

	<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 2018 - 2039**

Please return to South Staffordshire Council BY 12 noon Friday 23 December 2022

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 2. Agent's Details (if Details* applicable)

**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.*

Title	Mr	No agent
First Name	Nicholas	
Last Name	Greenwood	
Job Title	N/a	
Organisation	N/A	
Address Line 1	████████████████████	
Line 2	██████████	
Line 3	██████	
Line 4		
Post Code		
Telephone Number	██████████████	



Email Address



Title

First Name

Last Name

Job Title

(where relevant)

Organisation

(where relevant)

Address Line 1

Line 2

Line 3

Line 4

Post Code

Telephone
Number

E-mail Address
(where relevant)

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 Policies Map

4. Do you consider the Local Plan is :

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

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.

The 4000 extra dwellings under the Duty to Cooperate represent a near doubling of our housing requirement to 2038, which is clearly disproportionate.
The increase in population is very significant.
This is an 18.6% increase in the number of dwellings above the current 47,651 if using the 8881 figure, and the 10,205 proposed dwellings in the plan is a 21.4% increase.

This table shows the calculations of the Black Country Authorities' responses to the new housing needs calculations. Only Wolverhampton is hit by the 35% uplift

Local Authority	Housing Supply *	Housing need	35% uplift	Housing need less 35%	Shortfall	%age of housing need supplied
Wolverhampton	12,100	19,646	6,876	12,770	7,546	61.6
Walsall	13,344	16,568	0	16,568	3,224	80.5
Dudley	13,235	11,989	0	11,989	-1,246	110.4
Sandwell	9,498	27,873	0	27,873	18,375	34.08
S. Staffs	8,881	4,881	0	0	-4,000	182.0

*Sources Draft Black Country Plan and S. Staffs Local Plan

The government's policy to for the uplift is shown here.

<https://www.gov.uk/government/consultations/changes-to-the-current-planning-system/outcome/government-response-to-the-local-housing-need-proposals-in-changes-to-the-current-planning-system>

"The increase in the number of homes to be delivered is expected to be met by the cities and urban centres themselves, rather than the surrounding areas."

"This is to ensure that homes are built in the right places, to make the most of existing infrastructure, and to allow people to live nearby the services they rely on, making travel patterns more sustainable."

Therefore, it's clear that the duty to cooperate does not extend to Wolverhampton's 35% uplift. Examining the table it is clear that Wolverhampton met its original requirement and simply ignored the uplift.

Therefore I would argue that it is not following Government policy for S. Staffs to meet Wolverhampton's uplift.

Following the collapse in the 300,000 homes policy, and Dudley's exit from the Black Country Plan, the numbers are clearly in flux.

It's clear that Wolverhampton provided for 12,100 dwellings before the new calculation methods, and has done nothing to meet the 35% uplift.

Following the Online Q&A session on 17-11-2021, responding to questions there wasn't time for in the session, the council stated

"The 35% increase to Wolverhampton's needs is a small component of the Black Country's unmet housing needs - approximately 5,000 of a 28,000 dwelling shortfall."

It's actually 6,876 which is 24.6% of the shortfall. That's not small.

The policy on Duty to Cooperate is in a state of flux at the moment.

This is what our MP Sir Gavin Williamson said in the Green Belt debate in the house on 12th December 2022.

"At the moment there is a real lack of clarity in the Government's approach to the duty to co-operate. That puts enormous pressure on many local authorities, especially ones that neighbour large urban, metropolitan areas.

The Government have said that there will be changes to the duty to co-operate, but they have not come up with the clarification that authorities need to be in the best position to proceed with local plans and understand what the new rules will be. I hope that the new Minister will take the opportunity to set out clearly what the new rules on the duty to co-operate, or its abolition, will mean. If he is not able to do so, will he give a date for when that clarification will come about?

It would also be useful if the Minister could speak to local authorities that are in the process of developing their local plans. In South Staffordshire, we are in a terrible situation. We are having thousands of houses imposed on the green belt by Black Country authorities and by Birmingham as a result of the Government's saying that they are going to abolish the duty to co-operate but not clarifying what they will replace it with. This is urgent. Will the Minister say whether authorities that are proceeding with local plans are able to pause those plans and make sure that they have protections so that they are not vulnerable to unscrupulous developers

coming forward with plans? Authorities cannot properly proceed until the Government clarify what the replacement for the duty to co-operate will look like. I hope the Minister will be able to do that today.

The simple reality is that the duty to co-operate system is causing many local authorities to build the wrong types of houses in the wrong areas. It is a blight on our countryside and our green belt. The Minister needs to act on the Government policy to abolish the duty to co-operate and stop imposing thousands of housing units on the green belt when it would be more appropriate to use brownfield sites and inner cities in order to regenerate."

The Minister Lee Rowley responded

"My right hon. Friend the Member for South Staffordshire (Sir Gavin Williamson) talked about the duty to co-operate, and I hope we will be able to make further announcements on that in due course. I am happy to discuss it with him separately if that helps, given his interest in it"



With this lack of clarity I don't think the council should double its housing requirements when policy and neighbouring plans are in a state of flux.
In particular we should not be meeting Wolverhampton's 35% uplift – that seems to be clear in the law.

(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.

I'm unsure of the legal implications of the policy changes, but I think the additional 4000 requirement should be re-visited in view of the current uncertainty. I would also suggest that the most questionable sites should be initially put into Safeguarding rather than the precipitate development (in 2023 for the sites I will detail below) proposed.

(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:

I have not heard the views I express above about the uplift expressed anywhere else in the debate. I did raise it as an objection to the plan last year, but haven't seen a response to this objection.

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

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