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Dear Sir / Madam

**South Staffordshire Local Plan  
 Publication Stage Consultation – Response by Redrow Homes**

Harris Lamb Planning Consultancy (“**HLPC**”) is instructed by Redrow Homes (“**RH**”) to submit representations to the South Staffordshire Local Plan review publication plan. RH have submitted representations to earlier stages of the Plan, latterly the First Publication Plan that was published in 2022 and welcome the opportunity to comment again at this time. RH are promoting land at Castlecroft Farm, Castlecroft for a proposed residential development to accommodate approximately 600 dwellings. Castlecroft Farm is located on the edge of the District close to the administrative boundary with Wolverhampton City Council. The site is promoted for release from the Green Belt and to meet the housing needs of South Staffordshire or the unmet need arising in the wider Housing Market Area (HMA), the extent of which is significant, a point that we return to below.

**Duty to Cooperate**

The National Planning Policy Framework (NPPF) was published in December 2023 and confirms that the purpose of the planning system is to contribute to sustainable development. Paragraph 15 states that the planning system should be plan-led and include a framework for meeting housing needs. Paragraph 24 confirms that local planning authorities are under a duty to cooperate on strategic matters that cross administrative boundaries.

It is noted that in the Council’s Duty to Cooperate paper (April 2024) which other Councils the Council confirm it intends to engage with through the plan-making process. This includes both Dudley and Wolverhampton Councils although Sandwell is omitted. The list also excludes other Councils that are in the same HMA, of which there are 13 in total, such as Birmingham, Solihull, Lichfield and Stratford-upon-Avon. Paragraph 2.2 states that “it may also be appropriate to engage and incorporate with other local authorities that do not directly adjoin South Staffordshire but have links, depending on the issue to be addressed, for example, authorities within our Housing Market Area, or local authorities in the Cannock Chase SAC zone of influence”. We consider it imperative that the Council seeks to engage with these other authorities in the same HMA as the Council if the housing need is going to be met. Furthermore, the Council should not be selective about which houses or need in the HMA it chooses to assist with meeting.

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Notwithstanding the above, the Council identified strategic issues to be addressed in Section 5. From paragraph 5.2 to 5.11 housing matters are addressed. The Council confirm that it sits within the Greater Birmingham HMA (GBHMA). It then sets out at paragraph 5.3 the level of unmet housing need that has been identified in other LPAs in the HMA in recently published plans which total approximately 110,000 dwellings.

It then goes on to state that the Council was a signatory to a Statement of Common Ground (in 2022) at paragraph 5.9 which the Council confirms that in the First Publication Plan it had proposed to make 4,000 dwellings available to contribute to meeting the unmet need arising in the wider HMA, which Redrow considered was insufficient at the previous Regulation 19 consultation. However, following the publication of the updated Framework and specifically the changes to national policy in respect of Green Belt, the Council has now changed its Local Plan strategy and is now only proposing to make a contribution of 640 dwellings to meet the needs arising in the wider HMA.

It is not clear whether the Council proposes to maintain its signature to the Statement of Common Ground that it signed previously. Since it was signed in 2022, the Black Country authorities have abandoned the preparation of the Black Country Plan and proceeded to prepare individual Local Plans. Furthermore, as noted in paragraph 5.3, the level of unmet need has increased significantly. Birmingham, Sandwell, Dudley and Wolverhampton Councils have all stated that their needs are greater than the available land each authority has available at present to meet this need. They have all stated that they would be looking to adjoining authorities in the HMA to meet some of this unmet need.

There is, therefore, a greater need now than in 2022 with Birmingham, Dudley, Sandwell and Wolverhampton all saying that they need to work collectively with via the Duty to Cooperate to meet housing needs. Notwithstanding that a token of contribution to meeting this unmet of the wider HMA is proposed, this will make no difference in addressing the 110,000 dwelling shortfall that exists. Whilst the changes to the Framework have enabled the Council to change its proposed strategy, the Duty to Cooperate remains, as does the need to address cross boundary issues. As it stands, we do not consider that the Duty to Cooperate has been fully discharged and that an appropriate strategy or level of agreement has been reached between the HMA authorities as to how the level of unmet will be met across the HMA.

Set out below are our detailed representations on individual policies contained within the Plan.

### **Vision and Strategic Objectives**

RH generally support the vision set out in terms of addressing the climate emergency and creating beautiful and thriving new places in which people can live, work and enjoy leisure activities. In order to achieve the vision a number of strategic objectives are identified. Strategic Objective 1 seeks to protect the Green Belt whilst Strategic Objective 2 seeks to meet housing and employment needs of the District whilst making a proportionate contribution towards the unmet needs of Greater Birmingham. We will return to this point below although the previous proposal to contribute 4,000 dwellings to meet the unmet needs of the HMA is now reduced to just 640, equating to 0.6% of the identified unmet need, and raises the question of whether this is a proportional contribution to meeting the needs of the HMA which has significantly increased since the publication of the First Publication Plan.

We support Strategic Objective 3 that seeks to provide housing to meet the needs of different groups in the community, including a good range of market and affordable housing of varying sizes and tenures to meet different requirements.

## Development Strategy

The introductory text to the Development Strategy section confirms approximately 80% of the District is Green Belt. Furthermore, Strategic Objective 1 of the Local Plan seeks to protect the Green Belt from unplanned development as far as possible. National Planning Policy was recently updated in the December 2023 version of the Framework which confirms that it is within the local authority's gift to choose to review the Green Belt boundaries through the Local Plan where they feel that exceptional circumstances for doing so exists and these can be fully evidenced and justified. The Council's development strategy, therefore, is to release limited land from the Green Belt principally to meet housing needs arising within South Staffordshire. The Green Belt is proposed to be amended to accommodate allocations in policies SA1, SA3 and SA5.

Notwithstanding that the Council are proposing to amend the Green Belt boundaries to accommodate housing development to meet its own needs the revisions to the Green Belt do not extend any further in terms of accommodating any of the wider unmet needs arising in the HMA. To this effect, the Council is proposing to reduce the contribution that it is making from 4,000 houses to just 640.

Clearly, the Council consider that there are exceptional circumstances to amend the Green Belt boundaries in order to meet its own needs but that these exceptional circumstances do not extend to meeting the needs in the wider HMA. Clearly, if exceptional circumstances are considered to exist and a review of the Green Belt is therefore required in order to release land for development in the District, RH consider that there is also sufficient justification for reviewing the wider Green Belt boundaries in order to meet additional development needs arising elsewhere. In addition, it is noted that Green Belt land is being released to meet employment land requirements arising both in South Staffordshire but also the wider HMA. The review of Green Belt boundaries is, therefore, being selectively applied notwithstanding that there are considered to be exceptional circumstances in doing so to meet the District's own needs.

As we have set out above in the Duty to Cooperate section there is a significant level of unmet need that has been identified in the emerging Local Plans of Birmingham, Dudley, Sandwell and Wolverhampton, all of which sit within the same HMA as South Staffordshire. All these authorities are advocating that their unmet need is met elsewhere within the HMA of which South Staffordshire would be one authority they would be looking to, to accommodate some of this need. Previously South Staffordshire had agreed to accommodate 4,000 of these dwellings although this is now reduced to 640. In light of the extent of the unmet need that extends to approximately 110,000 dwellings the level of unmet need is significant and at the present time there is no agreed position between the HMA authorities as to how and where this will be met. The scale of the unmet need is so significant that we consider that this is an exceptional circumstance that requires the release of further Green Belt land in order to help meet this on a HMA wide basis.

The Council clearly considers that release of land from the Green Belt to meet its own needs is a possible solution to meeting its housing requirements that this does not extend to meeting the wider needs of the HMA. We do not consider that this is a sound approach on the basis that a review of the Green Belt has been undertaken, and potentially suitable areas identified to be released from it, albeit that any land release from the Green Belt is only intended to meet the needs of South Staffordshire.

In summary, paragraph 145 of the Framework confirms that there is no requirement for Green Belt boundaries to be reviewed or changed when Plans are being prepared or updated. However, the Council has decided to amend the Green Belt boundaries as it considers exceptional circumstances exist in order to meet its housing needs. The Council has, therefore, undertaken a review of the Green Belt proposing to amend boundaries to meet its

development needs. The extent of the Green Belt changes are such that are only intended to assist with meeting the housing needs of the District and do not extend to the unmet housing needs arising in the HMA.

RH object to the selective application of exceptional circumstances to justify a partial review of Green Belt boundaries where they meet the Council's needs only and not those of the wider HMA notwithstanding that the scale of unmet need is significant. We consider that there are exceptional circumstances arising in the wider HMA that would necessitate a wider review of Green Belt boundaries within South Staffordshire to meet housing needs, the consequences of not doing so are significant.

#### **Policy DS4: Development Needs**

The policy identifies a requirement for 4,726 homes over the period 2023 to 2041. Paragraph 22 of the Framework confirms that strategic policies should look ahead over a minimum 15-year period from adoption. The proposed plan period would accord with this if the Plan is adopted in 2026. Should it not be adopted by this time, the Council should consider extending the plan period by a further year or two to accommodate any delay with its adopted.

The housing requirement includes the District's own need for 4,086 dwellings plus a 640 contribution towards meeting the unmet needs of the wider HMA. Whilst we understand that the requirement for the District has been calculated using the Standard Method the basis upon which the 640 contribution towards the Black Country has been arrived at is less clear. The supporting text to the Plan states that the Council are pursuing a capacity-led approach focusing growth to sustainable non-Green Belt sites and limited Green Belt development in Tier 1 settlements that are well served by public transport. Notwithstanding this approach it is noted that the First Publication Plan that was consulted upon in 2022 identified a capacity for 4,000 homes to meet the needs of the wider HMA. Clearly at that time, the Council considered there was capacity to deliver 4,000 houses to meet the needs of the HMA.

It is not, therefore, clear why the Council are now stating that there is only capacity for 640 dwellings to meet the needs of the wider HMA. The only apparent change would be the change in policy set out in the Framework which states that local planning authorities do not need to review their Green Belt boundaries to meet their development needs. Clearly, prior to the publication of this guidance the Council had identified sufficient capacity to accommodate 4,000 dwellings.

In seeking to pursue a capacity-led approach the Council is unable to respond to various issues such as addressing affordability or increasing the supply of affordable housing which are particular issues that may affect the delivery of housing within South Staffordshire. In seeking to restrict the supply of new homes to the capacity of available land this risks accentuating existing problems within the housing market within South Staffordshire such as the availability of affordable housing or addressing affordability issues. Clearly, capacity is available if the Council were minded to widen out the review of its Green Belt to release further land from it in order to meet additional development needs.

The sources of supply set out in Table 8 total 5,169 dwellings, which exceeds the housing requirement by 443 dwellings. As such, the Council has identified a small flexibility allowance in its supply in order to meet its, and those of the HMA's, housing needs. The allowance represents less than 10% of the overall requirement. RH do not consider that this is sufficient as one would typically anticipate a 10% non-implementation rate on allocated sites. Furthermore, the Council are already relying on an 11.5% windfall allowance. When taken into account both provide a degree of uncertainty that in our view means that the 443 buffer that has been identified would not be sufficient to ensure that all housing needs are met.

In respect of the windfall allowance, whilst we do not dispute that one can be allowed for in the supply RH do not consider that it can continue to deliver as the same rates as per the recent past. Settlement boundaries within the District have not been reviewed and there is, therefore, a dwindling number of opportunities within these to present redevelopment options to increase the supply of housing. RH contend that allocating new sites presents greater certainty that housing needs will be met rather than relying on windfalls coming forward in a sporadic manner.

RH consider that in light of the unmet housing need identified in the emerging plans of Birmingham City Council, Dudley, Sandwell and Wolverhampton the proposal to identify 640 dwellings to meeting this need equates to less than 1% of the total unmet need arising. Whilst any contribution to meeting the wider needs of the HMA is appreciated, in reality the contribution from South Staffordshire would make an extremely limited impact on addressing the housing requirement across the HMA.

Whilst the Council have determined to reduce its contribution to meeting unmet housing needs arising in the HMA from 4,000 to 640 dwellings it still intends to make available over 45 hectares of land for employment needs to meet the needs of the Black Country authorities. Again, exceptional circumstances appear to exist for release of land from the Green Belt to meet employment needs of the authorities but not housing needs. Why are meeting the housing needs of South Staffordshire or the employment land needs of South Staffs and the Black Country considered more important than meeting the housing needs of those in the Black Country and wider HMA?

RH do not, therefore, consider that the housing requirement of 4,726 homes has been formulated on a sound basis. Paragraph 67 of the Framework confirms that strategic policy making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need over the plan period along with any needs that cannot be met within neighbouring areas. Whilst the Local Plan does propose a 640 dwelling contribution to meet the unmet needs arising in the HMA RH do not consider that this contribution will adequately address the unmet need that has been identified and that the approach will not be effective as it would not result in effective joint work on cross boundary strategic matters. Furthermore, in light of the fact that the Council had previously proposed a 4,000 contribution to meeting the unmet needs of the HMA the reduction to 640 confirms that this plan is not positively prepared and is, therefore, unsound on this basis. Neither do RH agree that the size of the buffer (443 dwellings) or the reliance on windfalls (to the extent that is proposed) would ensure that housing needs both within the District and meeting the unmet needs of the HMA will be met.

In order to address RH's concerns, we would wish to see an increased contribution from South Staffordshire to meeting the unmet needs of the HMA. The 4,000 dwelling figure was never tested, and it is wholly insufficient anyway and will not prevent hundreds of thousands of people going without sufficient accommodation. Since it was published the level of unmet need has increased so a contribution of at least 4,000, if not larger is now required. The adjoining authorities have all proposed working with the adjoining authorities to address their unmet need and RH therefore recommend that South Staffordshire enter into further negotiations and discussions with the adjoining authorities of Birmingham, Dudley, Sandwell and Wolverhampton in order to establish what level of need they could meet at this time.

#### **Policy DS5: The Spatial Strategy to 2041**

The Council's Spatial Strategy seeks to direct new allocations to the Tier 1 settlements where Green Belt release is proposed to accommodate new allocations. In the Tier 2 to Tier 4 settlements only allocations within existing settlement boundaries are proposed with new development to take place on sites within the built-up area. The proposed strategy is intended

to meet South Staffordshire's own housing need in sustainable locations that are well served by existing shops, services and facilities. RH do not object in principle to the spatial strategy in terms of the Council seeking to meet its own housing needs. However, RH do object in light of the comments above in respect of wider unmet housing need arising in the HMA and how this is not being addressed at the current time.

In seeking to justify the Council's spatial strategy the sites that were promoted for development had been assessed as to their suitability for allocation. The conclusion is that only sites in Tier 1 settlements were considered suitable for release from the Green Belt and to be allocated for development. All other sites around Tier 2 to Tier 4 settlements are assessed as being unsuitable. The risk in not identifying any specific allocations in Tier 2 to Tier 4 settlements may mean that they do not receive any further development which as a result could leave an aging population resident in the settlement and a corresponding decrease in demand for certain services (i.e. primary schools) or increase for other services (i.e. GP services).

The supporting text at paragraph 5.16 indicates that Tier 1 settlements are capable of accommodating new development as they would help facilitate sustainable commuting. In light of this point, RH note that the land at Castlecroft Farm is well located to the existing built-up edge of Wolverhampton City which would provide convenient access for residents who work in the City Centre to access opportunities present there. In terms of meeting any overspill or unmet need that arises in the conurbation RH contend that locations that immediately abut the edge of Wolverhampton should be the preferred location to direct new housing development. In doing so, it would reduce the distance that people would need to travel in order to access jobs, shops, services and facilities within the City Centre. They would also be conveniently placed to access other locations within the wider conurbation by virtue of their proximity to it.

In terms of the split in development that is to be directed to the various tiers of the settlement hierarchy we note that just under half of the housing requirement for the whole District is to be directed to the settlements of Penkridge and Codsall / Bilbrook. Whilst there is certainly merit in directing a significant proportion of growth to the most sustainable settlements it should not be at the expense of ensuring proportionate levels of growth in the remaining areas of the District.

In light of RH's comments about how an unmet arising within the HMA is to be met, specifically the contribution that South Staffordshire is making to address this, we do not consider that the spatial strategy development is sound. Whilst a contribution of 640 homes is identified as being proposed to meet the unmet needs of the District these are not specifically directed to locations that are particularly well related to the existing built-up area and have been into the wider spatial strategy development for the District. Whilst there is no specific requirement for houses to meet the needs of the HMA to be directed to locations in close proximity to the conurbation there is a case to be made that new development that meets the needs of the conurbation would be better placed if they were located in close proximity to the existing urban edge.

RH consider that the land at Castlecroft Farm is one such location where new development could be accommodated in close proximity to the existing urban area that could meet needs arising outside of the District. In sustainability terms this is considered a more appropriate approach as it would be meeting the needs of where it was arising. As such, RH do not consider that the spatial strategy is sound as the policy is not positively prepared as the unmet need is not being met where it is practical to do so and thereby a more sustainable option is available as opposed to the that is currently proposed. Furthermore, we do not consider that the policy is effective as it is not based on effective joint working on cross boundary strategic matters.

In order to address RH's concerns, we would wish to seek specific allocations identified within South Staffordshire that could be allocated specifically to meet unmet needs arising within the HMA and conurbation. The land at Castlecroft Farm is one such location that RH considers wholly appropriate to fulfil this purpose.

We note that Plan identifies that housing growth will be located at the strategic allocation made adjacent to Stafford through the Local Plan in order to facilitate sustainable growth at a non-Green Belt location. The Council, therefore, appear willing to direct growth to the edge of Stafford which is outside of the HMA that South Staffordshire sits purely on the basis that the land is not in the Green Belt. In light of the fact that South Staffordshire sits within the GBHMA it would make more sense for the Council to seek to meet needs arising within the HMA that it sits rather than an adjoining HMA that currently lies outside of the established HMA.

### **Policy SA3: Housing Allocations**

RH do not object in principle to any of the proposed housing allocations on the basis that we consider that all of the identified allocations are required to meet the housing requirement that has been identified. Notwithstanding this point RH consider that further allocations will be needed once it has been established whether the contribution to meeting the unmet needs of the HMA is appropriate and if not, further allocations may be required if additional land is needed. Clearly if additional land is required to be allocated for housing, then RH would like the land at Castlecroft Farm to be considered as a residential development site to meet either additional housing need arising in South Staffordshire or to meet unmet need from the HMA.

In light of the omission from the Plan of the land at Castlecroft Farm as a proposed allocation RH wish to object to the Plan on the basis that the Plan is not positively prepared and would mean that housing needs in the HMA are going unmet. The land at Castlecroft Farm is considered suitable for development as there are no technical, physical or environmental constraints that would prevent its development. Furthermore, it is well related to the existing urban edge and can provide links into central Wolverhampton.

The development would deliver 600 dwellings including a policy compliant level of affordable housing. The scale of development is such that new facilities including community and recreational facilities could be provided within the development. Areas of BNG can be provided along with new areas of open space that would improve access to an area. The site is being promoted by a national housebuilder and there is a single landowner involved. Both are factors that would ensure delivery of the site in a prompt manner early in the Plan Period. The site is, therefore, available, achievable and deliverable and would make a significant contribution to the delivery of housing early in the plan period.

### **Policy SA3: Housing Allocations – Omission Site**

The housing allocations that had been identified are intended to meet the housing requirement that has been identified and to include the 640 dwellings that have been made available to meet the needs of the HMA. In principle, we do not have any specific objections against the sites that have been chosen and we consider that all of them would be required in order to meet the housing requirement that has been identified. Whilst RH do not object to specific sites, we do object to the omission of the land at Castlecroft Farm as a proposed housing allocation in the Plan. Our objection is based on the fact that we consider that a significantly larger number of dwellings is required to meet the unmet needs arising in the HMA as had previously been proposed by the Council. In seeking to accommodate a larger proportion of the unmet need allocations would be needed in the Plan over and above those that had been identified within policy SA3. RH, therefore, object to the omission of Castlecroft Farm and consider that it would be suitable for removal from the Green Belt and for its allocation of housing development.

The land at Castlecroft Farm is considered suitable as it is in a sustainable location and capable of delivering a high quality residential-led scheme including much needed market and affordable housing. The proposed development would be landscape and ecology led which would result in an attractive green neighbourhood delivering canal side living. Approximately 600 dwellings can be delivered along with a significant quantum of public open space and green infrastructure.

The site benefits from being located against the edge of the existing settlement of Castlecroft which is both accessible to the open countryside and South Staffordshire whilst only being 10 minutes' drive from Wolverhampton City Centre. The site is accessible by a range of sustainable transport options whilst there are a range of local facilities including 3 primary schools, an infant school, a secondary school, local shops including a supermarket and a local parade of shops in Castlecroft centre. In addition, there are public houses, a medical centre and a community library present. The site is, therefore, well located to existing shops, services and facilities and well served by public transport. It is considered locationally sustainable.

Our initial assessment of the site confirms that there are no physical, technical or environmental reasons that would prevent the development and that the development would be landscape-led with a landscape strategy designed to link the scheme into the existing settlement edge. Incorporation of significant new planting and strengthening of existing trees and hedgerows alongside a web of green infrastructure will deliver biodiversity net gain. The canal side frontage is considered a real opportunity to deliver a high-quality residential environment. Furthermore, it would provide a valuable resource and wildlife corridor, amenity habitat area and an interested and varied feature of the development. In total, it provides a unique opportunity to deliver a high-quality residential development in an attractive and accessible location. Furthermore, the site is under the control of a national PLC housebuilder with a strong track record of delivering high quality development. The site is not constrained by legal or ownership issues and could come forward early in the Plan Period.

The omission of the land at Castlecroft Farm from policy SA3 is considered unsound on the basis that it is not positively prepared, nor will it be effective. To address RH's concerns the inclusion of the site as a draft allocation for 600 dwellings would address the soundness issue.

### **Policy HC1: Housing Mix**

The policy requires that all new housing developments should provide a mix of property sizes, types and tenures in order to meet the needs of different groups in the community. In principle RH do not object to the policy noting that housing delivery across the District should accommodate the housing need that has been identified. The housing market is not uniform across the whole District and there will be certain parts of the District that would be more appropriate to accommodate specific types and tenures of housing. It would not, therefore, be practical to seek to achieve a district wide housing mix on smaller sites for example where there may be other site-specific constraints that make this unfeasible. Notwithstanding this point there would be opportunities on larger sites such as the land that is proposed at Castlecroft Farm to deliver a wider mix of size of dwellings and tenures including affordable housing.

RH, however, object to the requirement in the policy that at least 70% of all dwellings on major development housing sites should include a minimum of 70% of properties with 3 bedrooms or less. RH consider that the objective should be to deliver the requisite housing mix to meet the housing needs across the District rather than to specify the percentage of dwellings on individual sites and specifically seeking to restrict the provision of larger 4 bedroom properties for new development. There may be other sites that are more suited to the delivery of smaller units thereby meeting this demand and freeing up capacity on other sites to deliver larger units. Overall, the objective is to meet the housing needs across the District rather than on each individual site.



The policy goes on to state that all development that fails to make efficient use of land by providing a disproportionate amount of large 4 bed homes compared with local housing need would be refused. The reference to disproportionate is unclear and provides no certainty as to how the policy would be applied and how specifically developers would need to respond to it.

RH, therefore, consider that the policy is unsound on the basis that the policy is not justified.

In order to address RH's concerns, we would wish to see the policy amended to refer to it being applied on a District wide basis rather than a site-by-site basis so that housing needs overall would be addressed.

### **Policy HC2: Housing Density**

RH welcome the objective of achieving a minimum net density of 35 dwellings per hectare on sites adjoining Tier 1 settlements and infill locations within built up areas of Tier 1 to 3 settlements across the District. However, RH note the wording of the policy that seeks to encourage, rather than impose, strict adherence to the density requirements set out. RH supports this flexible approach to consideration of density noting that there may be instances where the character and site specific circumstances of a proposed development site dictate that there should be divergence away from the minimum density set out above. We consider this policy sound.

### **Policy HC3: Affordable Housing**

RH do not object to the requirement to provide 30% affordable housing within new development. Furthermore, the proposed breakdown of tenure to 25% first homes, 50% social rent and 25% shared ownership provide a useful starting point for considering affordable housing tenures within new development however, we consider the policy should include the ability to negotiate or diverge away from the proportions set out above. This is in order to respond to site specific or location specific requirements thus enabling an appropriate range of affordable units to be provided within new developments that best meet the needs of those that they are intended to meet. As it sounds, the policy is not effective and not therefore sound. To address our concerns, we would wish to see a sentence added that reflected the ability to negotiate the specific tenure on a site by site basis using the specified tenure mix as a starting point.

### **Policy HC4: Homes for Older People and Others with Special Housing Requirements**

RH do not object in principle to the requirement to meet specific needs of older people and other groups with specialist requirements. In the case of RH this would typically involve the delivery of bungalows or other age restricted single storey accommodation such as flats and maisonettes. Whilst these forms of dwellings could be accommodated within larger developments the proportion of them would need to be proportionate to the size and scale of development and the level of need that they were intended to accommodate. The policy is not explicit in terms of what proportion of the total of these forms of housing should be provided and the policy could be clearer in terms of setting out what would be required when bringing development proposals forward. The delivery of bungalows is land hungry and could undermine the objective of achieving the 35dph requirement set out in policy HC2. Whilst an element of bungalows or single storey accommodation could be accommodated within new development RH's preferences is that this is negotiated on a site-by-site basis where it forms part of an overall package of dwelling types and sizes to meet a variety of needs. The policy should be reworded to state that the Council will seek to negotiate with developers to meet the needs of specific groups rather than requiring them to do so.

In principle we have no objection to the objective of the policy although the way that it is currently worded is currently unclear in terms of what proportion of dwellings is required. Similarly, the requirement to require developers to provide specialist accommodation should be softened to state that the Council should seek to negotiate. As such, we consider it unsound as it is not effective. In order to address our concerns, we wish to see some clarity provided in the wording of the policy as to the level and type of accommodation that would need and how this was to be provided and agreed on a site-by-site basis.

In respect of the delivery of M4(2) accessible and adaptable dwellings the policy requires that 100% of all dwellings on major developments would be required to meet these standards. This will have a number of implications for the cost of developing these units which could impact upon viability and the ability to deliver the minimum density requirements as set out in policy HC2. It is not clear whether there is evidence of need for this level of requirement within all major new development and as such RH consider that the proposal is onerous and not justified. The inclusion of M4(2) units is a requirement of Building Regulations and we consider it would be better placed for this matter to be controlled through these rather than a Local Plan policy.

In respect of properties that are accessible for wheelchair users we welcome the fact that a specific percentage for the inclusion of these types of accommodation within new developments is not specified and that it would be down to the developer to propose these which would then be considered in the overall planning balance with weight to be attributed to this in the planning balance. We would welcome this approach.

### **Policy HC8: Self Build and Custom Build**

The policy requires that in major developments developers will be required to make provision for self and custom build plots. RH are unclear as to the evidence of the need for self-build plots and do not consider that this has been adequately demonstrated. The self-build list is not readily accessible on the Council's website so we cannot see what the current level of demand is for self-build plots. Evidence of the need for self-build plots needs to be demonstrated in order to justify the requirement to provide them within new major development.

Furthermore, any self-build plots may then require a design code to be agreed with the applicant and implemented by the developer of the plots. The agreement of a design code in our view would undermine the attractiveness of self-build plots if a prospective purchaser had to abide by a design code that they had no input into preparing. It also raises the question of whether the design code would reflect the design and appearance of the wider development again thereby undermining the attractiveness of the self-build plots to a potential self-builder. The attractiveness to self-builders of being able to build their own house is the fact that they can design their house in the form they wish and in our view they would not want to be constrained by pre-agreed design code that they had no input into. In our view applying a design code to self-build plots would reduce their attractiveness and undermine the supply of self-build plots available for self-builders.

Notwithstanding the above RH welcome the requirement to actively market self-build plots and that if these are not taken up, they can revert back to standard market dwellings to be developed by the developer. RH consider that a period of between 6 to 12 months of marketing would be appropriate. Furthermore, RH contend that the marketing of the plots should run concurrently with the start of the development. This is on the basis that if the plots are not taken up they can revert back to the developer and be completed as part of the wider development. If this were not the case the likelihood is that the plots would go undeveloped and would reduce the supply of housing as a result.

RH consider the policy unsound in that it is not effective and it would not result in the uptake of self-build plots as a result of applying design code that would reduce the attractiveness to self-build by having to accord with a pre-arranged design code that they had had no input into. To address our concerns, we would wish to seek the deletion of the requirement for the design code to be removed from the policy. Furthermore, we seek the period of marketing to run for a period of 6 – 12 months and for the policy to clarify that this will commence at the same time as the commencement of the development.

### **Policy HC12: Space About Dwellings and Internal Space**

RH wish to object to the requirement that all new residential developments must meet or exceed the Government's technical housing standards – Nationally Described Space Standard (NDSS) (2015) or subsequent additions. The National Planning Policy (December 2023) references the application of the NDSS at paragraph 135 which states that:

***“Planning policies and decisions should ensure that developments:***

***f. create places that are safe, inclusive and accessible and which promote health and wellbeing, with a high standard of amenity for existing and future uses; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community or cohesion and resilience.”***

Footnote 52 states that:

***“Planning policies for housing should make use of the Government's option technical standards for accessible and adaptable housing, where this would address and identify need for such properties. Policies may also make use of the Nationally Described Space Standard, where the need for an internal space standard can be justified.”***

Paragraph 31 of the Framework states that all policies should be underpinned by relevant and up to date evidence which should be adequate, proportionate and focussed tightly on supporting and justifying the policies concerned. Thus, the Framework states that the application of NDSS are optional and should be applied only where they would meet an identified need for such properties and where this can be justified. Furthermore, the evidence of need for NDSS of new dwellings should be presented at the plan-making stage.

“The Housing: Optional Technical Standards” section of the Planning Policy Guidance (PPG) sets out guidance on the application of NDSS. It states that:

**“Local planning authorities have the option to set additional technical requirements exceeding the minimum standards required by Building Regulations in respect of access and water, and an optional nationally described space standard.”...**

**“Local planning authorities will need to gather evidence to determine whether there is a need for additional standards in their area, and justify setting appropriate policies in their Local Plans.”**

The PPG goes on to explain the circumstances in which NDSS might be warranted highlighting that:

**“Where a need for internal space standards is identified, local planning authorities should provide justification for requiring internal space policies. Local planning authorities should take account of the following areas:**

- **need – evidence should be provided on the size and type of dwellings currently being built in the area, to ensure the impacts of adopting space standards can be**

**properly assessed, for example, to consider any potential impact on meeting demand for starter homes.**

- **viability – the impact of adopting the space standard should be considered as part of a plan’s viability assessment with account taken of the impact of potentially larger dwellings on land supply. Local planning authorities will also need to consider impacts on affordability where a space standard is to be adopted.**
- **timing – there may need to be a reasonable transitional period following adoption of a new policy on space standards to enable developers to factor the cost of space standards into future land acquisitions."**

In light of the policy and guidance in the Framework and PPG it is not clear that the evidence of need for NDSS has been provided and, therefore, we do not consider there is sufficient justification for inclusion of the NDSS requirement within the policy. As such, we consider that the policy is unsound as the evidential requirements set out in policy and guidance has not been met. The policy is not justified. RH therefore seek the removal of the requirement to provide NDSS from the policy until such time as the evidence required justify its inclusion has been presented. If the evidence is not presented and the policy remains in the Plan RH would wish to see the addition of further text to state that adherence to NDSS will be sought unless it can be demonstrated it is not viable or achievable. There will be certain circumstances where delivering NDSS will adversely impact on the viability of a scheme and RH would like to see some flexibility in how they are applied so that they do not adversely affect delivery.

In respect of external space, the policy is helpful in setting out the external space requirements to be accommodated within new development. Furthermore, confirmation that the standards can be applied flexibly due to site orientation and other site constraints is also welcomed.

### **Policy HC13: Parking Provision**

RH note the requirement that the standards set out in the appendix are a starting point for considering the level of cycle and car parking required to support a new scheme. We welcome the inclusion of the other criteria upon which the exact level of parking can be determined and agree that this provides a flexible approach to determining the appropriate level of car parking associated with new development.

Just as a point of correction the car parking standards are set out in Appendix H not Appendix I as referenced within the policy.

### **Policy MB6A: Net Zero New Build Residential Development (Operational Energy)**

The policy requires that new residential development of one or more homes shall achieve net zero regulated and unregulated carbon emissions. RH considers that the policy exceeds the current level of building regulations for energy efficiency and would therefore present an onerous requirement on developers to go beyond what is currently required by building regulations. Whilst in principle RH support the move to more energy efficient homes we do not consider that the application of this policy is the appropriate route to achieve this by and consider that Building Regulations is a more appropriate and efficient way of achieving energy reduction in new residential development. The requirement set out in the policy also adds further requirements on developers when submitting planning applications already adding to the cost and complexity of submitting a planning application. As such, we do not consider the policy is sound as it is not consistent with national policy and presents a duplication of control over matters that building regulations currently address. RH would wish to see the policy deleted or significantly reworded so that it refers to building regulations rather than the requirements set out in the policy.

We trust you will take our representations into consideration. We would welcome the opportunity to attend the Examination in order to present our case for the inclusion of Castlecroft Farm in the plan in person.

Should you have any questions or wish to clarify any points above please do not hesitate to contact me.

Yours faithfully

A handwritten signature in black ink, appearing to read 'J Pearce', with a large, sweeping underline that extends to the right.

**John Pearce BSc (Hons) MTPL MRTPI  
Associate**

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