



Local Plan
 Publication Stage
 Representation Form

Ref:

**(For
 official
 use only)**

**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"/>	Mr
First Name	<input type="text"/>	Michael
Last Name	<input type="text"/>	Davies
Job Title (where relevant)	<input type="text"/>	Planning Director
Organisation (where relevant)	CWC Group - Clowes Developments	Savills
Address Line 1	<input type="text"/>	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 3AA
Telephone Number	<input type="text"/>	07967 555 548
E-mail Address	<input type="text"/>	mpdavies@savills.com



(where relevant)

Part B – Please use a separate sheet for each representation

Name or Organisation: **Savills (on behalf of CWC Group - Clowes Developments)**

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

Paragraph	<input type="text"/>	Policy	<input type="text" value="NB6: Sustainable Construction"/>	Policies Map	<input type="text"/>
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4. Do you consider the Local Plan is :

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

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.

Clowes objects to the policy NB6, because it is not in accordance with national policy, or justified. This Policy states that major developments must achieve a minimum 63% reduction in carbon emissions for each dwelling by on-site measures compared to UK Building Regulations through fabric and energy efficiency measures as well as on-site renewable energy regeneration. These requirements are considered to be over and above the requirements of PPG which states that Local Plans "can set energy performance standards for new housing or the adaptation of buildings to provide dwellings, that are higher than the building regulations, but only up to the equivalent of Level 4 of the Code for Sustainable Homes" (Reference ID: 6-012- 20190315).

The Sustainable Construction and Renewable Energy Topic Paper (November 2022) makes assumptions on whether standards above the Part L Building regulations can be used and reference is made to other local authorities who have adopted policies above Level 4 standards (although the names of the authorities have not been quoted). plans are examined on a case by case basis. Therefore, other plans may have been found sound with policies requiring energy performance above the Part L standards but this should not mean that every local plan can proposed requirements which are contrary to national guidance. The viability of these authority areas if they are in the South East would likely be greater than Worcestershire.



The PPG also states that if a Council is "considering policies on local requirements for the sustainability of other buildings, local planning authorities will wish to consider if there are nationally described standards and the impact on viability of development" (Reference ID: 6- 009-20150327). The Viability Study 2022 has assumed a +7% increase on build costs for houses and +4% build cost for flats to meet these targets. Given Policy NB6 is proposing requirements much greater than existing regulations, further clarity is sought on the assumptions made in the Viability Study and where the costs have been taken from.

(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.

As set out in our response to question 5, further justification is required in relation to the requirements set out in policy NB6. Further justification is particularly required in relation the viability of these requirements. If this is not forthcoming, then the policy should be amended to remove these requirements as they are unjustified.

(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 oral evidence and engage in the Examination discussions on this matter.

***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