

	<p>Local Plan Publication Stage Representation Form</p>	<p>Ref:</p> <p>(For official use only)</p>
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Name of the Local Plan to which this representation relates:

**South Staffordshire Council
Local Plan 2023 - 2041**

Please return to South Staffordshire Council BY 12 noon Friday 31 May 2024

This form has two parts –
 Part A – Personal Details: need only be completed once.
 Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

Part A

1. Personal Details*

**If an agent is appointed, please complete only the Title, Name and Organisation (if applicable) boxes below but complete the full contact details of the agent in 2.*

<p>Title <input style="width: 90%;" type="text" value="Mr"/></p> <p>First Name <input style="width: 90%;" type="text" value="Ian"/></p> <p>Last Name <input style="width: 90%;" type="text" value="Deverell"/></p> <p>Job Title (where relevant) <input style="width: 90%;" type="text" value="Senior Planning Manager"/></p> <p>Organisation (where relevant) <input style="width: 90%;" type="text" value="IM Land"/></p> <p>Address Line 1 <input style="width: 90%;" type="text"/></p> <p>Line 2 <input style="width: 90%;" type="text"/></p> <p>Line 3 <input style="width: 90%;" type="text"/></p> <p>Line 4 <input style="width: 90%;" type="text"/></p> <p>Post Code <input style="width: 90%;" type="text"/></p> <p>Telephone Number <input style="width: 90%;" type="text"/></p> <p>E-mail Address (where relevant) <input style="width: 90%;" type="text"/></p>	<h3>2. Agent's Details (if applicable)</h3> <p><input style="width: 90%;" type="text" value="Mr"/></p> <p><input style="width: 90%;" type="text" value="Paul"/></p> <p><input style="width: 90%;" type="text" value="Hill"/></p> <p><input style="width: 90%;" type="text" value="Senior Planning Director"/></p> <p><input style="width: 90%;" type="text" value="RPS"/></p> <p><input style="width: 90%;" type="text"/></p> <p><input style="width: 90%;" type="text"/></p> <p><input style="width: 90%;" type="text"/></p> <p><input style="width: 90%;" type="text"/></p> <p><input style="width: 90%;" type="text"/></p> <p><input style="width: 90%;" type="text" value="Paul.hill@rps.tetrattech.com"/></p>
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Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph Policy **DS5** Policies Map

4. Do you consider the Local Plan is :

(1) Legally compliant	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
(3) Complies with the Duty to co-operate	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Policy DS5 (The Spatial Strategy to 2041) now proposes a further revised spatial strategy for the distribution of growth up to 2041.

Revised Spatial Strategy

Through the second Reg 19 Plan, the Council is now proposing a revised spatial strategy, based on *'Spatial Option I - a capacity-led approach focusing growth to sustainable non-Green Belt sites and limited Green Belt development in Tier 1 settlements well served by public transport'*. The Council says the main focus of the growth under this preferred strategy is on non-Green Belt land at suitable existing safeguarded land sites, sustainable Open Countryside sites, and limited brownfield sites available within settlement boundaries of sustainable settlements (second Reg 19 Plan, Para 5.15).

The Council then says that Spatial Option I does not avoid Green Belt release, however the Council accepts that a strategy based on this option does propose to limit Green Belt allocations to suitable sites in areas of the district best served by public transport, and that the district's Tier 1 settlements are the areas best served by public transport in the district where Green Belt release is to be retained in this second Reg 19 Plan. As a result, the Council says that Spatial Option I represents a *sound and sustainable strategy for accommodating the required amount of housing in the district by 2041 that best balances the district's growth opportunities with national policy and the district's constraints* (second Reg 19 Plan, para 5.17).



In taking forward a revised spatial strategy based on lower levels of growth overall, the Council has limited the release of Green Belt land to those sites adjacent to Tier 1 settlements only. The primary reason given is that these are the areas' best served by public transport in the district and which recognises the pressing need to deliver additional housing, whilst balancing this against the constraint that Green Belt land and sustainability factors places on the plan's ability to deliver housing growth (second Reg 19 Plan, para 5.17). However, there are a number of Tier 2 settlements where good public transport accessibility to adjacent towns exists, for example Huntington (which is located close to Cannock town). The Council offers no explanation or justification for ignoring the contribution that Tier 2 settlements can make to meeting these wider objectives and thus contribute towards delivering the revised preferred strategy. Put simply, the Council does not explain why Green Belt site at Tier 2 settlements would conflict or undermine the delivery of the preferred spatial option and so should be discounted as potential allocations.

The Council seeks to justify their revised strategy by saying that the previous spatial strategy options tested through plan preparation sought to find sites to meet a '*top down*' housing requirement (i.e. own needs + 4000 homes) (second Reg 19 Plan, para 5.18). Such an argument is erroneous given that meeting 'own needs' is a national policy requirement of all local authorities, whilst the 4,000 contribution was not forced upon the Council, but which was their own choice entirely. RPS would go further to suggest that the Council has simply devised two additional spatial options (Options H and I) as part of the revised Reg 19 Plan, which merely reinforce the wider objective of reducing the overall scale of growth in the District compared to that which was planned for in the first Reg 19 Plan, using 'capacity' as a smokescreen for the revisions. The Council has clearly used the recent changes in national policy as an excuse to radically shift away from what they had promised to deliver in the first Reg 19 Plan consulted on in 2022. This approach does not however represent a positively prepared plan, nor does it reflect the evidence of increasing scale of unmet need from the wider housing market area.

Taken together, the Council's approach to revising the spatial strategy in this context is not positively prepared and is represents a backwards step in terms of planning to meet wider development needs, whilst the decision to limit Green Belt release to only Tier 1 settlements is arbitrary in nature. The revised strategy is not soundly-based.

Housing Trajectory

The second Reg 19 Plan only refers to the housing trajectory once, and this is expressed in the context of limiting the release of Green Belt sites (second Reg 19 Plan, para 5.3). It is clear the purpose of the trajectory is reinforce this wider objective, rather than as a tool to illustrate the expected rate of housing delivery over the plan period in accordance with national policy¹.

Appendix G presents an 'indicative' housing trajectory for the second Reg 19 Plan. This seeks to show how the minimum requirement (4,726 dwellings) will be delivered over the plan period. This equates to an annual average delivery of 262.5 dpa. It can be seen that the trajectory is highly volatile over years 1-8 of the period (2023 to 2031) with low levels of growth expected in the years 2 to 5 of the plan (down to less than 100 dwellings) and in excess of 500 dwellings in years 6 to 8.

¹ NPPF 2023, para 75



The current land supply position in the District, as of April 2023, is 4.74 years². The trajectory expects a significant fall in delivery during years 2 to 5 of the new plan period (around 200 or less per annum). This is completely at odds with the current land supply position and which would undermine the ability of the Council to demonstrate a five-year supply on adoption in accordance with national policy³.

Similarly, net dwelling completions during the period 2012 to 2023 have averaged 253 dpa (with total completions of 3,250 dwellings) against a plan target 175 dpa⁴. Furthermore, relatively high levels of growth were observed recently in 2021/22 (530), and in 2022/23 (622) which is the highest annual rate of delivery in the District since 2012.

It is evident that the second Reg 19 Plan is effectively seeking to 'turning the tap off' housing delivery between 2024 and 2028. This approach is not only unrealistic based on recent performance, but would also place at grave risk the land supply position should delivery fall below the minimum annual requirement planned for. The second Reg 19 Plan and the supporting evidence does not explain why limiting growth in the early years of the trajectory is justified. The trajectory does not make 'sufficient provision' for housing in the early years of the plan period, , In addition, in its current form, the trajectory also has implications for the delivery of much needed affordable housing in the District. The trajectory does not make sufficient provision for housing in the early years, contrary to paragraph 20 of the NPPF. It is not consistent with national policy. The trajectory is not soundly-based.

There is clearly a need for a measured increase in additional smaller sites in the early years, which can help shore up the planned decline in delivery currently proposed. A suitable site to help address this issue is the Land at Limepit Lane, Huntington.

Growth at Huntington

The second Reg 19 Plan then says, amongst other things, that growth will be located at the most accessible and sustainable locations in accordance with the settlement hierarchy. Huntington is identified under Policy DS5 as a 'Tier 2 settlement'. As a Tier 2 settlement, Huntington holds a wider range of services and facilities than other smaller settlements in the district's rural area. The strategy proposes some additional growth at Huntington, as a larger rural settlement, but allocates only 41 dwellings to Huntington for the whole plan period (see Table 8 of the second Reg 19 Plan for details). Notably, the total apportionment for Huntington comprises 2 dwellings on existing commitments and 39 dwellings on a Green Belt site that was previously safeguarded for future development in the Council's adopted Site Allocations DPD.

The revised distribution of housing growth under Policy DS5, including Huntington, is supported by an updated Spatial Housing Strategy Topic Paper (2024). However, the SHSTP does not recognise the close proximity of Huntington to Cannock which lies ~~contagious~~ contiguous to Huntington's south eastern boundary. Cannock is the principal urban area in the adjacent district of Cannock Chase, where a wide range of services and facilities are located within 1 mile of Huntington, accessible along a safe and walkable route (i.e. A34). Huntington is also located in close proximity to the development at Pye Green Road, also located in Cannock District, where a range of community facilities and services are being

² South Staffordshire AMR 2022/23

³ NPPF 2023 para 76(b)

⁴ AMR 2022/23



provided, also located within 1 mile of Huntington. These considerations have been ignored in the update of the SHSTP (and in previous versions).

In addition, Appendix 3 of the SHSTP (Indicative Growth Tables) only refers to two growth options for Huntington. Options C – 666 dwellings (based on a continuation of the Core Strategy); whilst Options A, B, D, E, F, G, H and I are all based on 41 dwellings. The updated evidence does not assess any other alternative growth options within this range. In this context, RPS would draw to the Inspector's attention the Council's Preferred Options Document (POD), which at the time directed 92 dwellings to Huntington, including the additional site allocation of 44 dwellings on Land north of Limepit Lane (IM Land's site), part of SHLAA Site 591. The Council's reasoning for the apportionment of 0.9% of total growth to Huntington and the support for additional land release for development was set out in paragraph 4.25 of the POD, which stated:

"Housing growth in the village will be delivered through limited land release alongside the delivery of the safeguarded land identified adjacent to the village. This approach balances the sensitive landscape in the area surrounding the village, including AONB, the extent of Green Belt land in this area and the relative reduced level of services and facilities in Huntington compared to other settlements in the district."

The Council clearly concluded that there was capacity for additional growth to be accommodated at Huntington. However, the Council does not explain why this reasonable alternative growth option of 92 dwellings for Huntington has been excluded from the revised SHSTP, when previously supported by the Council. This is relevant to other matters of soundness we have highlighted in separate representations (to Policy DS4) notably the lack of consideration given to the likely need for additional housing associated with the economic growth strategy including proposals for substantial employment development at West Midlands Interchange (WMI).

In summary, the updated evidence base used to inform the revised distribution of growth strategy (SHSTP) does not adequately reflect the locational characteristics of Huntington, notably the proximity of adjacent service centres outside, but close to, the District such as Huntington. The updated evidence also does not adequately reflect reasonable, alternative growth options for Huntington that were supported by the Council at previous consultation stages (Preferred Options) and has completely ignored the potential for safeguarding additional land for future growth beyond the plan period. By ignoring these factors the evidence base underpinning the revised strategy is not adequate or proportionate (NPPF, paragraph 31) and so is not soundly-based (not consistent with national policy or justified).

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.



Assess the growth figure for Huntington (based on a minimum of 92 dwellings proposed at the Preferred Options stage) in order to reflect the status and location of the settlement in the hierarchy and the evidence on the proximity of the Huntington to Cannock.

Identify sufficient land to meet this apportionment of the housing requirement, notably Land north of Limepit Lane (site 591). Alternatively, the Council should identify the site as safeguarded land in this second Reg 19 Plan, consistent with the approach adopted in the current development plan.

(Continue on a separate sheet /expand box if necessary)

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in hearing session(s)

Yes, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To properly represent our client's interests and contribute towards the oral discussions and issues raised at the examination

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

Representations cannot be kept confidential and will be available for public scrutiny, including your name and/or organisation (if applicable). However, your contact details will not be published.

Data Protection



South Staffordshire Council

Your details will be added to our Local Plans Consultation database so that we can contact you as the review progresses. South Staffordshire Council will process your personal data in accordance with the Data Protection Act 2018 and the General Data Protection Regulations (GDPR). Our Privacy Notice can be viewed at <https://www.sstaffs.gov.uk/planning/strategic-planning--data-protection.cfm>

Please return the form via email to localplans@sstaffs.gov.uk or by post to South Staffordshire Council, Community Hub, Wolverhampton Road, Codsall, South Staffordshire WV8 1PX