

Representations to South Staffordshire Council's emerging Local Plan Review – Draft Preferred Options Stage Report (November 2021) (Regulation 18) public consultation

Prepared by

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13 December 2022



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This 'Made' Representations Statement document is submitted by Goldfinch Town Planning Services (West Midlands) in response to South Staffordshire Council's emerging Local Plan Review – Draft Preferred Options Stage Report (November 2021) (Regulation 18) public consultation, which runs until Monday, 13 December 2021.

This 'Made' Representations Statement document has been submitted by e-mail to the following public consultation address at 4:19pm on the 13th December 2021:

localplans@sstaffs.gov.uk

Limitations

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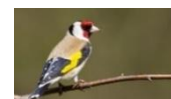
Representations to the South Staffordshire Council's emerging Local Plan Review – Draft Preferred Options Stage Report (November 2021) (Regulation 18) public consultation

- Comment Form

Section 1 – Your details

	1 Personal details	2. Agent's details (if applicable)
Title	MR	Not Applicable
First name	ROBIN	-
Last name	WHITEHOUSE	-
Job Title (<i>where relevant</i>)	Director	-
Organisation (<i>where relevant</i>)	GOLDFINCH TOWN PLANNING SERVICES (WEST MIDLANDS)	-
House No./Street	Information withheld as part of our Legal rights under the Data Protection Act (2018) Regulations	-
Town	As above	-
Post code	As above	-
Telephone number	As above	-
E-mail address	As above	

Please indicate which of these best describes you / your role in responding to this consultation	
Resident or Individual	
Planning Agent or Consultant	X
Developer or Investor	
Landowner	
Business	
Land and Property Agent or Surveyor	
Local Authority	
Public service provider. e.g. education establishment, health, etc	
Public agency / organisation	
Community or other Organisation	
Charity	
Other (please specify in space below)	



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South Staffordshire Council's emerging Local Plan Review – Preferred Options Stage Report (November 2021)

Person(s) or Organisation Submitting Comments

Name	ROBIN WHITEHOUSE
Job title	DIRECTOR
Organisation	GOLDFINCH TOWN PLANNING SERVICES (WEST MIDLANDS)
Address	XXXXXXXXXXXXXXXXXX
Telephone number	XXXXXXXXXXXXXXXXXX
E-mail	XXXXXXXXXXXXXXXXXX
Data Protection:	<i>Personal contact details have been removed from this Representations Form by the Council in order to comply with the provisions of the Data Protection Act (2018).</i>

Agent (if applicable)

Name	Not applicable
Organisation	Not applicable
Address	XXXXXXXXXXXXXXXXXX
Telephone number	XXXXXXXXXXXXXXXXXX
E-mail	XXXXXXXXXXXXXXXXXX
Data Protection:	<i>Personal contact details have been removed from this Representations Form by the Council in order to comply with the provisions of the Data Protection Act (2018).</i>

Date	13 December 2021
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Chapter 3 – Question appearing in Appendix G

Question: (version 1 of the same question)

Do you have any comments on the **content or use of the evidence base set out in Appendix A?**

Please reference document you are referring to and justify your response

Version of the question appearing on page 15 of the Preferred Options Stage Report (November 2021)

Question 1: (second attempt - version 2 of the same question)

Do you agree that the evidence base set out in Appendix A **is appropriate to inform the new Local Plan? Yes/No**

Please provide comments on the content or use of the evidence base set out in Appendix A, referencing the document you are referring to.

Goldfinch Town Planning Services (West Midlands) response to above Question:

Failings in the public consultation approach which places members of the public, community pressure groups, and other key stakeholders at a considerable disadvantage when trying to respond to the Preferred Options Stage (November 2021) public consultation

Different versions of questions being displayed

The questions are worded differently in appendix G (on pages 166 to 167 of the Preferred Options Stage Report) compared to the questions that appear throughout the Preferred Options Report (November 2021) document. This public consultation approach is therefore confusing and highly misleading to members of the public and key stakeholders. **This underlines the failure and incompetence of the Council in**

relation to the chaotic, confusing and unclear approach taken towards the public consultation approach within the Preferred Options Stage Report (November 2021).

For example, within Question 1 (referred to above) on page 15 of the Preferred Options Stage Report (November 2021), one question is referring to "...content or use..." the other question takes a different approach referring to "...is appropriate to inform..." The differences to the approach in the questions has been highlighted by Goldfinch Town Planning Services (West Midlands) in the red text identified above.

This causes significant and unnecessary confusion for members of the public and key stakeholders, and significantly reduces the overall effectiveness of the public consultation approach taken by the Local Planning Authority (LPA) within South Staffordshire's emerging Preferred Options Stage Report (2021). As can be seen above, two different versions of what should essentially be the same question have been used by the Local Planning Authority within the South Staffordshire Preferred Options Stage Report (November 2021). The two versions of the same question will result in different feedback from members of the public and key stakeholders. This approach to public consultation places members of public at a significant disadvantage, and is considered to be misleading and unclear.

This is an unusual method of undertaking a public consultation approach for a critically important emerging Local Plan Review document. Given the significant confusion caused by the public consultation approach as described above, Goldfinch Town Planning Services (West Midlands) maintains its view that the public consultation approach taken by the LPA is considered to conflict with guidance in paragraph 16 (indent c) of the Revised National Planning Policy Framework (NPPF) (July 2021) which reinforces that: "...Plans should be shaped by: (indent c) Early, proportionate and **effective engagement between plan-makers and communities**, local organisations, businesses, infrastructure providers and operators and statutory consultees..."

Given all of the above issues, Goldfinch Town Planning Services (West Midlands) considers that the approach taken within the Preferred Options Report (November 2021) public consultation by the LPA is therefore ineffective, and does not result in a clear, transparent and effective community engagement approach, and fails the above NPPF guidance..

These issues are considered in further detail at the end of this Representations Statement.

The evidence base: The spatial planning policy origins and foundations of the emerging Local Plan Review (2021) – the Preferred Options Stage Report (November 2021)

The existing adopted Local Plan for South Staffordshire comprises two documents. An existing adopted **Core Strategy (adopted December 2012)** which sets out the vision, objectives and planning framework for future development in South Staffordshire; and the South Staffordshire **Site Allocations Document (SAD) (adopted 11th September 2018)**, which seeks to deliver the ‘spatial planning framework for the future distribution of new development across the South Staffordshire District’ as reinforced, set down, and fixed by the existing adopted Core Strategy (2012). Therefore, essentially a considerable and significant part of the spatial planning ‘place shaping’ policy origins being taken forward and forced into the Council’s emerging Local Plan Review within the Preferred Options Stage Report (November 2021) date back from 9 years ago (December 2012) -from the fixed spatial planning template set down in the now very dated adopted Core Strategy (2012). This is important for reasons identified further below.

The existing adopted Core Strategy (2012) is referred to by the Local Planning Authority (LPA) as a Tier 1 plan. The Site Allocations or SAD is referred to as a ‘Tier 2’ plan, and therefore (the Tier 2 plan – the SAD) seeks to deliver the spatial planning framework for future development set and fixed by the adopted Core Strategy (2012).

Essentially, the existing South Staffordshire adopted Core Strategy (2012) sets and fixes the future place shaping agenda across the District for the future spatial distribution of new housing development sites across the South Staffordshire District, as well as the future spatial distribution of new employment land sites across the South Staffordshire District. As well as the planning policy approach being taken towards existing established employment sites within the District, and their future expansion needs.

As stated above, the origins of this relatively rigidly fixed place-shaping agenda can be traced back to the existing adopted Core Strategy (adopted 2012), which is now 9 years old since its adoption and therefore provides a heavily out-of-date spatial planning framework. This is important for the reasons set out below.

(Issue 1) Concerns that South Staffordshire Council’s existing adopted ‘Core Strategy’ (adopted December 2012) and South Staffordshire Council’s existing adopted ‘Site Allocations Document (SAD)’ (adopted September 2018) are being used to force through a seemingly inflexible, rigid, insufficiently robust, unsound and heavily out-of-date spatial planning framework for the future spatial distribution of new housing development and employment land requirements across the District, into the South Staffordshire Preferred Options Report (November 2021). (Issue 2) The Recent significant material changes in economic circumstances facing the South Staffordshire District: The impact of the severe economic recession as a result of the years 2020 and 2021 ongoing global coronavirus (COVID-19) pandemic

Initial work on Plan preparation for the Council's emerging South Staffordshire Local Plan Review was undertaken (at both evidence gathering and Issues and Options Stages) under a significant and entirely different set of economic circumstances. Essentially, a significant and substantial amount of Local Plan-preparation work has already been undertaken by the LPA (at the emerging Local Plan Review's earlier previous preparation stages and right up until the Draft Preferred Options Stage Report – November 2021) on the emerging Local Plan Review before the year March 2020 coronavirus (COVID-19) pandemic (which did not start to cause severe economic implications until late during the year 2020 onwards). Which is likely to cause one of the worst United Kingdom (UK) economic recessions in living memory, extending well into the shelf life of the new Local Plan Review plan-period, once the Council's new Local Plan has been formally adopted.

The ongoing global coronavirus (COVID-19) pandemic has caused one of the worst global health pandemic events to affect the UK within the last 100 years. According to central Government (London) estimates released by the Chancellor of the Exchequer during his Autumn Budget and Spending Review to Parliament on Wednesday, 27th October 2021, the coronavirus (COVID-19) pandemic has also caused one of the worst economic recessions to affect the United Kingdom (UK) economy within the last 300 years. Causing unprecedented record levels of Government borrowing due to the huge decline in economic activity during the years 2020 and 2021 ongoing COVID-19 pandemic, and the pro-longed 15 months of continuous lock-down restrictions, and the shutdown of the UK economy. This severe long-term economic recession is highly likely to harm the future financial viability of many small, medium and large strategic housing development sites coming forward within the South Staffordshire Borough over the coming years.

The future recession caused by the ongoing coronavirus (COVID-19) pandemic is also likely to heavily and adversely impact on the local business community within South Staffordshire and the wider UK (all scale and sizes of businesses that operate on both a local and national level). Affecting investment decisions, future cash flow (with some companies permanently ceasing trading) - which will all have a major impact on the future business expansion needs of companies within the District. This will have future implications in terms of the need and demand for new employment land across the South Staffordshire District.

The huge spatial planning modelling assumptions and the huge foundation of supporting background technical evidence base being used to underpin, form and force through the entire Place-making policy agenda and planning policy foundation for the Draft Preferred Options Stage Report (November 2021), and further later preparation stages (year 2022 onwards) of the emerging Local Plan Review going forward are considered to be unsound, heavily out-of-date, and insufficiently robust, given that the existing long out-of-date existing adopted Core Strategy (2012) is being used by the LPA to shape, force-through, set and fix very rigid policy parameters and

direct economic future spatial distribution policy and housing distribution spatial policy within the emerging Local Plan Review coverage area.

Goldfinch Town Planning Services (West Midlands) maintains its view that the potentially massive implications of the forthcoming severe UK economic recession on both future housing delivery and employment land delivery across (and how the recession will affect new future housing and employment land delivery within the District going forward over the lifespan of the new Local Plan once it has been adopted) the District going forward has been given an insufficient level of planning policy consideration by South Staffordshire Council's Planning Policy Team, when preparing the Draft Preferred Options Report (2021). Or seemingly no planning policy weight at all.

Yet the Council is still determined to force-through and take forward a highly onerous, inflexible, heavily out-of-date, and restrictive 'future place shaping agenda' from the existing adopted Core Strategy (2012), to dictate fundamental areas of future spatial distribution policy within the emerging Draft Preferred Options Report (November 2021). As stated, all of which have their place-shaping origins from a heavily out-of-date year 2012 Core Strategy.

The insistence of continuing to use a heavily unsound, out-of-date, place shaping agenda (from the year 2012 Core Strategy (2012) and its huge mountain of unsound and unreliable evidence prepared long before the year 2020 COVID-19 pandemic) to shape fundamental areas of future spatial distribution policy going forward within the District, despite the massive economic shift and significant material change in economic circumstances going forward, does raise concerns for local communities within the District who are being adversely affected by this place shaping agenda. As well as the local business community, rural landowners, site promoters, housing developers, environmental groups, and other key stakeholders.

The Council's Preferred Options Stage Report (November 2021) is sitting on top of a huge mountain of unsound and insufficiently robust background technical evidence base given that the substantial economic impacts on future spatial planning as stated above have been given no consideration or material planning weight. Having assessed and carefully considered the various background technical evidence base being used to underpin the emerging Local Plan Review (2021), none of the supporting evidence (prepared pre-COVID before March 2020) has taken into account the severe economic impacts of one of the worst economic recessions to affect the UK within the last 300 years as a result of the global coronavirus (COVID-19) pandemic.

The evidence would seemingly suggest that the Council's evidence base on these issues is unsound and no longer fit-for-purpose to inform future Plan preparation work going forward within the emerging Local Plan Review.

The policy approach being taken forward within the Council's emerging Local Plan Review is therefore considered to be insufficiently robust, the proposed policy approach lacks any kind of planning policy credibility, and the policy approach is therefore considered unsound.

This is not a sound and robust way to undertake a Local Plan Review and does not conform with the planning policy approach expected by paragraphs 31, 35 (indents b and c) and 82 (indent d) of the Revised National Planning Policy Framework (NPPF) (July 2021).

Paragraph 31 of the Revised NPPF (2021) is perfectly clear that: "...The preparation and review of all policies should be underpinned by relevant and up-to-date evidence..."

Paragraph 35 focuses on Local Plan 'tests of Soundness'. In indents b and c, paragraph 35 reinforces that: "...Local plans and spatial development strategies are examined to assess whether they have been prepared in accordance with legal and procedural requirements, and whether they are sound. Plans are 'sound' if they are: (indent b) Justified – an appropriate strategy, taking into account the reasonable alternatives, and **based on proportionate evidence**. (Indent c) Effective – **deliverable over the plan period...**"

Paragraph 82 (indent d) reinforces the need for Local Plan Reviews to remain sufficiently flexible in their Plan-making approach and remain sensitive to rapidly changing economic circumstances. It states that: "...Planning policies should (indent d) be flexible enough 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 evidence is perfectly clear, all of the above 'pandemic-related' factors appear to have been given an insufficient level of material planning weight by the LPA when preparing the Council's emerging South Staffordshire Local Plan Review (2021).

Conclusion

Given the above issues, we contend that the proposed planning policy approach being taken by the LPA is considered to be insufficiently robust, lacks any kind of planning policy credibility, is unsound, unjustified and inconsistent with Government planning guidance as set out in paragraphs 31, 35 and 82 (indent d) of the Revised NPPF (July 2021).

For reasons set out above, Goldfinch Town Planning Services (West Midlands) has the following observation comments in connection to the various supporting background technical evidence documents referred to in the below table.

Evidence	Programming
Housing and Homeless Strategy	Adopted 2018
Stoke on Trent and Staffordshire Local Enterprise Partnership (LEP) Strategic Economic Plan (SEP)	Published April 2018
Infrastructure Delivery Plan (IDP)	Initial IDP published 2018. Subsequent updates to the IDP to be published alongside each Local Plan consultation document
Sustainability Appraisal (SA) including Strategic Environmental Assessment (SEA)	Scoping Report and initial SA published 2018. Subsequent updates to the SA published alongside each Local Plan consultation document.
Black Country and South Staffordshire Green Belt Study and Landscape sensitivity study.	Published 2019
Gypsy and Traveller Accommodation Assessment 2021	Published 2021
Pitch Deliverability Study 2021	Published 2021
Local Plan Viability Study – part 1	Published 2021
Strategic Housing Market Assessment (SHMA) 2021	Published 2021
Specialist Housing: Local Need and Site Allocations Topic Paper 2021	Published 2021
Transport Impacts (with Staffordshire County Council)	
Local Plan Viability Study – part 2	2022

Goldfinch Town Planning Services (West Midlands) has the following comments:

Missing evidence: Urban Capacity Study supporting background technical evidence base: Future proposed spatial distribution of new housing sites across the South Staffordshire District:

The Council does not appear to have undertaken an ‘Urban Capacity Study background technical evidence base document’ to inform and support future housing spatial distribution growth policy across the South Staffordshire District, within the emerging Preferred Options Stage Report (November 2021). A thorough and sufficiently robust Urban Capacity Study background technical evidence base document would normally sit alongside the Green Belt Study background technical evidence base document, and would have allowed the Local Planning Authority (LPA) to thoroughly assess all existing village settlements located across the South Staffordshire District to help identify potential new housing development sites. Such as sustainably-located low quality green space infill sites (such as low-quality paddock land and other low quality green space areas) located within existing village settlements, areas of under-utilised land within existing village settlements that could potentially accommodate new housing development, previously-developed land sites located within existing village settlements, as well as assessing existing larger areas located across the District for potential new housing developments, such as previously-developed sites and under-utilised low quality green space areas suitable for new housing development located within main towns within the emerging Local Plan coverage area.

An Urban Capacity Study background technical evidence base document would underpin the emerging housing policies, the planning policy approach towards future housing spatial distribution policy over the future shelf life of the new Local Plan, and the general policy approach and stance towards rural settlements and other built-up areas within the South Staffordshire District, within the Council’s emerging Preferred Options Stage Report (November 2021).

The need for emerging Local Plan Reviews to be based on a platform of sufficiently robust, up-to-date, defensible and credible evidence is reinforced within central Government (London) national planning guidance as set out in paragraphs 31 and 35 (indent b) of the Revised National Planning Policy Framework (NPPF) (published July 2021).

Paragraph 31 of the Revised NPPF (2021) is perfectly clear in its view that: “...The preparation and review of all policies should be underpinned by relevant and up-to-date evidence. This should be adequate and proportionate, focused tightly on supporting and justifying the policies concerned, and take into account relevant market signals...”

Focusing on 'Local Plan tests of Soundness', paragraph 35 (indent b) of the Revised NPPF (2021) reinforces that: "...Local plans and spatial development strategies are examined to assess whether they have been prepared in accordance with legal and procedural requirements, and whether they are sound. Plans are 'sound' if they are: (indent b) **Justified** – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence..."

The need for all potential new housing sites to be considered within more sustainable site locations first, such as within existing village settlement boundaries as described further above, before new free-standing (sites located far away from existing settlements) new build housing settlements are identified, selected and taken forward within a Local Plan Review, within areas of isolated open Green Belt countryside, is a fundamental planning policy requirement, as reinforced within paragraphs 79, 141 (indents a and b) and paragraph 142 of the Revised NPPF (July 2021).

Paragraph 79 of the Revised NPPF (2021) confirms that: "...To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby...."

Paragraph 141 (indents a and b) of the Revised NPPF (2021) states that:

"...Before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the strategic policy-making authority should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for development. This will be assessed through the examination of its strategic policies, which will take into account the preceding paragraph, and whether the strategy: (indent a) makes as much use as possible of suitable brownfield sites and underutilised land; (indent b) optimises the density of development in line with the policies in chapter 11 of this Framework, including whether policies promote a significant uplift in minimum density standards in town and city centres and other locations well served by public transport..."

Paragraph 142 of the Revised NPPF (2021) confirms that: "...When drawing up or reviewing Green Belt boundaries, the need to promote sustainable patterns of development should be taken into account. Strategic policy-making authorities should consider the consequences for sustainable development of channelling development towards urban areas inside the Green Belt boundary, towards towns and villages inset within the Green Belt or towards locations beyond the outer Green Belt boundary. Where it has been concluded that it is necessary to release Green Belt land for development, plans should give first consideration to land which has been previously-developed and/or is well-served by public transport..."

In summary therefore, given the above issues, the LPA's spatial planning policy approach towards the future spatial distribution of new housing development across the Local Plan area within the Preferred Options Report (November 2021) appears to

be based on an insufficiently robust platform of supporting evidence (key pieces of background technical evidence are missing) and an unsound policy foundation base, given that it does not appear to have been informed and supported by a comprehensive, thorough, sufficiently robust and up-to-date Urban Capacity Study technical evidence base document. This is not a sound and robust way to undertake a Local Plan Review and does not conform with the planning policy approach expected by paragraph 31 of the Revised NPPF (2021) which confirms that: "...The preparation and review of all policies should be underpinned by relevant and up-to-date evidence..."

In conclusion therefore, the Plan-making approach being undertaken by the LPA fails Local Plan tests of soundness as reinforced within paragraphs 31, 35 and 82 (indent d) of the Revised NPPF (2021).

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Chapter 3

Question:

(a) Has the correct infrastructure to be delivered alongside proposed site allocations been identified in the IDP?

(b) Is there any other infrastructure not covered in this consultation document or the IDP that the Local Plan should seek to deliver?

Goldfinch Town Planning Services (West Midlands) response to above Questions:

For reasons already identified further above, Goldfinch Town Planning Services (West Midlands) considers that the proposed planning policy approach being taken by the LPA to Local Plan preparation is considered to be insufficiently robust, unsound, unjustified and inconsistent with Government planning guidance as set out in paragraphs 31, 35 (indents b and c) and 82 (indent d) of the Revised NPPF (July 2021).

The emerging Local Plan Review is being informed by a platform of heavily out-of-date and insufficiently robust evidence, which is all being used to inform and force-through the spatial planning policy framework approach towards the future distribution of new housing and employment land across the South Staffordshire District.

There are also questions in terms of the deliverability over some of the projects included within the IDP. For example, the inclusion of the proposed Restoration of the Hatherton Canal at an estimated cost **£44.1 million**. This is referred to on page 30 (Canals and Rivers - Grant funding, Lichfield and Hatherton Canals Restoration Trust – 1 to 15 years - long term ambition for the restoration of the canal) of the Infrastructure Delivery Plan (September 2021).

This project has no reasonable or realistic prospect of ever being delivered, yet the Council still considers it appropriate to include these types of projects within the IDP to inform the emerging Local Plan Review.

The Preferred Options Report (November 2021) is unsound as it is taking forward highly questionable projects that have no likelihood, or realistic prospect of ever being delivered. We contend therefore that the proposed planning policy approach being taken by the LPA on this issue fails the 'deliverability test' for Local Plan tests of soundness as reinforced within paragraph 35 (indent c) of the Revised NPPF (2021). The emerging Local Plan

Review (2021) is therefore considered to be insufficiently robust, unsound, unjustified and inconsistent with Government planning guidance as stated above.

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Chapter 3

Question:

Have the correct vision and strategic objectives been identified? Do you agree that the draft policies (Chapters 4 and 5) and the policy directions (Chapter 6) will deliver these objectives?

Goldfinch Town Planning Services (West Midlands) response to above Questions:

Goldfinch Town Planning Services (West Midlands) has concerns in relation to proposed policies covering the Green Belt (Policy DS1) and Open Countryside (Policy DS2). These issues have already been addressed in this Representations Statement.

In respect of the districts housing needs, we maintain our view that the planning policy assumptions underpinning the future spatial distribution of new housing development across the South Staffordshire District are essentially sitting on top of a huge mountain of insufficiently robust background technical evidence base and the year 2012 Core Strategy is being used to force through an unsound and insufficiently robust spatial planning framework within the South Staffordshire District. These issues are covered in further detail within our Representations Statement.

As such, we contend therefore that the Plan-making approach being undertaken by the LPA fails Local Plan tests of soundness as reinforced within paragraphs 31, 35 and 82 (indent d) of the Revised NPPF (2021).

Representations to South Staffordshire Council's emerging Local Plan Review – Draft Preferred Options Stage Report (November 2021) (Regulation 18) public consultation

Chapter 4

Question:

Do you support the policy approach in Policy DS1 – Green Belt and Policy DS2 – Open Countryside? If not, how should these policies be amended?

Goldfinch Town Planning Services (West Midlands) response to above Question:

Comments focusing on Policy DS1 – Green Belt

On page 27 of the draft Preferred Options Stage Report (November 2021), proposed emerging Policy DS1 (Green Belt) states that:

“...The construction of new buildings within the Green Belt should be regarded as inappropriate, unless it is for one of the exceptions listed within the National Planning Policy Framework. These exceptions include **limited infilling in villages, which will be defined as the filling of small gaps (1 or 2 buildings) within a built-up frontage of development which would not exceed the height of the existing buildings, not lead to a major increase in the developed proportion of the site, or have a greater impact on the openness of the Green Belt** and the purpose of including land within it. A separate Green Belt Supplementary Planning Document (SPD) will be prepared for further guidance...”

Goldfinch Town Planning Services (West Midlands) considers that the areas of bold text identified above within proposed Policy DS1 are too prescriptive, unreasonable, and far too onerous, and therefore fail Local Plan-preparation ‘tests of Soundness’ as reinforced within paragraph 35 (indents a and d) of the Revised NPPF (July 2021). Given that the proposed unduly onerous and highly restrictive policy approach does not result in a ‘More Effective, Positively Prepared and Justified Plan, consistent with national policy’, and therefore fails ‘tests of soundness’ for Local Plan preparation, as reinforced in paragraph 35 (indent a) of the Revised NPPF (2021). As well as failing policy tests reinforced within NPPF (2021) paragraph 35 (indent d), which expects Local Plan Reviews to be ‘Consistent with national policy - by enabling the delivery of sustainable development’.

The Council's proposed overly-restrictive and unduly onerous planning policy approach towards sustainably-located infill sites located within existing village settlements and larger settlements within the South Staffordshire Green Belt

countryside, fails to maximise the development potential of sustainably-located infill sites. And their key role in helping to deliver sustainably-located new housing-led development growth within existing village settlements. The onerous planning policy approach strongly conflicts with guidance in paragraphs 79 and 119 of the Revised NPPF (2021).

Paragraph 79 of the Revised NPPF (2021) confirms that: "...To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby..." Sustainably-located infill sites have a key role to play in helping to meet the planning policy objectives of the above NPPF guidance.

The Council's planning policy approach on this issue is clearly unsound given that it also strongly conflicts with guidance in paragraph 119 of the Revised NPPF (2021). Which underlines the importance of making more effective use of sustainably-located infill sites and under-utilised land (including low quality green space areas) to help deliver higher density/ increasing amounts of new housing. Paragraph 119 states that: "...Planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses..."

In addition, the Council's proposed Green Belt policy approach within the Council's emerging Local Plan Preferred Options Stage Report (November 2021) referred to above, conflicts with a range of guidance within the Revised NPPF (2021) which, when preparing emerging Local Plan Reviews, expects Local Planning Authorities to have a more positive and pro-active planning policy approach towards promoting more sustainable patterns of development. As reinforced by guidance within paragraphs 7, 8 (indents a and c), 10, 11 (indent a), 38, 79 and 119 of the Revised NPPF (July 2021).

The Council's overly restrictive, unreasonable, and unduly onerous planning policy approach towards infill sites located within existing rural settlements within the South Staffordshire Green Belt countryside is in direct conflict with this NPPF guidance. The Council's proposed planning policy position on this issue within the emerging Local Plan Review is likely to be highly vulnerable at future planning appeals. And will result in an unsound Development Management policy being taken forward within the emerging new Local Plan once the new Local Plan has been formally adopted.

The concerns set out on this issue by Goldfinch Town Planning Services (West Midlands) are fully consistent with the NPPF's (July 2021) policy drive to deliver more new homes on site locations focused towards the most sustainable site locations. Notably, within existing rural village settlement boundaries, by making use of sustainably-located infill site locations and under-utilised low quality green space areas within existing settlements in order to help promote more sustainable patterns of development. Goldfinch Town Planning Services suggested planning policy approach on this issue fully accords with current Government (London) policy, which is now governed by a pro-growth National Planning Policy Framework, which gives a

presumption in favour of sustainable development. As reinforced in Paragraphs 7, 8, 10, 11 (indent a), 38, 119 and 120 (indents c and d) of the Revised NPPF (2021)). And by guidance in paragraph 60 of the Revised NPPF (2021), which reinforces the critical importance of the need to ‘significantly boost’ the supply of new homes across the United Kingdom, within the most sustainable site locations.

Our concerns on this issue also strongly accord with West Midlands Mayor Andy Street’s key spatial planning policy objective (i.e. Brownfield first approach and making use of sustainably-located infill sites), which seeks to focus more new housing development proposals towards sustainably-located infill site locations within existing rural settlements, and make more effective use of urban brownfield land sites (previously-developed land) within existing rural villages and towns. In order to help regenerate rural village communities, towns and larger urban areas, and to help reduce development encroachment pressures within high quality Green Belt locations within the South Staffordshire’s environmentally sensitive open Green Belt countryside.

The proposals have considerable planning policy support when assessed against guidance in paragraph 69 (indent c) of the Revised NPPF (July 2021). Which is perfectly clear that: “...Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly. To promote the development of a good mix of sites local planning authorities should: (indent c) support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes...”

Goldfinch Town Planning Services (West Midlands) concerns on this issue are also further supported by guidance in paragraph 38 of the Revised NPPF (2021), which reinforces that: “...Decision-makers at every level should seek to approve applications for sustainable development where possible...”

Our position on this issue with the extensive range of NPPF (2021) guidance referred to above.

Goldfinch Town Planning Services also has concerns that the Council does not appear to have undertaken an ‘Urban Capacity Study background technical evidence base document’ to inform and support future housing spatial distribution growth policy across the South Staffordshire District, within the emerging Preferred Options Stage Report (November 2021). A thorough and sufficiently robust Urban Capacity Study background technical evidence base document would normally sit alongside the Green Belt Study background technical evidence base document. And would have allowed the Local Planning Authority (LPA) to thoroughly assess all existing village settlements located across the South Staffordshire District to help identify potential new housing development sites. Such as sustainably-located low quality green space infill sites and urban brownfield land. This specific gap within a key area of background technical evidence base is considered in more detail further above within our Representations Statement.

Infill site locations located within existing village settlements within the Green Belt countryside provide highly sustainable locations for new housing development and should therefore be strongly encouraged by the Local Planning Authority within the emerging South Staffordshire Local Plan Review. Consistent with the above NPPF (2021) guidance. As well as by guidance in paragraphs 141 (indents a and b) and 142 of the Revised NPPF (2021). Which, in paragraph 141 (indent a) emphasises the importance of making as much use as possible of 'underutilised land' within existing settlements before considering changes to Green Belt boundaries and before developing free-standing housing sites located within the wider Green Belt. And guidance in paragraph 141 (indent b) which reinforces the importance of 'optimising the density of development' within existing settlements. Again, before considering changes to Green Belt boundaries and before developing free-standing housing sites within the wider Green Belt countryside. Optimising the density of development on sustainably-located infill sites both within and outside Green Belt locations within existing settlements, therefore has clear planning policy support within the above NPPF guidance.

By placing an onerous and highly restrictive approach on infill sites within the Green Belt the Council's proposed planning policy approach on this issue is strongly conflicting with guidance in paragraph 79 of the Revised NPPF (2021).

Goldfinch Town Planning Services (West Midlands) maintains its view that sustainably-located infill sites located within existing settlements within the South Staffordshire Green Belt countryside have a critical role to play in helping to meet key planning policy objectives as set out within the above NPPF (2021) guidance, and they help to promote highly sustainable spatial patterns of development.

It is considered that the proposed Green Belt policy approach on infill development sites within the Preferred Options Stage (November 2021) consultation report is highly onerous, unreasonable and too restrictive. The proposed policy approach also lacks any kind of planning policy flexibility to take into account individual site circumstances - on a site-by-site and case-by-case basis. Assessing sites on their own set of individual planning merits. The 'one-size-fits-all' planning policy approach is also considered overly prescriptive, unreasonable, highly onerous, and fails to allow for the consideration of any kind of planning balance and flexibility when considering proposals coming forward on sustainably-located infill sites. Within existing settlements within the South Staffordshire Green Belt countryside.

Infill sites within existing settlements within the Green Belt have a key role to play in helping to deliver a much-needed supply of new housing within the South Staffordshire District over the new Local Plan period. To help deliver the additional new homes that the local community so desperately needs over the new Local Plan period, to help tackle the severe housing shortage and severe housing crisis present across the South Staffordshire Local Plan area.

These sustainably-located infill sites located within the Green Belt will also help to boost the supply of new housing in sustainable site locations, consistent with guidance in paragraph 60 of the Revised NPPF (2021).

Furthermore, in land use spatial planning policy terms, by focusing new housing development to sustainably-located infill sites within existing settlements within the Green Belt, has a fundamental role to play in helping to meet a range of the five Green Belt purposes. In particular, the Green Belt purposes set out in policy indents a, b, c and e of paragraph 138 of the Revised NPPF (2021). For example, paragraph 138 (indent c) confirms that: "...Green Belt serves five purposes: (indent c) to assist in safeguarding the countryside from encroachment..."

By maximising the use of sustainably-located infill sites within existing settlements within the Green Belt for new housing development, this will help to reduce development encroachment pressures within the open Green Belt countryside.

Finally, the Council's proposed policy position towards infill sites within the Green Belt strongly conflicts with guidance in paragraph 149 (indent e) of the Revised NPPF (2021). It is clear that: "...A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are: (indent e) limited infilling in villages..."

The above NPPF guidance in paragraph 149 (indent e) makes no mention on having an overly-restrictive approach to substantially limiting the amount of new housing development permissible within infill sites within the Green Belt. On this basis, the Council's proposed overly-restrictive, and unduly onerous planning policy approach on this issue is considered to fail policy tests as set out in paragraph 149 (indent e) of the Revised NPPF (2021).

The Council's planning policy position on this issue is clearly unsound and conflicts with an extensive range of various national planning guidance in the Revised NPPF (July 2021) as set out above and below.

Planning Policy conclusions – Policy DS1 'Green Belt'.

Given all of the above issues, we contend that the proposed policy approach being taken by the LPA within 'Policy DS1: Green Belt', is considered to be insufficiently robust, unsound, unjustified and inconsistent with Government planning guidance as set out in paragraphs 7, 8 (indents a and c), 10, 11 (indent a), 35 (indents a and d), 38, 60, 79, 119, 120 (indents c and d) 138 (Green Belt purposes – policy indents a, b, c and e), 141 (indents a and b), 149 (indent e) of the Revised NPPF (2021).

An unduly onerous, unreasonable and highly restrictive 'one-size-fits-all' planning policy approach towards infill sites within existing rural village settlements within the Green Belt countryside, as set out within emerging Local Plan Policy DS1 (Green Belt), is clearly unsound and strongly conflicts with an extensive range of NPPF guidance as referred to above.

The proposed policy approach is therefore considered insufficiently robust, unsound, lacks any kind of planning policy credibility, and fails 'tests of

Soundness' for Local Plan preparation as reinforced within paragraph 35 (indents a, b and d) of the Revised NPPF (2021).**Comments focusing on Policy DS2 – Open Countryside**

The last paragraph of proposed policy DS2 states that: "...The Open Countryside boundary will be altered through the Local Plan Review to accommodate the relevant development allocations set out in Policies SA4 and SA5. The boundaries of the reviewed Open Countryside sites are identified in Appendices B and C of this document..."

For reasons already set out in our Representation, Goldfinch Town Planning Services (West Midlands) maintain our view that the planning policy assumptions underpinning the future spatial distribution of new housing development across the South Staffordshire District are essentially sitting on top of a huge mountain of insufficiently robust background technical evidence base, and the year 2012 Core Strategy is being used to force through an unsound and insufficiently robust spatial planning framework within the South Staffordshire District. These issues are covered in further detail within our Representations Statement.

As such, we contend therefore that the Plan-making approach being undertaken by the LPA fails Local Plan tests of soundness as reinforced within paragraphs 31, 35 and 82 (indent d) of the Revised NPPF (2021).

In line with the expected planning policy approach as reinforced within paragraphs 7, 8, 10, 11 (indent a), 38, 119 and 120 (indents c and d) of the Revised NPPF (July 2021) the Council should be seeking to prioritise sustainable patterns of development within the District.

Within some areas of countryside where existing wildlife habitats are located such as woodlands and wetland habitats such as large ponds, the Council is promoting highly unsustainable patterns of development which will damage the local area and adversely impact on sensitive wildlife habitats.

Guidance in paragraph 179 of the Revised NPPF (July 2021) is a key material planning consideration when considering the proposed spatial planning policy approach being taken by South Staffordshire Council's countryside. Paragraph 179 attaches considerable planning policy importance and attaches considerable planning policy weight, on the need for Local Planning Authorities to protect and conserve 'landscape-scale' wildlife corridors (green infrastructure networks) within both rural and heavily urbanised areas. Given their critically important role in helping to support populations of protected wildlife species as identified in the Staffordshire Biodiversity Action Plan (SBAP).

Paragraph 179 of the Revised NPPF (July 2021) states that:

“...To protect and enhance biodiversity and geodiversity, plans should:

- a) Identify, map and safeguard components of local wildlife-rich habitats and wider ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity; wildlife corridors and stepping stones that connect them; and areas identified by national and local partnerships for habitat management, enhancement, restoration or creation; and
- b) promote the conservation, restoration and enhancement of priority habitats, ecological networks and the protection and recovery of priority species; and identify and pursue opportunities for securing measurable net gains for biodiversity...”

Goldfinch Town Planning Services (West Midlands) have considerable planning policy concerns that the spatial planning policy approach being proposed within the emerging Local Plan area by South Staffordshire District Council will deliver ‘landscape-scale’ ecological habitat damage to the local area, contrary to guidance in paragraph 179 of the Revised NPPF (2021).

Representations to South Staffordshire Council's emerging Local Plan Review – Draft Preferred Options Stage Report (November 2021) (Regulation 18) public consultation

Chapter 4

Question:

Do you support the policy approach in Policy DS3 – The Spatial Strategy to 2038? If not, how should this policy be amended?

Goldfinch Town Planning Services (West Midlands) response to above Question:

For reasons already identified further above, Goldfinch Town Planning Services (West Midlands) considers that the proposed planning policy approach being taken by the LPA to Local Plan preparation is considered to be insufficiently robust, unsound, unjustified and inconsistent with Government planning guidance as set out in paragraphs 31, 35 (indents b and c) and 82 (indent d) of the Revised NPPF (July 2021).

The emerging Local Plan Review is being informed by a huge mountain and platform of heavily out-of-date and insufficiently robust evidence, which is all being used to inform and force-through the spatial planning policy framework approach towards the future distribution of new housing and employment land across the South Staffordshire District.

Representations to South Staffordshire Council's emerging Local Plan Review – Draft Preferred Options Stage Report (November 2021) (Regulation 18) public consultation

Chapter 4

Question:

Do you support the policy approach in Policy DS4 – Longer Term Growth Aspirations for a New Settlement? If not, how should this policy be amended?

Goldfinch Town Planning Services (West Midlands) response to above Question:

For reasons identified further above, Goldfinch Town Planning Services (West Midlands) considers that the proposed planning policy approach being taken by the LPA to Local Plan preparation is considered to be insufficiently robust, unsound, unjustified and inconsistent with Government planning guidance as set out in paragraphs 31, 35 (indents b and c) and 82 (indent d) of the Revised NPPF (July 2021).

The emerging Local Plan Review is being informed by a huge mountain and platform of heavily out-of-date and insufficiently robust evidence, which is all being used to inform and force-through the spatial planning policy framework approach towards the future distribution of new housing and employment land across the South Staffordshire District.

Representations to South Staffordshire Council's emerging Local Plan Review – Draft Preferred Options Stage Report (November 2021) (Regulation 18) public consultation

Chapter 5

Question:

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?

Do you have any comments on these proposals?

Goldfinch Town Planning Services (West Midlands) response to above Questions:

For reasons identified further above, Goldfinch Town Planning Services (West Midlands) considers that the proposed planning policy approach being taken by the LPA to Local Plan preparation is considered to be insufficiently robust, unsound, unjustified and inconsistent with Government planning guidance as set out in paragraphs 31, 35 (indents b and c) and 82 (indent d) of the Revised NPPF (July 2021).

The emerging Local Plan Review is being informed by a huge mountain and platform of heavily out-of-date and insufficiently robust evidence, which is all being used to inform and force-through the spatial planning policy framework approach towards the future distribution of new housing and employment land across the South Staffordshire District.

Representations to South Staffordshire Council's emerging Local Plan Review – Draft Preferred Options Stage Report (November 2021) (Regulation 18) public consultation

Chapter 5

Question:

Do you have any comments on the proposed housing allocations in Policy SA5? Please reference the site reference number (e.g site 582) for the site you are commenting on in your response?

Goldfinch Town Planning Services (West Midlands) response to above Question:

For reasons identified further above, Goldfinch Town Planning Services (West Midlands) considers that the proposed planning policy approach being taken by the LPA to Local Plan preparation is considered to be insufficiently robust, unsound, unjustified and inconsistent with Government planning guidance as set out in paragraphs 31, 35 (indents b and c) and 82 (indent d) of the Revised NPPF (July 2021).

The emerging Local Plan Review is being informed by a huge mountain and platform of heavily out-of-date and insufficiently robust evidence, which is all being used to inform and force-through the spatial planning policy framework approach towards the future distribution of new housing and employment land across the South Staffordshire District.

Representations to South Staffordshire Council's emerging Local Plan Review – Draft Preferred Options Stage Report (November 2021) (Regulation 18) public consultation

Chapter 5

Question:

(A) Do you have any comments on 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.

B) Is there another option for meeting our gypsy and traveller needs, including any alternative site suggestions that could be considered?

Representations to South Staffordshire Council's emerging Local Plan Review – Draft Preferred Options Stage Report (November 2021) (Regulation 18) public consultation

Gypsy and Traveller accommodation needs

Question 9

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

Please reference the site reference number (e.g GT01) for the site you are commenting on in your response.

**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**

Goldfinch Town Planning Services (West Midlands) response to above Questions:

Goldfinch Town Planning Services (West Midlands) response: Concerns about the 'level and scale of growth' of new pitches being proposed across what is essentially a sensitive, heavily rural small District

The emerging Local Plan (Review) area is heavily rural in its character and appearance, with a series of mainly small rural village settlements that do not have the scale of required infrastructure facilities and services in place to serve and support new Gypsy and Traveller and Travelling Peoples sites. Particularly, the scale of growth being proposed within the Preferred Options Stage Report and the supporting Gypsy and Traveller Accommodation Assessment (GTAA) evidence base document.

Whilst we recognise that the above 'pitch needs' figures/ requirements have been informed by evidence to emerge from the Council's updated Gypsy and Traveller Accommodation Assessment (GTAA) technical evidence base document, the figure of 121 Gypsy and Traveller pitches required within the District over the new Local Plan period does appear a little high and overly excessive. Particularly, given the heavily rural character and appearance of this rural District as described below.

South Staffordshire is dominated by large expanses of open countryside with small village settlements and larger settlements. The scale of proposed growth in new pitch numbers does not appear sustainable within this heavily rural district. The scale of growth being proposed by the LPA will have a significantly damaging impact on the areas special rural landscapes, its local distinctiveness, its special rural identity, by introducing significant adverse and damaging landscape impacts into the Districts sensitive countryside as a result of excessive pitch numbers, creation of numerous new stand-alone Gypsy and Traveller and Travelling sites within rural countryside, etc.

The District has special rural landscapes and is mainly dominated by small rural village settlements that define the areas special character, its unique identity, and historic appearance, setting and significance. As well as its picturesque and special rural landscapes as described above. We continue to maintain our view that these small rural village settlements do not have the level of required infrastructure, services and facilities in place such as a wide range of shopping facilities (including convenience food retail), cultural facilities, a range of employment infrastructure, sufficient healthcare facilities and adult and children's welfare facilities. Good levels of high-quality public transport facilities to help promote sustainable travel choices, etc.

The Council is also promoting sites to isolated parts of the District which do not have the necessary range of services and infrastructure facilities in place to serve new gypsy and traveller site, particularly as they further expand over the coming years. The policy approach to scatter new gypsy and traveller sites across different geographical parts of the borough is promoting a heavily unsound spatial planning approach and will result in conflict with the settled community as new sites come forward. This policy approach is not promoting sustainable patterns of development.

There are no major urban settlements and no large urban populations present within this heavily rural small District characterised by large expanses of sensitive open countryside. In parts of the United Kingdom with large urban populations and areas with significant large urban settlements, we could understand these types of high pitch requirements. However, the pitch figures do appear a little high and overly excessive for what is essentially a small, heavily rural District. The scale of infrastructure services and facilities that would be required to serve an additional 121 number new Gypsy and Traveller pitches within the District does raise fundamental concerns. We question whether this level of growth is sustainable over the long term. We also have concerns whether these types of figures for new pitches are not just sustainable, but whether they are also realistic, reasonable and capable of being delivered, in accordance with clear Local Plan tests of Soundness as reinforced by guidance in paragraph 35 of the Revised NPPF (2021).

In conclusion therefore, we consider that the Council's proposed planning policy approach being taken forward within the emerging Preferred Options Stage Report (November 2021) conflicts with the following guidance:

- Paragraphs 7, 8, 10, 11 (indent a), 16 (indent a) and 35 (indent d) of the Revised NPPF (July 2021) (which all reinforce the need for LPA's to promote sustainable patterns of development).
- The sustainability implications of this scale of growth in pitch numbers is concerning.
- Paragraphs 4 (indent k), 10 (indent e), 13 and 23 of the DCLG 'Planning policy for traveller sites' (August 2015).
- The 'level of scale of growth' in new pitch numbers across the District being proposed is very concerning in terms of the impacts of this scale of growth on the District's historic rural landscapes, areas of natural green space, environment offer, and potential for considerable adverse and damaging landscape impacts within areas of open heavily rural countryside.
- The potentially considerable, adverse and damaging impacts of this proposed scale of growth on the Local Plan areas local distinctiveness and unique character.
- Careful dialogue is required between the LPA and local communities within the District so this scale of growth in new pitch numbers can be carefully further explored with local communities in accordance with advice in paragraph 16 (indent c) of the Revised NPPF (2021).
- The impacts of this proposed scale of growth on existing sensitive small rural village settlements which lack the range of services, facilities and highway infrastructure necessary to accommodate this proposed scale of growth in new pitch numbers.
- Both the emerging Local Plan Review 'Preferred Options Stage Report' (2021) and the Gypsy and Traveller supporting background technical evidence base are both promoting highly unsustainable patterns of development within the South Staffordshire District.

- The potentially huge adverse and highly damaging residential amenity impacts on the settled community raises concerns.
- The highly damaging landscape impacts on the Districts heavily rural open countryside.
- This scale of growth in new 'high pitch numbers' being proposed would appear to be more appropriate and suitable within a large urban area rather than a small, heavily rural District.
- This scale of growth in new pitch numbers does not appear sustainable in a heavily rural area, dominated by small rural village settlements, within remote areas of countryside.
- In its current format and proposed planning policy approach, the position is perfectly clear, the emerging Local Plan Review 'Preferred Options Stage Report' (2021) is promoting inappropriate, damaging and unsustainable patterns of development within the local area, contrary to the above NPPF (2021) and DCLG guidance.
- 'Sustainability principles' should underpin and form the planning policy backbone and should be at the heart of any site selection approach taken by the LPA in the both the emerging Local Plan Review (2021) and the Council's background technical evidence being used to support Local Plan Policy, such as the GTAA.
- **More needs to be done to stop Staffordshire District Council from damaging the local area** by introducing significant levels of harmful development within the District, which will result in highly damaging and adverse impacts affecting the residential amenity of the existing settled community.

Representations to South Staffordshire Council's emerging Local Plan Review – Draft Preferred Options Stage Report (November 2021) (Regulation 18) public consultation

Chapter 5

Question:

Do you have any comments on the proposed allocation in Policy SA7?

Goldfinch Town Planning Services (West Midlands) response to above Question:

For reasons identified further above, Goldfinch Town Planning Services (West Midlands) considers that the proposed planning policy approach being taken by the LPA to Local Plan preparation is considered to be insufficiently robust, unsound, unjustified and inconsistent with Government planning guidance as set out in paragraphs 31, 35 (indents b and c) and 82 (indent d) of the Revised NPPF (July 2021).

The emerging Local Plan Review is being informed by a huge mountain and platform of heavily out-of-date and insufficiently robust evidence, which is all being used to inform and force-through the spatial planning policy framework approach towards the future distribution of new housing and employment land across the South Staffordshire District.

Representations to South Staffordshire Council's emerging Local Plan Review – Draft Preferred Options Stage Report (November 2021) (Regulation 18) public consultation

Chapter 6

Question:

Do you agree with the proposed policy approaches set out in Chapter 6? If no, then please provide details setting out what changes are needed, referencing the Policy Reference number (e.g HC1 - Housing Mix)

Goldfinch Town Planning Services (West Midlands) response to above Question:

For reasons identified further above, Goldfinch Town Planning Services (West Midlands) considers that the proposed planning policy approach being taken by the LPA to Local Plan preparation is considered to be insufficiently robust, unsound, unjustified and inconsistent with Government planning guidance as set out in paragraphs 31, 35 (indents b and c) and 82 (indent d) of the Revised NPPF (July 2021).

The emerging Local Plan Review is being informed by a huge mountain and platform of heavily out-of-date and insufficiently robust evidence, which is all being used to inform and force-through the spatial planning policy framework approach towards the future distribution of new housing and employment land across the South Staffordshire District.

Comments relating to proposed 'Policy H3 – Affordable Housing'

On page 67 the Preferred Options Report (2021) states that:

“...Proposals for major residential development: 30% of all dwellings to be affordable housing, broken down using the following ratio 50% social rent, 25% shared ownership and 25% first homes...”

Goldfinch Town Planning Services (West Midlands) maintains its view that there has been a huge, substantial, unprecedented and significant recent material change, and a huge and rapid shift in the economic conditions now facing the South Staffordshire Local Plan area and the wider United Kingdom, due to the ongoing global coronavirus pandemic (COVID-19), and the subsequent severe and unprecedented economic downturn, which is anticipated to cause one of the worst economic recessions in the UK in living memory since records began. The severity of the forthcoming recession is now acknowledged by central Government, who accept that the COVID-19 pandemic has caused one of the worst economic recessions within the UK not seen for the last 300 years. This is highly significant, and should now result in an urgent re-

shaping of affordable housing, CIL, planning obligations, and infrastructure policies within the Council's emerging Local Plan Review. The Council now needs to finally accept that its highly onerous planning policy position on these policy matters now needs to change to help support the highly fragile local economic recovery.

This 1 in a 100-year severe and unprecedented global health pandemic event should now result in a more supportive Development Management and Planning Policy approach being taken (to support the interests of the private sector development industry) by the LPA's within the emerging South Staffordshire Local Plan in relation to affordable housing planning policy requirements, Community Infrastructure Levy (CIL) planning policy requirements, and other infrastructure demands/ planning policy requirements being placed on the house building development industry, the business community and rural landowners looking to bring forward sustainably-located new housing sites. In order to help support the future financial viability of new housing development schemes coming forward within the South Staffordshire Local Plan area at an incredibly challenging time and to help support the fragile local economic recovery across the emerging South Staffordshire Local Plan area.

This approach would be consistent with Government guidance in paragraph 82 (indent d) of the Revised NPPF (2021) which confirms that: "...Planning policies should (indent d) be flexible enough 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 rapid change in economic circumstances as described above now facing the South Staffordshire Local Plan area (which has had a huge and devastating impact on the local economy)** should now therefore be carefully shaped into the Plan-making approach being taken by the District Council's going forwards within the emerging South Staffordshire Local Plan Review and its policy formulation. To ensure that the plan-making approach taken within the emerging South Staffordshire Local Plan is sufficiently robust, deliverable and responds effectively to the above NPPF guidance.

The severe and unprecedented global coronavirus (COVID-19) pandemic, and the continued 15 months of pro-longed lockdown restrictions across the UK during the years 2020 and 2021, has highlighted and placed into very sharp focus the continued relevance and importance of the need for LPA's to build-in sufficient planning policy flexibility when they are drafting policies within emerging Local Plan Reviews, for the reasons identified above.

These 'pandemic-related factors' are of critical importance and should now therefore be carefully shaped into and form part of the planning balance when preparing the Council's emerging South Staffordshire Local Plan Review as the Plan move towards the next preparation stage towards the summer of 2022.

The evidence is perfectly clear, all of the above 'pandemic-related' factors appear to have been given no planning policy consideration and material planning weight whatsoever by the LPA when preparing the Council's emerging South Staffordshire Local Plan Review (2021).

In particular, we consider that any new policies contained within the new emerging South Staffordshire Local Plan Review covering policy areas such as affordable housing will need to be substantially revised and current planning policy threshold levels significantly reduced to help ensure that the future financial viability of new residential development schemes coming forward across the South Staffordshire Local Plan area are not adversely affected and site viability severely harmed.

The existing/ proposed affordable housing 30% policy threshold being proposed within the emerging Local Plan Review 'Preferred Options Stage Report (2021)' is now based on an unsound and heavily out-of-date set of economic circumstances and places an unreasonable and highly damaging financial burden on new housing development sites and is considered far too onerous. This current policy approach is therefore totally unsustainable moving forward. The proposed affordable housing policy approach therefore needs to be significantly reduced within the new emerging South Staffordshire Local Plan Review (2021) to reflect the substantially changed set of long-term adverse economic conditions now facing the South Staffordshire area.

We would suggest that a 5% affordable housing policy threshold going forward within the emerging South Staffordshire Local Plan Review would be more appropriate given the massive long-term shift in the adverse economic conditions now facing the Plan area.

Similar to affordable housing, the same issues equally apply to LPA Community Infrastructure Levy (CIL) excessive, onerous and highly damaging planning policy requirements and unreasonable planning policy demands. The existing planning policy evidence base that underpins and provides the current planning policy platform and policy foundations to support the current CIL planning policy regime across the South Staffordshire Local Plan Review area, now lacks any kind of planning policy credibility given that its policy assumptions are now based on a heavily out-of-date and unsound set of economic circumstances.

The existing planning policy approach therefore places an unreasonable, damaging, excessive and onerous financial burden on the house building development industry, due to wholly unreasonable and heavily out-of-date CIL planning policy requirements. The existing planning policy approach and unreasonable policy regime therefore needs to be urgently revisited and heavily revised within the emerging South Staffordshire Local Plan Review, and more appropriately shaped towards reflecting the heavily adjusted set of economic conditions now facing the Plan area as described above.

The approach described above, would correspond well to guidance in paragraph 31 of the Revised NPPF (2021) which is perfectly clear that: "...The preparation and review of all policies should be underpinned by relevant and up-to-date evidence..." As well as guidance in paragraph 82 (indent d) of the Revised NPPF (2021) referred to further above.

Comments relating to proposed 'Policy HC8 - Gypsy, Traveller and Travelling Showpeople'

Goldfinch Town Planning Services (West Midlands) maintains its view that the Council's proposed planning policy approach being taken forward within the emerging Preferred Options Stage Report (November 2021) towards Gypsy, Traveller and Travelling Showpeople sites across the District, is promoting inappropriate, damaging and unsustainable patterns of development within the local area, contrary to paragraphs 7, 8, 10, 11 (indent a), 16 (indent a) and 35 (indent d) of the Revised NPPF (July 2021) (which all reinforce the need for LPA's to promote sustainable patterns of development). And contrary to guidance in paragraphs 4 (indent k), 10 (indent e), 13 and 23 of the DCLG 'Planning policy for traveller sites' (August 2015).

This scale of growth in new 'high pitch numbers' being proposed would appear to be more appropriate and suitable within a large urban area rather than a small, heavily rural District.

This scale of growth in new pitch numbers does not appear sustainable in a heavily rural area, dominated by small rural village settlements, within remote areas of countryside.

More needs to be done to stop Staffordshire District Council from damaging the local area by introducing significant levels of harmful development within the District, which will result in highly damaging and adverse impacts affecting the residential amenity of the existing settled community.

Representations to South Staffordshire Council's emerging Local Plan Review – Draft Preferred Options Stage Report (November 2021) (Regulation 18) public consultation

Question:

General observation comments from Goldfinch Town Planning Services (West Midlands)

Goldfinch Town Planning Services (West Midlands) response to above Question:

Failings in the public consultation approach which places members of the public, community pressure groups, and other key stakeholders at a considerable disadvantage when trying to respond to the Preferred Options Stage (November 2021) public consultation

Different versions of questions being displayed

The questions are worded differently in appendix G (on pages 166 to 167 of the Preferred Options Stage Report) compared to the questions that appear throughout the Preferred Options Report (November 2021) document. This public consultation approach is therefore confusing and highly misleading to members of the public and key stakeholders. **This underlines the failure and incompetence of the Council in relation to the chaotic, confusing and unclear approach taken towards the public consultation approach within the Preferred Options Stage Report (November 2021).**

For example, within Question 1 (referred to above) on page 15 of the Preferred Options Stage Report (November 2021), one question is referring to "...content or use..." the other question takes a different approach referring to "...is appropriate to inform..." The differences to the approach in the questions has been highlighted by Goldfinch Town Planning Services (West Midlands) in the red text identified above.

This causes significant and unnecessary confusion for members of the public and key stakeholders, and significantly reduces the overall effectiveness of the public consultation approach taken by the Local Planning Authority (LPA) within South Staffordshire's emerging Preferred Options Stage Report (2021). As can be seen above, two different versions of what should essentially be the same question have been used by the Local Planning Authority within the South Staffordshire Preferred Options Stage Report (November 2021). The two versions of the same question will result in different feedback from members of the public and key stakeholders. This

approach to public consultation places members of public at a significant disadvantage, and is considered to be misleading and unclear.

This is an unusual method of undertaking a public consultation approach for a critically important emerging Local Plan Review document. Given the significant confusion caused by the public consultation approach as described above, Goldfinch Town Planning Services (West Midlands) maintains its view that the public consultation approach taken by the LPA is considered to conflict with guidance in paragraph 16 (indent c) of the Revised National Planning Policy Framework (NPPF) (July 2021) which reinforces that: "...Plans should be shaped by: (indent c) Early, proportionate and **effective engagement between plan-makers and communities**, local organisations, businesses, infrastructure providers and operators and statutory consultees..."

Insufficient clarity provided at very start of the document explaining key public consultation timescales

Public consultation timescales: At the front of the draft Preferred Options Stage Report document (November 2021), there is no clear information displayed at the very front of the document explaining to members of the public and other key stakeholders when the public consultation stage for the Preferred Options Report commences and closes. This critical information is not provided until page 10 of the Preferred Options Stage Report (2021). This type of critical information should be displayed at the very front of the Preferred Options Stage Report, not left until page 10.

This therefore causes unnecessary confusion for members of the public, the local business community, rural landowners, housing developers and other key stakeholders. A paragraph should have been included at the very front of the Preferred Options Stage Report (November 2021) explaining the above key issues.

Confusing Local Plans website

The South Staffordshire Council's **Local Plans website** is also confusing and not very clear for members of the public. For example, the web-site is too cluttered with too many documents and too much information. A more effective method would be to just display the Preferred Option Stage Report (November 2021) and a link to the various supporting background technical evidence base documents which are being used to help inform the Council's emerging Local Plan Review.

Public Consultation Comments Form

In addition, there is no **Public Consultation Comments Form** (for the Preferred Options Stage Report public consultation) clearly displayed on the Council's Local Plans web-site. Again, this is highly unusual, given that the majority of LPA's display this type of critical information on the Local Plans website. This is not effective community engagement.

'Local Plans Consultation Portal' (Opus Consult)

Finally, the ‘**Local Plans Consultation Portal**’ (**Opus Consult**) is also unclear and highly confusing for members of the public and other key stakeholders. This creates a restrictive approach and forms a barrier to effective community engagement. These types of public consultation portals which are both highly ineffective and unnecessarily complex, are not effective ways for Local Planning Authorities to consult local communities for Local Plan Reviews. LPA’s should now therefore start to finally begin to accept that these types of public consultation portals are wholly ineffective, as well as a considerable waste of local Staffordshire residents Council Tax payers money given that these IT systems are very expensive to maintain due to the high financial service charges from the private sector IT companies. And, as stated, merely create a barrier to effective community engagement. The LPA should now therefore start to explore much clearer and more financially cost-effective methods for consulting local communities and other key stakeholders as part of future Local Plan Reviews, to help assist much more effective community engagement, consistent with the expected approach within paragraph 16 (indent c) of the Revised NPPF (2021).

Given all of the above issues, Goldfinch Town Planning Services (West Midlands) considers that the approach taken within the Preferred Options Report (November 2021) public consultation by the LPA is therefore ineffective, and does not result in a clear, transparent and effective community engagement approach.

Conclusion


Given all of the above issues, Goldfinch Town Planning Services (West Midlands) considers that the approach taken within the Preferred Options Report (November 2021) public consultation by the LPA is therefore ineffective, and does not result in a clear, transparent and effective community engagement approach.

This approach does not therefore bode well for effective community engagement and therefore conflicts with one of the key ‘Soundness’ policy tests of Local Plan preparation as set out in paragraph 16 (indent c) of the Revised NPPF (July 2021) which reinforces the need for Local Plans to be shaped by:

“...proportionate and **effective engagement between plan-makers and communities**, local organisations, businesses, infrastructure providers and operators and statutory consultees...”



Goldfinch Town Planning Services (West Midlands)

Facebook  Goldfinch Town Planning Services

Goldfinch Town Planning Services (West Midlands) specialise in the following types of work:

- Urban green space planning policy specialists.
- Thorough and precision based green space planning advice
- Preparation of Representations to emerging Local Plan Reviews for members of the public and community green space pressure groups.
- Ecological services including incorporation of on-site and off-site nature conservation habitat features as part of new housing development proposals and habitat mitigation solutions.
- We work for community pressure groups and individuals, specialising in all types of green space sites town planning work.
- We work for both community pressure groups and individuals objecting to all types of planning applications.
- Expert witness at Public Local Inquiries specialising in objecting to open space re-development proposals on behalf of individuals and community green space pressure groups.
- Number of years previous Local Planning Authority (LPA) Planning Policy Team experience, previously spent working within the Black Country sub-region (West Midlands). Specialised in dealing with complex and very wide-ranging urban green space planning policy work.
- Development site promotion work (for the house building industry and rural landowners) through Local Planning Authority (LPA) emerging Local Plan Reviews.
- Ability and knowledge to promote sites and influence policy through the local plan process.
- Preparation of Planning Statements to support Planning Applications.
- Site feasibility studies and development site appraisals
- Submission of pre-application enquiries
- Submission of planning applications
- Preparation of Green Infrastructure Studies (paragraphs 175 and 179 Revised NPPF (July 2021) compliant) for both LPA's and the private sector.
- Preparation of Green Space Audits (Open Space Needs Assessments) (paragraph 98 of the Revised National Planning Policy Framework (NPPF) (July 2021) compliant) for both LPA's and the private sector.