

	<p>Local Plan Publication Stage Representation Form</p>	<p>Ref:</p> <p>(For official use only)</p>
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Name of the Local Plan to which this representation relates:

**South Staffordshire Council
Local Plan 2018 - 2039**

Please return to South Staffordshire Council BY 12 noon Friday 23 December 2022

This form has two parts –
 Part A – Personal Details: need only be completed once.
 Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

Part A

1. Personal Details*

**If an agent is appointed, please complete only the Title, Name and Organisation (if applicable) boxes below but complete the full contact details of the agent in 2.*

2. Agent's Details (if applicable)

Title	<input type="text"/>	<input type="text"/>
First Name	<input type="text"/>	<input type="text" value="Andrea"/>
Last Name	<input type="text"/>	<input type="text" value="Caplan"/>
Job Title (where relevant)	<input type="text"/>	<input type="text" value="Associate"/>
Organisation (where relevant)	<input type="text" value="St Modwen Logistic & J Holts and Son"/>	<input type="text" value="Savills"/>
Address Line 1	<input type="text" value="C/o Agent"/>	<input type="text" value="55 Colmore Row"/>
Line 2	<input type="text"/>	<input type="text" value="Birmingham"/>
Line 3	<input type="text"/>	<input type="text"/>
Line 4	<input type="text"/>	<input type="text"/>
Post Code	<input type="text"/>	<input type="text" value="B3 2AA"/>
Telephone Number	<input type="text"/>	<input type="text" value="0121 615 2662"/>
E-mail Address	<input type="text"/>	<input type="text" value="andrea.caplan@savills.com"/>



(where relevant)

Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph	<input type="text"/>	Policy	Chapter 5 and Policy DS3: Open Countryside	Policies Map	<input type="text"/>
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4. Do you consider the Local Plan is :

(1) Legally compliant	Yes	<input type="text"/>	No	<input checked="" type="checkbox"/>
(2) Sound	Yes	<input type="text"/>	No	<input checked="" type="checkbox"/>
(3) Complies with the Duty to co-operate	Yes	<input type="text"/>	No	<input checked="" type="checkbox"/>

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

We **object** to Policy DS3 ‘Open Countryside’ on the basis that the proposed employment land strategy is not justified or supported by appropriate evidence. The plan policies and related evidence base do not identify sufficient employment land to address the needs of South Staffordshire during the Local Plan period and as such flexibility is required in Policy DS3 to enable additional sites to come forward to address the identified need.

Policy DS3 seeks to control development in the open countryside, which is identified as land being outside of the Green Belt and defined settlement development boundaries.

It is stressed that the Local Plan emphasises the need to ‘ensure there is sufficient supply of employment land to meet the needs of the district over the plan period’ (policy EC1 Sustainable Economic Growth), along with contributing towards the employment needs of the wider functional economic market area (FEMA) arising from the Black Country authorities. This is key to the achieving the Local Plan’s Economic Prosperity Strategic Objective and wider Local Plan Vision.

Based on the findings of its Economic Development Needs Assessment, SSDC has concluded that the existing supply of available employment land and proposed allocations in the plan are enough to ensure there is a sufficient supply of employment land for the plan period. However, in light of the conclusions of the Savills Industrial and Logistics Needs Assessment



(attached as Appendix A), it is considered that there is a significant shortfall of employment land in South Staffordshire of between 76 ha and 257 ha, based on the scenarios considered. As such it is maintained that insufficient employment sites are allocated within the Local Plan. Further allocations are required to meet the needs of the district and wider FEMA in the plan period, to make the Local Plan sound, as detailed in our representations made to Chapter 3 of the Local Plan.

As detailed in our representations to Policy SA7, the Council's own assessment of potential employment sites identifies that due to the limited supply of brownfield land in South Staffordshire, all of the potential sites identified were located in either the Green Belt or open countryside. As such, to provide the required additional employment sites, rural sites in the open countryside will be required.

To ensure that South Staffordshire's future employment needs are met, Policy DS3 should be amended to provide sufficient flexibility to enable the delivery of additional employment sites in the open countryside (outside of the Green Belt), as and when required to address the identified needs of SSDC and the wider FEMA. This is particularly important due to the unresolved issues and uncertainty with the South Staffordshire FEMA and Black Country's duty to cooperate position.

This approach has been implemented by North West Leicestershire in its Local Plan, adopted in March 2021 following a partial review to address unmet housing and employment need in the district. Policy EC2 'New Employment Sites' in part 1 refers to specific allocations but goes on to include the following Part 2 text:

2) Where evidence indicates an immediate need or demand for additional employment land (B1, B2 and B8) in North West Leicestershire that cannot be met from land allocated in this plan, the Council will consider favourably proposals that meet the identified need in appropriate locations subject to the proposal:

(a) Being accessible or will be made accessible by a choice of means of transport, including sustainable transport modes, as a consequence of planning permission being granted for the development; and

(b) Having good access to the strategic highway network (M1, M42/A42 and A50) and an acceptable impact on the capacity of that network, including any junctions; and

(c) Not being detrimental to the amenities of any nearby residential properties or the wider environment.

As set out in the policy's explanatory text, part 2 is required to address the identified shortfall in the local authorities HEDNA in respect to identified employment land. The Inspector's Report for the Local Plan review considered that the employment policies proposed were appropriate given, not only the identified shortfall in North West Leicestershire, but also the uncertainty in relation to the needs of the wider area and the unresolved requirement to complete a Statement of Common Ground with other authorities in the FEMA.

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the



duty to co-operate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

It is maintained that based on the existing supply of available employment land and allocations identified within the Local Plan, there will be an undersupply of land for the plan period. As such Policy DS3 has not been positively prepared as it does not meet the area's objectively assessed needs.

It is also noted that there is no agreed Duty to Cooperate position with the FEMA in relation to employment land. Therefore the Local Plan, and Policy DS3, are not informed by agreements with other authorities, as to whether unmet employment need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development.

It is requested that the following additional text be included in Policy DS3 as a penultimate paragraph in the policy:

Where evidence indicates an immediate need or demand for additional employment land (E(a), B2 and B8) that cannot be met from land allocated in this plan, the Council will consider favourably proposals that meet the identified need in appropriate locations outside of the district's settlements in the open countryside, subject to proposals:

- a. Being accessible or will be made accessible by a choice of means of transport, including sustainable transport modes, as a consequence of planning permission being granted for the development; and*
- b. Having good access to the strategic highway network (M6 motorway) and an acceptable impact on the capacity of that network, including any junctions; and*
- c. Not being detrimental to the amenities of any nearby residential properties or the wider environment.*

It is also requested that the third paragraph of Policy DS3 be amended as follows to provide the flexibility needed to address the employment needs of South Staffordshire:

All types of development in the Open Countryside which are not explicitly supported by Policy DS3 will be considered on a case-by-case basis. Such proposals will only be permitted ~~where they are not located on best and most versatile agricultural land~~ where the benefits of the scheme outweigh the economic and other benefits of that agricultural land and are fully consistent with any other relevant policies set out elsewhere in the Local Plan. ~~These include, but are not limited to, policies which relate to the district's:~~

- ~~• overall development strategy~~*
- ~~• design standards~~*
- ~~• landscape character and assets~~*
- ~~• historic assets~~*
- ~~• ecological assets and biodiversity~~*
- ~~• recreational assets~~*



- *housing mix requirements (where applicable)*
- *sustainable travel requirements*

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

No, I do not wish to participate in hearing session(s)

Yes, I wish to participate in hearing session(s)

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

To provide further clarification and oral contributions to the Local Plan hearing sessions.

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

Representations cannot be kept confidential and will be available for public scrutiny, including your name and/or organisation (if applicable). However, your contact details will not be published.

Data Protection



Your details will be added to our Local Plans Consultation database so that we can contact you as the review progresses. South Staffordshire Council will process your personal data in accordance with the Data Protection Act 2018 and the General Data Protection Regulations (GDPR). Our Privacy Notice can be viewed at <https://www.sstaffs.gov.uk/planning/strategic-planning--data-protection.cfm>

Please return the form via email to localplans@sstaffs.gov.uk or by post to South Staffordshire Council, Community Hub, Wolverhampton Road, Codsall, South Staffordshire WV8 1PX