

**Our Ref: HB/KN0033/18**

23 December 2022

South Staffordshire Council  
Wolverhampton Road  
Codsall  
South Staffordshire  
WV8 1PX

Brandon House, King Street, Knutsford,  
Cheshire WA16 6DX  
Tel: 01565 757500  
Email: [knutsford@walsingplan.co.uk](mailto:knutsford@walsingplan.co.uk)  
Web: [www.walsinghamplanning.co.uk](http://www.walsinghamplanning.co.uk)

Email: [localplans@sstaffs.gov.uk](mailto:localplans@sstaffs.gov.uk)

Dear Sir / Madam

**Local Plan Review: Publication Plan (November 2022)  
Land at and adjacent to the Chase Gate, Wolverhampton Road, Cannock**

We are instructed by our client Greene King Brewing and Retailing Ltd to make representations on their behalf, in response to the above consultation exercise. Our comments relate to land at and adjacent the Chase Gate Public House on Wolverhampton Road, Cannock (see attached plan) and specifically, the fact that the land is not included within the settlement boundary of Wedges Mills and is shown as laying within the Green Belt on the revised Proposal Map accompanying the draft Local Plan. We also consider that the land to the north of the Chase Gate should be allocated for housing within the new Local Plan.

The basis of our representations is that the draft plan is unsound as it is not justified; not effective and is inconsistent with national policy.

**Green Belt designation – proposals map**

On the draft Proposal Map that accompanies the emerging Local Plan, the Chase Gate Public House, including its car park and land in my client's ownership to the north of the pub, are shown as excluded from the defined settlement of Wedges Mill and located within the Green Belt. Our client considers that the pub and land to the north (including village hall outside of their ownership) should be included within the settlement boundary of Wedges Mills and that it should not be designated Green Belt. There are a number of reasons for this which are discussed below.

**Relationship with the settlement of Wedges Mills**

Our client's land consists of two separate parcels of land. The southern parcel comprises previously developed land and apart from the small beer garden and a narrow strip of grass in the northeast corner of the car park, consists entirely of built development. The site contains a substantial two storey pub building with a large footprint, front and rear patios and a large car park. It is also further urbanised by the presence of various paraphernalia associated with the use of the site as pub, including signage, floodlighting, patio tables and chairs and children's play equipment. In addition, it is noteworthy that the car park consists entirely of tarmac and is not broken up with landscaping.



Notwithstanding the use of the site as a public house, and the fact that it serves the local community of Wedges Mills and is part of the village, the site feels and appears visually to be part of the built-up area and settlement of Wedges Mills and not part of the surrounding open countryside. The southern boundary of my client's land feels and appears in visual terms to be on the edge of the built-up urban area and it is only beyond this point to the south that one has the sense of moving out of the village and into the open countryside. Having regard to these facts, it is clear that the land should be included within the defined settlement boundary of Wedges Mills and it should not be designated Green Belt.

Regarding the northern parcel of land, whilst this is greenfield and was historically laid out in part as a football pitch (although this does not appear to have been the case for in excess of 7 years and possibly longer), the land still feels part of the built-up area of Wedges Mills and not part of the open countryside. This is largely because of its central location within the village and the fact that it is located between residential dwellings to the north and the pub site to the south. Notwithstanding this fact, it is clearly entirely commonplace to find sites like this within the built-up area of settlements and the greenfield nature of the site and its previous recreational use should not be a reason for its exclusion from the defined settlement. The boundary between our client's land and the owners of the village hall is undefined, but the land containing the village hall and car parking by its very nature should also be included with the defined settlement of Wedges Mills.

Both parcels of land that make up our client's landholding, together with the land containing the village hall and its car park, are directly related visually, physically and in land use terms to the built-up area and settlement of Wedges Mills. They should therefore be included with the defined settlement of Wedges Mills and the settlement boundary moved accordingly. The land feels in no way part of the open countryside, nor does it have a use associated with it and indeed, one only feels to be in the open countryside when beyond the pub's southern boundary. It is also noteworthy that it is the pub's southern boundary that defines the point at which infrastructure of the type one would expect within a settlement begins to be present, this includes such things as footways, street lighting, signage and bus stops.

Having regard to the above, and in order to make the plan sound, the settlement boundary of Wedges Mills should be amended to include land comprising and adjacent to the Chase Gate public house together with land comprising the Village Hall.

### Green Belt

Our clients land currently lies within the Green Belt. However, it is our professional view that it should be removed from the Green Belt.

Government guidance contained in the NPPF states that "*the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence*". It goes on to state at paragraph 138 that the Green Belt serves five purposes:

- To check the unrestricted sprawl of large built up areas;
- To prevent neighbouring towns from merging into one another;
- To assist in safeguarding the countryside from encroachment;
- To preserve the setting and special character of historic towns; and
- To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.



Paragraph 140 also states that “once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified, through the preparation or updating of plans”. It further states that “when drawing up or reviewing Green Belt boundaries, the need to promote sustainable patterns of development should be taken into account”. When defining Green Belt boundaries, plans are required amongst other things to:

- Ensure consistency with the development plan strategy for meeting identified requirements for sustainable development.
- Not include land which is unnecessary to keep permanently open.
- Be able to demonstrate that Green Belt boundaries will not need to be altered at the end of the Plan period; and
- Define boundaries clearly, using physical features that are readily recognisable and likely to be permanent.

Our client considers that their land should be removed from the Green Belt as it does not serve any of the purposes of including land in the Green Belt. The reasons for this are set out below. Furthermore, the land does not meet the fundamental aim of Green Belt land as the land is not open and it offers the potential to meet future development needs over the plan period in a sustainable location.

- *Purpose 1 – checking the unrestricted sprawl of large built-up areas*

The site serves no purpose in checking the unrestricted sprawl of the large built-up urban area of Cannock or indeed, sprawl of the settlement of Wedges Mills. The southern half of the site already contains significant built development and visually appears part of the settlement of Wedges Mills. The redevelopment of the site for an alternative use would thus have no impact in terms of restricting urban sprawl. In terms of the northern half of the site, this is located between existing built development consisting of residential properties and the village hall to the north and the pub site to the south. Any development on the site would thus constitute village infill and visually would appear part of the main urban area of Cannock and Wedges Mills. Critically none of the land is related to the open countryside but rather to the built-up urban area and settlement of Wedges Mills.

The land has very strong, defensible and well-defined boundaries in the form of substantial mature boundary hedgerows. They give the site a robust level of visual containment, such that it is not visible from surrounding vantage points. Were the land to be developed it would be very well screened from the open countryside to the south and east and development would read as forming part of the village of Wedges Mills and urban area of Cannock.

Whilst the Council’s Green Belt Study (2019) concludes that Sub-Parcel Ref S4C contributes strongly to the purpose of checking the unrestricted sprawl of large built-up areas, the assessment considers a much larger parcel of land, most of which consists of open countryside and is in use for purposes associated with the open countryside. Specific consideration should in our view have been given to this particular land parcel given its current use, which is directly linked to the settlement of Wedges Mills and is entirely different to the remainder of this wider parcel of land and had this been done, we believe it would have been concluded that the land serves no purpose in checking the unrestricted sprawl of the main urban area.



- *Purpose 2 – Preventing the merging of neighbouring towns*

The land serves no purpose in preventing neighbouring towns from merging. This is confirmed by the Council's Green Belt Study (2019) and the assessment of Sub-Parcel Ref S4C against this purpose of including land in the Green Belt. Specifically, the assessment concludes that with regard to the role of the land in preventing neighbouring towns from merging it "*plays no significant role due to the distance between the Cannock Built up area and Stafford, its nearest neighbouring town*"

- *Purpose 3 – safeguarding the countryside from encroachment*

The site does not display the characteristics of land in the open countryside and is not used for a purpose associated with the open countryside. The southern part of the land comprises almost entirely of built development consisting of a substantial two storey building operating as a public house, together with an extensive car park, whilst the northern part of the site is an overgrown area of currently unused grassed land which was last used for sport and recreation many years ago. Furthermore, the land is unlikely to be used for an open countryside purpose in the future. Accordingly, it cannot in our view be said that the designation of the land as Green Belt assists in safeguarding the countryside from encroachment.

As with purpose 1, the Green Belt study concludes that Sub-Parcel Ref S4C plays a strong role in safeguarding the countryside from encroachment. Whilst this is a fair assessment with regards to large parts of Sub-Parcel S4C where land clearly comprises open countryside and is used for a purpose associated with the open countryside, this simply cannot be said with regard to my client's land.

- *Purpose 4 – Preserving the setting and special character of historic towns*

Neither Wedges Mills or Cannock are historic towns and as such, the site serves no purpose in this regard. This is confirmed by the Council's Green Belt Study (2019) and the assessment of Sub-Parcel Ref S4C.

- *Purpose 5 – Assisting in urban regeneration*

Designation of the land as Green Belt serves no purpose in assisting and supporting urban regeneration and encouraging the recycling of derelict and other urban land. There are number of reasons for this.

Firstly, half of the land comprises previously developed land in any event and thus without its Green Belt designation is the type of land to which new development and in particular, housing should and would be directed. Secondly, to a passer-by the land forms part of settlement of Wedges Mills, which itself is an extension of the main built up area of Cannock. The site is also located in a highly sustainable location and is the type of land to which new development should be directed.

The Council's Green Belt Study (2019) assesses all parcels of land within Sub-Parcel S4C to make a strong contribution to the purpose of assisting urban regeneration, however this is simply not correct as my client's land cannot be said to make a strong contribution to this purpose of including land within the Green Belt.



Having regard to the assessment set out above, it is our professional view that our clients land, comprising the Chase Gate public house, together with land to the north of the pub makes no contribution to the five purposes of including land within the Green Belt. Accordingly, there are no valid planning reasons for it to be retained within the Green Belt.

The Green Belt Study Addendum 2022 attempts to look in more detail at a number of areas of Green Belt, including Parcel S4C which our clients land falls within, presumably in response to criticism raised at the Preferred Options stage that the Council have taken a too general and high level approach to reviewing parcels of land and whether they should be removed from the Green Belt. With regard to our client's land, the Addendum Report acknowledges that development of the site would result in less harm to the Green Belt than the development of surrounding land (other land in parcel S4C) with it being assessed as likely to have moderate – high harm to the Green Belt rather than high or very high harm. Whilst this is welcomed, our client disagrees very strongly with this assessment and for the reasons set out above considers that any harm would be very low. No information is also provided as to how this conclusion has been reached, including details of the assessment of the site against the five purposes of including land within the Green Belt.

Our client thus maintains that their land should not be designated Green Belt and therefore that as part of the preparation of the new Local Plan it should be removed from the Green Belt and incorporated into the settlement of Wedges Mills. To not do so would render the Plan unsound on account of it not being justified, effective or consistent with national policy.

The NPPF requires that exceptional circumstances are demonstrated to justify removing land from the Green Belt and amending the Green Belt boundary. It is worth stating at this point, that its poor performance in terms of the Green Belt purposes is, in our view, exceptional circumstances in its own right to justify the lands removal from the Green Belt, particularly in circumstances such as this where it is accompanied by other exceptional circumstances. Notwithstanding this fact, the Council are under significant pressure to find additional land for housing both to meet South Staffordshire's need but also the need of adjoining boroughs. Our clients land offers an opportunity to deliver much needed additional land for housing in a highly sustainable location on the edge of the built-up urban area. This represents further exceptional circumstance which justifies the removal of the land from the Green Belt.

### **Allocation for Housing – Policy DS4 and Proposals Map**

It is our client's view that land to the north of the Chase Gate Public House on Wolverhampton Road, Wedges Mills should be allocated for housing as a small / medium sized housing site in the emerging Local Plan in accordance with paragraph 69 of the NPPF. This requires LPAs to “*identify, through the development plan and brownfield registers, land to accommodate at least 10% of their housing requirement on sites no larger than 1 hectare, unless it can be shown, through the preparation of relevant plan policies, that there are strong reasons why this 10% target cannot be achieved.*” It is noted that as currently drafted, the plan only allocated 7 sites of less than 1 hectare and that these sites would only deliver 124 dwellings and significantly less than the 10% required by paragraph 69 of the NPPF. Accordingly, the plan does not comply with the NPPF and thus must be considered unsound.

Notwithstanding the above, both the housing strategy and policies contained within the plan are also considered unsound on account of them not being positively prepared or justified. In particular, it is considered that the Council have not robustly demonstrated that the housing requirement for the Plan period can be met.



The Plan sets out a housing requirement of 9089 dwellings for the plan period, but total supply from existing planning permissions and allocations will only deliver 7984 dwellings resulting in a shortfall of 1,100 dwellings. Whilst an allowance has been made for 600 dwellings coming forward via windfall sites, thus reducing the shortfall to 500 dwellings, no evidence has been provided to justify this windfall allowance. Furthermore, meeting the housing requirement is heavily reliant on the delivery of two strategic sites over the Plan period, which will provide 2,400 dwellings (28%) and all existing planning permissions totally 2724 dwellings (32%) coming forward.

In addition, it is noted that the Council appear to be relying on some housing over the Plan being delivered from safeguarded land. Table 8 of the Plan identifies 1604 dwellings coming from safeguarded land over the plan period. However, no details are provided of these sites nor are they identified on the proposals map. The sites do not appear to have been subject to appropriate scrutiny and comparison against other sites and their inclusion gives the impression of the housing requirement being exceeded when in actual fact there is a clear shortfall.

Having regard to the above, it is our client's view that additional land should be allocated for housing within the Plan to ensure the housing requirement will be met. Furthermore, additional small sites should be allocated in order to comply with the NPPF's requirement for 10% of the housing requirement being delivered from small sites of 1 hectare or less, particularly given the heavy reliance being placed on two strategic sites. It is our client's view that their land should be allocated housing for the reasons set out below.

The site is located in a highly sustainable location on the edge of the built-up area of Cannock. The development of the site for housing would be entirely appropriate having regard to its location, context and adjoining development, which consists of existing housing to the north and west and the pub to the south. Furthermore, apart from its Green Belt designation, which we consider should be removed, the site is not subject to any other insurmountable constraints. Whilst it is not currently part of the defined settlement of Wedges Mill, it is considered that it should lie within the defined development boundary (along the Chase Gate public house), as the land appears visually as part of the village. It is also within walking distance of the main urban area of Cannock and well located in relation to local retail provision and services and community facilities as well as public transport. The site is within Flood Risk Zone 1 and not at risk of flooding and it is not subject to any other insurmountable constraints which would prevent the site being developed for housing.

The site is available, suitable and viable for residential development and could deliver up to 50 dwellings within a relatively short period of time. Whilst means of access is currently via the village hall car park, it is considered that an alternative means of access to the site is readily achievable either directly from Wolverhampton Road or through the pub site. There are no trees within the site and existing mature boundary hedgerows and trees could be retained as part of the development.

Although part of the site was laid out as a football pitch many years ago, it has not been used for sport and recreation for a long time (in excess of 7 years) and it has never been allocated as public open space or playing fields. The land is in private ownership and there is no landowner consent for the public to use the land.

The land was promoted for housing in the Council's 2018 'Call for Sites' consultation due to its sustainable location and relationship with both the settlement of Wedges Mills and the main urban area of Cannock. In the SHELAA 2021 the site is given Ref. 624 and is described as follows: "*the site is directly adjacent the Wedges Mills development boundary which is effectively an extension of the Cannock*



urban area". It is highly relevant to these representations that the SHLAA concludes that the site is "potentially suitable for housing but subject to policy constraints". This suggests that were the site removed from the Green Belt, which we think is wholly appropriate and justifiable, then it would be an appropriate site for new housing over the Plan period.

Having reviewed the Council's Housing Site Selection Topic Paper 2022 which conflicts with the SHLAA, it is clear that the Council agree that the site is not subject to any significant constraints. Whilst initial concerns have been raised by highways, they have not undertaken a detailed assessment and it is our clients, view that a safe and suitable means of access to the site can be provided, including potentially through using some of the current pub car park.

Seemingly, the reasons why the site has been rejected is due to the distance to education provision, harm to the Green Belt and the spatial strategy not proposing new housing on the edge of the main urban area of Cannock. The latter seems somewhat perverse as it is surely preferable to provide new housing on the edge of an urban area than other less sustainable locations. With regard to education provision, there is a primary school (Longford Primary) a short distance to the northeast. In terms of the Green Belt, the land is entirely self contained and very clearly does not meet the purposes for including land within the Green Belt. Given the housing need, its removal from the Green Belt is fully justified.

## Conclusion

To conclude, our client considers that land at and adjacent the Chase Gate Public House on Wolverhampton Road, Cannock should be removed from the Green Belt and brought within the settlement boundary for Wedges Mills. Our client further considers that land to the north of the Chase Gate public house, which currently comprises an area of overgrown grassland, should be allocated for housing within the emerging Local Plan.

We consider that without these changes the Plan, as currently drafted, is unsound and is not justified; not effective and is inconsistent with national policy.

We trust that the information contained in this letter will be taken into account and the necessary changes made to the Plan. Our client would welcome the opportunity to discuss the site and contents of this letter with you in more detail with you. However, in the meantime, if there are any queries or you require any additional information, please do not hesitate to contact me.

Yours faithfully



Helen Binns BA(Hons), MTPL, MRTPI  
**Principal Consultant**  
[helen.binns@walsingplan.co.uk](mailto:helen.binns@walsingplan.co.uk)

Enc Site location Plan

Cc Owen Ellender, Greene King Brewing and Retailing Ltd

