
LAND ADJACENT TO BERRYFIELDS CLOSE, BROADWAS RESPONSE TO THE INSPECTOR'S QUESTIONS FROM BROADWAS & COTHERIDGE PARISH COUNCIL

1.0 PC1: Given the Parish Council's comments in Footprints, is it reasonable to assume that some who had a local need were discouraged from expressing that wish?

- 1.1 It is not considered that a 3-paragraph insertion in the monthly Parish Magazine would deter anyone in the parish in housing need from replying to the survey, or from taking action to secure housing via the appropriate means.

Looking at the wording in detail, we comment as follows:

Gloucestershire Rural Community Council has been commissioned by the developers, Wolverley Homes Ltd to carry out a Housing Needs Survey in Broadwas & Cotheridge parishes and several, but not all, adjoining parishes. This is a statement of fact.

This proposed survey does not have the backing or support from either the Broadwas & Cotheridge Parish Council or from Malvern Hills District Council. This is a statement of fact.

It is understood that the survey will be sent by post to all households, probably during March 2018. This is an indication of the survey's timescale to provide clarity to local residents in order that they could look out for the survey and complete it, if they so wished. If anything, this heads up would enable those in housing need to anticipate the survey and complete it.

There is no compulsion to respond to the survey. This is an indication that residents were not required to complete the survey if they did not want to.

If you decide to do so, please be aware that, if you indicate a potential need for additional housing, this may be used by developers to support planning applications for further significant development in our villages. This is an indication that if local residents completed the survey the results might be used to support a planning application. For any local resident in housing need, this would encourage, not dissuade, them from completing the survey, as doing so might lead to new affordable houses being built which would be available to local people. Far from discouraging residents from completing the survey, this statement could actually encourage those in housing need to complete it, in the anticipation of new housing.

Gloucestershire Rural Community Council is a charitable organisation that in its own words 'is dedicated to enriching the lives of people living in Gloucestershire by supporting them through change and by enabling them to determine, shape and develop their own communities...' This is a statement of fact provided to give context about the company undertaking the survey. It neither encourages nor discourages residents from participating in the survey. For anyone in housing need, the credentials of the Gloucestershire Rural Community Council might encourage them to complete the survey, in the expectation that this would lead to new housing.

2.0 PC2: In your addendum to Background Paper No 1 you state that there is, at best, a maximum need for 5 affordable houses. Can you please demonstrate how you get to that figure from the one given in the appellant's local housing needs survey?

2.1 The Housing Needs Survey (HNS) undertaken by Gloucestershire Rural Community Council referred to in the Addendum to the Background Paper covered an area significantly larger than just Broadwas, or even the combined parishes of Broadwas and Cotheridge. Paragraph 3.1 of the HNS identified a total of 662 households within the study area, including Wychenford (216 residential properties), Doddenham (114 dwellings), Lulsley (64 dwellings), Broadwas (99 dwellings) and Cotheridge (169 dwellings). Broadwas and Cotheridge together total 268 dwellings and represent 41% of the dwellings in the study area.

2.2 The HNS indicated a purported requirement of 13 affordable houses and 19 open market houses for the study area as a whole. In order to enumerate the suggested housing need for the Neighbourhood Plan Area only, and not the wider HNS study area, the Addendum pro rated the identified need according to the population of Broadwas and Cotheridge Parishes. Accordingly, 41% of 13 is 5.33, rounded to 5 affordable houses, and 41% of 19 is 8 open market houses.

2.3 Hence 5 is the maximum number that could be justified by the HNS at the time for the whole of the NDP Plan Area. Note that the open market figure of 8 did not take account of the planning permission for 3 dwellings in Broadwas at Zourka, which, when taken into account, reduced the open market requirement from 8 to 5 dwellings.

3.0 PC3: Do you accept that, if the Inspector finds that the local housing need is justified, then the development comprises 'limited affordable housing for local community needs under policies set out in the development plan' (National Planning Policy Framework para 145f)? Policies for managing development within a Local Green Space should be consistent with those for Green Belts. As you are aware, under para 143 of the Framework inappropriate development in the Green Belt should not be approved except in very special circumstances. Therefore, do you accept that if the development falls under a type deemed not inappropriate under para 145 of the Framework then, whilst Policy P3 in the Neighbourhood Plan is noted, under the Framework there is no need to demonstrate very special circumstances?

3.1 The Parish Council does not accept that the scheme comprises *limited affordable housing for local community needs* for the following reasons: firstly, the proposed development which comprises 13 houses on a site extending to 0.64 ha falls within the definition of '*major development*' in accordance with the terms of the Town and Country Planning (Development Management Procedure) Order 2015, as it meets both of the definitions in paragraph 2 of the Order, being more than 10 dwellings and on a site of more than 0.5ha. The scheme cannot therefore be considered as *limited*.

3.2 Secondly, the proposed development will not meet *local community needs* as the terms of the Unilateral Undertaking allow for a cascading of the properties to beyond the *local community* within just 2 weeks of marketing. Only if the terms of the Unilateral Undertaking were amended to ensure that the properties were taken by local people – defined as residents of

Broadwas and Cotheridge – would the scheme meet *local community needs* as required by paragraph 145f of the Framework.

- 3.3 It is acknowledged that *local community* is not defined, but any rational interpretation of this description would be based on the parish boundary, potentially extending to neighbouring parishes. In this instance, the parish of Broadwas and its neighbouring parish of Cotheridge.
- 3.4 These requirements are echoed in Policy SWDP16 Rural Exception Sites which refers to *small sites* (the site is defined as *major* as it is greater than 0.5ha), *unmet local need* and *continuing needs of local people* (the Unilateral Undertaking undermines this requirement).
- 3.5 The proposed development does not fulfil the terms of paragraph 145f and cannot therefore be considered as an *exception* to Green Belt policy. The proposed development is *inappropriate* and therefore, given the site's designation in the NDP as Local Green Space, the scheme needs to meet the Green Belt test of *very special circumstances*.
- 3.6 Policy P3 of the Neighbourhood Development Plan only allows development within Local Green Spaces if *very special circumstances* can be demonstrated. It is the Parish Council's view that the scheme fails to demonstrate *very special circumstances* as there is no *proven and as yet unmet local need* for affordable housing, as set out elsewhere in the Parish Council's submissions.

4.0 PC4: Do you accept that if there is a justification for this amount of LNH then (assuming there were no other concerns) that type of development is acceptable in principle on Local Green Space?

- 4.1 We acknowledge that Green Belt policy allows *limited affordable housing for local community needs* as an *exception* and that policies for managing development within Local Green Spaces should be consistent with those for Green Belts (paragraph 101 of the Framework) and therefore a similar *exception* would apply within Local Green Spaces.
- 4.2 If there is justification for the amount of LNH proposed, it is the Parish Council's view that the location of such housing within Local Green Space is not acceptable due to the scale of the proposed development i.e. it is not *limited*, and the fact that it would not meet *local community needs*. Such development therefore fails the requirements of paragraph 145f of the Framework.
- 4.3 If the *exception* test is not met, then affordable housing is only acceptable in principle in Local Green Space if *very special circumstances* are demonstrated. This requires the harm to be outweighed by other considerations. The Appeal Scheme has not demonstrated *very special circumstances*.
- 4.4 Furthermore, paragraphs 143 - 145 of the Framework should be seen in the context of paragraph 100 with regard to Local Green Space. The designation of the Appeal Site, and adjacent area of land, as Local Green Space was carefully assessed against the three tests set out in that paragraph (as referred to in paragraph 4.9 of the Parish Council's Appeal Submissions) and supported by the Examiner in recommending that the site be adopted as

Local Green Space. The development of part of this Local Green Space for housing, whether local need exists or not, needs to be seen in the context of those three tests.

- 4.5 The premise that Green Belts should allow *limited affordable housing for local community needs* has its origins in PPG2 (paragraph 3.4), some time before Local Green Spaces were given the protection of Green Belt, and the policy context to allow limited affordable housing was drawn up reflecting the scale and purpose of Green Belts.
- 4.6 An incursion of affordable housing within an area designated as Local Green Space, which by definition is *'not an extensive tract of land'* (paragraph 100c of the Framework), will typically have a proportionally greater impact on that Local Green Space than a swathe of Green Belt which is typically more extensive.
- 4.7 Thus the erosion of 0.64 hectares, as proposed in the Appeal scheme, is a substantial intrusion into this Local Green Space which would detract significantly from its overall roles as set out in Framework at paragraph 100.
- 4.8 In addition to meeting the terms of paragraph 144 (*very special circumstances*) or 145 (*exceptions*), provision of affordable housing within Local Green Space would need to meet other policies within the Development Plan. The appeal proposals are seriously damaging to the interests of the site as part of a Local Green Space and the reasons for designating the land as such. This leads to conflict with SWDP policies SWDP2(F), SWDP5 and SWDP25. The principle of affordable housing within Local Green Space can only be considered acceptable in the context of the Plan as a whole.
- 4.9 Only development which does not conflict with the aims of designating Local Green Space, as set out in paragraph 100 of the Framework, can be considered acceptable.
- 4.10 Furthermore, we are reminded at paragraph 133 of the Framework that one of the key principles of the Green Belt is its *openness*:
- The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.*
- 4.11 Limited affordable housing within Local Green Space would need to adhere to these principles, specifically not increasing urban sprawl (in the case of the appeal scheme, it will increase the urban sprawl of Berryfields), and to maintain openness (the appeal scheme will wholly undermine the openness of this Local Green Space). As such, affordable housing would only be acceptable in principle if these fundamental aims of Green Belt policy were respected.

5.0 What is meant by you saying, in point 4 of the addendum to Background Paper No.1, special circumstances for rural exception houses in Cotheridge needs to be done on a site-specific basis rather than as a response to a more general housing need?

- 5.1 Cotheridge is classified as Open Countryside in the SWDP and therefore is not suitable for the allocation of sites for either open market housing or affordable housing. However, if a demonstrable need local to the parish of Cotheridge were to be justified, for example an agricultural worker's dwelling, then a site specific justification would be required to support a



planning application in the normal manner for such developments. This would be a separate form of housing need from a parish-wide affordable housing need based principally on demographics.

Louise Morton
Quadrant Town Planning Ltd
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