

South Staffordshire Local Plan review

Examination in Public

Hearing Statement for Matter 6 – Green Belt

On behalf of Clowes Developments

Representor Ref: AGT-24-031-02-01

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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 6 – Green Belt.

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 6: Green Belt

Issue: Whether the Plan's approach to Green Belt is positively prepared, justified, effective and consistent with national policy. (Focus Policies DS1, DS2)

Q5. Are there exceptional circumstances to alter the Green Belt in the district in principle? If so, what are they? If not, how could housing and employment requirements be met in other ways?

Q6. Are there exceptional circumstances to justify the release of Green Belt land for development in Tier 2, 3 or 4 settlements?

Q7. Do the Plan's strategic policies set out the scale and need for the release of land from the Green Belt as required in the National Planning Policy Framework?

As set out in the Paragraph 145 of the NPPF, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified. The Green Belt Review undertaken by the Council to inform the Local Plan is therefore welcomed, but it is considered that the exceptional circumstances would justify the release of additional land from the Green Belt to meet current and future development needs within South Staffordshire.

As the Council rightly note, the 2023 NPPF, against which this Plan is being examined states (para 145) that there is *"no requirement for Green Belt boundaries to be reviewed or changed when plans are being prepared or updated."* The review of Green Belt that has informed the Local Plan is therefore welcomed in that sense. But the approach taken by the Council means that when reviewing this Plan, which will be immediate and likely before the end of 2025, they will be required to undertake a further Green Belt review in order to meet the requirements of their significantly increased housing requirements due to the new standard method for calculating local housing need set out in the December 2024, NPPF. The employment land requirements referred to in our Matter 4 and 5 Statements and the unmet need across the FEMA also highlights a need to identify additional land for employment development. It is abundantly clear that South Staffordshire, being on the edge of the Black Country conurbation in particular, should provide a significant contribution toward both housing and employment development.

This plan therefore, fails part of the tests of the 2023 NPPF against which it is being assessed, and the Green Belt boundaries proposed in the emerging Plan will not *"endure beyond the plan period."*

In terms of the exceptional circumstances which justify the release of land from the Green Belt, it is noted that in accordance with the Duty to Cooperate, which still remains, the Council must do its utmost to assist in meeting unmet needs across the housing market and economic market area, particularly given SSDCs proximity to adjoining West Midlands conurbations.

In housing terms, the 2018 Greater Birmingham and Black Country Housing Market Area (GBBCHMA) Strategic Growth Study presented a strategic review of the Green Belt across the 'joint authorities' area. This review was undertaken in the light of the shortfall in housing need identified across the area. It was acknowledged that as a significant proportion of land within the Housing Market Area is covered by Green Belt, 'exceptional circumstances' through Local Plan reviews would be required to alter the Green Belt boundaries.

Despite proposing a contribution of 4,000 homes towards the unmet housing need of the GBBCHMA as part of the Reg 19 2022 Publication Plan is now of the view that the Growth Study, on which the 4,000 contribution was based is out of date and requires further review, instead proposing a token contribution of 640 homes towards the unmet HMA need across the Plan period. However, it is evident

Doc SST/ED11 submitted to the Examination and dated 29 November 2024, that there remains a significant unmet need across the HMA authorities area.

The 29 November 2024 Statement identified that the shortfalls across all HMA authorities (Birmingham, Bromsgrove, Cannock Chase, Dudley, Lichfield, North Warwickshire, Redditch, Sandwell, Shropshire, Solihull, South Staffordshire, South Warwickshire, Tamworth, Telford & Wrekin, Walsall, Wolverhampton and Wyre Forest) for the period 2023–2042 totals 76,427 dwellings. It also recognises that the figures it identifies could change as local plans progress.

Contributions toward unmet need are also set out in the Paper where proposed. The Paper is also referred to as a ‘statement of common ground’, which seeks to set out an agreed approach between the contributing authorities (Shropshire, Cannock Chase, South Staffordshire and Telford & Wrekin) and the receiving authorities (Black Country authorities and Birmingham) on how the contributions will be apportioned amongst relevant authorities, where the apportionment is based on net migration flows between the exporting local authority and each of the receiving authorities.

Whilst that apportionment is not considered in detail in this paper, the agreement itself is already out of date. Since its publication:

- 1) The Inspectors for the Shropshire Local Plan have recommended its withdrawal, and the Council have confirmed (see letter at Appendix 2) that they are recommending withdrawal of the Plan to Full Council. This means that the proposed contribution will not be coming forward from that draft Plan
- 2) The NPPF published in December 2024 introduced a new standard method for calculating local housing need. Whilst this has resulted in a significant reduction in need for Birmingham, plus reductions for Sandwell and Wolverhampton (very minor) all other authorities in the GBBCHMA area will have increased housing requirements. Unmet need is therefore likely to increase across the area, and the Duty to Co-Operate (and its replacement, once enacted following the Levelling Up and Regeneration Act 2024, will remain important.
- 3) Amended Local Plan legislation is also proposed to be enacted (through the LURA) in 2025. This will result in amended requirements for Plan-making where a large number of authorities, including South Staffordshire will be in immediate Plan review as their housing targets in current /emerging Local Plans are less than 80% of the new standard method requirements.

Notwithstanding the shortcomings of the November 2024 GBBCHMA Paper, it is evident that the ‘significant housing shortfall across the HMA’ that is acknowledged is only likely to increase.

The Spatial Housing Strategy Topic Paper (2024) (Doc EB14) continues to recognise the relationship between the District and adjoining GBBCMA authorities and the opportunity to deliver unmet housing needs along the north/north-western edge of the Black Country to minimise the extent to which households from these areas are displaced from existing communities, jobs and education. The Topic Paper at Paragraph 4.10 concluded that *‘if unmet housing needs were located in close proximity to Wolverhampton and Walsall (i.e. along the north-western and northern edges of the Black Country) then this may minimise the extent to which households from these two areas are displaced from their existing communities, jobs and education’*.

The Green Belt Exceptional Circumstances Topic Paper 2024 (Doc EB16) (paragraphs 4.5 and 4.6) of the Local Plan evidence base continues to acknowledge the exceptional circumstances for the release of

Green Belt land, providing the *'exceptional circumstances case for releasing Green Belt at the districts most sustainable settlements with the best sustainable transport links to these authorities in the conurbation that are the source of the unmet needs.'* However, in terms of delivering housing for the District and the GBBCHMA this continues to focus on the delivery of housing on non-Green Belt options. Paragraph 7.2 of the Topic Paper sets out that only 0.16% of the District's Green Belt is proposed for release despite SSDC acknowledging the significant unmet need of the wider GBBCHMA and these authorities being unable to accommodate any of SSDCs housing requirement given they are also constrained by Green Belt or urban areas with unmet needs.

It is unclear however why SSDC require the assistance of other authorities when there are other opportunities for sustainable housing development through additional and 'Green Belt' release whilst still ensuring a significant quantum of high value Green Belt land is protected across the District. It is also evident, that since writing to the GBBCHMA authorities in 2021 (Appendix 1, Green Belt Topic Paper 2024), that the unmet housing shortfall across the HMA's as evidenced through the various HMA authorities' Local Plan Reviews is now significantly greater and SSDC need to take a greater proportion of the unmet need through additional housing allocations.

As well as continuing to focus on the delivery of homes through the development of non-green belt land, SSDC have placed an emphasis on higher density development. The Green Belt Exceptional Circumstances Paper 2024 sets out that *'under the preferred spatial strategy, land is released at an average density of 35dwellings per hectare, thereby ensuring Green Belt release is kept to a minimum'*. The Paper points to the density of 35dph recommended in the GBBCHMA Strategic Growth Study 2018 to make efficient use of land prior to the release of Green Belt land. As recognised by SSDC however, the study is dated, and pre dates mandatory government policy requirements, including increasingly stringent Building Regulations and 10% BNG. SSDC have also based the delivery of housing sites at a density of 35dph on historic development capacity in the District, including housing development sites which again did not have to deliver the requirements of more recent mandatory Government policy. This is discussed further later in this section.

SSDC clearly recognise the scale of the housing shortfall across the wider GBBCHMA however this is not reflected within the Plan itself. As demonstrated through the 2022 Publication Plan and under the provisions of the NPPF Paragraph 145, there are clear exceptional circumstances based on the housing evidence available at the time to suggest the release of additional Green Belt sites to meet both the District's and the wider HMA's housing need.

The SSDC's substantially reduced contribution of 640 homes towards the HMA unmet need is not reflective of the 'significant housing shortfall' clearly evident across the HMA authorities, and the Council are relying on there 'not being a requirement' to review Green Belt boundaries rather than considering the clearly identified exceptional circumstances in full. It is clear that the District, (along with others in the HMA) need to go further to address this housing supply shortfall. South Staffordshire in particular has the ability to make a significant larger contribution to unmet needs in the HMA as it has a contiguous border with the West Midlands Conurbation. This could include a number of sites which could be highly sustainable, located on the edge of the conurbation.

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.

It seems inevitable that any land identified for employment development overspill will need to take place on greenfield sites within the Green Belt where they are in a sustainable location. Clowes Development contend that any decision to allocate overspill land beyond the Green Belt i.e. in the small portion of South Staffordshire not in the Green Belt, would not be in a sustainable location and would lead to unsustainable patterns of transport and community. It would also not meet the needs of the businesses seeking new development opportunities which are best accommodated on the edge of the urban area.

There are locational benefits of the land at Wall Heath that Clowes Developments are promoting for employment in terms of its size, containment, and ability to meet employment floorspace needs for local businesses. Insufficient land is available to address unmet need elsewhere and further land should be identified for release from the Green Belt. The land promoted by Clowes is in close proximity to existing employment units at Pensnett Trading Estate and the Heathmill Road Trading Estate, which have seen businesses relocate due to the age of units, their inadequacy for modern business operations and there being no room for expansion. If an alternative location in close proximity is not provided there will likely be job losses as businesses relocate further afield. The land promoted by Clowes at Wall Heath provides the opportunity for high quality, modern employment units within the local area.

The eastern edge of South Staffordshire's local authority boundary adjoins the local authority areas of Dudley and Wolverhampton with key transport infrastructure links running through South Staffordshire. The direct relationship between these adjoining urban authorities and the authority area of South Staffordshire provides further exceptional circumstances in which to release additional Green Belt land within the District to deliver the housing sites necessary to meet the clear unmet housing and employment need across the wider HMA and FEMA. Proximity to these urban conurbations also

enables sites, particularly those located on or close to key transport infrastructure networks to benefit from sustainable transport including access to cross boundary bus and rail services consistent with the Plan's spatial strategy.

Q10. Should the Local Plan identify safeguarded land?

In addition to unmet needs from neighbouring authorities, the Council should be considering their future position and development needs arising in the future. Additional land requirements beyond the Plan period are sufficient to consider the release of land for safeguarding to ensure that the altered Green Belt boundaries endure beyond the Plan period as required by NPPF para 145.

Paragraph 145 of the NPPF states that "*strategic policies should establish the need for any changes to Green Belt boundaries, having regard to their intended permanence in the long term, so they can endure beyond the Plan period.*" The South Staffordshire Plan is proposing some limited Green Belt amendments to provide proposed housing requirements. However, in order to address in particular, the issues arising from the shortfall in housing and employment land in the conurbations which in turn supports early review of the emerging Local Plan, it is essential that Green Belt boundaries are defined which will endure beyond the Plan period. The currently adopted Local Plan at Policy GB2 included safeguarded land for the longer term needs of the District. The Core Strategy was adopted in 2012 and so is now 12 years old. The NPPF highlights that Local Plans should be reviewed every 5 years so in effect the Core Strategy has endured two Local Plan cycles.

As a result, Clowes Developments consider the 2024 Publication Plan should establish Green Belt boundaries which will not require amendment in the rest of the Local Plan cycle or indeed beyond, through the introduction of safeguarded land. The introduction of safeguarded land would give the Council greater flexibility to accommodate development requirements and to assist in meeting unmet housing and employment needs across the wider HMA and FEMA. Following the removal of Policy DS6 (Longer Term Growth Aspirations for a new settlement) as proposed within the Publication Plan 2022, the introduction of safeguarded land is particularly important to future growth of the District.

Clowes Developments are of the opinion that their land interests at Wall Heath to the north and south of the B4176 should be removed from the Green Belt (via the exceptional circumstances test for housing and employment purposes) and a new Green Belt boundary redrawn. Their land interests are logical for such development, being well related to Himley and also the Black Country conurbation. It is considered that the land, promoted for housing development and employment development as identified on the Illustrative Masterplan in Appendix 1, is entirely logical for development. As set out in detailed representations to the Regulation 18 and 19 consultations, it has been explained that the site is well contained by existing built form, highways infrastructure, and identifiable boundaries.

Clowes have considered the implications of the release of the land from the Green Belt in terms of the Green Belt objectives identified at paragraph 143 of the Framework and also the approach which should be taken when identifying new boundaries as per paragraphs 147 and 148 of the Framework and provide the following comments for each of the land interests, residential and employment, as follows:

Green Belt Purposes

To check the unrestricted sprawl of large built up areas – By allocating the site through the Local Plan process, the release of the site would form part of a planned review of the Green Belt. The entirety of the Clowes Development land interests, for residential and employment development, benefit from having readily identifiable boundaries which ensure that, once released, formal boundaries will be

identified and this will again help to ensure the site is contained. Himley is not identified as a large built up area and there will be no impact on this purpose of including land within the Green Belt.

To prevent neighbouring towns merging into one another – The site lies immediately adjoining the settlement of Himley and will be contained in its entirety by that settlement and the B4176. It is not a town and will not impact on any other town or settlement. There is no conflict with this objective of Green Belt purposes.

To assist in safeguarding the countryside from encroachment – As is explained at paragraphs 5.1 to 5.3 of the LPR, the Local Plan area does not benefit from large areas of non-Green Belt land adjoining the conurbation or existing settlements, nor does it have large areas of previously developed sites which could be reallocated for employment purposes. It is inevitable, therefore, that to accommodate both the housing and employment needs of both South Staffordshire and the overspill requirements of the conurbation that the open countryside will need to be released for development. This cannot, therefore, be a factor that counts against the release of the promoted site. Notwithstanding, development of the site would be seen in its context being located immediately adjacent to the existing settlement of Himley.

To preserve the setting and special character of historic towns – The site does not form part of the setting or special character of a historic town and, therefore, no conflict arises in respect of this purpose.

To assist in urban regeneration, by encouraging the recycling of derelict and other urban land – It is clearly acknowledged by the Council that the plan area does not have significant parcels of derelict and other urban land which could be used for development. Similarly, the adjoining Black Country conurbation is deficient in land supply to meet its housing and employment needs with the consequence that land outside of the urban area will have to be released for development. There is therefore, no reasonable prospect of the development needs of the plan area or the overspill needs of the Black Country conurbation being met on recycled derelict or other urban land and, therefore, the release of the land at Himley for residential development would not have an implication for urban regeneration.

An objective assessment of Green Belt purposes, as has been carried out above, demonstrates that there is no significant impact caused by the release of the site for housing in terms of Green Belt objectives and it is clear that Green Belt land has to be released to meet development needs for both South Staffordshire and the Black Country conurbation.

Turning to the requirements of paragraphs 147 and 148 of the Framework, we note that the Green Belt boundary, once redrawn to accommodate the omission site, would help to meet requirements for sustainable development. The site is located such that it provides opportunities to use local facilities in Himley as the local public transport services. The site is in close proximity to the Dudley and Wolverhampton urban areas and as such there will be a high degree of connectivity and ability to higher level services in the settlement.

In line with paragraph 148e of the Framework, the Green Belt boundaries will not need to be altered at the end of the plan period and, in accordance with 148f, the Site can be provided with robust and defensible boundaries that will be readily recognisable and will be permanent. There would be no environmental or technical issues associated with the release of the site for development.

Green Belt and Grey Belt

In addition to the above, Clowes Developments are also of the opinion that their land interests north of the B4176 that are being promoted for residential development could be considered grey belt.

In terms of its Green Belt status, the land falls within land Parcel S71 in the Green Belt Study that supports the Local Plan (Doc EB18). Within that it is within Parcel S71b, where the Study concludes that development would result in a moderate-high overall harm to the Green Belt. The Study considered that the locality contributed to the purposes of Green Belt as follows:

- Purpose (a) – to check the unrestricted sprawl of large built-up urban areas – STRONG Contribution
- Purpose (b) – to prevent neighbouring towns merging into one another – WEAK/NO Contribution
- Purpose (c) – to assist in safeguarding the countryside from encroachment – STRONG Contribution
- Purpose (d) – to preserve the setting and special character of historic towns – WEAK/NO Contribution
- Purpose (e) – to assist in urban regeneration, by encouraging the recycling of derelict and other urban land – STRONG Contribution (automatically applied to all land parcels in the Study).

However, the Clowes land interests north of the B4176 for residential development are a much smaller part of that overall parcel and that site can be considered on a specific basis. In this case, the site is located right on the edge of the village settlement, with development on all sides, and bound by a road to the south, meaning development on it would sit in the context of surrounding development in Himley, ‘rounding off the settlement’ if you look at it on plan form and not extending development any closer to the urban edge of the Black Country at Wall Heath. It is our opinion that its contribution to purpose A of the Green Belt is therefore at best, moderate.

The land north of the B4176 could therefore be considered Grey Belt by definition, as it does not contribute strongly to any of purposes a, b or d of including land in the Green Belt. It would also meet the relevant tests set out at paras 155 and 156 of the 2024 NPPF for grey belt as follows:

- Development would utilise grey belt land and its development would not undermine the purposes of including land within the Green Belt as referred above.
- There is an unmet housing need within South Staffs, who cannot, at the time of writing, demonstrate a 5 year housing land supply, and who will be required to find additional land for development against the new standard method for calculation of local housing need.
- Himley is a sustainable location with a good range of services and facilities, suitable for accommodating some development.
- Development of the Site could meet the relevant Golden Rules set out at NPPF para 156 including the provisions of up to 50% affordable housing. Improvements to infrastructure as required, and the provision of significant green spaces within the development that are publicly accessible.



Clowes Developments land interests north of the B4176 for housing could constitute grey belt land that could be suitable for development in accordance with the tests for grey belt defined in the NPPF (December 2024). This must be given further consideration as the Plan progresses



Q11. Are there any amendments required to the wording of Policy DS1 for soundness?

Clowes Developments do not accept the Council's proposition that the Green Belt '*contributes towards rural character*'. Green Belt is a development restraint policy set out at Chapter 13 of the NPPF and is not a landscape or character policy. The NPPF outlines '*the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence*'. Therefore, the Council should amend the text within Policy DS1 and its supporting text to represent national policy.

Policy DS1 as currently drafted is unsound and does not meet with the provisions of the NPPF Paragraph 35. It has been demonstrated that there are clear exceptional circumstances for the release of Green Belt land to meet the unmet housing and employment needs of the GBBCHMA and from within the FEMA.

There are additional Green Belt sites suitable and available for housing which are sustainably located and will contribute further to meeting this need as well as addressing other issues and challenges identified within the District including the additional land that will be required to meet a much higher local housing need under the standard methodology introduced by the NPPF 2024, for which the Council will need to begin preparing a new Plan likely before the current one is adopted. The Green Belt boundary should therefore be amended further to enable the release of additional Green Belt sites, such as that at Bratch Common Lane for development either now or through utilising the option to safeguard land.

The other issue that needs to be taken into account in examining the Plan under the December 2023 NPPF, is the difference in Green Belt policy which will apply for decision-making purposes within South Staffordshire, as introduced in the December 2024 NPPF.

The South Staffordshire Green Belt Review work undertaken to support the Local Plan (Docs EB16 – EB18b) has not considered the concept of grey belt. But, as it will be important in decision-making, it needs to be taken into account in the Local Plan Review.

The definition of grey belt refers to previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in Paragraph 143 of the NPPF. Thus, with 64 out of 82 parcels assessed not strongly contributing towards these purposes, Clowes Developments would expect there to be a significant number of grey belt sites within South Staffordshire that can suitably accommodate development (including their land interests), and as this is a key consideration for development management even if not for the purposes of identifying land in this Plan, the Council's evidence base should be acknowledging this matter and providing clear policy references to Grey Belt.

As noted, Policy DS1 should include an acknowledgement that development in the Green Belt can be deemed appropriate if the criteria of Paragraph 155 are satisfied, and the 'Golden Rules' for residential development must also be referenced.

It is noted that Policy DS1, as drafted, reflects the national requirements of the December 2023 NPPF that was in force at the time the Plan was drafted and submitted. However, the Plan should be mindful of the changes that the 2024 NPPF introduced, particularly in how it will relate to future development management matters, planning applications and green and grey belt matters. These are national planning policies that impact on Development Management and as such will impact on how development in South Staffordshire will be delivered. To not include any such recognition of these changes would mean that upon adoption Policy DS1 would be out of date as it would not accord with national policy.

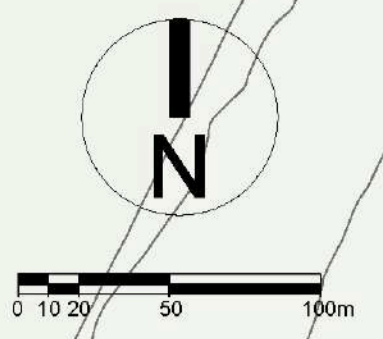


To be effective, Policy DS1 should be amended and updated to reflect national policy matters with regard to the wording and considerations of green and grey belt in the 2024 NPPF.



Appendix 1

Site Masterplan



bhb
architects

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



Appendix 2

Shropshire Local Plan Letter to Inspectors (withdrawal)

Inspectors:

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Date: 13th March 2025

Shropshire Council Response to Inspectors Correspondence ID48

Dear Inspectors,

Thank you for your letter of 17th February, which the Council received on 4th March 2025, setting out your response to the Council's letter GC56.

Clearly, the Council are hugely disappointed by your conclusions, the outcome of which provides no route to the adoption of the draft Local Plan. The choice now facing the Council is whether to agree to withdraw the Plan further to your recommendation, or to request you prepare a final report, of which you have already set out what your conclusions would be.

As the only choices open to the Council result in the same conclusion, the Council therefore recognises ID48 as a decision of the Planning Inspectorate that the draft Local Plan cannot be adopted due to the soundness concerns you have already set out in full in ID47 and within previous correspondence.

Set against the changing picture nationally with regard to Plan making, and in particular the new housing need figures derived from the Government's revised standard methodology, it had already become necessary for the Council to begin work on a new Local Plan later in 2025 regardless of the progress with the examination. However, having responded positively to the majority of your concerns, it remains extremely frustrating that we are now not being allowed an opportunity to undertake the work programme we set out in GC56.

Regarding the rationale for your position set out in ID48, having specifically invited the Council to prepare a project plan (paragraph 67 of ID47), it is now surprising you consider the work required to fulfil this would exceed the definition of 'limited' and could not be carried out in the defined six months. The Council are unaware of any material change in circumstance since the publication of ID47 regarding either your soundness concerns, or the



Government's advice to the Planning Inspectorate regarding the application of pragmatism in these circumstances. Put simply, it is unclear why this position was not reached in ID47, which would have saved the Council both time and expense.

For the avoidance of doubt, the Council continues to consider that the necessary work to address your soundness concerns, as set out in GC56, is capable of being undertaken within a six month period. It is also apparent there is flexibility regarding the application of the six month timetable as demonstrated by recent conclusions of other Local Plan Inspectors.

However, it is clear that despite this, you have concluded that undertaking necessary additional work in accordance with the proposed project plan is no longer an option open to the Council.

On this basis, officers feel that there is little choice but to recommend to elected members that the draft Shropshire Local Plan is withdrawn from the examination.

However, under our Constitution the decision to withdraw the Local Plan from examination requires full Council approval. Because our pre-election period commenced on Monday 10th March, ahead of elections on Thursday 1st May, the first opportunity for full Council to consider this recommendation and reach a decision is likely to be 17th July 2025. As a result, it is our intention to take a report to this meeting with a recommendation that our members provide approval to withdraw the Local Plan from examination.

Therefore, please accept this letter as the Council's intention to withdraw the Plan from examination, and on this basis we would ask that no further work be undertaken by you on the examination. We will write to you formally confirming the decision of Council in due course.

Your sincerely

Eddie West
Planning Policy and Strategy Manager



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

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