

	<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.*

Title

First Name

Last Name

Job Title
(where relevant)

Organisation
(where relevant)

Address Line 1

Line 2

Line 3

Line 4

Post Code

Telephone Number

E-mail Address

2. Agent's Details (if applicable)



(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

Policy

Chapter 5
and Policy
DS4:
Development
Needs

Policies Map

4. Do you consider the Local Plan is :

(1) Legally compliant

Yes

No

(2) Sound

Yes

No

(3) Complies with the
Duty to co-operate

Yes

No

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 DS4 'Development Needs' as written as it is not considered positively prepared or justified.

Paragraph 5.54 of the Publication Plan confirms that it is the role of the Local Plan to consider the district's employment needs and plan for employment growth over the plan period, and key to this is the evidence set out in the Economic Development Needs Assessment (EDNA).

As detailed in representations made to Chapter 3, and set out in Savills' Industrial and Logistics Needs Assessment (attached as Appendix A), the findings of the EDNA are challenged.

The National Planning Policy Framework, notes that local plans should be prepared positively, in a way that is aspirational but deliverable (paragraph 16). It is essential that the employment evidence base provides a true representation of the future requirements of the area and does not under-forecast the requirements, as is the case with SSDC's EDNA and the EDNAs prepared for the wider FEMA. This will result in local plan policies which constrain supply, leading to a suppressed demand for employment land, as not all occupiers will be able find space to meet their needs. As a result businesses are either forced to remain in their existing premises, even if not ideal for their operational requirements, or alternatively have to leave the area to find

suitable premises elsewhere, taking the jobs and investment they generate with them (paragraph 6.2.2 Industrial and Logistics Need Assessment).

In light of the concerns relating to the EDNA methodology and findings, it is maintained that the Assessment does not provide a sound evidence base for the preparation of the Local Plan. The statement at Paragraph 5.58 that 'the district can meet its own employment land needs, together with making a proportionate contribution to unmet needs in the Black Country' is refuted and should be reconsidered as set out in Savills Industrial and Logistics Need Assessment.

Paragraph 5.59-5.62 considers the unmet employment needs from the wider functional economic area. It is noted that reference to the Black Country authorities preparing a joint Local Plan is retained in this section. This requires revision following the dissolution of the joint Local Plan in October 2022.

In light of this change in the Black Country, the SSDC Duty to Cooperate Topic Paper (2022) at paragraph 5.13 recognises that the Black Country authorities will need to reconsider their employment land provision needs. The Topic Paper notes that the Black Country authorities will be offering their views on whether South Staffordshire's contribution to their unmet employment needs is supported through their responses to the SSDC's Regulation 19 plan consultation. These views will the need to feed into the 'South Staffordshire FEMA Statement of Common Ground' (Appendix C of the Duty to Cooperate Topic Paper).

Discussions on the employment needs of the FEMA are clearly ongoing and will not be resolved in the short term. In light of this, it is considered that the SSDC Local Plan is currently progressing prematurely, ahead of the preparation of its essential supporting evidence base. As set out in paragraph 35 of the NPPF, a local plan needs to be based on proportionate evidence which objectively assesses an area's needs, for it to be considered positively prepared and justified. Flexibility is therefore needed in the employment land supply to address both the needs of SSDC and the wider FEMA, plus Sandwell.

Paragraph 5.63 considers 'Strategic Employment Sites' and the work that is proposed across the West Midlands Strategic Employment Sites Study (WMSESS 2021) area. A follow-on study is proposed, the findings of which will be of relevance to employment need in South Staffordshire and the wider FEMA. Prior to that flexibility is required to enable sites which can fulfil a 'Strategic' need to come forward. As set out in the Savills Industrial and Logistics Need Assessment (paragraph 2.2.5) the Junction 13 site benefits from a number of strategic advantages which make it ideal for industrial and logistics development, including:

- Proximity to a nationally significant motorway (M6);
- Convenient access to suppliers and end customers;
- Convenient access to a pool of potential workers (labour supply); and
- Convenient access to major freight handling infrastructure that can be utilised as part of industrial and logistics companies' wider supply chains.

The circa 635 sqft of employment floor space illustrated in the the Vision Document (Appendix B), provides an opportunity for medium (30,000-100,000 sqft) to large scales units (100,000-250,000 sqft). A cluster of units of these sizes would provide for both local and strategic need and would cater for occupier demand that is not being met within the District or the wider FEMA through existing or proposed allocations.

Policy DS4 'Development Needs'

Part b) of Policy DS4 'Development Needs' states that SSDC will promote a minimum of 99 ha of employment land over the period 2020-2039 to ensure that South Staffordshire's identified need for employment land of 63.6ha is met. It is noted that the policy refers to this being the **minimum** amount of employment land to be delivered.

Policy DS4 also identifies that 36.6ha (of which 1.2ha is surplus ancillary office floorspace on strategic sites) of the 99ha will be a contribution to the meeting the unmet employment land needs of the Black Country authorities.

As detailed in the Savills Industrial and Logistics Needs Assessment (attached as Appendix A), the methodology and conclusions of the South Staffordshire EDNA are challenged. National Planning Policy Framework stresses that local plans should be prepared positively, in a way that is aspirational but deliverable (paragraph 16). As such it is essential that the employment evidence base provides a true representation of the future requirements of the area and does not under-forecast the requirements resulting in local plan policies which constrain supply. Such a constraint to supply will result in a suppressed demand as not all occupiers will be able find space to meet their needs. As a result businesses are either forced to remain in their existing premises, even if not ideal for their operational requirements, or alternatively have to leave the area to find suitable premises elsewhere, taking the jobs and investment they generate with them (paragraph 6.2.2 Industrial and Logistics Need Assessment).

Based on a review of the SSDC EDNA and EDNAs for the wider FEMA, the Industrial and Logistics Need Assessment concludes that:

'based on Savills demand methodology, over a 20-year plan period, we estimate there is a shortfall in employment floorspace of 7.4 million sqft (196 ha) within the FEMA increasing to 20 million sqft (532 ha) if Sandwell is included.

Within South Staffordshire specifically, we consider there to be a shortfall of 2.9 million sqft (76 ha) under our low range scenario increasing to 9.7 million sqft (257 ha) under our upper range scenario. Part of the reason for these significant shortfalls is that only a small proportion (up to 10%) of the nationally significant WMI will meet local demand from South Staffordshire. The remainder of the development will meet a wider sub-regional and national demand profile given the extremely large size of units proposed' (paragraphs 9.1.7 and 9.1.8).

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.



To be legally compliant appropriate consideration needs to be given to South Staffordshire’s Duty to Cooperate with other local authorities and a Statement of Common Ground is required for the South Staffordshire FEMA. This should confirm the requirements of the FEMA local authorities and Sandwell, following the termination of the joint Black Country Plan preparation. Without a full understanding of the implications of this on the requirements of the FEMA authorities and wider West Midlands, the employment land requirements for SSDC cannot be confirmed.

The employment land needs for South Staffordshire and the wider FEMA authorities are queried, due to the inconsistencies between the methodologies used for individual EDNAs. Additionally, it is considered that all of the FEMA EDNAs significantly under-forecast employment requirements. The methodology used should be reviewed, as per Savills recommendations in its Industrial and Logistics Need Assessment, which is PPG compliant and represents industry best practice. It is essential that the employment evidence base provides a true representation of the future requirements of the area. As such an updated EDNA should be produced which addresses the methodology points raised.

The requirements in Policy DS4 ‘Development Needs’ needs to be revised to take into account updated employment needs figures for SSDC and the wider FEMA.

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