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Planning Policy
South Staffordshire Council
Wolverhampton Road
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Via email only

14th December 2022

Dear Sir/Madam,

SOUTH STAFFORDSHIRE LOCAL PLAN: PUBLICATION PLAN CONSULTATION LAND WEST OF WROTTESELEY PARK ROAD, PERTON

Introduction

This representation has been prepared by Carter Jonas LLP on behalf of LF (Perton) Limited in response to the Regulation 19 South Staffordshire Local Plan Publication Plan (“the Publication Plan”) consultation. The 6-week consultation period commenced on 11th November and will close on Friday 23rd December 2022. Based on the recently adopted Local Development Scheme (October 2022), we understand that the Council is aiming to submit the Local Plan in April/May 2023 with an examination to follow in August and September 2023 and adoption of the Plan in December 2023.

Our client is promoting Land West of Wrottesley Park Road for residential development through the South Staffordshire Local Plan Review. The site currently sits beyond the identified development boundary. It was however removed from the Green Belt in the Site Allocations Document (SAD) September 2018. The site is part of a wider land parcel (Site Ref No. 239), the southern part of which is allocated for 163 dwellings under Policy SAD2 (The Housing Allocations) and the northern parcel safeguarded for residential development under Policy SAD3 (Safeguarded Land for Longer Terms Needs).

As set out in the Development Plan, those sites safeguarded under Policy SAD3 (Safeguarded Land for Longer Terms Needs) have been removed from the Green Belt and will retain their safeguarded land designation until a review of the Local Plan allocates the sites for development. Policy SA5 (Housing Allocations) of the Publication Plan (Regulation 19) November 2022 proposes to allocate the site for a minimum of 150 dwellings (ref: 239). To reflect the allocation, the proposed Policies Map has been amended to wrap the Development Boundary around the site’s northern and western boundaries.

This representation provides a review of the planning policy context and a response to the following matters:

- Spatial Housing Strategy 2018-2039 and Policy DS5 (The Spatial Strategy to 2039)
- Policy SA5 (Housing Allocations)

Planning Policy Context

The following section details the relevant planning policies which have informed this representation.

Paragraph 8 of the National Planning Policy Framework (2021), hereinafter referred to as the NPPF, sets out three sustainability objectives which are as follows:

'a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure.

b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful and safe places, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

c) an environmental objective – to protect and enhance our natural, built and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy'.

In accordance with paragraph 35 of the NPPF (2021), Local Plans must be assessed as to whether they accord with legal and procedural requirements and meet the test of soundness as set out below:

'a) Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;

b) Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;

c) Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and

d) Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.'

Spatial Housing Strategy 2018-2039 and Policy DS5 (The Spatial Strategy to 2039)

The spatial housing strategy set out on page 32 of the Publication Plan covers the period 2018 to 2039. It seeks to direct the largest proportion of residential development towards the most sustainable settlements. Notably, Perton is identified as a tier 2 village. 16.5% of housing is proposed to be directed to tier 2 villages with 3.7% of this within Perton. For Perton this comprises of 226 dwellings through existing planning permissions and allocations and 150 dwellings on safeguarded land. The safeguarded land referred to is Land West of Wrottesley Park Road. A full response to the allocation of the safeguarded land is set out in the following section.

The spatial strategy is detailed in Policy DS5 (The Spatial Strategy to 2039). It states that South Staffordshire Council will deliver a minimum of 9,089 dwellings over the Plan period. In order to address the shortfall arising from Greater Birmingham and Black Country Housing Marker Area, 4,000 of the dwellings are proposed specifically to address unmet need. The policy also details the spatial strategy outlined above

in terms of directing development towards the most sustainable settlements. Perton and other tier 2 settlements are recognised to be sustainable given their range of facilities and services. Thus, sustainable growth is supported and will be predominantly delivered through allocations in the Local Plan.

We agree with the Council's assessment of Perton as a tier 2 settlement and a sustainable location for growth as it offers a wide range of facilities and services to meet the day to day needs for local residents which are all accessible on foot and bicycle. The settlement is well served by public transport. The nearest bus stops to Land west of Wrottesley Park Road are located circa 540m to the east on Edgehill Drive, they provide connections to Wolverhampton, Tettenhall Wood and Pattingham. The nearest train station is located at Codsall, 3.8km to the north. The station provides connections to towns and cities further afield including Birmingham, Wolverhampton, Telford and Shrewsbury.

The assessment of the District's settlements is evidenced in the Rural Services and Facilities Audit (2021). Appendix 4 of the Audit reviews each settlement against a criteria of facilities and services to assess the quantum and accessibility. Tier 2 settlements were assessed to *'typically have a food store and a range of services and facilities and education establishments, but the level of provision will typically be less than Tier 1 villages, with the notable exception of Wombourne, which has a large village centre. All villages in this tier do not have access to rail stations and have lesser levels of employment access than Tier 1 villages. There is still a degree of access to services outside the village via public transport.'* Thus, given the hierarchy is based on a proportionate evidence base, it is considered justified and meets the test of 'soundness'.

Settlement hierarchies are a well-established planning tool for guiding development towards the most sustainable settlements within Local Planning Authorities. The strategy set out in Policy DS5 (The Spatial Strategy to 2039) plays a major role in ensuring the Plan contributes to achieving all three sustainability objectives set out in the NPPF (2021) and the vision and strategic objectives contained in the Publication Plan (Regulation 19) November 2022.

Paragraph 1.2.1.5 of the Sustainability Appraisal of the South Staffordshire Local Plan Review (2019-2039) Regulation 19 SA Report (Volume 3 of 3) (October 2022), which forms part of the evidence base underpinning the Plan, is clear that directing the majority of development towards Tier 1 and Tier 2 settlements and the urban edge of existing larger towns outside the District will likely facilitate more sustainable communities. The primary reasoning for this is that by locating residents in a close proximity to facilities, services and public transport, it will reduce reliance on the private car. The fossil fuel consumption associated with private cars is identified as one of South Staffordshire's largest contributions to carbon emissions significantly impacting on climate change.

It is therefore concluded that the spatial housing strategy and Policy DS5 (The Spatial Strategy to 2039) meet the tests of 'soundness' because it has been positive prepared to ensure housing need will be met. It is also considered justified as it's an appropriate strategy for achieving sustainable development and is based on evidence. It's also considered that the strategy and policy is effective as it is deliverable over the plan period and consistent with national policy.

Policy SA5 (Housing Allocations)

Land west of Wrottesley Park Road (south) has been allocated in the above policy for a minimum of 150 dwellings.

As set out below, the allocation meets all four elements of the test of 'soundness'.

Positively prepared

The allocation is positively prepared as it contributes to meeting the housing need for South Staffordshire and supporting the national objective of significantly boosting the supply of homes. Indeed, the allocation provides an opportunity to deliver a mix of high-quality homes to meet the needs of the local community.

Justified

As detailed in our response to the spatial housing strategy and Policy DS5 (The Spatial Strategy to 2039), directing development towards Perton is an appropriate strategy which is based on proportionate evidence.

The allocation of our client's site is also an appropriate strategy, which is based on proportionate evidence. The site was assessed in the Strategic Housing and Economic Land Availability Assessment (November 2022) and as part of the preparation of the Site Allocations Document (SAD) September 2018 where it was removed from the Green Belt and identified as safeguarded land.

Notably, the Housing Site Selection Topic Paper 2022 states that 'Perton contains an existing safeguarded land site (Site 239). This site is non-Green Belt and needs to be proactively explored for its potential to assist in meeting the District's proposed housing target. The site assessment process has revealed no unmitigable constraints to the site's delivery, other than the major negative effects predicted in the Sustainability Appraisal due to the distance of the site from local schools. However, as this land has already been removed from the Green Belt and was considered suitable for safeguarding through the examination of the Site Allocations Document as recently as 2018, this is not considered to be a barrier to development in this instance, particularly as failure to allocate the sites could result in the need for further Green Belt release elsewhere in the District.'

Effective

Subject to successfully securing planning permission, the site will be built within the next five years. Thus, it is deliverable over the plan period.

Consistent with national policy

The proposed allocation is consistent with national policy as the site presents an opportunity to bring forward residential development on a highly sustainable site which will contribute to meeting all three sustainability objectives set out in paragraph 8 of the NPPF (2021). A forthcoming proposal would also ensure it is consistent with national planning policies in all other aspects.

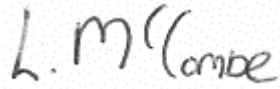
Furthermore, the allocation of safeguarded land complies with paragraph 143 of the NPPF (2021) which supports the provision of safeguarded land as undertaken in the Site Allocations Document (SAD) September 2018 and its subsequent allocation as part of the Local Plan Review.

It is our understanding that some representations submitted in respect of the South Staffordshire Local Plan Review Preferred Options Consultation (Regulation 18) raised concerns that bringing forward safeguarded land would result in it being less plan-led. However, we strongly disagree with that view. The Council's Local Plan Review meets the test of 'soundness' and indeed it was considered by the Inspector of the Site Allocations Document (SAD) September 2018 that planning for the long-term development needs of the District by identifying safeguarding land met the test of 'soundness'. In fact, failing to bring forward the safeguarded land which has been released from the Green Belt without a robust reason for doing so, would not be considered justified or consistent with national planning policies.

Conclusion

In conclusion, we agree that the Publication Plan as drafted meets the test of soundness set out in paragraph 35 of the NPPF (2021). We therefore look forward to the plan proceeding in a positive and proactive manner and being adopted by South Staffordshire Council next year following examination by an independent inspector.

Yours faithfully,

A handwritten signature in black ink that reads "L. McCombe". The signature is written in a cursive style and is placed on a light grey, textured rectangular background.

Laura McCombe

Associate, Planning & Development

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