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Dear Sir/Madam

SOUTH STAFFORDSHIRE LOCAL PLAN REVIEW (Publication version)
Formal Representations on behalf of Hallam Land Management
Promoting housing land at Sandy Lane, Codsall – Site 222.

Introduction.

I am writing to you on behalf of Hallam Land Management Ltd to make formal representations on the South Staffordshire Local Plan Review (Publication version) which is currently out for formal public consultation, before the Council decides whether and when to submit the plan to the Planning Inspectorate which will formally test its soundness.

We congratulate the Council for pressing ahead with the Local Plan review when so many local authorities are deferring or withdrawing their Local Plans due to the current uncertainty and confusion surrounding the current planning system – especially in view of the Secretary of State's most recent 'Written Ministerial Statement' issued on 7th December 2022 and with their impending 'Planning Prospectus' promised before Christmas.

An up-to-date Local Plan is a vital tool in setting a clear vision for the District, for planning ahead and for integrating economic growth and housing provision (alongside the many other land use and policy issues), and choosing the best locations for future development. It is critical both to satisfy peoples' genuine and broad ranging needs for housing and to ensure that homes are built in the right places. As we explained in our joint meeting (held virtually on Thursday 1st December 2022) we are not convinced that the Council has entirely achieved these objectives and therefore the Plan falls short on the basic tests of soundness.

We consider that **the Hallam Land site at Sandy Lane, Codsall** (site 222) which has been the subject of discussions with officers over a long period of time, overs an ideal location for housing which is a sustainable site and fully consistent with national and local policy.

Company Number 9395504

Representations to the Publication South Staffordshire Local Plan.

Our submission to the Publication Plan is therefore composed of:

1. Formal Representations to the South Staffordshire Publication Plan,
2. A separate Addendum report highlighting the merits of the Sandy Lane site.
3. The Concept/Vision Plan for the Sandy Lane, Codsall site (Site 222),
4. Two extra plans showing provision for a potential new First School on-site.

1. South Staffordshire in context.

South Staffordshire is unusual in geographical and functional terms in that:

1. It is a rural District which wraps around the north-western edge of the West Midlands conurbation and comprises villages, both large and small, surrounded by open countryside. It has no established focus or town centre and hence has no real route focus or centre of gravity. Codsall serves as the administrative centre.
2. The District of South Staffordshire has 80% green belt coverage. This serves a wider function in protecting the Birmingham and Black Country conurbation from peripheral development and urban sprawl whilst providing a vital green lung which is critical to supporting South Staffordshire's climate emergency. In practice there are few opportunities for development in SSDC which are not designated as green belt, so it is important to select the right sites according to the NPPF criteria and above all prevent damaging coalescence with the Black Country.
3. South Staffordshire is heavily dominated by the Black Country towns, which closely border the edge of South Staffordshire on its south and east sides. These provide the economic lifeblood of southern Staffordshire as well as the employment and shopping destination for many of south Staffordshire's residents (at least those who still go out to do their shopping!). This symbiosis is an important factor in SSDC's growth. SSDC needs to therefore assist in providing for the Black Country's needs.

The upshot of this economic geography is that if South Staffordshire is to retain its identity whilst supporting the Birmingham and Black Country's natural need to grow and expand, it is crucial that a variety of sites are found in the right places to accommodate growth, but that development is not permitted which allows coalescence of South Staffordshire communities (such as between Bilbrook and Codsall and nearby Wolverhampton). This would simply undermine green belt policy and render South Staffordshire to become simply a suburb of the West Midlands conurbation.

Without the continued separation of the traditional South Staffordshire village communities (such as Codsall and Bilbrook) from the Black Country, there would be little point in retaining South Staffordshire District as a separate entity and it could ultimately disappear, falling prey to a future local government boundary review.

Against the background set out above, it is important that South Staffordshire plays its full part in catering for the development needs of Birmingham and the Black Country so that a wide portfolio of sites can be delivered in the most sustainable way which doesn't simply involve stretching the boundaries of Wolverhampton and Walsall which would be contrary to green belt policy.

2. Strategic Planning framework & Duty to Co-operate.

South Staffordshire sits on the edge (but not a part of the West Midlands Conurbation). It does however form part of the wider West Midlands housing market. At the national level, the Secretary of State for Levelling Up and Communities has made it clear (very recently) that the Government still has ambitions to deliver 300,000 new homes per year by the mid 2020's. This was endorsed by the Housing Minister, Lucy Frazer, during the LURB debate in Parliament on 13th December 2022. This is a challenging target.

However, national housing output which stood at 241,000 in 2019/20 has since shrunk back to 222,000 during 2020/21 with planning permissions, starts and completions all now falling. This trend is doubtless being exacerbated by uncertainties within the planning system. Policy within the NPPF is clear that local authorities need to significantly boost the supply of sites for new housing. If we are to meet the growing pressures for housing, Councils will need to allocate substantially more housing land – and that includes within areas such as South Staffordshire which are close to heavily built-up areas, where there is a need for homes and jobs but where opportunities are tightly constrained by green belt as well as technical and ground conditions. This is also entirely consistent with the Government's 'Levelling Up' agenda where the DLUHC is committed to investing in less prosperous areas such as the West Midlands conurbation in order to boost growth and equalise opportunities.

As paragraph 3.1 of the Plan acknowledges, the West Midlands Combined Authority (perhaps strangely) has no strategic planning powers despite the presence of a Metropolitan Mayor. Consequently, strategic planning across the West-Midlands Metropolitan Area must be resolved by all the local authorities working together. Paragraph 3.6 of the Publication Plan indicates that the West Midlands authorities have long been working together help deliver the homes which are needed across the sub-region. (In the past, this also involved the private sector working in full partnership with local authorities. Currently this tends to happen behind closed doors).

The Council's comprehensive 'Duty to Co-operate paper 2022' explores in some detail the relationships between South Staffordshire and the rest of the West Midlands Conurbation. Paragraph 5.3 highlights the fact that the 2017 Birmingham Development Plan (BDP) established a substantial unmet need of 37,900 dwellings from Birmingham by 2031. The BDP indicated that the City Council would progress a joint study to provide a strategy. Meanwhile, the first consultation on the Black Country's emerging Draft Plan established an unmet need of 21,670 dwellings, which the most recent (August 2021) Draft Plan now indicates has risen to 28,239 dwellings, amounting to more than a 65,000 dwelling shortfall. The GBHMA Strategic Growth Study 2018, concluded that there was a 60,000 dwelling shortfall up to 2036 generated both by Birmingham and the Black Country. The Council's Duty to Co-operate paper indicates in paragraph 5.6 that *'no Duty to Cooperate body has yet prepared or achieved agreement to the principle of an alternative GBHMA-wide evidence base'*. Paragraph 5.7 indicates that the authorities are now working together to agree an update to the 2018 position and this will be available next summer. We welcome this.

The gesture to assist the Black Country by providing housing for an additional 4,000 homes (over and above its locally-based needs) is the embodiment of this Duty to Co-operate relationship. Paragraph 5.6 of the Duty to Co-operate report suggests that there has been wide support from other authorities for this contribution. However, the shortfall indicated by the GBHMA Strategic Growth Study 2018 is likely to increase and we feel that this may well have future implications on South Staffordshire.

Birmingham City Council has claimed in its more recent Monitoring Updates that it has reduced its 38,000 shortfall as a result of achieving greater housing densities within the City Centre and allocating additional housing land within the Perry Barr area to serve the Commonwealth Games. However, in October 2022, the Council published a Birmingham Development Plan Review; Issues and Options Paper in which it calculates an annual requirement of **7,136 homes**, according to the Standard Method, 60% higher than the Birmingham DP average figure of 4,450 dwellings (based on their former gross 89,000 requirement). This is influenced in part by the 35% uplift imposed by the Government in December 2020 which arbitrarily focused more homes on the 20 largest towns and cities in the country. The shortfall in the West Midlands HMA therefore looks set to grow markedly.

The Council emphasises in its letter to the ABCA that it sees no specific distinction between the needs for the Black Country and the needs to Birmingham, essentially the West Midlands conurbation is a single large housing market area. SSDC has therefore rejected 'ring-fencing' its 4,000 dwelling contribution to the Black Country alone. The scale of SSDC's housing contribution will therefore need to be tested within the forthcoming Local Inquiry.

3. The specific implications of the Strategic Growth Study on South Staffordshire.

South Staffordshire DC indicates both within the Duty to Co-operate Topic Paper 2022 and also its letter dated 6th June 2022 to the Association of Black Country Authorities (ABCA) that it supports and upholds the recommendations of the GBHMA Strategic Growth Study 2018. Paragraph 5.15 of the GBBCHMA Development Needs Group 'Draft Statement of Common Ground dated August 2022' (which is contained within the Council's Duty to Co-operate statement 2022, states that '*The Council's (SSDC) position was that if all the authorities within the GBBCHMA delivered the locations proposed by the GBAHMA SGS then shortfall (including up to 2036) would be met, in line with paragraph 1.102 of the study*'.

As paragraph 5.14 of that report spells out, those proposals in the Strategic Growth Study 2018 prepared by GL Hearn/Wood are, in relation to South Staffordshire DC:

- Urban extension (1,500 dwellings minimum) north of Penkridge,
- Employment-led strategic development (1,500 dwellings minimum) in vicinity of i54/J2 of M54,
- **Proportionate dispersal (500 dwellings minimum) north of Codsall/Bilbrook,**
- Proportionate dispersal (500 dwellings minimum) on the western edge of the conurbation.

These areas of search are also within Appendix 2 of the Duty to Cooperate Paper 2022 which is attached to these representations. **Note the highlighting.**

The Council is implementing three of the four recommendations of the SGS within their current Publication Plan. However, the proposal for '***Proportionate dispersal north of Codsall/Bilbrook***' (which is highlighted in bold type above) paradoxically, is not being incorporated within the Publication Plan. This location broadly encompasses the Sandy Lane site, controlled by Hallam Land Management, (site222) and other land to the north. Instead, the Council is delivering land to the east and south. The Council is therefore not only failing to deliver on the Strategic Growth Study recommendations, it is also contradicting its own statement in paragraph 5.15 of the Draft Statement of Common Ground, exhorting all other authorities to follow the recommendations of the SGS to help meet the GBBCHMA shortfall.

The letter from SSDC to ABCA dated 6th June 2022, also refers to Request 2 from the ABCA in saying ‘South Staffordshire has engaged with the findings of the 2018 Strategic Growth Study from the earliest stages of its Local Plan Review to ensure that it makes an appropriate contribution to the unmet needs of the GBHMA, including the Black Country’.

However, it then presents a spreadsheet within the letter (see attached page 3) which refers to ‘**Proportionate dispersal: North of Codsall/Bilbrook**’, but describes this as:

‘1673 dwellings in Codsall/Bilbrook’ – which it says ‘**This requires significant green belt release and aligns growth to levels discussed with the Education Authority to ensure the delivery of a First School needed in the area**’. **This area is not north of Codsall/Bilbrook.**

The area being described does not fit the description in the SGS but is an extension of the previous allocation ‘**East of Bilbrook**’ which extends up to the border with Wolverhampton. The Council’s letter is therefore fundamentally misleading, as are other references to the Council’s acceptance of the Strategic Growth Study recommendations.

Furthermore, the Council has indicated both within this letter (and elsewhere) that the scale of the development ‘east of Bilbrook’ is consistent with the requirements for a new First School. Whilst the Council may have adopted a so-called ‘Infrastructure Led’ approach to development, it is completely illogical to determine the number of houses in a strategic location simply to meet the ambitions of the Education Authority to build a new school. This is simply putting the ‘cart before the horse’. In any event, we understand that Bilbrook Parish Council has previously expressed the view that the current school is adequate to serve the purpose without the addition to the urban extension.

Hallam Land Management were not contacted about the desire by SSDC to provide a new First School on their site – although since the Sandy Lane only extends to 125 dwellings and St Nicolas First School is close-by – there would have been no justification to seek provision for a new school. Notwithstanding this, we have produced draft plans showing how a First School could be incorporated on the site and still deliver around 115 new homes.

In our view, the Council should follow the recommendations of the Strategic Growth Study 2018 and locate growth to **the north of Codsall/Bilbrook** where green belt is less sensitive, as it did in releasing the Water Lane site (now completed) which lies adjacent to the Sandy Lane site. This would be more consistent with NPPF Green belt policy criteria which warns against coalescence and urban sprawl.

Furthermore, it is our view that the Council should also seek to:-

- deliver a wider range of smaller sites which are more likely to deliver the range of homes needed to meet peoples’ varying housing requirements,
- help more smaller SME builders enter the market (or retain their foothold in the market) rather than simply catering for the volume builders. This is clear Government policy.
- spread development to a wider range of locations which are likely to be more consistent with green belt policy and less likely to create coalescence with Wolverhampton, as the ‘East of Bilbrook site will undoubtedly do.
- Review the Council’s housing provision in Codsall/Bilbrook which as a Tier 1 settlement and the main administrative focus of South Staffordshire, so that it becomes a stronger focus for development.

4. The conflict of the SSDC Publication Plan with Green belt policy.

South Staffordshire District is in a difficult position with so few urban settlements and so much green belt coverage, 80% of its area. Government policy discourages the release of green belt land, except in exceptional circumstances, but the need for additional housing has been demonstrated to be a justified 'exceptional circumstance' if basic needs are to be met. Contrary to popular view, green belt is not an **environmental or a landscape** designation. It is a **spatial** policy intended to restrict uncontrolled sprawl and coalescence of towns and settlements and to ensure that the green belt still serves its purpose - consistent with the 5 'purposes' for green belt designation spelled out within the NPPF, which are in summary:

- Checking the unrestricted sprawl of urban areas,
- Preventing neighbouring towns from merging,
- Assisting in safeguarding the countryside from encroachment,
- Preserving the setting and special character of historic towns,
- Assisting in urban regeneration by encouraging recycling of derelict & urban land.

The GL Hearn/Wood Strategic Growth Study 2018, specifically explored the capacity and scope of the West Midlands green belt to accommodate strategic sites to absorb the growth needs of Birmingham and the Black Country measured against the 5 criteria. In doing so, it explored the more sensitive areas around the conurbation which are particularly vulnerable to the first three green belt criteria set out above.

Significantly, paragraph 8.39 (page 170) of the SGS picks out the strategic separation area between **Wolverhampton and Codsall/Bilbrook as being 'notable'**. This is precisely the area which South Staffordshire proposes to lose to development as a result of the extension of the Strategic Urban Extension at Policy **SA1 'East of Bilbrook'**. The study also highlights the risk to local separation between Wolverhampton and Codsall/Bilbrook in terms of possible employment development in Table 47. (page 8.114). **There is no doubt therefore that this was not the area which the Strategic Growth Study had in mind for development.**

In contrast, the Study highlights in paragraph 8.121 '**the area the north of Codsall/Bilbrook**' (Location PD2) as having potential for strategic growth without significant impact. The report states:

• To the north of Codsall/Bilbrook (Location PD2) There would be a limited likely significant strategic effect in this location, being part of edge-of conurbation development which is generally well contained. There are containment (and local separation) issues to the east of Codsall (as both opportunities and challenges) which would have to be considered as part of any detailed local assessment.

Table 48 also refers to '**the area north of Codsall/Bilbrook**' on page 199 as having the potential for strategic growth.

The SSDC Site Allocations Document 2018 also committed the Council to undertaking a joint Green Belt Review with the neighbouring Black Country authorities. This was undertaken by consultants, LUC, in 2019, using a consistent cross-boundary methodology, which the Council say informed the spatial options set out in South Staffordshire District's 2019 Spatial Housing Strategy & Infrastructure Delivery consultation. The Council go on to state that this has also influenced the site selection process in the Publication Plan.

However, the LUC report **does not** point to the allocation and extension of the land 'East of Bilbrook' which now appears within Publication Plan Policy SA1 either. This confirms the conclusions of the LUC Method Statement (January 2014) which indicates that Parcels 1 and 3 to the **east of Bilbrook** make a considerable contribution to the purposes of green belt.

The site of the major Strategic Urban Extension at '**East of Codsall/Bilbrook**' (Policy SA1.) for 848 dwellings, emerges from the 2019 LUC report as having:

- a '**strong**' impact on the green belt (in Figure 5.1a in terms of '**unrestricted sprawl**'),
- a '**moderate**' impact on the green belt (in Figure 5.2a in terms of preventing the merging of neighbouring towns) and
- a '**strong**' impact (in Figure 5.3a in terms of safeguarding the countryside) – although in fairness the whole of the green belt within South Staffs DC has this designation.

These are fundamentally serious and damaging conclusions which endorse the conclusions of the 2018 Strategic Growth Study and emphasise that the extension of the area 'East of Bilbrook' site is especially vulnerable because it would effectively join the narrow gap between Codsall/Bilbrook and Wolverhampton. Clearly, the willingness of the developer to provide a new First school (which would need to be done anyway for a development of that size), should be completely irrelevant – and is quite rightly not mentioned in either study.

In contrast, the Sandy Lane site, which Hallam Land Management is promoting, is much smaller, has less impact (and was identified as part of a suitable strategic site within Location PD2 of the 2018 Strategic Growth Study). Yet this area has been consciously overlooked.

Comparing its status within the LUC report shows that the Sandy Lane site has:

- only a '**moderate**' rating within Figure 5.1a in terms of 'unrestricted sprawl',
- is regarded as '**moderate**' within Figure 5.2a in terms of preventing the merging of neighbouring towns and
- a '**strong**' impact in terms of safeguarding the countryside (although again, every part of green belt within South Staffs has this same 'strong' designation).

Indeed, since it is a much smaller site than 'East of Bilbrook' the impact, in all 3 respects, would be much less and unlike the 'East of Bilbrook' site, there is no danger of coalescence with Wolverhampton – or indeed with anywhere else.

Consequently, we are not convinced that the findings of the LUC Green Belt study have been properly reflected in the sites chosen by the Council. The other sites south of Codsall including 'land adjacent to Station Road' (site 224) are similarly exposed and arguably contrary to the standard green belt criteria both within the NPPF and the LUC report.

Green belt criteria are critically important when considering release of potential sites to ensure that any new housing sites do not undermine the integrity of the green belt – or the settlements within it. South Staffordshire has a difficult problem in choosing land to allocate since so much land is designated as green belt within the District. But above all, in reviewing the green belt – including determining green belt boundaries – it is vital to ensure that sufficient scope has been left to meet legitimate development needs and cater for the local economy. **We are not convinced that this has been achieved within the Publication Plan which we consider renders it unsound.**

5. Development Strategy.

Objection to Policy DS1: Green Belt – Unsound on grounds of conflict with national policy.

For reasons outlined above, in section 4 of my representations on Green Belt conflict, we **object to Policy DS1** and specifically the proposal within the policy to alter the green belt to accommodate Policy SA1 '**Land East of Bilbrook**', since we regard this as fundamentally contrary to the national green belt policy criteria within the NPPF relating to coalescence of the proposed urban extension with the adjoining Black Country conurbation. We don't regard the choice of extending the 'East of Bilbrook' site as being consistent with green belt criteria and hence it cannot meet the 'exceptional circumstances' tests within the NPPF.

On the other hand, we consider that the site at **Sandy Lane, Codsall** (area 222) could meet the exceptional circumstances test since it scores better within the LUC Green Belt report and has a lesser impact on the green belt both in terms of its size, character and location and does not run the risk of causing coalescence. (We have expanded on this with a **separate addendum report** which draws a comparison between the merits of the key sites).

Holding objection to Policy DS4: Development Needs; - Unsound on policy grounds.

Paragraph 5.8 of the Publication Plan indicates that '*A key part of the new Local Plan is to establish the role that South Staffordshire council can play in meeting both its own housing needs and those of the wider Greater Birmingham and Black Country Housing Market Area (GBBCHMA), which contains local authorities with significant unmet housing needs*'.

Hallam Land Management welcome the 4,000 dwelling contribution to the West Midlands Metropolitan Area. This figure arises out of joint work carried out by the West Midlands authorities (including South Staffordshire DC), which we have discussed above (within part 2 of this submission in relation to the Strategic Planning Framework and Duty to Co-operate). However, the shortfall in housing across the West Midlands conurbation and especially the Black Country is a constantly moving target as plans look further ahead and sites become occupied over time. Furthermore, there is every possibility that the Secretary of State's 'Planning Reform Prospectus' which is expected within days (and certainly before Christmas) may contain advice which re-balances housing delivery towards the less prosperous parts of Britain and therefore possibly the West Midlands.

Already Birmingham has a much higher housing target of 7,136 dwellings per year as a result of the shift in 35% emphasis towards the 20 largest towns and cities. Wolverhampton is also caught by this boost in expectations. Birmingham had a shortfall of 37,800 in 2018. This has since been whittled down by contributions from other authorities but still remains very high. Paragraph 5.11 of the Publication Plan refers to a GBBCHMA shortfall of 61,000 at 2036. Quite separately, the Black Country claims a shortfall of 28,239 homes to 2039 We therefore feel that our support for this figure must be provisional and we therefore wish to lodge a **holding objection** on Policy DS4 and the proposal for **9,089 dwellings from 2018-2039** until the wider picture is clearer and certainly until the future South Staffs Local Plan Inquiry.

Turning to the distribution of housing, as paragraph 5.19 indicates, the 2019 Spatial Housing Strategy explored a number of areas for potential growth. It referred to the GL Hearn/Wood 2018 Strategic Growth Study, but as indicated above, did not follow the advice of the SGS in relation to the location of strategic growth adjacent to Codsall/Bilbrook. This shortcoming is not properly explained within the Publication Plan.

Holding objection to Policy DS5: The Spatial Strategy to 2039. Unsound on grounds of conflict with national policy within NPPF.

Hallam Land Management has no fundamental objection to the provision of 5,089 dwellings plus a contribution of 4,000 dwellings to serve the Birmingham and Black Country HMA – (provided that this can be regarded as a provisional level of housing). This depends upon the outcome of proposed changes to national policy and especially the derivation of housing numbers through any change in housing numbers methodology. It is quite feasible that additional housing may be expected from areas in the Midlands and North as a result of the Government's Levelling Up policy.

We also support the principle of targeting the most sustainable locations for development against a background where around 80% of the District is classified as Green belt in SSDC. Hallam Land are also content with the designation of Codsall/Bilbrook as a Tier 1 settlement which should attract the highest quantity of development, although despite Codsall being the administrative centre of South Staffordshire its overall contribution is relatively modest.

We are concerned however that the Council say in paragraph 5.65 that they have adopted an overtly '**infrastructure led**' policy. This seems to steer allocated sites to those locations where infrastructure can more easily be sought from developers - by virtue of their size – and through S106 agreements. This is not necessarily sound planning practice for four key reasons:

Firstly, because it introduces a new 'financially-led' criterion which may well conflict with the objectives of achieving sustainable development. Normally the money received by Councils from developers of large sites is derived quite appropriately through S106 agreements subject to viability – but money should not actually steer the choice of sites,

Secondly, the upshot of this is that (as with the sites at Codsall/Bilbrook) the selection methodology is clearly being influenced by whether a developer is prepared to offer a school or not. The 'cart is being led by the horse'. This is fundamentally wrong and could quite easily be misinterpreted by the public as a bidding process (or worse),

Thirdly, it tends to steer local authorities towards large sites (favouring volume builders) rather than offering a portfolio of smaller sites which may give more choice and tend to be in the hands of smaller SME builders who Government and Local Authorities claim they are keen to help. Planning policy has had a major impact on the change in the structure of the building industry over the last 10-20 years because of size site. The Government has just launched an inquiry into this by the Competition and Markets Authority (CMA).

Fourthly, the consequence of the 'infrastructure led' approach is that other more critical planning issues (such as impact on the green belt) are being traded-off against the offer of a First School which is wholly contrary to planning policy. The Site Selection Topic Paper makes it clear that the 'East of Bilbrook' site would impose much greater harm than other competing sites and would result in serious coalescence with urban areas. The entry for site **519 (east of Bilbrook)** which relates to '**Green belt harm**' states:

'The vast majority of the site's Green Belt area is identified as having high harm, with a small part of the site to the south identified as very high harm. An allocation of up to approximately 38ha could be delivered without encroaching on areas of very high harm.'

Objection to Policy SA1 Strategic Development Location: Land east of Bilbrook.

It is logical that it Codsall and Bilbrook should be one of the main locations for development, but we are not convinced that SSDC has chosen the right sites for housing development. We specifically object to Proposal SA.1 the extension of the 'East of Bilbrook' site. The site extends to nearly 40ha and includes two previously safeguarded sites (443) and (209) from the previous Site Allocations Plan which extend to a total of 12.5ha and account for around 300 houses, therefore roughly **a further 550 homes** are proposed in this plan to reach 848.

The reasons for our concerns about Proposal SA1 'East of Bilbrook' extension are spelled out below and are also within our general comments on green belt, (above) and also in a separate detailed Addendum which compares the option sites within Codsall/Bilbrook;-

- That it is contrary to green belt policy which specifically guards against coalescence of settlements with main towns and cities – in this case the effective merging of Bilbrook with the edge of Wolverhampton. This 'harm' is acknowledged in paragraph 5.3.8 of the Housing Site Selection Paper and in Appendix 3 of the Housing Site Selection paper. The Diagram within paragraph 5.41 of the Plan under Locality 4 does not show the true impact of the potential site on the green belt.
- That it conflicts with the recommendations of the GL Hearn/Wood Strategic Growth Study 2018 which specifically recommended releasing land for between 500-2,500 dwellings to the north of Codsall/Bilbrook (not to the east, which it warned against),
- That it also conflicts with the findings of the Council's own LUC Green belt study which found that the land to the east has a 'strong' green belt purpose.
- That the case for expanding an existing urban extension on the grounds that it helps support a new First School, is irrelevant in terms of green belt policy and unjustified although this is referred to in para 5.42 & para 5.3.9 of the Housing Topic Paper,

Objection to Policy SA5: Housing Allocations – General concerns about the soundness of the housing allocations policy and specific objections to the exclusion of the Sandy Lane, Codsall site.

General Comments.

Hallam Land Management has been closely involved in the evolution of the South Staffordshire Local Plan right from the outset. With that in mind we have followed the selection process and contributed to the various evidence documents which form a background to the plan – specifically on Heritage, Conservation, Landscape, Infrastructure, Viability and Delivery.

In devising a housing strategy, it is vital that the Council produces a wide portfolio of sites (both in terms of site size, location, tenure and character) in order to cater for all housing needs groups. We acknowledge that the Council's task is a difficult one in a District where 80% of the area is covered by green belt which has strict criteria for its release, but this makes it all the more important that the right sites are chosen in the right places and that the Council does not put too much focus on strategic sites which:-

- will inevitably be slow to come forward in view of infrastructure delivery issues,

- will tend to focus more on volume builders producing a similar type of product, to the disadvantage of smaller SME builders who may otherwise introduce more variety and choice into the market and perhaps better meet local needs,
- will narrow the range of other sites and run the risk of monopolising land release so that price rise and the market is constrained,
- will create the danger of a housing land supply shortage later in the plan period, making the Council more vulnerable to un-planned development achieved through planning appeals. This will become clear through the Housing Delivery Test and the Housing Land Supply (5 year) measure.

Above all, in a climate of intense uncertainty, there needs to be adequate flexibility between the overall housing requirement (judged to be 9,089 dwellings) and the total capacity of available sites which adds up to 9,588 dwellings (or a meagre 5% flexibility) with a further 600 dwelling windfall allowance from small sites which, by definition, have not been identified. Normally, plans would expect to provide at least a 10% flexibility allowance on allocations (to allow for those sites which fail to materialise or are slow to come forward) with a lesser allowance on permissions to allow for lapses to cover sites which prove to be unimplementable or are simply submitted for valuation purposes. In any event, it is only prudent to allocate additional sites to allow for the smooth operation of the market. It would also be helpful to show site and area totals on the Schedules for comparison.

We are concerned that the Housing Site Selection paper is not entirely impartial in that too much emphasis is given to infrastructure contributions which ought not to be a major factor in choosing sites in the first instance. The choice of the Station Road site (224) in Codsall for example displays high green belt harm but is apparently chosen due to the possible provision of a station car park. Similarly, the 'East of Bilbrook' site (519) is chosen, in part as a result of the offer of a new First School despite its extremely high green belt sensitivity and danger of coalescence. (We address this matter in a comparative assessment within an Addendum report to this letter). Our specific concerns about the failure to allocate the Sandy Lane site in Codsall are outlined below.

Objection to Policy HC1 Housing Mix: on grounds of lack of soundness as being inconsistent with national policy.

We would fully support the need for a broad housing mix to create a variety of housing tenures, types and styles, but it is not necessarily appropriate for each site to display variety and choice and for there to be a specific requirement for 70% of properties to be 3 bedrooms or less.

There is indeed a growing trend for smaller household units and for people to live longer, but that doesn't necessarily mean they will always want smaller homes. Most elderly people are reluctant to move out of the family home and tend to want spare rooms for family and visitors. Furthermore, now that fewer people travel to work, there is a growing trend for people to have offices at home so that they can enjoy flexible lifestyles. This is entirely sensible and sustainable and something the District Council should encourage. We suggest you remove the requirement for 70% of properties to have 3 bedrooms or less. Moreover, sites of less than 10 dwellings should not be required to provide a mixture of property sizes – albeit, it is likely that they will do so, to appeal to a wide spread of the market.

Objection to Policy HC2 Housing Density: on grounds of lack of soundness as being inconsistent with national policy.

We are concerned that in a rural District such as South Staffordshire, the requirement for a minimum net density of 35 dwellings per hectare will create high density designs which are contrary to peoples' expectations, demands and needs. The 'East of Bilbrook' site for example allocates 848 dwellings on a site of 40ha resulting in a gross density of only 21 dwellings per hectare. This means that sites will have copious amounts of public open space (which raises costs of maintenance and management) whilst individual homes will be cramped and lacking in adequate garden space.

If there is one thing we have all learned from the Covid pandemic it is that people are now looking for more not less living space and that they value their homes and surroundings – including their gardens. Britain has very small dwelling sizes compared with similar international comparisons – and new houses mostly suffer from inadequate garden sizes in order to achieve arbitrary density standards.

This policy should be reviewed to undertake a simple 'common-sense check' to decide whether the Council are in danger of creating poorer housing conditions for the future. If the Council wish to provide more housing, the solution is to release more land where and when it is needed and ensure there is enough space to build the homes that are needed without creating cramped high-density housing which will be criticised by the public.

Objection to Policy HC3 Affordable Housing on grounds of lack of soundness as being inconsistent with national policy.

We fully recognise the need for the provision of affordable housing through cross subsidy from market sites, in what had become the orthodox means of providing affordable housing in the absence of Government funding for housing. We therefore accept the requirement for 30% affordable housing, though this need not be a fixed figure – since sites will need to be considered against wider viability criteria. Each site needs to be judged on its own merits and individual circumstances.

The Viability Study 2022 identifies that some sites may find the 30% requirement a challenge. This may be a particular issue as we enter a recession where sales values are likely to moderate and sales rates may fall.

We welcome the guidance about the share and distribution of affordable housing but again this should not be a requirement since some sites may not be capable of supporting 50% social rented housing. Shared ownership may also be less popular as the interest rates change, and so developers should be given the choice to vary the share of affordable housing 'offer' to respond to the local demand, viability factors and possible grant funding.

Inevitably the demand and need for certain types of affordable housing will reflect the market conditions of the time. It is important therefore that the Council is not hidebound by the contents of the Housing Needs Assessment which represents both a snapshot in time and an expression of aspiration and need rather than necessarily ability to deliver.

Objection to Policy HC7: First Homes Exceptions Sites: on grounds of unsoundness as being insufficiently positively prepared.

We welcome the Council's introduction of First Homes Exceptions sites which could bring a welcome addition of lower cost housing to first time buyers. However, to include a requirement that the site must lie outside the green belt will render most of South Staffordshire potential sites out of bounds for this policy. Only a small area north of Penkridge lies outside the green belt hence exception sites outside villages will almost always be within green belt. The Council needs to look at this policy again.

Objection to Policy HC8 Self-build and Custom Build housing: on grounds of unsoundness as being inconsistent with Government policy.

We welcome the positive nature of this policy and the encouragement which is promised by the Council. Most potential self-builders are looking for small individual sites or plots and hence the support is helpful. However, the second paragraph which expects '*Major developments to have regard to the need on the Council's self-build register*' is a somewhat vague and unhelpful expectation.

Since 'major developments' are classified within the NPPF as above 10 dwellings, this means that most sites will involve unnecessary research and a possibly expectation that plots need to be provided on market sites where self-builders and developers will have diametrically opposed objectives – in terms of design styles, working hours, security matters and building delivery timescales.

The prospect of developers and housebuilders possibly having to engage in complex land transactions, agreements and Section 106 obligations a single or very small numbers of self-build plots would be onerous and time-consuming for small builders. We feel this paragraph needs a re-think.

Our alternative choice of land at Sandy Lane, Codsall. (Site 222). Potential Omission site.

Hallam Land Management's site **to the north of Codsall at Sandy Lane** has a clear potential for development (which has been outlined previously) and is spelled out in more detail in a separate Addendum. We would argue that the choice of other locations than 'East of Bilbrook' (or the distribution of the same level of housing in more locations) were not sufficiently or thoroughly explored. Our reasons for supporting Sandy Lane are as follows:

- The Sandy Lane Site is more consistent with green belt release policy insofar as it doesn't run the risk of coalescence with major towns and cities – specifically Wolverhampton – as the extension of the land 'East of Bilbrook' clearly would. Paragraph 5.3.9 acknowledges that *'There are other sizable Green Belt sites around the settlement that are slightly less harmful to the Green Belt (e.g. Site 222 and Site 630 a&b)'*. Site 222 is the Sandy Lane site.
- The allocation of Sandy Lane is supported by the findings of the Strategic Growth Study 2018 which favours a strategic growth area to the north of Codsall/Bilbrook, for 500-2,500 dwellings (see table attached) albeit the Sandy Lane site with a capacity of 125 dwellings would only form a part of that direction of growth,
- The site has easy access to local services and facilities including a local First School, the Council offices, shops and services at the village centre at Codsall and the railway station beyond. It is also served by bus routes.
- The site is now effectively surrounded on three sides by development and therefore makes a strong case for development in any event. The adjacent land at Watery Lane, formerly identified as a 'safeguarded site', has subsequently been developed which strengthens the argument for the development of the Sandy Lane site and overcomes earlier concerns about 'sensitivity'. The Council's Housing Site Selection Topic Paper Appendix 3 distorts this information by stating against site 222 for Sandy Lane: *'Major negative effects are predicted against the landscape criteria, due to the site's Green Belt harm and landscape sensitivity'*. This is wholly misleading.
- The Council's evidence to overlook the Sandy Lane site is based on old material which states that the relevant land cover parcel has a relatively high landscape value. This is a consequence of the original Landscape Sensitivity Study 2015 undertaken on behalf of the Council which was then reflected in the Council's Sustainability Appraisal and informed the LUC Green Belt Review (which was again highlighted previously). Essentially, the Sandy Lane site was absorbed within a larger land parcel which includes the conservation area which distorted its true character. (However, this has now been addressed by our master planner in protecting nearby land within the conservation area as part of the Vision Concept Plan).
- The 2019 Green Belt Review, also by LUC unfortunately replicates the same deficiencies due to the identification of the same Land Parcels. The issue of concern relates to the aggregation of all the land east, north and west of the Codsall Conservation Area within the same Land Cover Parcel. (S41A) which extends to 107.3ha. This means that the potential impact of future development in all three areas were all judged together within the same 'Land Cover Parcel' despite their respective characters being very different.

So why has South Staffordshire DC rejected the Sandy Lane site?

Summary from Housing Site Selection Topic Paper dated November 2022. Appendix 3. Key positives and negatives indicated by South Staffordshire DC (with our comments).

1. **Sandy Lane displays lesser Green Belt harm than the majority of land around Bilbrook/Codsall** (site is 'moderate/high').

Objector's Comment: *In view of the importance of green belt policy this should be a key consideration in choosing the site in preference to the 'East of Bilbrook' proposal.*

2. **Sandy Lane is in a higher sensitivity landscape than the majority of land around Bilbrook/Codsall** (site is 'moderate/high').

Objector's comment: *This is primarily a result of the aggregation of the site within the land parcel which includes the conservation area. However, viewing at things from a positive angle, local authorities should be looking for good quality locations for new homes, not opting for areas of poor landscape which will be less attractive to future residents.*

3. **Sandy Lane shows major negative impacts predicted against the landscape criteria in the Sustainability Appraisal** but failing to consider such areas for development may result in an unsustainable pattern of development and would run contrary to the Association of Black Country Authorities' proposed use of the Green Belt/landscape evidence base as set out in Duty to Co-operate correspondence.

Objector's comment: *The landscape point is simply a repeat of the reason given above. The reference to the ABCA evidence is puzzling and has been raised with the Council without a cogent answer being given. The ABCA should not be involved in choosing sites within SSDC.*

4. **Potentially large enough to accommodate required first school, but no confirmation from site promoter that land is available to deliver this on the site**, which is also smaller than other larger land parcels with potential to accommodate this around the villages.

Objector's comment: *This is a strange reason for rejection since the Sandy Lane site (at 125 dwellings) would not be large enough to require a new First School. There is already a First School (St Nicolas School) which is very close to the site with capacity for more children. No approach has ever been made by SSDC to Hallam Land as the promoter, to provide a new school therefore it is not surprising that no confirmation was received from the promoter that land was available to deliver a school. However, notwithstanding this an exercise has since been undertaken by HLM to show that a First School could be accommodated on part of the site together with 115 new homes and these plans are attached as part of this submission – however it would still be extremely close to the existing school of St Nicolas only 250 metres away.*

5. **Council's conclusion:** Having regard to all site assessment factors set out in the proforma and other development options in Bilbrook/Codsall, the site is not considered to perform so well compared to other site options that it should be allocated instead of, or in addition to, Sites 213, 519, 224, SAD Site 228 and 419a&b

Objector's Comment. *We fundamentally disagree with the Council's conclusions.*

We hope that these representations provide a helpful input to enable the Council to amend its plan prior to submission to the Planning Inspectorate. As always, we remain eager to discuss our emerging site and we attach:-

Firstly, a copy of Appendix 2 to the Duty to Co-operate Paper showing the GL Hearn Strategic Growth Study recommendation for a growth area north of Codsall/Bilbrook,

Secondly, our addendum to the previous representations which provides an assessed comparison between the relevant sites in Codsall/Bilbrook including the Hallam Land Management's site at Sandy Lane, Codsall,

Thirdly, the Vision Document prepared by consultants FPCR on behalf of Hallam Land Management shortly before the last Preferred Options stage as a basis for discussion and

Fourthly, two plans showing alternative ideas for how a First School could potentially be accommodated on the Sandy Lane site.

Please don't hesitate to contact me if you wish to discuss any points further.

Yours sincerely

John Acres
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