

	<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
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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)
<i>*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.</i>	
Title	Mrs
First Name	Tamsin
Last Name	Almeida
Job Title (where relevant)	Planning Manager
Organisation (where relevant)	Terra
Address Line 1	Hayfield House
Line 2	Arleston Way
Line 3	
Line 4	
Post Code	B90 4LH
Telephone Number	
E-mail Address (where relevant)	talmeida@terrastrategic.co.uk



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: DS4 SA1 – SA4 SA5	Policies Map	
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4. Do you consider the Local Plan is :

(1) Legally compliant	Yes	<input checked="" type="checkbox"/>	No	<input 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.

For full representations, please see **Appendix I**.

(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.



(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:

Appendix I – Full Representations

South Staffordshire District Council
Council Offices
Wolverhampton Road
Codsall
South Staffordshire
WV8 1PX

Delivered by email only

23rd December 2022

RE: TERRA REPRESENTATIONS TO THE SOUTH STAFFORDSHIRE LOCAL PLAN PUBLICATION CONSULTATION (REGULATION 19)

This document comprises Terra's representations to the Regulation 19 ("Reg. 19") version of the South Staffordshire Local Plan Review consultation. These have been prepared in relation to our land interest at Land at Penkridge Road, Acton Trussell. We therefore submit the following representations to the South Staffordshire Local Plan, Reg. 19 Consultation, December 2022.

1. The Site – Land at Penkridge Road, Acton Trussell

- 1.1 Terra control land known as Land Penkridge Road which is located to the south of the village of Acton Trussell, Staffordshire.
- 1.2 Acton Trussell is located to the south of Stafford and has a direct link to Junction 13 of the M6. There is a bus service through the village (878) which provides a connection between Stafford Town Centre, Wolverhampton and Coven. The site is outside of the Green Belt and is not within a conservation area. **Figure 1** demonstrates the proposed development area at Land at Penkridge Road.
- 1.3 Terra are promoting the site for residential development. Terra is affiliated with Hayfield Homes, a market house builder, and Living Space, an affordable homes builder, meaning that the site is available as well as deliverable within the proposed Plan period depending on the Council's requirements. **Figure 2** below demonstrates the full extent of the site boundary and the site context within Acton Trussell.
- 1.4 Although the vast majority (approximately 80%) of South Staffordshire, Acton Trussell is one of the few settlements which is outside of this designation.

Figure 1: Indicative Areas Suitable for Development



Figure 2: Full Land Take at Penkridge Road, Acton Trussell



2. South Staffordshire Local Plan Publication Regulation 19 Public Consultation

2.1 The following provides Terra's general comments on the proposed policies within the Regulation 19 version of the South Staffordshire Local Plan, as well as commentary on parts of the Plan specifically relevant to our site interest at Land at Penkridge Road, Acton Trussell. Terra is in general support of the proposed policies, but provide specific comments which we believe the Council will need to address to ensure that policies can be found sound.

Policy DS4: Development Needs and Policy DS5: The Spatial Strategy 2039

- 2.2 Policy DS4 sets out the proposed housing delivery for the Plan period, up to 2039. It details that 9,089 dwellings will be delivered during the period of 2018-2039. This is to meet the District's need of 5,089 with 13% additional homes (4,000 homes) to ensure the plan's flexibility. Additionally, the 4,000 homes are to contribute towards the unmet housing need for the Greater Birmingham and Black County Housing Market Area (GBBCHMA).
- 2.3 However, Terra considers that the policy as currently written cannot be found sound as it is not positively prepared, as required by the National Planning Policy Framework (NPPF)¹. It is well-known that there is a significant shortfall of housing within the GBBCHMA, particularly arising from Birmingham which has a shortfall of around 37,900 dwellings. In order to be positively prepared, it is important that the South Staffordshire Local Plan reacts to this shortfall as it is one of the authorities included within the Housing Market Area. The Plan should be flexible enough to facilitate the delivery of sustainable development where possible due to the significant shortfall of homes within the GBBCHMA.
- 2.4 Policy DS5 details that the housing figure will be viewed as a minimum, which is important to allow for flexibility. Terra consider that Policy DS4 should also explicitly state that the figure is a **minimum** figure. Furthermore, the Council should confirm that if unmet housing need in the GBBCHMA increases then its contribution will also proportionately increase. Additionally, the Council's commitment to meeting unmet housing needs should be set out in a Joint Statement of Common Ground with the other GBBCHMA authorities.
- 2.5 Policy DS5 also includes the settlement hierarchy for the District, with settlements classed from Tier 1 to Tier 5 to ensure that growth is distributed to the most sustainable locations. The following is detailed for Tier 5 settlements:

The district's Tier 5 settlements are set out in the Rural Services and Facilities Audit 2021. These settlements are not intended to experience further housing or employment growth, owing to their poorer public transport links and lack of services and facilities relative to other settlements within the district. New development in these locations will be limited to the conversion and re-use of redundant rural buildings to appropriate uses, in accordance with other development plan policies.

On a case-by-case basis, the very limited redevelopment of previously developed land for housing may also be supported within these settlements where this would not increase unsustainable transport movements from the settlement in question and would not conflict with other Local Plan policies. Limited affordable housing to meet specified local needs in accordance with relevant Local Plan policies may also be supported.

2.6 Acton Trussell is identified as a Tier 5 settlement, which means growth would be restricted. However, Terra believe that this is not an accurate representation of the village. The village of Bednall, a short distance to the east, is a significantly smaller settlement, yet it is classed as Tier 4 due to the village having

¹ Paragraph 16, National Planning Policy Framework (NPPF) (2021), page 8

a primary school (which serves Acton Trussell). Apart from this, it has no further services. The below compares the assessments of the two settlements in the Rural Services and Facilities Audit 2021:

Settlement	Access to stores/ supermarkets	Diversity of other facilities	Retail centres study	Access to employment locations	Access to primary school	Access to secondary school	Access to 6 th form / college	Public Transport access to higher order services
Bednall	Red	Red	Red	Red	Green	Red	Red	Black
Acton Trussell	Red	Red	Red	Yellow	Red	Red	Red	Yellow

2.7 Acton Trussell scores better than Bednall in access to employment locations, due to its proximity to Acton Gate, Penkridge and Stafford. Furthermore, it scores better than Bednall on its public transport link, as Bednall is only accessible by private car. The assessment notably stays silent on the size of village and, based on its population and relatively sustainability to nearby facilities. Terra contend that Acton Trussell should be designated as a Tier 4 settlement as a minimum.

2.8 As drafted, Terra believe the Policy is not positively prepared as it is too restrictive on settlements, such as Acton Trussell, which have been identified as Tier 5 settlements. It does not appropriately identify the benefits that residential development can bring in terms of additional services and economic growth. It also does not appropriately consider the wider accessibility of settlements. Terra believe that Acton Trussell should be 'upgraded' to a Tier 4 settlement, as well as considering that the wording of Policy DS5 should be changed to make it more positively worded:

*The district's Tier 5 settlements are set out in the Rural Services and Facilities Audit 2021. ~~These settlements are not intended to experience further housing or employment growth, owing to their poorer public transport links and lack of services and facilities relative to other settlements within the district.~~ New development in these locations will be limited to the conversion and re-use of redundant rural buildings to appropriate uses, in accordance with other development plan policies. **The suitability of these settlements for taking additional growth will be assessed on a case-by-case basis and new development will be supported where it can be demonstrated that the settlement can appropriately accommodate the proposed growth.***

On a case-by-case basis, the very limited redevelopment of previously developed land for housing may also be supported within these settlements where this would not increase unsustainable transport movements from the settlement in question and would not conflict with other Local Plan policies. Limited affordable housing to meet specified local needs in accordance with relevant Local Plan policies may also be supported.

2.9 There is an opportunity through this Plan review to provide housing to support establishing or improving services in villages. Acton Trussell has a need for a residential led allocation in the village with a service provision, which could be accommodated on Land at Penkridge Road. The site has the ability to provide residential development alongside uses which are of a different community benefit, such as additional parking for the church, a new shop, or recreational facilities.

2.10 Paragraph 140 of the NPPF states that Green Belt boundaries should only be altered where exception circumstances are fully evidenced and justified. Paragraph 141 of the NPPF states that before concluding that exception circumstances exist to justify changes to Green Belt boundaries, the strategic policy making authority should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for development. In failing to identify sustainable levels of growth in non-Green Belt settlements, such as Acton Trussell, the Local Authority has therefore not demonstrated that it has

examined fully all other reasonable options before proposing to make changes to Green Belt boundaries. Whilst it is accepted that it would not be possible to accommodate all of the proposed development needs in locations outside of the Green Belt, settlements like Acton Trussell could make a proportionate contribution that would reduce the amount of Green Belt land that would need to be released.

Policies SA1 – SA4

2.11 The following strategic policies are proposed to deliver a number of dwellings to contribute to the housing requirement:

- Policy SA1 – Strategic development location: Land East of Bilbrook – 848 homes
- Policy SA2 – Strategic development location: Land at Cross Green – 1,200 homes
- Policy SA3 – Strategic development location: Land North of Linthouse Lane – 1,200 homes
- Policy SA4 – Strategic development location: Land North of Penkridge – 1,129 homes

2.12 In February 2020, Lichfield published the second edition of their *Start to Finish*² paper which provides an update to their original findings published in 2016. *Start to Finish* has been used across the planning sector since it was first published as a respected evidence base to demonstrate the realistic delivery timescales of housing sites. The second edition focuses mainly on larger sites of 500+ dwellings, but it includes the below table and figure which show the average planning approval period by size of site in years and the average timeframes from validation of first application to completion of the first dwelling:

Table I: Average planning approval period by size of site (years)

Site Size	1st edition research (years)	This research (years)
50-99	1.1	1.4
100-499	2.4	2.1
500-999	4.2	3.3
1,000-1,499	4.8	4.6
1,500-1,999	5.4	5.3
2,000+	6.1	6.1

Source: Lichfields analysis

² *Start to Finish*, Nathaniel Lichfield & Partners Ltd (2020)

Figure 4: Average timeframes from validation of first application to completion of the first dwelling



Source: Lichfields analysis

2.13 The Council should ensure that the proposed timescales for the delivery of their larger strategic sites are realistic. The strategic allocations should also be supported by a sufficient supply of smaller sites which are readily available and deliverable to ensure the Council has a robust supply, in line with paragraph 69 of the NPPF³. Land available for housing delivery within the District is restricted by the Green Belt. Therefore, the Council should consider allocating additional sites outside of the Green Belt which are available, deliverable and achievable within the Plan period, such as Land at Penkridge Road, Acton Trussell. This will ensure that there are enough sites identified in the event that the delivery of the 4 strategic sites falters.

Policy SA5: Housing Allocations

2.14 This Policy sets out the smaller housing allocations for the District, totalling c. 2,717 dwellings. Terra support the inclusion of “minimum” when allocating site capacity. This allows the allocations to make the best use of land and increase capacity if the sites are capable of delivering a higher yield.

2.15 The Plan should include a mix of strategic and non-strategic allocations to ensure sufficient delivery of housing over the plan period, as well as creating a varied choice of housing options for current and future residents within the District. However, Terra believe that additional sites should be identified within the Plan to ensure a robust supply. Furthermore, sites have only been allocated in settlements which are identified as Tier 3 or greater. As detailed above, this is short sighted as it risks the continued stagnation of growth and potential decline of current services in villages such as Acton Trussell. Rural villages are often in a desperate need for a refreshed housing stock and a wider variety of dwellings to help create a better choice for current and future residents. The Plan currently fails to recognise the benefits that new development can bring to rural areas. Therefore, Terra consider that this policy is not sound as it is not positively prepared. Additional allocations should be identified within rural areas to encourage sustainable growth and to restore vitality into settlements such as Acton Trussell. Land at Penkridge Lane is available, deliverable and achievable for delivery of residential development within the Plan period. The site should be included within Policy SA5 for an allocation within the Plan.

³ National Planning Policy Framework (NPPF) 2021, paragraph 69, page 19

3 Conclusion

- 3.1 We politely request that these representations are taken into account. Land at Penkridge Road, Acton Trussell is adjacent to the existing built-up area, accessible by public transport and within walking distance of village services. Allocating this site for housing will ensure that there is a sufficient supply of suitable sites within Acton Trussell.
- 3.2 Furthermore, the failure to consider sustainable levels of growth in non-Green Belt settlements, such as Acton Trussell, means that the Local Authority has not demonstrated that it has examined fully all other reasonable options before proposing to make changes to Green Belt boundaries as required by Paragraph 141 of the NPPF. Whilst it is accepted that it would not be possible to accommodate all of the proposed development needs in locations outside of the Green Belt, settlements like Acton Trussell could make a proportionate contribution that would reduce the amount of Green Belt land that would need to be released.
- 3.3 We trust that you will find the above acceptable, however, should you require any further information in relation to the site please do not hesitate to contact me

Yours faithfully,

T E Almeida

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