

Local Plan
Publication Stage
Representation Form

Ref:

**(For
official
use only)**

**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.*

2. Agent's Details (if
applicable)

Title	Wyatt B brianwyatt@controlcorrosion.co.uk	
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: **Residents of the Parish of Acton Trussell, Bednall and Teddesley Hay, and of the Stafford Borough primarily residents of Weeping Cross and Wildwood Ward and Baswich Ward**

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

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant (done in respect of Policy DS5 and, possibly, this policy below) or is unsound or fails to comply with the duty to co-operate (done in respect of Policy DS 5). 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. NO

We consider that, in respect of the proposed site allocation reference 036c in the South Staffs Publication Plan (Regulation 19), April 2024, the Plan is unsound and may not be legally compliant.

It has evidently not been the subject of effective 'duty to co-operate' liaison with Stafford Borough Council (SBC) as set out later in this representation and it appears to contrary to National Planning policy by virtue of this lack of this effective cooperation plus inadequate emphasis being given to obligations to maintain natural and local environment and to protect and enhance landscapes.

We ask for site 036c to be deleted, in its entirety, from the Plan.

Our reasons are detailed in a series of Part B submissions:



**POLICY DS3 OPEN COUNTRYSIDE
VISUAL INTRUSION AND IMPACT ON FARMING AND ENVIRONMENT**

The site 036c and adjoining land has been recognised by Consultants advising SSDC as being of "**HIGH**" landscape sensitivity (LUC – South Staffordshire Landscape Study 2019 – area ref. SL96 which includes the site 036c). The reduction in the extent of the proposal for housing on site 036c from that previously put forward (81 from 151 dwellings) does not negate that finding, and major negative impacts are "*anticipated*".

It is therefore unclear how the revised site allocation overcomes the issue of being within an area of High landscape sensitivity.

The site and its setting display characteristic features of agricultural areas and land gently undulating landform; intensive arable farming; hedged fields; small winding lanes and, significantly, without any incongruous landscape features such as post and wire fencing; electricity pylons or modern farm buildings. The site has intrinsic character and value.

The proposal will be visually obtrusive to what are presently very attractive local views (in particular from both the A34 and Wildwood Drive) and also from the Cannock Chase AONB to the east and southeast. With the exception of the A34, site 036c is contiguous with the Cannock Chase AONB across other open countryside and links the AONB with the valley of the River Penk and the Staffs and Worcester canal.

Moreover, there would be no clear or defensible southern boundary to the development. This is an arbitrary line across the field with no physical features. It would be expected that if site 036c development is retained in the adopted Plan, the promoters will press for additional houses to be built at the same time, for which they have previously applied but have subsequently withdrawn.

Although site 036c, in its entirety, and the adjacent, much larger, site 036a for which the developers have an option and wish to develop, are not presently assessed as Green Belt, they do meet 3 and possibly 4 of the 5 purposes of including land in Green Belts (a, b and c; possibly d):

- a. To check the unrestricted sprawl of large built-up areas
- b. To prevent neighbouring towns from merging into one another
- c. To assist in safeguarding the countryside from encroachment
- d. To preserve the setting and special character of historic towns
- e. To assist in urban regeneration by encouraging the recycling of derelict and other urban land.

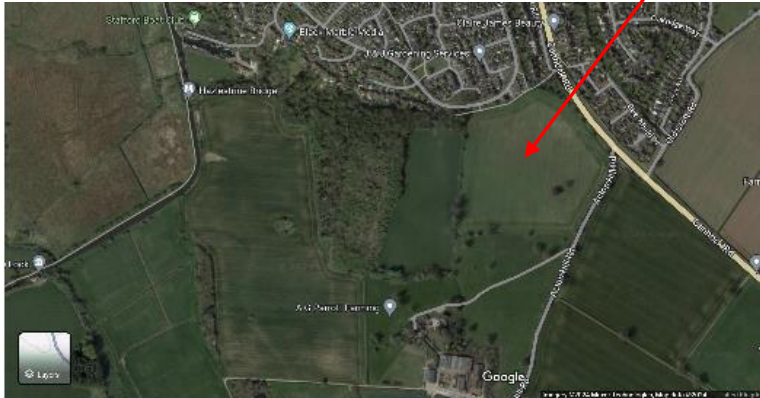
Development on site 036c simply because it has not been designated as Green Belt is clearly insecure.

The land is open countryside, productive farming land (Graded 3a), and thereby is some of the "*best and most versatile agricultural land*" in the Country. In accordance with the note on page 52 of the NPPF, areas of poorer quality land should be "*preferred to those of higher quality*" where significant development of agricultural land is necessary.

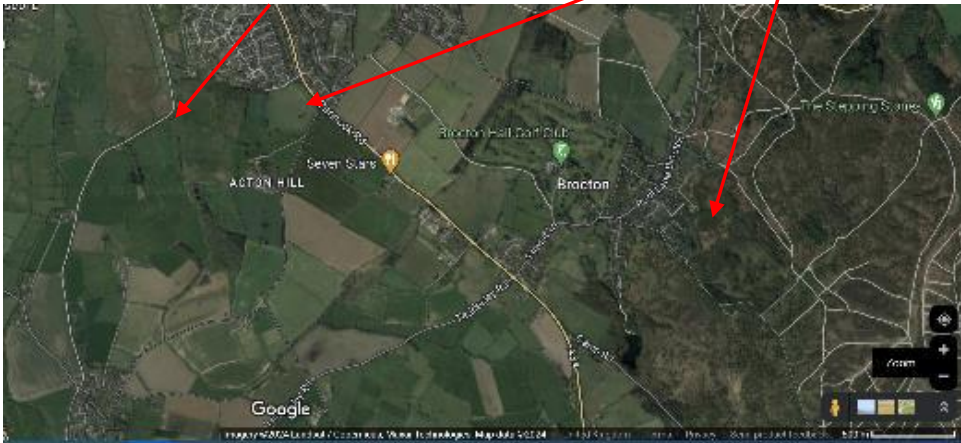
In our representation in respect of Policy DS5 we have detailed why we consider this development to be unnecessary and, if any such development were to be made, in the wrong location. There is brownfield land in the South Staffs District, notably at ROF

Featherstone, allocated for industrial development, but able to accommodate housing proximate to existing housing.

Site 036c is shown below:



With the exception of the A34, site 036c is contiguous with the Cannock Chase AONB across other open countryside and links the AONB with the valley of the River Penk and the Staffs and Worcester canal. Site 036c AONB



View from Acton Hill Lane into the open countryside, at site 036c, towards Cannock Chase:



Site 036c in rotation for grazing. Note tree protection.





View across site 036c showing 2 mature trees and the context of a previously undeveloped greenfield site in the open countryside.



View across site 036c parallel to Acton Hill Lane towards Wildwood with mature hedgerow wildlife corridors and mature trees. This image confirms that the site is greenfield and clearly best and most versatile, by virtue that it is planted with crops for harvesting, contribution to food growing.



Pedestrian access from Wildwood Drive to Hazelstrine Lane and towards site 036c, noting the mature trees and hedgerow. The topography and levels change are also clear from this image, relating to highway safety on a bend, by residents from site 036c if developed.



View from Hazelstrine Lane and up Acton Hill at site 036c



Site 036c is part of a corridor between the Cannock Chase AONB to the east, and the Staffordshire and Worcester canal within the valley of the Penk, with the River Penk, to the west. These feed into and become a contiguous part of the Radford Meadows Wildlife Trust Reserve during the ever increasing flooding of the Penk valley. This Reserve, close to 036c, is a habitat of a reported 63 bird species (source Landscape Britain) including grey heron, lapwing, teal, snipe, swan, geese and many other species. Otters are present. The site is also home to one of England's rarest tree species, the native Black Poplar. The Reserve itself extends south from Stafford to Deptmore (also known as Deepmore) Lock (No. 42 on the canal); this is WSW of site 036c, by a distance of only some 500m. The River Penk is only a further 405m west.

Many of these 63 species of birds, along with deer, fox, hedgehog, field mouse, grey squirrel and Pipistrelle bat have been reported at site 036c.

Is this compliant with Policy DS3?

Quoting for the Policy:

'The council will protect the intrinsic character and beauty of the Open Countryside whilst supporting development proposals which:

- a) Assist in delivering diverse and sustainable farming enterprises;*
- b) Deliver/assist in delivering other countryside-based enterprises and activities, including those which promote the recreation and enjoyment of the countryside, such as forestry, horticulture, fishing and equestrian activities;*
- c) Provide for the sensitive use of renewable energy resources (in conjunction with Policy NB5); or*
- d) Enable the re-use of an existing building, providing that the proposed use of any building (taking into account the size of any extensions, rebuilding or required alterations), would not harm the intrinsic character and beauty of the Open Countryside.'*

The proposed development at site 036c meets none of these objectives; it is not compliant.

Quoting again:

'Such proposals will only be permitted where they are not located on best and most versatile agricultural land...

The proposed development at site 036c is on Grade 3a farming land, that is being and has been productively farmed for 3 generations by the same family. It is not compliant.

Quoting again, continuing from the above quotation (in respect of site 036c):

..... and are fully consistent with any other relevant policies set out elsewhere in the Local Plan. These include, but are not limited to, policies which relate to the district's:

• overall development strategy Arguably not met, housing proposed at this site is in the wrong location and being excessively provided in the SSDC 2024 Public Plan

- design standards Not addressed**
- landscape character and assets Not met**
- heritage assets Not addressed, the property and adjacent Farm, which will be endangered by this and likely future development that follows it, are part of the historic Earls of Lichfield land and was the home of his land manager/Bailiff**



- *ecological assets and biodiversity* **Not met and cannot be realistically met by claimed offsets such as 'diversity in gardens' or financial contributions to the Cannock Chase AONB**
- *recreational assets* **Not met**
- *housing mix requirements (where applicable)* **Not met**
- *sustainable travel requirements* **Nil within SSDC and severely overloaded within adjacent SBC.**

The expressed reason for the use of this land within the Public Plan (PP) is that it is not Green Belt. This might be justified if the 81 houses were either necessary to meet overall SSDC housing demand or, more particularly, local demand. Clause 5.28 of the Plan makes clear that there is no local 'unmet housing need'. The issue is addressed in our DS DS5 Spatial Strategy Part B representation, in which we propose to the Inspector that the need for development at site 036c has not been demonstrated either in respect of quantum or location.

Further, as detailed above, site 036c meets most of the requirements from Green Belt.

The land is within the Zone of Influence SAC of the Cannock Chase AONB. There is no evidence in the Plan that this has been taken into account. This conflicts with the SDC SAC Cannock Chase Special Area Of Conservation (SAC) Guidance To Mitigate The Impact Of New Residential Development (March 2022) Policy EQ2: 'Development will only be permitted where it can be demonstrated that it will not be likely to lead directly or indirectly to an adverse effect upon the integrity of the Cannock Chase Special Area of Conservation (SAC).'

The site 036c is an important part of the continuity of Open Countryside between Cannock Chase AONB and the important Valley of the River Penk. Mitigation, as permitted in the SAC, by way of 'contributions to habitat management, access management and visitor infrastructure, publicity, education and awareness raising; and provision of suitable alternative natural green recreational space, within development sites where they can be accommodated and where they cannot by contributions to offsite alternative green space.' will be unable to mitigate the impact on wildlife movements between these important sites South of Stafford.

Furthermore, the DEFRA Magic Map clearly shows this site is within the SSSI impact zones for both Baswich Meadows SSSI and Milfield Quarry SSSI. There appears to be no consideration of these impacts within the site assessment.

The DEFRA map also shows the site is entirely within the Nitrate Vulnerability Zone and adjoining priority woodland.

c) Any suggestions that the damage to environment can be mitigated by 'diversity of domestic gardens' or financial mitigation to Cannock Chase AONB are, we think, derisory.

d) Of all the sites assessed by the SSDC consultants Footprint Ecology HRA supporting the Publication Plan, Appendix 4, sites 016 (Pear Tree Farm, Huntington, a Tier 2 Settlement) and site 036c (near, but disassociated from, the Tier 5 settlement of Acton Trussell) are the closest sites to Cannock Chase AONB, at 2.0km and 2.1km respectively. Why has site 036c been selected?

(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.

Delete, in its entirety, the planned development at location 036c for the reasons above.

(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

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:



For the transparency of process and the ability to actively participate in the process of plan making.

The very significant numbers of residents who have signed to support these objections / representations and have provided financial support for expert opinion, anticipate having expert professional opinion to support their participation at the hearing by the Planning Inspectorate to ensure that the lack of need and breaches of Policy are brought to the attention of the Inspector.

We have names and addresses of those who have supported this and the related other Part B submissions. We submit these to SSDC but have request that SSDC do not release the full details to the public. We have retained all in hard copy and electronically in case the Inspector wishes to view them.

***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 [Data Protection \(Strategic Planning\) | South Staffordshire District Council \(sstaffs.gov.uk\)](#)

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