

Chapter 3:

Question 1:

Do you agree that the evidence base set out in Appendix A is appropriate to inform the new Local Plan?

NO.

Summary: Several evidence documents raise a number of key issues present throughout the Preferred Options Plan: firstly, that the district council's current housing target numbers are too high and inappropriate for South Staffordshire in both a practical and historical context; secondly, that the council's current approach to meeting the housing need for Gypsy, Traveller, and Travelling Showpeople risks legitimising illegal behaviour and does not represent a positive use of the Duty to Co-operate mechanism.

Gypsy and Traveller Accommodation Assessment (July 2020):

The interviews that ORS conducted with Planning Officers in neighbouring planning authorities do not convincingly reflect Duty to Co-operate relationships that benefit South Staffordshire, especially with regards to Gypsy, Traveller, and Travelling Showpeople accommodation. Most officers interviewed gave boilerplate answers of it being 'felt' that their councils were complying with the Duty to Co-operate, rather than there being evidence of other councils being prepared to meet any of South Staffordshire's pitch needs. I do note that, in the Duty to Co-operate Topic Paper (November 2021), the council states that they are looking to reflect their work with other local authorities to deliver South Staffordshire's unmet needs for Gypsy, Traveller, and Travelling Showpeople accommodation in 'future stages of the Local Plan Review,' (paragraph 5.7 in the Duty to Co-operate Topic Paper, p.9) but this remains an open issue for the time being.

I would also implore the council to consider taking up Cannock's approach to removing unauthorised and illegal encampments within South Staffordshire. The views of the Cannock officer interviewed for the Assessment suggested that the use of repossession orders in South Staffordshire, as opposed to the use of private bailiffs in Cannock, was leading to Travellers creating illegal encampments in South Staffordshire rather than in Cannock. This was, in the view of the officer, because 'they [the Travellers] know that they will be able to stay for a couple of weeks until the council have obtained an order; rather than coming to Cannock and getting moved on within 24 hours' (paragraph 5.19, p.30).

Pitch Deliverability Assessment (August 2021):

I have real concerns over the assessment's suggested approach of regularising temporary and unauthorised pitches (paragraph 6.2, p.83) to meet South Staffordshire's Gypsy and Traveller needs. Such a policy would suggest to bad faith actors that they can disregard normal planning processes, abuse the system, and

only need to resist enforcement action for long enough before their behaviour is legitimised.

Issues and Options (October 2018):

I strongly believe that the council should reconsider their stated preferred level of future growth for the district between 2018 and 2037. Option C (a housing target of 9,130 dwellings in the Issues and Options, most recently updated to 8,881 dwellings in the Preferred Options) suggests a worrying expansion of house building in South Staffordshire and represents an oversized burden compared to internal district housing needs. As the district council itself states in the Issues and Options paper, it represents a 'significant (30%) annual increase above the single highest yearly level of housing completions achieved in the district in the last 22 years' (p.29). Given the scarcity of brownfield sites within South Staffordshire, any such substantial increase in future growth will demand deeply damaging Green Belt releases that will alter the district in fundamental ways. It is my view that providing certainty to other Greater Birmingham Housing Market Area (GBHMA) local authorities that the district council is 'testing its recommended capacity ... based upon a consistent HMA-wide evidence base' (p.29) should come after ensuring all plans for future growth are suitable for the environment, heritage, and communities of South Staffordshire.

The council also acknowledges in its Duty to Co-operate Topic Paper (November 2021) that 'not all local authorities in this area are adopting the same approach as South Staffordshire in addressing the GBHMA Strategic Growth Study's recommendations.' This undermines the council rationale for choosing to rely so heavily on the Strategic Growth Study, since it is not forming the basis of an GBHMA-wide approach.

Given the above, I urge the council to reconsider Option A (a housing target of 5,130 in the Issues and Options, updated to 4,845 in the Spatial Housing Strategy and Infrastructure Delivery) as their preferred level of future growth. If the council is not satisfied by this option, then the most reasonable maximum level of future growth must be Option B (A housing target of 7,030 in the Issues and Options). Option B's approach of contributing towards the GBHMA shortfall according to the 'maximum levels of growth which have proved realistic and deliverable in the last 22 years' (p.28) is far more sustainable than Option C. This option would also enable South Staffordshire to make a meaningful contribution to the GBHMA housing shortfall which is comparable to other councils without causing undue harm.

Duty to Co-operate Topic Paper (November 2021):

It is my concern that the district council, in seeking to meet its requirement to 'engage constructively, actively and on an ongoing basis' with other authorities and public bodies, has placed its own interests and the interests of its residents secondary to those of neighbouring councils.

It is revealing that the district council has taken special note of the support for South Staffordshire's housing target they have received from Birmingham and Black Country local authorities (paragraph 5.6, p.7). It is reasonable to conclude that the enthusiasm displayed by these authorities for the district council's housing targets is because of the comparative benefits the targets provide them, at great cost to South Staffordshire. Furthermore, it is unclear why the lack of an 'alternative GBHMA-wide evidence base' (paragraph 5.6, p.7) to the Strategic Growth Study should bind the district council so tightly to a set of circumstances so unfavourable to its own interests. This is especially perplexing given that the council has acknowledged that other councils have opted not to address the GBHMA Strategic Growth Study's recommendations. As stated above, I believe that the council should look instead at local circumstances first and not subordinate its own interests to the GBHMA and the Strategic Growth Study's recommendations.

Question 2:

(a) Do you agree that the correct infrastructure to be delivered alongside proposed site allocations been identified in the IDP?

YES. Putting aside the merits of the site allocations themselves, I do agree that the IDP has identified the correct infrastructure.

(b) Is there any other infrastructure not covered in this consultation document or the IDP that the Local Plan should seek to deliver? Yes/No

NO.

Question 3:

a) Have the correct vision and strategic objectives been identified? Yes/No

PARTIALLY YES.

My main concern is Strategic Objective 2, which commits the council to make a proportionate contribution towards the unmet needs of the GBHMA. The objective should state that the council's priority is meeting the housing needs and pressures of South Staffordshire, and that it should only commit itself to **considering** a proportionate contribution to the housing shortfall of the GBHMA.

I also believe that Strategic Objective 4, regarding the design of properties, should be worded in a stronger way as past developments have not conformed with these requirements and have disrupted the character of South Staffordshire's existing settlements.

b) Do you agree that the draft policies (Chapters 4 and 5) and the policy directions (Chapter 6) will deliver these objectives? Yes/No

NO.

It is my view that the district council's current commitment to excessive housing targets and an outdated plan for the employment land around South Staffordshire will prevent it from best delivering its strategic objectives. I believe that the district council, by reconsidering its approaches in these areas, will be able to better meet multiple strategic objectives, including: SO1, regarding the protection of the Green Belt and Open Countryside; SO2, regarding meeting housing needs via sustainable locations within the district; and SO5, regarding good access to health and educational infrastructure.

Chapter 4:

Question 4:

Do you support the policy approach in Policy DS1 – Green Belt and Policy DS2 – Open Countryside? Yes/No

If no, please explain how these policies should be amended?

PARTIALLY YES.

I support the general approach of Policies DS1 and DS2 to preserve Green Belt and Open Countryside land. However, I do not support any immediate alteration of the Green Belt boundary to accommodate the development allocations set out in Policies SA1, SA2, SA3, SA5, and SA7, as I believe these development allocations should be reconsidered alongside housing target numbers and the future employment site allocations.

Question 5:

Do you support the policy approach in Policy DS3 – The Spatial Strategy to 2038? Yes/No

If no, please explain how this policy should be amended?

NO.

For the reasons outlined above in my response to question 1, I do not agree with the council's current plan to take on 4,000 additional dwellings to contribute to the GBHMA shortfall. Subsequently, I do not support this as the starting basis for the Spatial Strategy Policy.

I also do not support the ongoing approach to the district's freestanding strategic employment sites. I believe the Secretary of State's approval of the West Midlands Interchange has significantly altered the case for how some of the proposed and earmarked employment sites should be used. **I have expanded on this in my answer to Question 8.**

Question 6:

Do you support the policy approach in and Policy DS4 – Longer Term Growth Aspirations for a New Settlement? Yes/No

If no, please explain how this policy should be amended?

PARTIALLY YES.

I have some reservations about the potential impact that an independent new settlement could have within South Staffordshire depending on where it was located. I also believe that, if the council does settle on this as a long-term plan for the future of the district's housing, it must be clear that a new settlement would prevent significant developments in other areas of the district and preserve them from hyper accelerated growth.

Chapter 5

Question 7:

a) Do you support the proposed strategic housing allocations in policies SA1-SA4? Yes/No

If no, please explain your reasons for this.

NO.

It is my view that the district council, in reducing their overall target housing numbers, should reduce the scale and size of their proposed strategic housing allocations or scrap some of them altogether. The exact nature of these changes would depend on, following this consultation period, what level of housing the council decided was appropriate to pursue over the Local Plan period. Beyond this, I have several site-specific concerns for the following policies:

SA1: Land East of Bilbrook. I have real concerns about the location of this site and the scale of development proposed. I think that development in this location represents a clear threat to the green wedge between the Codsall/Bilbrook and Wolverhampton. Future development in subsequent Local Plans could easily lead to ribbon development along the key roads between Bilbrook and Wolverhampton because of the erosion of this wedge, leading to the eventual linking of the two. I also believe that, even with a Supplementary Planning Document with an Infrastructure Delivery Strategy for the site, the scale of the development will create insurmountable pressures on the social and physical infrastructure in Bilbrook and Codsall.

SA3: Land North of Linthouse Lane. I believe that the location of this development means that there is a real danger of an orphan community being created that belongs neither to urban Wolverhampton nor to rural South Staffordshire. I am also concerned that development of this scale in this area will lead to the continued encroachment of the urban West Midlands into our Green Belt, especially towards Essington.

b) Do you agree that given the scale of the 4 sites detailed in policies SA1-SA4, these warrant their own policy to set the vision for the site, alongside a requirement for a detailed masterplan and design code? Yes/No

YES.

While I disagree with the scale and location of some of these sites, it is appropriate that they have their own policy to set an appropriate vision for the site, alongside a detailed masterplan and design code.

Question 8:

Do you support the proposed housing allocations in Policy SA5? Yes/No

Please reference the site reference number (e.g., site 582) for the site you are commenting on in your response.

NO.

I believe the current housing target of 8,881 dwellings over the Local Plan period represents an oversized burden on South Staffordshire. It is my opinion, **as I have argued above in my response to question 1**, that the district council should sharply revise down their preferred level of future growth to either only local need or a much more modest contribution to the GBHMA shortfall. This would mean that several sites proposed in Policy SA5, including those which residents have had severe concerns about, could have their numbers greatly reduced or be withdrawn from the plan entirely. I also believe that any further agreement to take on housing overspill from the GBHMA area should be paired with other local authorities providing help with South Staffordshire's Gypsy and Traveller housing demands.

I also believe that the district council should revisit its housing allocations in light of the massive oversupply of employment land that the West Midlands Interchange (WMI) will provide over the Local Plan period. As South Staffordshire's established demand for employment land was assessed as between 67-86ha over the Local Plan period, the 237.5ha (297ha including green infrastructure) set to be allocated by adopting the WMI in policy SA7 conservatively represents over 2.75 times (3.5x including green infrastructure) the district's established demand. While the WMI was not my preferred option for providing employment for the land, the district council should look to respond positively to the Secretary of State's decision for the benefit of South Staffordshire.

Firstly, the council should review its employment land allocations and look to free up long standing employment land, including brownfield and part-brownfield sites, for use as housing land instead. None of the council's historically proposed and earmarked sites are needed to meet the employment needs of the district over the Local Plan period due to the WMI. As such, I believe a review and subsequent reallocation of several suitable sites for housing would greatly help address some of the pressures that local communities are feeling from the current SA5 housing allocation proposals.

Secondly, I believe that the district council should leverage the fact that they are oversupplying employment land during their Duty to Co-operate discussions with

neighbouring authorities. The Black Country Draft Plan indicated that there is an unmet need of around 210ha of employment land in their area, while South Staffordshire's oversupply of employment land is conservatively 151.5ha. This disparity means that the South Staffordshire is effectively meeting around three-quarters of the Black Country's unmet employment need. This should be acknowledged within Duty to Co-operate discussions and used to negotiate a significant or total reduction in South Staffordshire's contributions to the GBHMA's housing shortfall.

I anticipate that the Council's response to my second argument may be that, as per the Duty to Co-operate Topic Paper (November 2021), the sub-regional Employment Land Study 2015 concluded that 'it is not for South Staffordshire to meet the entirety of this shortfall, as a significant part of the identified need originates from Sandwell where there is little travel to work connectivity with South Staffordshire' (Paragraph 5.9 in the Duty to Co-operate Topic paper, p.9). However, this argument about the connectivity of the shortfall areas to South Staffordshire has multiple issues with it. Firstly, it is outdated as the Study concluded in 2015, before the WMI was ever approved and drastically changed the landscape of available employment land in the area. Secondly, and most significantly, it does not detract from the fact that this employment land disparity will lead to a de facto arrangement where South Staffordshire all the consequences of dealing with the Black Country's employment shortfall, without any kind of functional acknowledgement and resultant benefit from this via a Duty-to-Cooperate relationship. The district council should instead seek to have its contributions to meeting the Black Country employment land shortfall recognised, and use this fact to its advantage in seeking to reduce its exposure to increased housing numbers from the GBHMA.

Question 9:

A) Do you support the proposed pitch allocations in Policy SA6? Yes/No

Please reference the site reference number (e.g., SS001) for the site you are commenting on in your response.

NO.

I am deeply concerned about the district council's plans to take up the suggestion of the Pitch Deliverability Study to regularise unauthorised pitches to meet South Staffordshire's Gypsy and Traveller needs. I note that the following sites — GT 01, GT 05, GT06, GT08, GT18, GT23, and GT 35 — are all proposing making at least one pitch which is currently unauthorised permanent. Making these illegal pitches permanent sends completely the wrong signal to those individuals who wish to disregard the planning process for their own ends. It could also encourage future abuse by suggesting to individuals that, if they stall out enforcement action for long enough, the council will eventually oblige them with planning permission. Due to these concerns, I believe that the district council should not regularise unauthorised, illegal pitches.

B) Is there another option for meeting our Gypsy and Traveller needs, including any alternative site suggestions that could be considered? Yes/No

Please provide details, including a plan for new site suggestions

As I stated in my responses to question 1 and question 8, I believe that the council needs to keep pushing forwards with their Duty to Co-operate discussions with neighbouring local authorities to address some of the issues with meeting their Gypsy and Traveller needs.

Question 10:

Do you support the proposed allocation in Policy SA7? Yes/No

YES.

Given the Secretary of State's decision on Monday May 4th 2020, it is correct for the WMI to be allocated as employment land for South Staffordshire. However, I do have extensive suggestions for how this allocation should affect the district council's plans for its other proposed employment sites **and I have outlined these in detail in my response to question 8.**

Chapter 6

Question 11:

Do you agree with the proposed policy approaches set out in Chapter 6? Yes/No

If no, then please provide details setting out what changes are needed, referencing the Policy Reference number (e.g., HC1 - Housing Mix).

NO.

I have issues with the following proposed policy approaches set out in Chapter 6:

HC8: I believe that this policy should be far stronger and more explicit about the enforcement measures that the council will take upon non-compliance with its stated planning policy for Gypsy and Traveller sites.

EC2: I do not agree with the policy's inclusion of the phrase that there should be a 'strong presumption in favour of retaining strategic employment sites for employment uses.' Rather, I believe that the council should have sufficient flexibility to ensure they can adapt to substantial changes in the planning landscape and deliver on all the employment and housing needs of residents.

Question 12:

a) It is proposed that the fully drafted policies in this document (Policies DS1-DS4 and SA1-SA7) are all strategic policies required by paragraph 21 of the NPPF. Do you agree these are strategic policies? Yes/No

YES.

b) Are there any other proposed policies in Chapter 6 that you consider should be identified as strategic policies? Yes/No

If yes, then please provide details including the Policy Reference (e.g., HC1 – Housing Mix)

NO.