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**BIRMINGHAM CITY COUNCIL**

**BIRMINGHAM DEVELOPMENT PLAN - EXAMINATION**

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**REPRESENTATIONS**

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For and on behalf of:

**RUBERY OWEN HOLDINGS LTD**

In respect of:

**LAND WITHIN THE LANGLEY SUSTAINABLE URBAN EXTENSION**

1. **MATTER A: HOUSING NEED AND HOUSING TRAJECTORY**

1.1. We confirm our support to the representations submitted by Savills on behalf of the Langley SUE Consortium of whom our Clients are a major landowner.

1.1.1. Question 1

1.1.2. We are concerned at the outset that the City have adopted, at 80,000 dwellings, an unreasonable and unrealistic potential housing requirement figure below the lowest end of the range identified of 81,500 to 105,200. This is unacceptable for a City of Birmingham's size and needs for the proper planning of its future growth.

1.1.3. The Report on Stage 3 of the Greater Birmingham and Solihull Local Enterprise Partnership (GBSLEP) will be released shortly and will review the proposed Birmingham housing requirement figure of 112,400 dwellings in the context of the surrounding Local Planning Authorities. This is substantially above the City's adopted figure of 80,000 dwellings. Whatever is the outcome it is now clear that from a Sub Regional Review, the City's adoption of a figure of 80,000 dwellings must be deemed to be incorrect and significantly below a reasonable, proposed housing requirement.

1.1.4. Following on from that, it is clear that the City have adopted a much more restrictive Housing Market Area (HMA) than that adopted in the GBSLEP. This has considerable consequences in terms of the duty to provide an Objectively Assessed Housing Need figure.

1.1.5. It is clear from all the papers currently lodged that the City have not properly provided, as required by the NPPF, an Objectively Assessed Housing Need figure. In our view this cannot be provided until after the report on Stage 3 of the GBSLEP has been issued and the City have had time to consider its contents and advise the Examination accordingly.

1.1.6. In our view the Plan should continue to be Examined based upon an "interim" figure of 80,000 new homes and that Allocations should be made, where appropriate, to meet that interim figure.

1.1.7. It should be noted that in the final analysis of the OAHN there is a need to consider both employment trends and market signals. It is interesting to note that the GBSLEP is focused fully on economic growth, in accordance with Government advice, and that will obviously have considerable implications both for the City and the surrounding Planning Authorities. In particular, market signals on growth have risen significantly in the last two years and forecasting indicates that to continue.

1.1.8. Given a growth above 80,000 dwellings, each of the Planning Authorities within the GBSLEP Sub Region, and even some beyond like Stratford and South Worcestershire, will be required to consider, and we believe adopt, some additional housing growth to support the City of Birmingham's needs. In fact, a submission was made to the reconvened South Worcestershire Examination by the City at that time, although not recorded.

- 1.1.9. Therefore, there is every need in the proper planning for the future growth of the City for the Langley SUE to be brought forward quickly to meet the City's growth and underpin the housing target and support their 5-year housing supply.
- 1.1.10. Question 2
- 1.1.11. As indicated above, we would advocate an interim housing figure of 80,000 new homes whilst the Sub Regional GBSLEP Stage 3 report is properly and reasonably considered following its release. The City then can provide the Examination with its OAHN figure which can then properly be Examined together with further considerations with regard to market signals, the accepted economic growth strategy and related demographics.
- 1.1.12. Question 3
- 1.1.13. It is clear from the replies above that the Plan, as drafted, does not meet the full needs for market and affordable housing. In fact, even at a figure of 80,000 new homes, the City should have properly considered all of the land within its administrative boundary to ascertain whether it was reasonable to release any more land albeit that there will still be a need to consider any further land releases within the Green Belt rules to meet the "exceptional circumstances" required.
- 1.1.14. In our view, considerable additional work needs to be carried out to the Plan so that it can be seen to have a proper OAHN, that it is sound and the whole Plan is objectively prepared.
- 1.1.15. Question 4
- 1.1.16. Referring to the GBSLEP programme, and the fact that the Stage 3 report is expected shortly, we would submit that it is not appropriate to consider at this stage any "proportion" of the Assessed Housing Need to be provided outside the city's administrative boundary. Frankly, if you do not have a proper and sound OAHN then you cannot possibly make any estimates until that OAHN is agreed and only at that time can you derive the actual amount of households that should be provided outside the City's boundary. To do so in advance at this stage is both unsound and not in accordance with the NPPF.
- 1.1.17. Question 5
- 1.1.18. We have looked again at TP28. It seems to us that the City have adopted an unacceptable and theoretical approach to housing delivery. If, as is demonstrated above, the City is so short of households, then it should delete all reference to stages and simply concentrate, as it should, on releasing as much housing land as appropriate to meet the OAHN and the target for provision within the City boundary. To constrain housing growth in this way is not in accordance with Government policy on promoting economic growth, sustainability and supporting household growth.
- 1.1.19. In our view, TP28 and its trajectory, should be deleted and replaced by a single annual housing figure for the Plan period once the totality of the housing provision for the City within the Plan period has been agreed.

- 1.1.20. That is why the Langley SUE Consortium, and our Clients in particular, wish to release housing within that SUE as quickly as possible in order to be able to provide the necessary 6,000 dwellings within the Plan period. Constrained housing / economic growth assists no-one in the City at this time.
- 1.1.21. Whilst we welcome the proposed Modification MM71, as you will see from above this does not go far enough and still leads to constrained growth, the probability that the housing targets will not be met and the likelihood of Appeals against the trajectory figures. The market should decide.
- 1.1.22. Question 6
- 1.1.23. The alternative trajectory as we have proposed above is an annual housing figure for the remainder of the Plan period once the OAHN is agreed and the target for provision within the City boundary is resolved and agreed.
- 1.1.24. Question 7
- 1.1.25. Policy TP30 is not acceptable where it requires that affordable housing must be provided where there is specialist housing or housing for the elderly, including extra care, supported housing and age-restricted housing. This type of accommodation is, by its nature, extremely costly and much more costly than market housing because of the needs of the occupants. There is no flexibility in the policy and nothing to inform the reader as to the measure of requirement. If the requirement is 35% then we think it is clear that the City will not be able to properly and reasonably provide for this style of accommodation.
- 1.1.26. When you consider the demographics for Birmingham and that those in the 55+ age range will occupy about 30% of the total age range, the requirements for the elderly are very significant, to date unplanned for by the City and, with the affordable housing requirement in that provision, there will be certainly a massive under-provision.
- 1.1.27. The City need to distinguish between Use Class C2 provision and Use Class C3 and not require affordable housing for C2, which is the norm for most other Planning Authorities.
- 1.1.28. Question 8
- 1.1.29. For the reasons set out in 7 above, TP30 is not justified in seeking affordable housing provision for specialist / extra care housing schemes.