

	<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*

2. Agent's Details (if applicable)

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

4. Do you consider the Local Plan is :

(1) Legally compliant	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
(2) Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>
(3) Complies with the Duty to co-operate	Yes	<input type="checkbox"/>	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 NB2 'Biodiversity' on the basis that the proposed wording is not effectively or positively prepared.

NB2 identifies a clear preference for on-site delivery of biodiversity net gain (BNG), as opposed to the provision of BNG off-site. In relation to this point, it is highlighted that on-site BNG is not always the best option in relation to strengthening the district's nature network. On-site provision can lead to small, isolated areas of BNG land, designed primarily to fitted within a development layout. However, an off-site scheme in a strategically valuable area has the potential to make a more substantive contribution to the wider nature network.

Park C of the policy seeks to secure habitat management in perpetuity unless it can be demonstrated this is not possible. It is noted that this requirements goes beyond the 30 year requirement set out in the Environment Act 2021. As such it is considered onerous and a requirement that will be unimplementable in many cases. The policy wording should be in accordance with the Environment Act.

(Continue on a separate sheet /expand box if necessary)

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 requested that parts A and C of Policy NB2 be amended as follows:

a. Delivery of the biodiversity net-gain on-site wherever possible, unless evidence identifies an ecologically preferable off-site solution which would deliver improved biodiversity net gains, ideally within a strategically or functionally favourable location. Delivery of biodiversity net gains should be in a manner consistent with national requirements, ensuring that existing habitats on site are maintained and enhanced as a priority. Where it is demonstrated that this cannot be achieved on site, the required level of off-site biodiversity net-gain must be provided. As a last resort, statutory biodiversity credits may be acceptable.

c. Securing of the habitat in ~~perpetuity. Where it is demonstrated that this is not possible, the habitat must be secured~~ for at least 30 years. This will typically be achieved via a S106 agreement, planning conditions or a conservation covenant.

(Continue on a separate sheet /expand box if necessary)

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