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### Bromsgrove District Plan 2011 -2030 (BDP) and the Borough of Redditch Local Plan Number 4 (BORLP4) Councils Response to the Inspectors note of 10<sup>th</sup> April

Dear Mr Hetherington

Thank you for your note of 10<sup>th</sup> April regarding the Bromsgrove and Redditch examinations. The Councils note your comments on the hearings programme and the issuing of the guidance notes. There are no concerns regarding the proposed hearings and we are happy with the content of the guidance notes.

#### **Transport Evidence Base**

The Councils intend that any information or evidence in respect of the matter of post 2022 transport implications will be progressed in time for hearings, which for this topic, we understand are likely to be in September. We are continuing to liaise with Worcestershire County Council and the Highways Agency in order to establish the next steps. To this end a forthcoming meeting has been arranged for 6<sup>th</sup> May 2014.

#### **Provision for Gypsies and Travellers**

In 2013, the 6 Worcestershire Districts – Bromsgrove, Malvern Hills, Redditch, Worcester, Wychavon and Wyre Forest – agreed to undertake a new joint GTAA.

The interviews were completed in early 2014. The coverage of the GTAA has been excellent, with 407 interviews covering upwards of 1,214 family members.

The consultants, arc4, have developed interim pitch requirements which are currently being considered by the GTAA Steering Group. The early indications are that no further sites, for either Authority, will be required during the plan period.

Following consideration by the Steering Group the consultants will prepare an Executive Summary and the partner authorities will brief key Members / Portfolio Holders. The partner authorities will then hold a stakeholder event with neighbouring authorities to meet duty to co-operate responsibilities.

In conclusion, although it is acknowledged that the Study has slipped its original intended publication date it is now almost complete. The consultants estimate that the final report is likely to be published in June 2014.

### **Flood Risk and Groundwater Protections**

The Councils intend to meet again with relevant parties to discuss the production of a statement of common ground to set out what agreements and changes have occurred since the publication of the Proposed Submission consultation documents for both Council's. Again it is envisaged that this could be achieved before the likely hearing sessions, again presumed to be in September.

However, the Councils believe that they have addressed the issues raised by EA and STWL at the Proposed Submission Stage through the proposed changes to the Plan published in CD 1.3 Schedule of Minor Recommended Changes, as evidenced in attached letter dated 11<sup>th</sup> March 2014.

In relation to drinking water protection, it is acknowledged that the proposed cross-boundary development in Site 1 Foxlydiate will reduce the aquifer recharge. However, as no further evidence was provided by STWL to justify a site-specific water conservation target for policy RCBD1, the advice from EA suggested that the revised policy wording and BDP27 Water Management would be adequate to address the issue as evidenced in attached email dated 4<sup>th</sup> February 2014.

### **Housing Land Supply**

Each Council intend to produce a Housing Land Supply Topic Paper as suggested. We are currently working on the new housing completion data for 2013 – 2014 and intend to include this as part of the topic paper. This will address the comments you raise in paragraphs 9 and 10 of your 10<sup>th</sup> April note.

I trust that this note satisfactorily sets out the actions that the Councils intend to take in relation to these issues. If you need any further clarification please do not hesitate to contact us.

30<sup>th</sup> April 2014

Bromsgrove District Council and Redditch Borough Council

Mike Dunphy  
Bromsgrove District Council  
Planning Policy  
Burcot Lane  
Bromsgrove  
Worcestershire  
B60 1AA

**Our ref:** SV/2010/103997/CS-  
03/SB1-L07  
**Your ref:**  
**Date:** 11 March 2014

Dear Mike,

**BROMSGROVE DISTRICT PLAN PROPOSED SUBMISSION VERSION -  
SUPPLEMENTARY NOTE TO FORMAL RESPONSE - POLICY BDP17**

Further to our previous representation on this matter dated 27 February 2014 (Our letter ref. SV/2010/103997/CS-03/SB1-L04) I am writing to advise you of our position in respect of your proposals for Policy BDP17.

We are in receipt of your proposed amendments to Policy BDP17 to address the issues identified in our previous letter, and we have suggested further changes to the policy in my email to your colleague Sumi Lai dated 3 March 2014.

In that email we expressed a concern that the revised wording is misleading in respect of sites TC9 and 10. We noted the remarks at paragraph 8.236 and 8.237, and the status information at Table 5, but expressed concerns that the development principles for the sites are still included at BDP17.16 and BDP17.17. We considered that including development principles for the sites within the policy would suggest that they are being given detailed consideration for delivery within the current plan period. This we considered does not reflect the 'long term' status of these sites and undermines the requirement for their delivery to be informed by a SFRA. It was therefore our recommendation that the development principles for the sites are deleted. We advised that instead it should be made clear in the policy that the development of the sites will be informed by the future SFRA.

In your subsequent email dated 5 March 2014 you advised that you cannot agree to the deletion of the development principles as they are considered to be important to allow for the sites to be seen as part of the wider town centre regeneration.

I am thus writing to advise you that, whilst we do not support the promotion of the sites in the plan without this being informed by the SFRA, in view of your position in this

respect we would recommend as a minimum that the development principles for the sites are amended to address key flood risk principles.

Perhaps our main concern in relation to the development principles being put forward without consideration of the sites in the SFRA is the reference to residential uses on the upper floors in TC9. This site and its immediate surroundings are shown on our flood map to be located entirely in Flood Zone 3 which is land assessed as having a 1% or greater annual probability of flooding.

Paragraph 103 of the NPPF advises that safe access and escape routes may be required for developments in areas at risk of flooding. We would generally consider that safe access and egress is important to the overall safety of residential development. The flood risk guidance within the National Planning Practice Guidance advises at Paragraph 39 that access routes should allow occupants to safely access and exit their dwellings in design flood conditions which are defined in the guidance to be a 1% plus climate change flood event.

Based on the information in our flood map, which is the best available information in the absence of a SFRA, the site is shown to be affected during a 1% annual flood event. We would therefore potentially have concerns over the provision of safe access/exit in relation to residential uses on the site. We feel therefore that it is not appropriate to promote residential uses on the site without sufficient evidence to demonstrate that they can be made safe.

We would ideally recommend therefore that the reference to residential uses is deleted from the policy. If you do not consider this amendment to be acceptable then we would as a minimum recommend that the policy is amended to state that residential uses may only be considered on upper floors if it can be demonstrated that safe access and egress can be provided during design flood conditions. I have amended proviso A of this policy as a suggestion. Please refer to the attachment to this letter.

I have also added general flood risk provisions to each site to ensure that flood risk is identified as a key issue to address in their delivery.

Whilst we would still have reservations over the lack of a SFRA to support this policy, if the above suggested amendments can be made, and you are content with this general approach in procedural terms (i.e. you consider the plan to be justified in accordance with paragraph 182 of the NPPF), then we would be in a position to withdraw our soundness objection to Policy BDP17.

Please do not hesitate to contact me if you would like to discuss this letter in more detail.

Yours sincerely

**Mr Matthew Tyas** MSc MRTPI  
**Senior Planning Advisor**

Direct dial: 01684 864381  
Direct e-mail [matt.tyas@environment-agency.gov.uk](mailto:matt.tyas@environment-agency.gov.uk)

Cont/d..

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## BDP17.16 TC9 Mill Lane

This site offers a longer term opportunity for retail led mixed use development to be informed by the future Strategic Flood Risk Assessment. It is envisaged the following development principles will apply subject to the outcome a flood risk assessment:

- A. At ground floor level A1 retail uses are to be the predominant use. **Upper floors will be suitable for office development and residential uses may be considered if it can be demonstrated that a safe access and egress can be provided during design flood conditions<sup>1</sup>.**
- B. The scale of retail development is to be determined although the scope to include larger retail spaces must be considered.
- C. Proposals must include details of public realm improvement on Mill Lane and the creation of an enhanced public space and would require a development which reflects the role of this space as a 'town square'.
- D. Spaces to the rear of the current buildings which are adjacent to the Brook must have full regard to the enhanced environment created by the naturalised Spadesbourne Brook.
- E. Development must be made safe without increasing flood risk elsewhere. Opportunities should also be sought through the design and layout for reducing flood risk in the area.**
- F. The current pedestrian thoroughfare along Mill Lane will be protected in any development proposals.

## BDP17.17 TC10 Worcester Road Employment Area

This site offers a longer term opportunity for employment based redevelopment to be informed by a future Strategic Flood Risk Assessment. It is envisaged subject to the outcome a flood risk assessment that proposals for new employment uses will be supported within the existing employment allocation. Subject to BDP14 other uses may be acceptable where it can be demonstrated that they support the wider enhancement of the Town Centre and do not compromise the existing retail core of the Town Centre.

BDP17.18 Any major redevelopment proposals should reflect the linear nature of the Town with active frontages along Worcester Road, although opportunities exist for a wide range and scale of design approaches on other areas of the site. The eastern edge bounded by the Spadesbourne Brook and Sanders Park must address these features whilst taking the risk of flooding as identified by the strategic flood risk assessment into account and where possible look to use these features as a positive design element. **Any development proposals must be made safe without increasing**

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<sup>1</sup> This is defined in the National Planning Practice Guidance as a flood event of a given annual flood probability, which is generally taken (in the case of fluvial flooding) as flooding likely to occur with a 1% annual probability (a 1 in 100 chance each year)

flood risk elsewhere. Opportunities should also be sought through the design and layout for reducing the flood risk in the area.

End

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## Sumi Lai

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**From:** Tyas, Matt <matt.tyas@environment-agency.gov.uk>  
**Sent:** 04 February 2014 11:23  
**To:** Sumi Lai  
**Subject:** RE: Site 1 - development plans Redditch Borough Council and Bromsgrove District Council

Thanks for this Sumi.

I think all of the concerns raised in her letter can be addressed via the policy recommendations we made in our latest representation dated 21 Jan 2014. Subject to the plan being amended to incorporate our recommendations (including those in our original response) we are happy with the housing site allocation policies and our soundness objection can be removed. We do not anticipate that any further meetings will be necessary on this matter.

I will liaise with Ruth on the water target side of things as she has had more of the involvement in that matter. I will be in touch to advise asap.

I'll also be in touch asap with further advice on the town centre flood risk issue.

Cheers

Matt

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**From:** Sumi Lai [mailto:s.lai@bromsgrove.gov.uk]  
**Sent:** 31 January 2014 12:22  
**To:** Tyas, Matt  
**Subject:** FW: Site 1 - development plans Redditch Borough Council and Bromsgrove District Council

Hi Matt,

I've attached the latest letter from Amanda (STWL) for your info.

In the letter, it stated that the reduction in recharge from developing the site is estimated to be in the region of a 3% overall reduction which would result in a lowering of groundwater levels around the source in the region of 2m over a number of decades. It means that STWL will need to lower borehold pumps or change the source operation at some stage to maintain the current yield from the source.

In the December meeting, we discussed about the possibility of using local evidence to support a water demand target in the policy. You may aware that in the Bromsgrove Water Management policy, all market housing is expected to achieve 105 l/p/day by 2013 and 80 l/p/day by 2016. For affordable housing, 80 l/p/day is expected from 2013 onwards. The evidence to justify these targets are the Affordable Housing Viability Study and the Outline Water Cycle Study. But I am also mindful about the Housing Standards Review consultation which stated that a water target should follow on from consultation with the local water supplier, developers and EA. The LPA must be able to demonstrate at examination that the standard is required to address a clear need and as part of an approach to water efficiency that is consistent with a wider approach to water efficiency as set out in the water undertaker's water resource management plan. I therefore would like to check from EA's point of view, is the finding of the draft results of the recharge assessment

significant enough to justify a water demand target which could be included in Site 1 Foxlydiate (the cross boundary site) policy?

Thank you!!

Sumi

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**From:** Michael Dunphy  
**Sent:** 28 January 2014 16:15  
**To:** Rosemary Williams; Sumi Lai  
**Subject:** FW: Site 1 - development plans Redditch Borough Council and Bromsgrove District Council

Any comments???

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**From:** Coffey, Amanda [<mailto:Amanda.Coffey@severntrent.co.uk>]  
**Sent:** 28 January 2014 16:07  
**To:** Emma Baker; Michael Dunphy  
**Cc:** Beatty, Matilda  
**Subject:** Site 1 - development plans Redditch Borough Council and Bromsgrove District Council

Dear Emma and Mike

Please find attached a letter from us sharing the outcomes of the modelling work we have undertaken using the Environment Agency's Bromsgrove recharge and groundwater model, to estimate the potential impact if Site 1, as identified in your plan, is developed and becomes an urban area. This work demonstrates that there are likely to be impacts from the allocation. We are also aware of the challenges of growth your area is facing. We would like to find a way forward to address our current objection so that when you go forward with the local plan the matter is addressed.

Regards

Amanda

**Amanda Coffey**  
Senior Hydrogeologist  
Water Strategy  
Severn Trent Water Ltd

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