

South Staffordshire Local Plan review

Examination in Public

Hearing Statement for Matter 5 – Spatial Strategy

On behalf of Clowes Developments

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Introduction

Pegasus Group is instructed by Clowes Developments to respond to the South Staffordshire District Council Local Plan Examination: Matters, Issues and Questions Identified by the Inspectors, which has been produced by the Inspectors appointed to hold an independent examination of the South Staffordshire Local Plan ('the Plan').

This Statement relates to Matter 5 – Spatial Strategy.

Clowes Developments are promoting land at Himley, to the north and south of the B4176 and to the west of the A449. Land to the south of the B4176 is being promoted for employment development to the north of the B4176 for residential development. A Site Masterplan is at **Appendix 1** but the two parcels of land being promoted can come forward independently of each other.

To the north of the B4176 Clowes are promoting land for residential development with a gross area of 4.59ha (net 2.59ha), for 88 residential units.

Clowes Developments' land interests to the south of the B4176 extend to 71.2ha and are being promoted for a range of Use Class B2 and B8 units, with a combined floor area of 84,844sqm.

The Masterplan at Appendix 1 shows how the land interests could accommodate the proposed development.

Clowes Developments have made representations to previous consultation on the earlier stages of preparation of the Local Plan that has been submitted for examination.

Matter 5: Spatial Strategy

Issue 1: Whether there is a clear Spatial Strategy which is justified, effective and consistent with national policy

Q1. How was the settlement hierarchy derived? When qualifying your answer, is the methodology used to determine the hierarchy appropriate and sufficiently robust?

The settlement hierarchy is informed by the Rural Services and Facilities Audit Study 2021. This assessed access to services and facilities, namely convenience stores/supermarkets, community facilities, retail centres, employment locations, education facilities, and public transport, scoring each settlement depending on its accessibility to these. A description was developed for each tier of the hierarchy, and this assisted in categorising settlements. Whilst there are a number of limitations, including the lack of a capacity analysis, no consideration of constraints which may affect suitability for development, and the use of static data, meaning that conclusions may not reflect recent changes or developments in the area, potentially leading to outdated conclusions, it is considered that the methodology is generally appropriate and sufficiently robust for the purpose of establishing a hierarchy, which is broadly consistent with the previous settlement hierarchy set out in the 2012 Core Strategy (paragraph 4.8).

Q2. How has the level of development anticipated in different settlement categories been derived? Does the settlement hierarchy appropriately reflect the role and function of these settlements?

The Spatial Strategy Topic Paper sets out the various growth options which SSDC considered. Option I is selected as the preferred spatial strategy, and the reasons for this are discussed in response to question 3(b) below. Option I directs growth to Tier 1 settlements, and thus Green Belt release is restricted to these settlements, with two strategic allocations which will deliver 1,374 dwellings. This is followed by 914 homes in Tier 2 settlements, 228 homes in Tier 3 settlements, 30 homes in Tier 4 settlements, 81 homes south of Stafford, and 194 homes in other locations and Tier 5 settlements. This is considered to be appropriate, although Tier 2 and 3 settlements could accommodate more housing to meet a higher housing requirement which will provide a greater contribution towards accommodating unmet needs in the GBBCHMA, given the sustainability credentials of these settlements, as highlighted in the Rural Services and Facilities Audit Study 2021. In some instances, this would necessitate Green Belt release in these locations. Overall, the settlement hierarchy is considered to reflect the role and function of the settlements.

The employment figure set out in Policy DS4 is not sound and the amount of land which needs to be found for development needs to be increased significantly.

The policy should be amended by removal of references to contributions from WMI (which would otherwise be regarded as windfalls if they do not meet the requirements for local businesses) as they will meet needs arising 'in the wider market area' as set out on page 6 of Doc SST/ED12); this would mean that the amount of land to be developed to meet local needs should be increased by 18.8 hectares, the figures of 1.2 hectares to be discounted from surplus office floorspace should be removed from the figures and the contribution which will meet the Black Country overspill should be reduced to 16.6 hectares in terms of the surplus element in the South Staffordshire supply.

Q3. In terms of the distribution of housing and employment development across the plan area:

a. Is it clear how and why the preferred Spatial Strategy has been selected?

Section 5 of the Spatial Strategy Topic Paper 2024 draws conclusions on why SSDC have selected Spatial Option I for housing development. SSDC state that this is their preferred option as they consider it to balance the need to deliver housing against the constraint placed by Green Belt land, restricting the release of this to Tier 1 settlements, which are considered the most sustainable locations.

Given the strong economic connections between South Staffordshire and the Black Country area, it is submitted that a further 84.6 hectares of land should be allocated under Policy DS4 on top of the 107.45 hectares identified and with an appropriate amendment made to the proposals map. This gives a total of 192.05 ha to be allocated (making up the figures lost from the West Midlands Interchange (WMI) and also for a contribution to the Black Country for employment).

The EDNA update 2024 (Doc EB44) provides an updated position on the earlier EDNA prepared by DLP Planning to identify future employment needs across the South Staffordshire for the period through to 2041. The updated Growth Forecast within the EDNA shows a growth of 54,326 net additional jobs in South Staffordshire over the period 2020–2041, this takes into account a further increase in employment of +387 jobs versus the EDNA 2022 (EB45), mainly concentrated in the Transport and Storage, Wholesale and Retail and Professional Services sectors.

In addition, Doc SST/ED12, an Officer agreed Statement of Common Ground from January 2025 on the 'Black Country Functional Economic Market Area (FEMA) and locations with an economic relationship with the Black Country FEMA' identifies that within the Black Country Functional Economic Market Area (FEMA) the 'Black Country Authorities' (Dudley, Sandwell, Walsall and Wolverhampton) will have an employment land shortfall of 280.45ha to 2042. Birmingham have identified a shortfall to 2042 of 30.5ha.

South Staffordshire's 2024 EDNA (Doc EB44) confirms the Authority has a surplus of 27.6ha of employment land, which could increase to 45.2 ha if the proposed allocation at Junction 13 of the M6 is realised. The Agreed Jan 2025 SoCG (Doc SST/ED12) notes that this surplus land is available to meet needs arising in the Black Country.

That still leaves at least a 250ha shortfall of employment land across the FEMA. Land to the north of Wall Heath, being promoted by Clowes could assist in delivering these jobs, in a location adjacent to the Black Country conurbation and in the south of the South Staffs area, immediately adjacent to Dudley MBC. Policy DS4 with regards to employment provision should align with NPPF para 86d which makes it clear that policies should be flexible to accommodate needs not anticipated in the plan, allow for new and flexible working practices, and to enable a rapid response to changes in economic circumstances. The currently proposed approach is too restrictive and will put the district at a disadvantage in attracting good quality employment land provision.

b. What options have been considered for accommodating the identified development requirements in a sustainable manner? Have reasonable alternatives been considered?

The Spatial Strategy Topic Paper 2024 provides a detailed assessment highlighting advantages and disadvantages for each of the nine spatial options. These are set out in Section 4 of the Topic Paper.

However, the role the District Plays in the wider GBCHMA and FEMA must be emphasized and recognised further in Policy DS5. Spatial Strategy Option I and the large reliance on Tier 1 settlements fails to reflect

the District's relationship with the adjoining areas of Dudley and Wolverhampton, where there is a high employment commuting ratio from the District to these urban areas via key infrastructure links. In addition to housing at Tier 1 settlements and to the north of the district, the spatial strategy should therefore place greater emphasis on housing growth along the eastern edge of the District, as has been highlighted in the GBBCHMA Strategic Growth Study.

Similarly, the protection afforded to the District's Green Belt should not be at the expense of sustainable development patterns and strategies. The Council's evidence base acknowledges that Tier 2 and 3 settlements can also accommodate housing growth to deliver sustainable development. The use of brownfield land and release of Green Belt land should be balanced to deliver a range of sites to deliver a range of housing, without, for example, overreliance on flatted developments on brownfield site, reduced affordable housing due to viability issues of brownfield delivery and thus failure to deliver the right housing in the right places. Tier 2 and 3 settlements are often sustainable in nature with bus services and facilities within the settlement – a train station is not the only factor that should be considered.

Windfall development across the Plan period is proposed at 600 homes. But windfall development does not allow for the delivery of planned strategic infrastructure nor the range of market and affordable housing which the delivery of carefully considered housing allocations can deliver.

Furthermore, having confirmed such a small capacity on brownfield sites, it is unclear what windfall developments will come forward to deliver housing, particularly as the SHELAA 2023 identifies a substantial number of the identified brownfield sites as being neither suitable or available.

Further, historic windfall delivery rates have been based on densities of 35 dwellings per hectare on average. However, since the Core Strategy was adopted in 2012, matters such as 10% mandatory BNG, Nationally Described Space Standards and M4(2) and M4(3) compliant homes have been / are being introduced. These all have capacity implications for housing delivery and a lower density should be assumed, which may in turn reduce the expected windfall allowance.

c. Are the areas identified for new development the most appropriate locations? Is the rationale behind choices and reasoning for conclusions clear and justified by the evidence? How have the locational needs of different sectors been addressed.

The Spatial Strategy relies on over a third of the housing requirement to be delivered on land east of Billbrook and land north of Penkridge. Whilst these are sustainable locations for growth and appropriate in line with Spatial Option I and the evidence base, including the Rural Services and Facilities Audit Study 2021, sites of this scale have longer lead-in times, thus they will not address the immediate need for housing in South Staffordshire and the GBBCHMA. The SHELAA 2023 suggests there is a lead-in time of between 4–5 years for allocations of 500–1,000 homes, which is optimistic given current delays in the planning system. There is no new evidence to suggest that lead in time has reduced and we are not aware of any planning applications before the Council for those sites. On that basis, the housing Trajectory submitted to the Examination (Doc SST/ED7b) should be updated to show those sites as not delivering before 2029–2030, which will impact the delivery of homes in the earlier years of the Plan greater recognition should be given to a range of housing sites across South Staffordshire to deliver balanced growth that can meet the short-term needs of South Staffordshire and the GBBCHMA, in order to ensure a policy and spatial strategy that is effective and justified.

Spatial Option I greatly reduces South Staffordshire's contribution towards accommodating unmet needs in the GBBCHMA, and completely fails to reflect the district's relationship with the adjoining areas of Dudley and Wolverhampton, and the high employment commuting ratio from the district to these urban



areas. The rationale for this is unconvincing, and the Spatial Strategy should place a greater emphasis on housing growth in the eastern edge of the District, as recommended in the GBBCHMA Strategic Growth Study (2018), which forms part of the evidence base, thus such an approach would be fully justified. Small and medium-scale housing allocations here, on sites which are sustainably located, with good accessibility and public transport links, would contribute towards meeting short term needs in the GBBCHMA, closest to the source of this need.

Notwithstanding, land at Pool House Road, Wombourne, a proposed allocation in a Tier 2 settlement which is considered an acceptable and sustainable location for growth, offers the opportunity to deliver much needed market and affordable homes to meet the identified need in the emerging Plan. The site will deliver infrastructure improvements through appropriate s106 contributions, policy compliant affordable housing and on site open space and biodiversity enhancements for the benefit of the wider community.

In terms of employment, Policy EC1 of the Plan identifies proposed employment sites within South Staffordshire.

However, of these, Hilton Cross is now largely developed and land at I54 is also largely taken up with less than 5 ha remaining. Further, the West Midlands Interchange (WMI) is designed for regional/national requirements and is unlikely to meet the needs of local businesses.

The proposed allocations for employment appear to largely be based around Wolverhampton. Clowes considers that SSDC, due to its locational relationship to a number of Black Country authorities need to allocate a balanced amount of employment sites in the Local Plan with regards to the variety of locations. In this context, further land needs to be developed, and the policy should be amended to make it clear that other development opportunities are being brought forward to meet the needs of the Black Country overspill which have not been met. In this context, it is noteworthy that the policy does not make reference to meeting the wider needs of the adjacent authorities, specifically within the Black Country which the plan acknowledges is a key cross boundary issue.

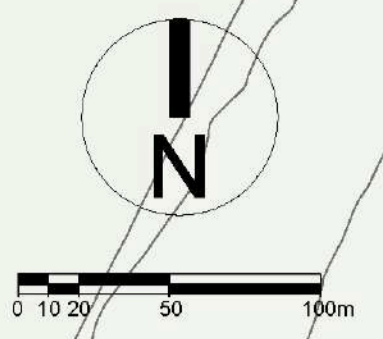
Clowes considers that the Regulation 19 plan has failed to make proper provision for the employment needs of both South Staffordshire and the Black Country with an over-reliance upon the contribution which shall be made to employment supply from the West Midlands Interchange ("WMI"). That development is intended to serve regional/national companies with rail related aspirations. Such provision, whilst welcome in the overall economy, will not meet the needs of local businesses seeking new floorspace and development sites in South Staffordshire and the wider locality of the Black Country. Indeed, it is noteworthy that an element of the calculation for new land in the plan area has been based on past take up rates which would, of course, have been derived from local businesses and would not reflect any contribution made by WMI. Since WMI will meet the needs of a different category of employer, it is not appropriate to include it in the employment supply for the plan nor to suggest that it will accommodate elements of overspill of the Black Country employment land requirement.

Land off A491/Wolverhampton Road, Wall Heath would provide the Council with the opportunity to provide high quality employment with modern, flexible high-specification space near a large labour force on the edge of the Black Country Urban Area and within close proximity to the strategic road network.



Appendix 1

Site Masterplan



bhb
architects

3533 - Wall Heath, Staffordshire
Drawing SK04
Indicative Site Plan
Scale 1:2500 @ A1
13 / 12 / 2022

Town & Country Planning Act 1990 (as amended)
Planning and Compulsory Purchase Act 2004

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