redditch and Bromsgrove, and also Redditch's IDP. WCC, as the LLFA have been involved in some preliminary discussions regarding the delivery of strategic sites. RBC will continue to engage with WCC with regard to flood risk and water management.

43. Worcestershire Archive & Archaeology Service

43.1 Worcester Archive and Archaeology Service were consulted and have submitted representations in respect of draft versions of the emerging plan. As such the team have contributed to the content of heritage policies within the emerging plan.

44 Co-operation with Prescribed Bodies

44.1 Environment Agency:

Discussions with the Environment Agency have focused on emerging policies within the Local Plan regarding the natural environment. In particular recent discussions have centred on the preparation of the Bromsgrove and Redditch Strategic Flood Risk Assessment (Level 1 and 2) and Water Cycle Study. More recently Environment Agency have given valuable support to officers in amending policy wording to the satisfaction of the Environment Agency and Severn Trent Water Ltd.

44.2 English Heritage:

Discussions with English Heritage have focused on the emerging policies within the Local Plan regarding the historic environment. More recently discussions have centred on the impact of one of the potential development sites (as part of Redditch cross boundary development) on the Hewell Grange Conservation Area and Registered Park and Garden within Bromsgrove District. English Heritage's involvement with this issue to date has been invaluable and has significantly contributed towards the development of both the Bromsgrove and Redditch plans.

44.3 Natural England:

Discussions with Natural England have focused on the content of the emerging policies within the Local Plan regarding the natural environment.

44.4 Civil Aviation Authority (CAA):

Correspondence has been exchanged with the CAA regarding the Duty to Cooperate and it has been agreed that no further consultation is necessary with regard to the development of Strategic Planning Documents.

44.5 Homes & Communities Agency (HCA):

The Borough Council are in discussions with the HCA regarding bringing forward development on land within in Redditch and also land located in Stratford – on – Avon within the developable area termed the 'Eastern Gateway'. These development sites are being progressed alongside Local Plan No.4.

44.6 Primary Care Trusts/ Clinical Commissioning Group (CCG):

The Primary Care Trust has been superseded by the CCG. The CCG have been consulted as part of the emerging Redditch Local Plan, in particular with regard to the Strategic Site within the Local Plan termed 'Land to the Rear of the Alexandra Hospital'. This site is suitable to accommodate a minimum of 145 dwellings and approximately 1.85 hectares of B1 office development or employment development that is medical related. This allocation is in addition to Land immediately south of the Alexandra Hospital which is not included within the Strategic Site boundary and is safeguarded for health related purposes. It is hoped that this Strategic Site can be delivered in a timely manner in line with the aspirations of emerging Local Plan No.4.

In addition the CCG were contacted as part of the preparation of the Redditch Infrastructure Delivery Plan.

44.7 Office of Rail Regulation:

The Borough Council have been in discussion with Network Rail regarding an increased level of service as part of the Redditch Branch Enhancement Scheme. This is something that Redditch Borough Council is entirely supportive of. However it is not felt that the Borough Council has any other strategic matters with the Office of Rail Regulation.

44.8 Integrated Highway Authority (Highways Agency):

It is essential to identify any implications there may be on the highway network as a result of development therefore the Highways Agency have been consulted on many occasions with regard to the emerging plan. Worcestershire County Council as Redditch Boroughs Highway Authority has been in touch with the Highways Agency. We look forward to receiving any feedback they can provide on the implications of the emerging Local Plan. We feel any implications of this can be dealt with outside of the Duty to Cooperate legislation.

44.9 Worcestershire Local Nature Partnership (WLNP):

Local Nature Partnerships are partnerships of a broad range of local organisations, businesses and people who aim to help bring about improvements in their local natural environment. The Borough Council has sought opportunities to work collaboratively with local authority, statutory and voluntary members of the Worcestershire LNP through consultation at various stages of the plan preparation process. Consultation with members of the WLNP have focused on the content of the emerging policies within the Local Plan regarding biodiversity.

Appendix 1 - South Worcestershire Duty to Cooperate Letter (December 2012)

Our Ref PP250G/ConsultMatLett/Letters/FD/EG

To **Planning Policy Managers**

Bromsgrove District Council
Cotswold District Council
Gloucestershire County Council
Gloucester City Council
Herefordshire Council
Redditch Borough Council
Stratford on Avon District Council

Forest of Dean
Tewkesbury District Council
Worcestershire County Council
Cheltenham Borough Council
Wyre Forest District Council
Warwickshire County Council
Shropshire Council

Dear Sir/Madam

**South Worcestershire Development Plan (SWDP)
Localism Act (2011), Section 110 Duty to Co-operate**

The purpose of this letter is as follows. First, to confirm the latest position with respect to the SWDP. Second, to seek confirmation whether there is any need for formal confirmation regarding the Duty to Co-operate.

Malvern Hills District Council and Worcester Council will be considering a draft pre-submission SWDP on 10 December 2012. Wychavon District Council will be considering the document on 18 December 2012. The papers for these meetings can all be found at www.swdevelopmentplan.org (http://www.swdevelopmentplan.org/?page_id=3799).

If all three Councils approve the document at this stage it will then be subjected to a six week representations procedure to draw views on legal compliance and soundness. It is anticipated that this will take place from 11 January 2013. Assuming that the representations do not necessitate further changes to the SWDP we will submit it to the Secretary of State in the spring.

The SWDP to be considered on the 10/18 December sets out the three participating Councils' position with respect to the Duty to Co-operate. The plan does not identify any land within your administrative areas for our development requirements. Similarly we are not aware of any formal request or representation to allocate any land within the SWDP area to meet your development requisition. In coming to this view we believe that the SWDP does take account of significant cross-boundary issues which have been subjected to both formal consultation procedures and more informal contact between our authorities.

The above position needs to be formally ratified by all named Councils if we are to demonstrate to the Planning Inspectorate, that we have satisfied the Legal Duty to Co-operate. Could you please respond to me, paul.bayliss@wychavon.gov.uk, by **Wednesday 9 January 2013** to confirm this position.

Please do not hesitate to contact me if you require any further clarification with regard to this matter.

Yours faithfully



Paul Bayliss
Project Manager
South Worcestershire Development Plan
01386 565334

Appendix 2 - RBC Officer Response to Duty to Cooperate Letter (December 2012)

South Worcestershire Development Plan
Orchard House
Farrier Street
Worcester
WR1 3BB

January 9th, 2013

Dear Paul

R.E. South Worcestershire Development Plan (SWDP) Localism Act (2011), Section 110 Duty to Co-operate

In response to your letter referenced PP250G/ConsultMatLett/Letters/FD/EG, I can confirm that Redditch Borough Council's position remains unchanged from our response to your Proposed Significant Changes Consultation (September 2012).

I can reiterate that there is no evidence to suggest that there are unmet requirements from Redditch Borough Council towards the South Worcestershire area or vice versa. When considering the new S.33(A) of the Planning and Compulsory Purchase Act and paragraph 178 of the NPPF (the Duty to Cooperate), there are no evident significant issues relating to strategic priorities across these boundaries that need to be explored.

There are obvious linkages between North and South Worcestershire in terms of migratory impacts and travel to work areas etc. These matters would necessitate continuing dialogue and consultation as well as ongoing monitoring, therefore again I would suggest that ongoing dialogue on these matters as the Plans progress would be more beneficial in order to properly demonstrate compliance with the legal duty.

It would be useful to have confirmation from those preparing the SWCS that RBC officers understanding of this position is acceptable.

Sincerely,



Emma Baker
Acting Development Plans Manager

Development Plans, Planning & Regeneration, Regulatory and Housing Services Directorate

Redditch Borough Council, Town Hall, Walter Stranz Square, Redditch, Worcestershire B98 8AH

Tel: (01527) 64252 ext 3376

Appendix 3 - South Worcestershire Draft Submission Letter (January 2013)

Our Ref PP250H/PB/RM

9 January 2013

Statutory Consultees, Infrastructure Providers and
Neighbouring Authorities

Dear Sir/Madam

South Worcestershire Development Plan (SWDP) Draft Submission Document Consultation - Test of Soundness and Legal Compliance

You are probably aware that Worcester City Council, Malvern Hills District Council and Wychavon District Council approved a draft version of the South Worcestershire Development Plan at their Council meetings in December 2012.

The draft submission documents are being published in the New Year to allow for a final technical consultation, before the SWDP is submitted to the Secretary of State for Communities and Local Government. The Plan will then go forward to an Examination in Public in the summer of 2013, (presided over by an independent Inspector) with final adoption of the Plan at the end of 2013.

This letter is to give you early notice that the consultation will commence on 11 January 2013, for six weeks, ending at 5.00pm on 22 February 2013. It is a statutory requirement to consult at this stage. **The consultation will only cover issues concerning whether the plan has been prepared in accordance with legal and procedural requirements, and whether the plan is "sound"**. There will therefore be no consultation exhibitions or staffed events.

The consultation will consist of:

- a) The draft SWDP Submission document and accompanying response form.
- b) The Test of Soundness and Legal Compliance as set out in the guidance notes which accompany the response form on the website.
- c) Supporting information, including the Proposals Map that is available on the website.

All of the documents and supporting information are available electronically from the SWDP website. Hard copies of the draft Plan are available for inspection at local libraries and Customer Contact Centres across the three local authorities where small supplies of the response form will also be available. Hard copies of these documents can be obtained on request.

Although you may have made previous representations to the process to date, should you wish to have the chance to appear at the Examination in Public (EIP) in the summer of 2013 it is essential that you make a response (based on the Tests of Legal Compliance and/or Soundness) at this stage. Please note, however, that participation at the EIP is at the discretion of the Inspector.

If you wish to make any representations, these should be made on the standard representation form, which will be available online from 11 January 2013 on the SWDP website (www.swdevelopmentplan.org) and there will be hard copies available in Customer Services Centres and main libraries in Worcester (The Hive); Malvern, Upton upon Severn; Tenbury Wells; Droitwich, Evesham and Pershore.

A guidance note is available to help you in completing the form. A separate form should be filled in for each representation you wish to make. Completed representation forms can be input directly on to the swdevelopmentplan website, sent electronically via email to contact@swdevelopmentplan.org, or posted to the following address: South Worcestershire Development Plan Team, FREEPOST: RLTS-XRLK-AKGK, Orchard House, Farrier Street, Worcester WR1 3BB

Any representations received will be published on the SWDP website (NB addresses and personal data will be redacted, except for the respondent's name) and entered onto the SWDP database that will be shared with the Planning Inspectorate.

If you have any queries on this, please see the website: www.swdevelopmentplan.org, or e-mail contact@swdevelopmentplan.org, or telephone the SWDP team on 01905 722233. You can also write to The South Worcestershire Development Team, Orchard House, Farrier Street, Worcester, WR1 3BB.

Yours faithfully



Paul Bayliss
SWDP Project Manager

Appendix 4 - RBC Officer Response to Draft Submission Letter (January 2013)

South Worcestershire Development Plan
Orchard House
Farrier Street
Worcester
WR1 3BB

September 11, 2012

Dear Paul

R.E. Proposed Significant Changes to the 2011 Preferred Options

Thank you for providing an opportunity to comment during this targeted consultation on the South Worcestershire Proposed Significant Changes to the 2011 Preferred Options.

Redditch Borough Council support the use of the Worcestershire Strategic Housing Market Assessment as evidence for Council's to consider in the formulation of their Development Plans.

It is also recognised that a Plan end date of 2030 is appropriate and this helpfully aligns with the adjacent Redditch Borough and Bromsgrove District Council proposed end dates.

Other proposed changes suggested to reflect the NPPF guidance is supported.

There is no evidence to suggest that there are unmet requirements from Redditch Borough Council towards the South Worcestershire area. There are obvious linkages between North and South Worcestershire in terms of migratory impacts and travel to work areas etc which would necessitate continuing dialogue and consultation as well as ongoing monitoring. However when considering the new S.33 (A) of the Planning and Compulsory and paragraph 178 of the NPPF (the Duty to Cooperate), there are no evident significant issues relating to strategic priorities across these boundaries that need to be explored. It would be useful to have confirmation from those preparing the SWCS that RBC officers understanding of this position is acceptable.

Sincerely,

Emma Baker
Acting Development Plans Manager

Development Plans, Planning & Regeneration, Regulatory and Housing Services Directorate

Redditch Borough Council, Town Hall, Walter Stranz Square, Redditch, Worcestershire B98 8AH

Tel: (01527) 64252 ext 3376

Appendix 5 – Agreed wording by all Worcestershire Councils with regards to the South Worcestershire Councils and North Worcestershire Councils Objective Assessment of Housing Need (February 2014)

Duty to Cooperate Statement

**South Worcestershire Councils and North Worcestershire Councils
Objective Assessment of Housing Need**

Context

- 1 The Worcestershire SHMA (2012) (CD 090) was submitted as part of the evidence base with the South Worcestershire Development Plan Submission Document (CD 001).
- 2 In his assessment of the evidence provided by CD 090 the Inspector considered that although the approach was generally sound, there were a number of data-related shortcomings in the document and further work should be undertaken on employment forecasting. Following the Initial Hearing sessions the Inspector helpfully outlined how he would like the SHMA revised in his letter (EX 400) and Interim Conclusions (EX 401). In identifying this way forward the Inspector invited the SWCs to provide an updated Objective Assessment of Housing Need (OAHN, “the study”).
- 3 In their Response to the Inspector’s Initial Conclusions (EX 407) the South Worcestershire Councils (SWCs) committed themselves to the provision of an updated OAHN by 31st January 2014.

Commissioning and conduct of the work

- 4 The SHMA (2012) had been prepared as a county-wide housing market area assessment to evidence the production of Local Plans across Worcestershire. Therefore, the South Worcestershire Councils identified the partial revision of SHMA for part of the county as a potential Duty to Co-operate matter and invited the north Worcestershire Councils to prepare jointly the project specification for the updated OAHN. This approach recognised that the update should be prepared in a consistent manner across the county of Worcestershire.
- 5 This resulting specification addresses a number of factors including:
 - The importance of CD 090 and the various underpinning scenarios to the evidence bases for the SWDP and Local Plans for the North Worcestershire Councils
 - Given the pan-County coverage of CD 090 it would be inevitable that the observations of the SWDP inspector would be raised in relation to Local Plans in the north of the County and therefore should be addressed as soon as possible

- The need to ensure continuing consistency across the neighbouring authorities in light of the plan examination process
 - The need to identify and address any potential cross-boundary implications arising from any updated scenarios, conclusions and recommendations in the report.
- 6 The Northern Districts accepted the invite to commission an update to the OAHN on a full cost-sharing basis. Prior to commissioning the work from Edge Analytics and Amion the Northern Districts were fully involved in the finalisation of the project brief and inception meeting of the study. There has been full co-operation between the Worcestershire Councils in the production of the updated evidence submitted to the SWDP hearing.
- 7 The work commissioned recognises that demographic and jobs change circumstances in the South and North of the County of Worcestershire vary. There is therefore in-built flexibility in both original and the updated studies to enable different scenarios to be applied on a sub-regional basis whilst employing the same core data and methodologies including sensitivity scenarios.
- 8 The limited window to undertake the partial updating of the SHMA (2012) has meant that updating has necessarily been carried out on a phased basis. At the time of writing the North Worcestershire Councils are finalising the north Worcestershire element of the study.
- 9 The Worcestershire Councils recognise that further work will be required by the South Worcestershire Councils to address any resulting uplift in the South Worcestershire housing requirement. However, there is general agreement that the level of potential of uplift suggested by the evidence submitted by the South Worcestershire Councils is unlikely to give rise to unmet housing need beyond South Worcestershire or any specific requirements for cross boundary development with North Worcestershire. There is however, an on-going commitment from the Worcestershire Councils to identify and address any significant strategic issues, in particular infrastructure requirements, which may arise from an increased housing requirement for South Worcestershire.

Further Work in Bromsgrove and Redditch Districts

- 10 Whilst the Worcestershire SMHA (2012) was based on the Worcestershire Housing Market Area it is accepted that there is a degree of overlap in North Worcestershire and specifically Bromsgrove and Redditch districts with the Birmingham metropolitan area housing market area.
- 11 Both Redditch and Bromsgrove Districts consider that further additional work will be required to supplement the 2014 Worcestershire study to address the specific circumstances influencing housing requirements in these districts. Specifically,

Redditch and Bromsgrove Districts intend to supplement the Worcestershire migration scenarios to consider the implications for housing need arising from internal migration within the Birmingham metropolitan housing market area (which includes Redditch and Bromsgrove Districts) and from potential unmet housing need arising from Birmingham.

12 The carrying out of supplementary work in Redditch and Bromsgrove Districts also recognises the participation of these Districts in the Housing Study currently being undertaken by the authorities within the Greater Birmingham and Solihull LEP area which will be reporting later in 2014 and its implications for plan making assessed in due course.

13 The Worcestershire Councils consider that, until the GBLSEP work is completed (anticipated mid-May 2014), it will not be possible to quantify any implications or any significant strategic issues for Worcestershire as a whole. There is an on-going commitment from the Worcestershire Councils to identify and address any significant strategic issues, in particular infrastructure requirements, which may arise from an increased housing requirement for the Greater Birmingham and Solihull LEP area. Any displaced housing need requirement implications for Worcestershire arising from the GBSLEP study will initially fall to those Worcestershire Districts with a primary DtC and housing market relationship with the GBSLEP study authorities. The SWCs (which are defined by GBSLEP as having a secondary relationship) will, through the on-going DtC process, continue to monitor the work being undertaken within the GBSLEP area and options to be generated for accommodating housing needs within that LEP area and exceptionally beyond it.

14 The Greater Birmingham and Solihull “Spatial Plan for Recovery and Growth” recognises that work on the preparation of individual development plans is at different stages and that there is no intention for the GBSLEP work to undermine local plans already at an advanced stage of preparation. It is understood by the Worcestershire authorities that the GBSLEP Plan, when finalised, will facilitate and accommodate the objectively assessed requirements of both the growing and diversifying economy of that area within the GBSLEP area, or exceptionally, by agreement in neighbouring areas. Consequently, the North Worcestershire Districts, and in particular Redditch and Bromsgrove Districts, will keep the position under review but are not, at present, identifying any additional significant strategic cross boundary issues beyond those already identified in earlier DTC statements submitted to the SWDP Examination.

SWDP Examination implications

15 The Worcestershire authorities believe that there is nothing new arising from the South Worcestershire OAHN that would require any changes to the SWDP Examination Inspector’s Interim Conclusions. They do however recognise, under the

Duty to Cooperate, the need for ongoing liaison between relevant authorities regarding the scale and options for any potential unmet need.