	<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*

2. Agent's Details (if 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	DR		
First Name	Peter		
Last Name	King		
Job Title (where relevant)	Regional vice-chair (West Midlands)		
Organisation (where relevant)	Campaign to Protect Rural England		
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: Campaign to Protect Rural England – West Midlands region

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

Paragraph		Policy DS4 Table 7/8.	Policies Map	
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4. Do you consider the Local Plan is :

(1) Legally compliant	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
(2) Sound		<input type="checkbox"/>	No	<input 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.

West Midlands CPRE commissioned an independent report on housing numbers in the plan (appended to this objection.) That work suggested that:

- a. The housing need in South Staffordshire can reasonably be set at 4,086.
- b. The current total supply in the plan (including new allocations and discounting 360 homes for oversupply from 2019-2022) should be at least 6,378, including a reasonable assumption for windfalls, of which 4,534 are already allocated or delivered.
- c. On the basis of the current plan there would be 2,292 homes provided above local need, 448 if only current allocations and safeguarded land are included.
- d. There is, therefore, no numerical need for any additional new housing allocations, especially in Green Belt where exceptional circumstances are required, and only sites already allocated or delivered need be included.
- e. At the same time, the unmet need in the Black Country and in Birmingham is subject to considerable uncertainty and much of it may not exist. The CENSUS and up-to-date supply data both point to considerably lower shortfalls. Even if the Black Country shortfall were correct over-



provision in Shropshire and Telford should account for significant amounts of that housing need.

Taking this into account (and particular conclusion c) the Council should review its housing numbers. This would lead to one of three potential responses to the surplus of 2,292 homes.

The Council could:

- a. remove both or either of the strategic sites from the plan
- b. remove some or all the green belt allocations from the plan
- c. retain its current level of housing provision and increase the amount of that housing identified as meeting Black Country needs.

WM CPRE has not examined these options in detail, and defers to CPRE Staffordshire in regards to specific sites. However, we generally question whether there are 'exceptional circumstances' for the release of Green Belt which we address in our objection to the Green Belt policy and whether other policy restraints should have been considered with regard to the current new allocations.

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

Appendix

REPORT ON HOUSING IN SOUTH STAFFORDSHIRE LOCAL PLAN FOR WM CPRE Gerald Kells May 2024

1. Background

1.1 West Midlands CPRE asked me to review the Housing Evidence for the 2024 South Staffordshire Plan Regulation 19 Consultation to assist their response to the Plan.

1.2 In doing so I was asked to consider the need and supply calculations. I was not asked to comment on the distribution of proposed housing or on specific sites (which I understand will be further addressed by CPRE Staffordshire) but, in my conclusions, I have identified the options which CPRE could consider.

1.3 This review builds on reports I did for WM CPRE on the previous 2022 Regulation 19 Plan and earlier work for the Lower Penn Action Group on the Regulation 18 Consultation.

1.4 At that time the South Staffordshire Plan was providing for its own need based on a Standard Methodology calculation of 243 dpa, plus 4,000 additional houses to meet need in the Black Country, although in reality (even on their own calculations) they were oversupplying by about 1,087 homes.

1.5 I also suggested in 2022 that there was further additional supply and in particular quantified a further 900 homes from windfalls and 240 from recent over-delivery.

1.6 As a result, I believed South Staffordshire could have reduced its housing figures while still providing some assistance to the Black Country.

1.7 It should also be noted that in 2022 the justification for the level of unmet need in the Black Country was based on technical work for the now abandoned Black Country Plan. That Joint Plan has now been replaced with four local plans and preliminary Regulation 18 consultations have taken place in Wolverhampton, Sandwell and Dudley, and it is likely Walsall will publish some form of Regulation 18 Plan later this year.

1.8 The main difference in the new South Staffordshire Plan is that the Council has abandoned the offer of 4,000 homes for the Black Country. As a result, they propose to remove less land from the Green Belt ¹. The Plan still says it will provide 640 homes specifically to meet Black Country need but as part of a reduced overall housing requirement. This has led to a number of the more controversial sites being removed which were in the 2022 Plan.

1.9 According to Para 5.11 of the 2024 Duty to Cooperate Topic Paper:

The Council is now progressing 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.

1.10 However, even this smaller review of land in the Green Belt is no longer required during plan making. Para 145 of the revised (2023) National Planning Policy Framework (NPPF) says:

Once established, there is no requirement for Green Belt boundaries to be reviewed or changed when plans are being prepared or updated. Authorities may choose to review and alter Green Belt boundaries where exceptional circumstances are fully evidenced and justified.

1.11 So, the authority is no longer under any obligation to release land from the Green Belt for housing, and if it chooses to do so needs to ensure there are exceptional circumstances to support that choice.

1.12 There is still a requirement to 'take into account' adjacent housing needs. As Para 51 of the new NPPF says:

In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for.

1.13 It is, therefore, important to consider not only whether the current level of need is justified but also whether there is additional supply which would allow either more of South Staffordshire's housing to be designated as meeting Black Country needs or the total allocations to be reduced.

1.14 With that in mind this report specifically considers:

- the need for housing within South Staffordshire
- the supply of housing within South Staffordshire
- Unmet needs in the Black Country

1.15 It then concludes with options for CPRE to consider in its response to the Plan.

¹ Now only to meet Policy SA1, Strategic masterplanning location: Land East of Bilbrook, Policy SA3 Housing Allocations and Policy SA5 Employment Allocations I therefore assume that Policy SA2 relating to land north of Penkridge, does not involve Green Belt release.

2. Updated Housing Need and Supply

a. Housing Need

2.1 According to the latest Standard Methodology (SM) Calculation (ONS2014 2024-2034, 2022 Affordability) the annual demographic requirement for housing in South Staffordshire is 173 dwellings per annum (dpa) and the affordability adjusted calculation 227 dpa. This should (in line with NPPF) be the starting point for assessing housing need. This is slightly lower than the previous plan's figure of 243 dpa.

2.2 The overall plan figure for eighteen years when calculated is $18 \times 227 = 4,086$ dwellings. 640 dwellings for the Black Country have been added to that total by the council to create their published need of 4,726 dwellings (2023-2041).

2.3 That assumes the plan will be adopted by 2026 so as to fulfil Para 22 of the NPPF, that:

Strategic policies should look ahead over a minimum 15-year period from adoption.

2.4 It is worth noting, however, that South Staffordshire has consistently over-delivered on houses. According to Para 5.2 of the 2024 Strategic Housing and Economic Land Availability Assessment (SHELAA), recent over-delivery stands at 136% in the District, a similar position to the 2022 SHELAA.

2.5 When one looks at the Government's most up-to-date 2022 based Housing Delivery Tables² this rises to 156%, or 360 extra homes from 2019-2022 (1,005-645)

2.6 In other words, there is a case for taking past-over-delivery into account when considering total need in South Staffordshire.

2.7 It should further be noted that the 2021 CENSUS results for South Staffordshire show there were 46,100 households in the District, 1,872 (or 4.06%) fewer than the 47,972 in the 2014 Office for National Statistics (ONS) projections. Indeed, the CENSUS finds lower household numbers than all the current ONS projections (2014, 2016 and 2018) in South Staffordshire.

² Housing Delivery Test: 2022 measurement - GOV.UK (www.gov.uk)

South Staffordshire Households in 2021	2021 Interim Census	ONS	Difference	% Difference
ONS2014	46,100	47,972	1,872	4.06
ONS2016	46,100	47,365	1,265	2.74
ONS2018	46,100	47,182	1,082	2.35

Table 1: 2021 Census Results compared to ONS Projections

2.8 This suggests further caution about the level of genuine housing need.

b. Housing Supply

2.9 In terms of supply, Table 8 of the Plan includes a list of indicative minimum dwellings numbers. The total of all the identified supply is 5,118, 392 (or 8%) above the Plan's identified need of 4,726.

2.10 Unfortunately those supply figures are not easily comparable with figures given in Policies SA1, 2 and 3 of the Plan. I assume this is because some of the sites contain elements which are currently safeguarded or have planning permission.

2.11 Equally the figures do not seem to tally with those given in the Housing Site Selection Topic Paper. For example, Table 8 includes 1,275 homes in Codsall/Bilbrook yet in the Topic Paper they add up to 1,357. Unfortunately, I cannot see a way to compare the various tables and lists effectively.

2.12 I have, for the purposes of this report, assumed Table 8 is correct and only consider whether there is additional supply which should be added to it. In that regard, there are number of issues which concern me, in particular, oversupply, windfalls, density and yield. I address each below.

i. Oversupply

2.13 The first thing to note is that on its own terms the Plan over-supplies housing in the Borough (even including the Black Country overspill) by 392 homes (8%) (See Table 2 below).

Minimum Housing Supply (South Staffordshire Plan 2018-2039)	Plan	Plan Plus increased Windfalls	Only Allocated and Safeguard Land/Increased Windfalls
Tier 1	3,153	3,153	1,309
Tier 2	913	913	913
Tier 3	228	228	228
Tier 4	30	30	30
Other Sites	194	194	194
Windfalls	600	1500	1500
Oversupply 2019-2022		360	360
Total	5,118	6,378	4,534
Need	4,086	4,086	4,086
With Black Country Overspill (640)	4,726	4,726	4,726
Above Need (with Black Country Overspill)	392 (8%)	1,652 (35%)	-192 (-4%)
Above Need (without Black Country Overspill)	1,032 (25%)	2,292 (56%)	448 (11%)

Table 2: Based on Summary of Minimum Housing Provision in South Staffordshire Plan

2.14 This current oversupply is hard to justify, especially given that there is no evidence put forward to suggest housing in the authority is not being delivered. Indeed, South Staffordshire is currently exceeding its housing targets as set out above.

2.15 In terms of delivery the 2023 SHELAA 5-year land supply statement says, (Para 6.1):

It is also important to note that in the last 27 years (1996-2023) only two full planning permissions for newbuild schemes of 10 or more dwellings have lapsed once permission was granted. Therefore, it is not considered appropriate to apply a blanket non-implementation rate to sites of 10 or more dwellings with full planning permission.

2.16 The land supply statement does suggest that sites under 10 dwellings have sometimes not been completed within 5 years and gives a historic non-completion rate of 19% based on Paras 5.53-5.55 of the SHELAA. Of course, there is no reason to suppose some of those sites will not be developed after 5-years.

2.17 Para 6.3 of the SHELAA also refers to the NPPF assuming all small sites will be deliverable. That further suggests this level of discounting may be excessive. This is even more likely if the historic rates on which the projections are based include the years following 2008 when recession impacted on many small sites.

2.18 In terms of delivering windfalls, the past windfall rates are calculated based on completions so there seems little justification for discounting them, especially as the current windfall allowance (as discussed further on) appears conservative.

2.19 Moreover, the Plan assumes these are 'minimum' figures, partly because the assessments are in many cases based on generalised density assumptions. In other words, there may well be room for increasing delivery on some sites.

2.20 According to the Plan (Para 5.23) exceeding the 'minimum' SM housing target is justified because:

This will help the plan to meet the national policy requirement to respond to changing circumstances in the plan period and demonstrate plan flexibility.

2.21 This justification is the same as in the previous Plan but, while the overall housing requirement has been reduced, the 2024 Plan is still significantly over-supplying housing for its own expressed need, as well as providing some additional housing for Black Country needs.

ii. Windfalls

2.22 The second issue is the continued under-allowance for Windfalls in the Plan.

2.23 It is certainly welcome that there is a windfall allowance as windfalls can play a very significant role in housing supply. The 2023 NPPF (Para 72) sets out how this should be addressed saying:

Where an allowance is to be made for windfall sites as part of anticipated supply, there should be compelling evidence that they will provide a reliable source of supply. Any allowance should be realistic having regard to the strategic housing land availability assessment, historic windfall delivery rates and expected future trends. Plans should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.

2.24 And, importantly, neither NPPF (nor NPPG) restrict the size of windfalls. The glossary of NPPF defines them simply as:

Windfall sites: Sites not specifically identified in the development plan.

2.25 The 2021 Regulation 18 Plan included a provision of 450 windfalls (30 dpa for 15 years). This was increased to 600 windfalls (40 dpa for 15 years) in the 2022 Regulation 19 Plan.

2.26 The 2023 SHELAA does not substantially update any of the windfall evidence so the new Plan assumes the same figure of 40 dpa. As I said previously this appears highly conservative when tested using the Authority's own evidence.

2.27 Both the 2022 and 2023 SHELAA's use the same table of windfall provision in the Borough. It covers the period 2012-2020 and gives an annual windfall rate of 231 dwellings. This is slightly lower than the 2021 SHELAA which gave a figure of 265 dwellings from 2000-2016.

Windfalls in South Staffordshire 2012-2020		
Annual windfall rate	231	Dwellings per annum (DPA)
% Greenfield	25	%
% Former residential	12	%
% Former employment	36	%
% Other brownfield	27	%
Total windfalls	1850	<i>Dwellings</i>
Total: Greenfield	458	<i>Dwellings</i>
Total: Former residential	229	<i>Dwellings</i>
Total: Former employment	657	<i>Dwellings</i>
Total: Other brownfield	506	<i>Dwellings</i>

Source: South Staffordshire Housing Monitoring 2012 – 2020

Table 3: Windfall Completions, South Staffordshire (From 2023 SHELAA)

Windfall Allowance Options

Gross completions all sites 2000 – 2016	4235	265 pa
Gross windfalls	3273	205 pa
Windfalls less completions on former residential land	2211	138 pa
Non-residential land windfall sites >10 dwellings	1496	94 pa
Non-residential land windfall sites >10 dwellings excluding colliery site and large scale conversions	1002	67 pa
Non-residential land windfall sites <10 dwellings	715	47 pa

Table 4: Windfall Completions, South Staffordshire (From 2021 SHELAA)

2.28 The 2022 SHELAA Five Year Land Supply Statement (but not the 2023 SHELAA) also includes a table of completions, which demonstrates a consistent historic supply of 100 dpa.

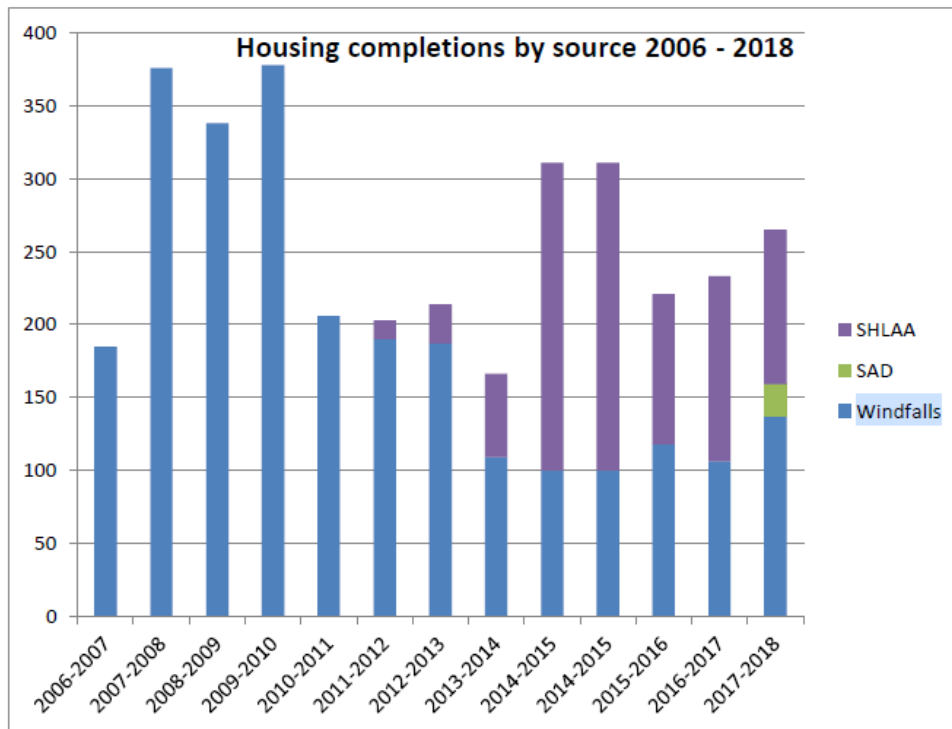


Table 5: Housing Completions, South Staffordshire (From 2022 SHELAA, 5 Year Land Supply)

2.29 Yet the 2023 SHELAA Five Year Land Supply Statement (like its predecessor) concentrates only on small windfalls (sites under 10 houses).

2.30 The reason is given in Para 5.61 of the 2023 SHELAA where the authority argues that large windfalls are one-offs and unlikely to be replicated. They say:

Given the above it is considered unlikely that delivery on sites of 10+ dwellings can form a consistent part of the windfall allowance going forward without risking double counting with sites allocated in the Local Plan Review.

2.31 However, while that may be true for individual sites such logic does not, of itself, exclude future large windfalls and the SHELAA does accept that larger sites may come forward

2.32 It also risks becoming a circular argument because by definition, windfall sites are not ones that are known about and so will never have the kind of evidence that is being required in the SHELAA, precisely why it is correct to use historic data.

2.33 There is certainly good reason to think that, as structural economic changes to retail and office requirements play through, further large windfalls will come forward. Indeed, the pandemic has

accelerated these changes, including substantial office space reduction.

2.34 Indeed, Para 5.60 of the SHELAA accepts large windfalls will occur. It says:

Given the above it is considered unlikely that delivery on sites of 10+ dwellings can form a consistent part of the windfall allowance going forward without risking double counting with sites allocated in the Local Plan Review. This does not imply that large windfall sites will not occur during the period covered by the Local Plan Review, simply that there is not currently sufficient evidence to meet the national policy tests for incorporating such supply in a windfall allowance going forward.

2.35 It is also unclear to me why including larger windfalls would risk double-counting with allocations as they are, by definition, not included in allocations.

2.36 Furthermore, although some sources may yield less large windfalls others could provide more due to changes in legislation (for example, on change of use) as well as potential changes in future demand for retail and other space.

2.37 The SHELAA goes on to say there has been an average of 70 dpa on small sites (1-9 homes) since 2012, although this may have been influenced downwards by the early recessionary years, when many authorities saw a dip in small windfalls. Unlike some SHELAA's no individual data is given on this so it is hard to tell.

Windfalls in South Staffordshire 2012-2020 on sites of 1-9 dwellings		
Annual windfall rate on small sites	70	DPA
% Greenfield	34	%
% Former residential	38	%
% Former employment	1	%
% Other brownfield	27	%
Total windfalls on small sites	557	Dwellings
Total: Greenfield	187	Dwellings
Total: Former residential	214	Dwellings
Total: Former employment	5	Dwellings
Total: Other brownfield	151	Dwellings

Source: South Staffordshire Housing Monitoring 2012 – 2020

Table 6: Windfall Completions, 1-9 Dwellings, South Staffordshire (From 2022 SHELAA)

2.38 The SHELAA further reduces this down to dwellings of 1-4 houses, claiming that sites above that may be double-counted in the

brownfield register with allocated houses.

2.39 This is not an approach I have encountered elsewhere. It would seem to exclude large number of windfalls between 5 and 9 dwellings which will come forward in the future and are not currently allocated, even if there may be some on the register.

2.40 What is remarkable is that even when they have whittled down the historic windfall completions to a level which is below other authorities and which clearly excludes likely and reliable historic sources of windfalls, their own annual windfall rate still exceeds the 40 dpa given in the plan.

2.41 To justify this they rely on restrictions on development on gardens which the council has in place. Such restrictions may well play an important role in development control but NPPF does not exclude such sites from the calculation and there is no reason to believe they will not continue on sites which are deemed appropriate to receive planning permission.

Windfalls in South Staffordshire 2012-2020 on sites of 1-4 dwellings		
Annual windfall rate on small sites	57	DPA
% Greenfield (G)	33	%
% Former residential I	41	%
% Former employment I	1	%
% Other brownfield (B)	24	%
Total windfalls on small sites	455	Dwellings
Total: Greenfield	151	Dwellings
Total: Former residential	188	Dwellings
Total: Former employment	5	Dwellings
Total: Other brownfield	111	Dwellings

Source: South Staffordshire Housing Monitoring 2012 – 2020

Table 7: Windfall Completions, 1-4 Dwellings, South Staffordshire (From 2022 SHELAA)

2.42 They even admit in Para 5.63 that this is *considered a heavily conservative assumption for the reasons given later in this section*, underlining this is an unrealistically low level of windfalls which falls below the evidence threshold required in NPPF.

2.43 Noticeably, when questioned about the windfalls at the SHELAA Panel Meeting in 2017 by development interests (in Appendix 1 of the SHELAA), the council admitted their provision was conservative:

MW asked if the windfall allowance had been tested. PW confirmed that it was based on monitoring data and was deliberately conservative at 30 dews/pa against actual of at least 47.

2.44 That average of 47 for small sites (in the 2021 SHELAA) had risen to 70 with the latest evidence.

2.45 It can be seen then that, even relying only on small windfalls (under 10 dwellings), as many councils do, the Plan figure of 40 dpa is well below the 70 dpa level achieved. If one adds in larger windfalls, the level of windfall supply significantly increases and 100 dpa would represent the lowest level of overall windfalls achieved by the Council since 2006, including in years of recession.

2.46 In other words, the continued assumption in the Plan of only 40 dpa of windfalls seems not merely conservative, but improbably low (as I observed in 2022). There appears to be a justifiable historic supply of 70 dpa from small sites (which is the way the figure is usually calculated in Plans) and a figure of 100 dpa would represent the base level of all windfalls achieved in South Staffordshire.

2.47 It seems that a minimum windfall assumption of 70 dpa is easily justified. However, I favour a more realistic figure would be 100 dpa, which has been exceeded in every year since 2006, and would amount to 1,500 over the plan period. This would increase supply over the plan period by 900.

2.48 In my Table 1 the final column demonstrates that, if one includes a more realistic windfall provision, and accounts for recent over-delivery, one can provide more than enough housing for the needs of South Staffordshire and make a contribution to Black Country Need of 488 homes on existing allocated sites.

iii. Density

2.49 The 2024 Plan retains a policy on housing density (Policy HC2) which includes minimum 35 dwellings per hectare (dph) net at all sites with an aim to have higher densities in central areas where services permit.

2.50 It is welcome that this is still referred to as a minimum density.

2.51 However, the policy has been weakened in two regards since the 2022 Plan. Firstly, there is no longer a reference to rural exception sites and it is unclear to me why those are no longer included. Secondly, the aim to exceed those densities is no longer on all sites where it promotes local services but only in 'central areas'. It is clear how central areas are defined (as opposed to the settlement hierarchy in the plan) and there may also be other places where higher densities are appropriate.

2.52 It is also welcome that the policy specifically expects all sites to 'seek' to make efficient use of land, but regressive that this requirements is no longer identified as a reason for refusal (as in the 2022 Plan) which may reduce the effectiveness of that element of the policy.

2.53 Nor is it clear if this would include gross/net assumptions on developable land.

2.54 The SHELAA’s assumed densities are set out in the table below based on historic permissions. In some cases, these would be below 35 dph and it is unclear if this has been reviewed for all greenfield sites in the plan.

Density assumptions (dwellings per net developable hectare)	
Village edge/isolated greenfield sites	32 dph
Sites within existing village envelope/brownfield sites	38 dph
Sites on the edge of an adjacent urban area (e.g. the Black Country)	35 dph

Table 8: Density Assumptions (From 2023 SHELAA)

2.55 The density for brownfield sites seems to me comparatively low and I would consider 40 to 45 dph to be consistent with other authorities’ plans, especially as historic densities may well be lower than is currently the case in South Staffordshire.

2.56 There may even be some windfall sites, particularly in the existing settlements, where the density achieved is much higher, closer to 100 dph, as achieved in more urban districts.

2.57 There is, in my view, therefore, a case for the plan including a higher minimum density, still fairly moderate, of 40 dph for brownfield sites.

2.58 Even as it is, this policy gives further comfort that the supply side may, in reality, be under-estimated.

iv. Yield and Deliverability

2.59 There are some further assumptions in the SHELAA in relation to the yield from each site. In some cases, there is specific site information which justifies the number of houses on each site. However, where that is not the case the SHELAA uses assumptions about how much of the land will be developable and what density will be achieved. In the case of sites above 2 hectares, for example, only 60% of the gross land is assumed will be developed (Para 5.18). While these may be reasonable for the purposes of that exercise, they allow for the assumption that minimum housing delivery may be exceeded.

2.60 In my previous report I made further comment on build-out rates as these specifically excluded some housing on larger allocated sites from being counted. It was assumed it would not be delivered within the Plan Period.

2.61 However, I note that all the sites now in the Plan, including the two strategic sites (Penkrige 1029 (SA2) and Bilbrook 750(SA1)), appear to be fully delivered within the plan period.

3. Duty to Co-operate

3.1 It can, therefore, be seen then that without the extra houses included in the plan to assist with unmet need in the Black Country, a numerical justification for the current level of housing supply would not exist, and the strategic sites would not be required.

3.2 That being the case there would be no 'exceptional circumstances' to justify loss of Green Belt.

3.3 Moreover, a sustainability case would point to the Black Country meeting their own need within the urban area if achievable.

3.4 With that in mind it is worth also considering the technical basis for the Black Country figures.

a. Black Country

3.5 Para 5.13 of the now defunct Black Country Plan referred to a shortfall of 28,239 houses (based on the standard methodology and including a 35% uplift for Wolverhampton) which was being promoted by ABCA (for example at the Shropshire Plan hearings) before the Black Country Plan collapsed after Dudley withdrew its support. It is also quoted in the 2024 Duty to Cooperate Topic Paper for the South Staffordshire Plan.

3.6 Of the four individual plans, Wolverhampton and Dudley and Sandwell have all now consulted on their plans. Walsall's initial Regulation 18 consultation is awaited.

3.7 Para 5.3 of the 2024 Duty to Cooperate Topic Paper for the South Staffordshire Plan explains the situation with those plans:

Wolverhampton City Council consulted on a Regulation 18 Consultation Plan (dated February 2024) which identified a potential 11,413 dwellings shortfall. Sandwell Council held a Regulation 18 consultation ending in December 2023 which estimated around a 18,000 dwellings shortfall. Dudley Council also held a Regulation 18 consultation ending in December 2023 which estimated around a shortfall of 1,078 dwellings. It is Walsall Council's intention to proceed under new arrangements of plan making.

3.8 I wrote reports for all the relevant consultations and assessed the housing need and supply of each authority. I considered the impact of different ONS calculations on need as well as looking at supply side elements, such as windfalls. The tables below set out my conclusions, using both the supply in the plan and my own (still conservative)

supply side assumptions (Marked GK)³.

3.9 In the case of Dudley, it also includes a 5% buffer.

Dudley Need 2022-2041 (including affordability uplift)	Annual rate	Demographic Increase	Plan Period (19 Years)	5% Buffer	Shortfall based on 10,876 supply	Shortfall based on 11,895 supply (GK)
SM ONS 2018	763	652	13,734	191	3,049	1,839
SM ONS 2016	517	442	9,306	129	-1,441	-2,589
SM ONS 2014	655	560	11,790	164	1,078	-105

Table 9: Need Calculations for Dudley/ONS Figures (2022 affordability)

Sandwell Housing Need 2022-2041 (including affordability uplift)	Annual rate	Demographic Increase	Plan Period (19 Years)	Shortfall based on 11,167 supply	Shortfall based on 12,287 supply GK)
SM ONS 2018	1,014	863	19,266	8,099	6,979
SM ONS 2016	1,174	1,000	22,306	11,139	10,019
SM ONS 2014	1,567	1,334	29,773	18,606	17,486

Table 10: Need Calculations for Sandwell/ONS Figures (2022 affordability)

Wolverhampton Need 2022-2042 (including affordability uplift)	Demographic Need	Annual SM calculation	Annual SM calculation (plus 35%)	Plan Period (20 Years, including 35%)	Shortfall based on 9,722 supply	Shortfall based on 11,066 supply (GK) (without uplift)
SM ONS 2018	731	826	1,115	22,300	12,578	11,234 (5,454)
SM ONS 2016	577	651	879	17,580	7,858	6,514 (1,954)
SM ONS 2014	709	800	1,080	21,600	11,878	10,534 (4,934)

Table 11: Need Calculations for Wolverhampton (2022 affordability/2023-2033 base)

3.10 What is clear from all three authorities is that the ONS2016 calculation of need would be much lower than the ONS2014 figures and that use of those figures would substantially reduce the shortfall (and in the case of Dudley create a surplus).

³ More detail is given in the individual reports on each Black Country plan

3.11 My calculations on the ONS2016 figures would lead to a shortfall of 13,944 across the three authorities (even including the arbitrary 35% addition to Wolverhampton) as opposed to 31,562 using the ONS2014 figures (and the individual plan's supply assumption).

3.12 Not only are the ONS2016 figures more up to date but, unlike in South Staffordshire, their use appears to be more consistent with the Interim CENSUS results (See Table 12) which demonstrated that the actual number of households in the Black Country in 2021 was substantially lower than the ONS2014 forecasts on which the Standard Methodology housing need was based, with nearly 9,000 fewer than projected in 2021.

Population				
2021	Census	ONS2014	ONS2016	ONS2018
Dudley	323,500	321,700	321,800	325,147
Sandwell	341,900	335,600	335,000	333,731
Walsall	284,100	285,400	287,400	289,406
Wolver-				
hampton	263,700	263,100	265,200	267,530
Black	1,213,2	1,205,80	1,209,40	1,215,81
Country	00	0	0	4
Difference to Census		7,400	3,800	-2,614
Household				
2021	Census	ONS2014	ONS2016	ONS2018
Dudley	137,100	134,789	134,682	135,821
Sandwell	130,200	134,074	128,790	128,571
Walsall	112,200	115,825	113,626	113,951
Wolver-				
hampton	105,100	108,673	106,757	107,664
Black				
Country	484,600	493,361	483,855	486,007
Difference to Census		-8,761	745	-1,407
Household				
Size				
2021	Census	ONS2014	ONS2016	ONS2018
Dudley	2.36	2.39	2.39	2.39
Sandwell	2.63	2.50	2.60	2.60
Walsall	2.53	2.46	2.53	2.54
Wolver-				
hampton	2.51	2.42	2.48	2.48
Black				
Country	2.50	2.44	2.50	2.50
Difference to Census		0.06	0.00	0.00

Table 12: Comparison of CENSUS and ONS Projections for the Black Country Boroughs

3.13 This suggests that, despite a growing population, the assumptions underlying those ONS2014 figures (particularly the ongoing reduction in household size) are exaggerated in the Black Country.

3.14 In my view the CENSUS would have provided the robust evidence needed for the Association of Black Country Authorities (ABCA) to argue for a lower housing need than the Standard Methodology, had they progressed the Black Country Plan, and could do the same for individual authorities, especially if Wolverhampton challenged the imposition of the 35% additional housing as arbitrary.

3.15 At the same time, the Chilmark Report on Brownfield capacity in the Black Country (published on ABCA's website), which took samples from different sizes of centre, in Tier 1's case Sandwell, in Tier 2's case Willenhall, for Homes above Shops Wolverhampton, suggests there may be potential for additional supply as tabulated by me for WM CPRE tabulated as part of their Regulation 18b Black Country Plan response to ABCA.

3.16 Along with up-to-date windfall figures, this supported a potential additional supply across the Black Country of 4,340 homes (Chilmark actual) and 12,206 (Chilmark potential).

Additional Potential Housing Supply	Chilmark	Multiplier for other locations	Theoretical Total
Homes above shops in other Boroughs	812	3	2,436
Tier 1 Homes	910	4	3,640
Tier 2 Homes	230	17	3,910
Employment Land Existing Discount to 10%	154		154
Employment Land (Additional)	1,130	15% discount	960

5 Year Black Country Windfall Average (Not advocated in Chilmark)	1,104		1,104
Potential Total	4,340		12204

Table 13: Theoretical Additional Supply in the Black Country from Chilmark/Windfalls

3.17 In terms of Walsall’s emerging plan, the earlier Black Country Urban Capacity Study gave a similar shortfall in Walsall to Wolverhampton. However, at the time there were a number of areas of supply which seemed to be missing for Walsall.

3.18 Walsall’s Cabinet Paper on their Plan following the demise of the Black Country Plan (2 November 2022) reported that:

The BCP proposed to allocate specific sites for development but was not intended to allocate land in Walsall town centre or the district centres. The only site allocation document that covers the district centres is the district centre inset to the UDP which was adopted in 2005. The WLP could therefore draw on one of the recommendations of the Brownfield Land Study (the Chilmark Report) that was commissioned by the West Midlands Combined Authority. Chilmark suggested that there may be capacity for additional housing in the town and district centres. This could also draw on the work of the Willenhall Framework Study. (Para 4.9)

3.19 This sentiment was echoed by councillors at the Cabinet Meeting (which agreed to the new local plan). This suggests any additional shortfall in the Walsall Plan may be limited but this will only become plain when the new plan progresses.

3.20 There is, however, a further issue, in that significant housing has already been identified outside the Black Country which would meet their need. Two authorities in particular (Shropshire and Telford), where in-migration would largely come from the Black Country, are adopting housing figures much higher than the ONS2014 figures in their current draft plans.

3.21 In the case of Telford, the ONS2014 housing SM calculation shows a need of 9,500 dwellings for the Plan Period of 2022-2040 (based on 2023-33 base, 2022 affordability) but the plan itself is based on a requirement of 20,200, an additional 10,700 dwellings (of which only 1,600 are identified specifically as ‘meeting Black Country need’). The Council justifies this by referring to their higher ONS2018 figures and to their Census results, along with assumptions about growth.

3.22 In the case of Shropshire, the Plan (which has been tied up in the Examination since 2022) now has a requirement of 31,300 homes, when the SM requirement at the time was for 25,894, or 5,406 additional homes (of which only 1,500 are identified as ‘meeting Black Country need’).

3.23 In other words, of the 16,106 houses which are above the SM requirement in Shropshire and Telford’s draft plans, many of which could be anticipated to result from migration out of the Black Country, only 3,100 are formally designated for that purpose. Moreover, as I have reported to CPRE Shropshire, both those plans may have additional sources of supply which could add to their housing provision.

3.24 The current position then is that the housing shortfall in the Black Country Authorities appears to be exaggerated compared to genuine need, and that the authorities have sufficient evidence to adopt lower figures.

3.25 But even if they stick to ONS2014 figures, there is considerable oversupply in Shropshire and Telford which would alleviate much of that shortfall.

3.26 In South Staffordshire, adopting the ONS2016 figures would give a marginally higher basic requirement (albeit that approach would not be supported by the CENSUS results, as it is in the Black Country). However, if all authorities stick to the ONS2014 figures and consistently adopted the SM approach, the Black Country shortfalls would fall dramatically.

b. Birmingham

3.27 The South Staffordshire Plan does not rely alone on need from the Black Country. It puts the shortfall of housing in Birmingham at 78,415 dwellings. This figure results from the technical work supporting Birmingham’s Issues and Options consultation which closed in December 2022.

3.28 It should however be noted that that is only an Issues and Options consultation and that position is likely to change.

3.29 In particular it is worth noting that there is compelling evidence that the position is being exaggerated. As I said in my report on their housing numbers:

1. their current (2022) calculation of need of 7,136 dpa was approximately three times the latest (ONS2018) demographic needs of 2,388 dpa.
2. the figure given was (as was the case with the Black Country) inconsistent with the CENSUS data to the tune of 29,646 households in 2021.
3. their overall SM figure rose dramatically in one year from 6,750 dpa (the affordability addition being multiplied by the 35% addition), meaning the SM calculation could easily reduce by 7,720

for the plan period simply if those house prices fall and the affordability issue changed.

4. the council had added the 35% cities uplift (37,000 dwellings) to its overall figure with no regards to whether that can be met in its own boundaries as required by NPPG.

3.30 Moreover, Birmingham relied on a windfall provision of 584 dpa, when its average windfall completions (2001-2021), according to their latest SHELAA, had been 1,562 dpa (including the recession.) The average from 2017-2021 rose to 1,922 dpa. This suggested an under-calculation of nearly 30,000 windfalls over the plan period.

3.31 Even Birmingham's own consultants said in their 2022 HEDNA that they considered there was a case for Birmingham adopting lower housing numbers which still met the NPPF requirements.

Birmingham (Dwellings per Annum)	10 Year Household Average 2022-2032	Affordability Adjustment (based on 2021 figure of 6.49)	Affordability Adjusted Figure	Standard Methodology Result, including 35% uplift
ONS 2014	4,574	712	5,286	7,136
ONS 2016	3,337	519	3,856	5,206
ONS 2018	2,388	372	2,760	3,726

Table 14: Standard Methodology Calculation, Birmingham, 2021 Affordability

Birmingham (Dwellings per Annum)	10 Year Household Average 2021-2031	Affordability Adjustment (based on 2020 figure of 5.58)	Affordability Adjusted Figure	Standard Methodology Result, including 35% uplift
ONS 2014	4,550	450	5,000	6,750
ONS 2016	3,304	327	3,631	4,902
ONS 2018	2,350	232	2,582	3,486

Table 15: Standard Methodology Calculation, Birmingham, 2020 Affordability

Birmingham	2021 Census Population	Projections for year 2021 in ONS SNPPs and SNHPs	Difference between ONS projections for 2021 and Census 2021	Difference as % of Census
2014ONS	1,144,900	1,165,500	20,600	1.80%
2016ONS	1,144,900	1,172,100	27,200	2.38%

2018ONS	1,144,900	1,157,285	12,385	1.08%
	2021 Census Households			
2014ONS	423,500	453,146	29,646	7.00%
2016ONS	423,500	430,909	7,409	1.75%
2018ONS	423,500	426,334	2,834	0.67%

Table 16: Comparison of ONS projections and CENSUS results, Birmingham

3.32 Simply adopting the CENSUS figures and historic windfall rate would eliminate almost all the unmet need in the city. Indeed, the extent of the disjoint between actual need and supply and a wide range of evidence suggests the current position is untenable.

3.33 In other words, their alleged shortfall in Birmingham does not represent compelling evidence to justify the release of Green Belt land under 'exceptional circumstances' in South Staffordshire any more than the Black Country.

4. Conclusions

4.1 This report sets out the situation with regards to Housing Need and Supply in South Staffordshire.

4.2 In particular, I conclude that, during the plan period:

- a. The housing need in South Staffordshire can reasonably be set at 4,086.
- b. The current total supply in the plan (including new allocations and discounting 360 homes for oversupply from 2019-2022) should be at least 6,378, including a reasonable assumption for windfalls, of which 4,534 are already allocated or delivered.
- c. On the basis of the current plan there would be 2,292 homes provided above local need, 448 if only current allocations and safeguarded land are included.
- d. There is, therefore, no numerical need for any additional new housing allocations, especially in Green Belt where exceptional circumstances are required, and only sites already allocated or delivered need be included.
- e. At the same time, the unmet need in the Black Country and in Birmingham is subject to considerable uncertainty and much of it may not exist. The CENSUS and up-to-date supply data both point to considerably lower shortfalls. Even if the Black Country shortfall were correct over-

provision in Shropshire and Telford should account for significant amounts of that housing need.

4.3 Taking this into account (and particular my conclusion 4.2c) there are several potential responses to the surplus of 2,292 homes.

4.4 The Council could:

- a. remove both or either of the strategic sites from the plan
- b. remove some or all the green belt allocations from the plan

4.5 Equally the Council could retain its current level of housing provision and increase the amount of that housing identified as meeting Black Country needs.

4.6 CPRE's view on those options will be influenced by both site and settlement considerations which I have not considered.

4.7 Lastly, as well as commenting on need and supply assumptions in the plan CPRE may also wish to make comment on the significant changes to the density policy which may impact on the ability to achieve sustainable development.

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.



(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:

WM CPRE consider it would be helpful to the examination to set out the basis for our concerns about housing numbers as set out in the attached report; also to ensure the Inspector has a range of views before him/her, not just the development lobby.

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