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11th December 2024

Dear Plans Team,

Submission of South Staffordshire District Council's (SSDC's) Local Plan

I am writing to you to formally notify you of submission of the South Staffordshire Local Plan (SSLP) for independent examination in accordance with Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

In line with the Procedure Guide for Local Plan Examinations, SSDC has rigorously assessed the SSLP prior to Regulation 19 stage, and consider that it is ready for independent examination in accordance with Section 20(2) of the Planning and Compulsory Purchase Act 2004.

It is the council's position that the plan should be examined under the December 2023 version of the National Planning Policy Framework, as set out further below.

Submission Documents

A list of SSDC's submission documents with links to the relevant document can be found at Annex A to this letter. These include the following documents prescribed under Regulation 22:

- The Plan for examination (South Staffordshire Local Plan Review Publication Plan (Regulation 19) consultation – April 2024) (Document Reference: CD1)
- The Sustainability Appraisal report (Document Reference: EB1-EB7)
- Submission Policies Maps (Document Reference: PM1-PM3)
- Regulation 22 (1) (c) Consultation Statement (Document Reference: CD9)
- Copies of all representations made under Regulation 20 (in response to consultation at Regulation 19 stage) (Document Reference: CD3-CD4)
- Supporting documents which the LPA consider are relevant to the preparation of the plan, including the evidence base.

All submission documents are available on the council's dedicated examination library webpage. The website can be found on the link below:

[Examination webpage link](#)

SSDC will be making copies of key submission documents available at its deposit locations in accordance with Regulation 22(3)(a)(iv). This will include a schedule of proposed minor modifications (Document Reference: CD6) to the submitted plan.

Request to recommend Main Modifications

SSDC wish to formally request that the appointed inspector makes recommendations to the council for any Main Modifications to the plan that they consider are necessary to make the plan sound as per Regulation 20 (7C) of the Planning and Compulsory Purchase Act 2004. It is requested that where Main Modifications are deemed necessary by the inspector, that the council is invited to suggest amended text, to subsequently be agreed by the inspector.

SSDC also wish to formally request that the appointed inspector confirms that the council can demonstrate a five year housing land supply on adoption of the plan.

Initial view on potential main issues for the examination

The council undertook public consultation on its Regulation 19 Plan in April 2024, with a number of representations raising concerns about soundness and legal compliance of the plan. A summary of the key issues is outlined below.

Relevant NPPF for examination of the Plan

It has been suggested by some representors that provisions set out in paragraph 230 of the December 2023 NPPF mean that the plan should be examined under the relevant previous version of the Framework. It is suggested that this is due to the council undertaking a Regulation 19 consultation in November 2022, which was subsequently superseded by the April 2024 Regulation 19 Plan. It is the council's position that as the April 2024 Publication Plan is the plan being submitted, and as consultation on this was undertaken after 19 March 2024, then the plan should be assessed against the national policy requirements in the December 2023 NPPF.

Development strategy for housing

Some representors from the development industry and some neighbouring authorities have suggested that the plan should be planning for higher housing numbers, predominantly in the context of unmet needs in the Greater Birmingham and Black Country Housing Market Area (GBBCHMA), which South Staffordshire sits within. Many representors argued that the changes to the NPPF around Green Belt introduced in December 2023, do not justify the change in



strategy and reduction in the council's housing requirement from that set out in the November 2022 version of the Publication Plan.

The council's position is that its chosen strategy of maximising suitable and sustainable non-Green Belt development and limiting Green Belt release to the district's most sustainable Tier 1 settlements is an appropriate strategy, that is supported by the up to date evidence¹. It sees the council meet its own needs of 4,086 homes alongside a small contribution of 640 homes to unmet needs of the GBBCHMA.

Employment land provision

Some representors have suggested that the evidence of need for employment land that directly informs the district's employment land needs set out in Policy DS4 is an underestimation, and that more employment land, particularly that which is strategic in scale, should be identified. Conversely, a number of representors suggested that the plan was exceeding the district's own need and therefore the proposed allocation at M6, Junction 13 (Site Ref E30) is not required. The council maintains that its Economic Development Needs Assessment (EDNA) Update (2024) provides a robust, objectively assessed need figure for the district and that the pipeline of employment land represents a positive approach to economic growth, meeting both South Staffordshire's own needs and making a significant contribution to unmet needs of the wider South Staffordshire Functional Economic Market Area.

Gypsy and Traveller needs

The council is unable to meet all its evidenced needs for Gypsy and Traveller pitches, with 37 pitches proposed for allocation in the Green Belt, against a need for potentially 162 pitches up to 2042, and a 5 year requirement of 92 pitches. The council has rigorously examined supply options including options on publicly owned land, as part of allocated sites and exporting through Duty to Cooperate arrangements. The process undertaken and rationale for the council's proposed approach, is set out in the Gypsy and Traveller Topic Paper 2024 (Document Reference: EB33). This includes the council taking a positive approach to considering applications for traveller sites, against the proposed criteria-based policy (Policy HC9: Gypsy, Traveller and Travelling Showpeople).

The submitted plan proposes that traveller sites with proposed allocations remain in the Green Belt; an approach that the council considers appropriate, and was deemed acceptable for the adopted Site Allocations Document (2018). However, the council is aware that other Local Planning Authorities have altered their Green Belt boundaries to meet an identified need for traveller sites. Therefore, and notwithstanding the council's current view that the proposed

¹ - Spatial Housing Strategy Topic Paper 2024 (Document Reference: EB14)
- Green Belt Exceptional Circumstances Topic Paper 2024 (Document Reference: EB16)
- Housing Site Selection Topic Paper 2024 (Document Reference: EB20)
- Sustainability Appraisal (Document Reference: EB1-EB7)

approach is appropriate, an Exceptional Circumstances for release of Gypsy and Traveller sites from the Green Belt Topic Paper: November 2024 (Document Reference: EB32) has been prepared. This sets out the exceptional circumstances case for the release of the district's permanent traveller sites from the Green Belt, should the inspector take the view that this is the most appropriate course of action.

Responses from statutory bodies

Natural England initially objected to the soundness of the plan as the council's Habitats Regulations Assessment (HRA) was unable to rule out adverse impacts, due to the absence of evidence relating to air quality. Since then, the council has prepared air quality evidence (Document Reference: EB10-EB12a) and agreed a Statement of Common Ground with Natural England (Document Reference: DC3) which is currently in the process of being signed. This confirms that adverse effect on site integrity of all relevant designated sites can now be ruled out. An update to the council's HRA has been produced to confirm this (Document Reference: EB8).

Through the process of seeking to agree a Statement of Common Ground relating to highways matters, National Highways are requesting additional highways assessments to be carried out to inform any mitigation requirements on the Strategic Road Network. Scoping for this work is now underway with transport consultants.

Other policy themes

A number of representors, particularly from the development industry, have raised a range of concerns with individual policies, none of which the council considers are fundamental to the plan. The only exception is concerns around the viability implications of Policy NB6a: Net zero new build residential development (operational energy). To address these concerns, the council commissioned an addendum update to the Local Plan Viability Study to consider the viability implications of the policy more fully (Document Reference: EB39). This confirmed the final version of the policy, as set out in the Publication Plan 2024, does not materially affect the viability position described within the Local Plan Viability Assessment i.e. the plan and the policies contained therein are still considered to be viable.

Programme Officer

SSDC have appointed a Programme Officer, Louise St John Howe, to organise and administer the examination under the guidance of the Planning Inspector. The Programme Officer's contact details are as follows:



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Louise St John Howe
Programme Officer
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Sudbury,
Suffolk,
CO10 3BF.

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Hearing sessions

SSDC received 1,620 representations to its April 2024 consultation from 385 representors, and of those, 96 individuals stated that they wished to participate in the hearing sessions. It is estimated that a total of 15 hearing days will be required for all the matters to be discussed thoroughly.

SSDC officers have already been working positively with PINs through a series of Advisory Visit meetings and we look forward to this continuing, to ensure an efficient examination of the South Staffordshire Local Plan. Should you require clarification on any matters relating to the examination then please do not hesitate to contact Strategic Planning Team Manager, Ed Fox, at e.fox@sstaffs.gov.uk, Lead Planning Manager, Kelly Harris, at k.harris@sstaffs.gov.uk, or alternatively another member of the team at localplans@sstaffs.gov.uk

Yours faithfully,

Annette Roberts
Corporate Director of Place and Communities
Corporate Leadership Team
South Staffordshire Council

Enc: Annex A: List of submission documents