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Delivered by email

Mr Edward Fox
South Staffordshire Council
Wolverhampton Road
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Staffordshire
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Dear Mr Fox,

DAVID WILSON HOMES – REPRESENTATIONS TO SOUTH STAFFORDSHIRE LOCAL PLAN REVIEW REG 19 CONSULTATION

These representations are made on behalf of David Wilson Homes (DWH) (part of Barratt Developments Plc), in response to the South Staffordshire Local Plan Review (LPR) Regulation 19 publication consultation.

DWH is promoting land to the west of Featherstone Lane, Featherstone (the site) (site ref: 396). These representations are supported by:

- Vision Framework (**Appendix 1** - attached to submission email)
- Plan demonstrating potential landscape buffer (**Appendix 2** - attached to submission email)

Site 396 (Land West of Featherstone)

The site is bound by New Road to the north, East Road to the south, the urban edge of Featherstone to the east, and Brinsford to the west. HMP Oakwood, HMP Featherstone and YOI Featherstone, and the ROF Featherstone employment site are all located beyond Brinsford to the west.

The site benefits from a wide range of local services and facilities within Featherstone. These include the Featherstone Academy Primary School, Featherstone Children's Centre and Nursery School, four convenience stores and a post office, sports facilities, doctor's surgery, community hall, a café, opticians, hair saloon, hotel and restaurant, and a take away.

A bus service runs along New Road immediately to the north of the site and bus stops in close proximity to the site provide regular services to Wolverhampton City Centre and Cannock Town Centre.

The Vision Framework shows a potential capacity of circa 360 new homes across the entire site. The site comprises two parcels divided relatively equally by Rabbit Lane. Site 1 to the west, closest to Brinsford has a capacity of circa 210 dwellings, whilst site 2 immediately to the west of Featherstone has a potential capacity of circa 150 dwellings. The Vision Framework therefore presents two different options in terms of scale of potential growth at Featherstone.

Reflecting the scale of growth at other Tier 2 settlements (DWH is of the view Featherstone should be a Tier 2 settlement, as per our response to draft policy DS5 below), it may be that circa 150 dwellings would be most suitable in terms of the size of Featherstone. Enclosed at **Appendix 2** is a plan

demonstrating the area of Site 396 which could be proposed for allocation or safeguarded to the west of Featherstone, which is controlled by a developer (DWH). The plan identifies a minimum 10m woodland buffer along the western site boundary which could remain in the Green Belt and provide a new defensible boundary.

Representations

Policy DS4: Development Needs

The development needs of South Staffordshire include a proportion of the unmet housing need of the GBBCHMA. The GBBCHMA is made up of 14 different authorities, including Birmingham and the four Black Country authorities. There is no question that there is a significant unmet need arising from the GBBCHMA:

- There is a remaining unmet need of **6,302 homes up to 2031** from the adopted *Birmingham Development Plan* (January 2017), as per the *GBBCHMA fourth position statement addendum* (December 2021).
- The Black Country has an unmet need of **36,819 homes up to 2039** (the *Black Country Urban Capacity Review Update* (May 2021)). The previous draft of the Black Country Plan proposed allocations to reduce this to circa 28,000 homes, however the plan has now been abandoned and each authority will be preparing its own plan.
- Birmingham has now commenced a review of its plan. The Issues and Options version is currently published for consultation – that indicates there is a substantial shortfall from the city of circa **78,000 homes up to 2042**.

Given the significant remaining shortfall arising in the GBBCHMA and South Staffordshire's clear functional relationship with the wider HMA (demonstrated by its travel to work patterns, and transport links with Birmingham and the Black Country), the plan's proposed contribution to the GBBCHMA's unmet need seem reasonable. The scale of the contribution and the Council's approach is justified by the *Greater Birmingham and Black Country Strategic Growth Study* (February 2018).

Nearly all of South Staffordshire's villages are surrounded by Green Belt, therefore it is inevitable that the district will need to release Green Belt to meet its needs and those of the wider GBBCHMA. As such exceptional circumstances have been demonstrated to alter Green Belt boundaries through the draft plan, in accordance with NPPF paragraph 140.

Policy DS5: The Spatial Strategy to 2039

The spatial strategy, seeking to meet the District's own needs and make a 4,000 home contribution to the GBBCHMA's wider unmet needs seems appropriate.

The spatial strategy that growth is distributed to the District's most sustainable locations to avoid a disproportionate level of growth in the District's less sustainable settlements reflects the requirements of the NPPF.

However there is a clear inconsistency in the proposed new settlement hierarchy, particularly with regard to Featherstone. Featherstone has a strong offering of services and facilities which are commensurate with that offered by Tier 2 settlements. The audit of services undertaken by the Rural Services and Facilities Audit 2019 makes a clear case for Featherstone being identified as a Tier 2 settlement, rather than a Tier 3 settlement, especially as the facilities offered by Featherstone are equivalent to Tier 2 settlements. Featherstone should be a Tier 2 settlement, and as such could make a greater contribution to delivering the new homes required within the District.

Policy SA2: Cross Green

Concerns remain regarding the scale of delivery anticipated for the proposed allocation at Cross Green up to 2039 (i.e. 1,200 new homes).

Firstly, there are concerns regarding the access road to ROF Featherstone and the associated costs and the potential impacts on Cross Green’s viability and delivery trajectory. The IDP now estimates the cost of delivering the access road at £14.4m-£19m to be funded via Staffordshire County Council and developer contributions. Evidence should be provided as to how this will be funded. The only funding evidence to date is reference to £1.5m of Growth Deal funding being made available via the Stoke-on-Trent and Staffordshire Local Enterprise Partnership.

Secondly, in the context of the scale of infrastructure delivery at the site, no detailed evidence has been provided to support the anticipated number of homes to be delivered before 2039.

With the expectation set out in the LDS that the plan will be adopted in December 2023, it is assumed an application will be submitted by summer 2024, at its earliest. Lichfields’ Start to Finish report (February 2022) identifies that the average lead in time for applications for sites of Cross Green’s scale from validation of the application to first delivery is 8.4 years. This would see the first completion in winter 2033.

The Lichfield’s report indicates it is reasonable to assume 160 dwellings per annum (dpa) to be delivered on sites of Cross Green’s scale. This is qualified by *Stafford Borough’s Lead-in Times and Built Rate Assumptions Topic Paper (October 2022)*, which provides evidence for lead in times for sites in Stafford’s neighbouring authorities. Stafford’s only neighbouring authority to provide evidence to the topic paper for sites of 501 homes or more, Lichfield District (who are also a neighbour to South Staffordshire), indicate it is reasonable to assume a ceiling of 150dpa on sites of that scale.

Based on the above assumptions the below delivery is anticipated:

| 2032/33 | 2033/34 | 2034/35 | 2035/36 | 2036/37 | 2037/38 | 2038/39 | Total |
|---------|---------|---------|---------|---------|---------|---------|-------|
| 40 | 160 | 160 | 160 | 160 | 160 | 160 | 1,000 |

In total, it is therefore likely that Cross Green will only deliver around 1,000 new homes before the end of the plan period, 200 less than the policy assumes.

The Council should therefore prepare further evidence to justify the scale of growth proposed for Cross Green, or if this is not possible reduce the anticipated delivery before 2039 to 1,000 homes and identify other sustainable locations for this growth to be delivered elsewhere in the District.

Policy SA5: Allocations

Site 396 to the west of Featherstone Lane, Featherstone site scores ‘major negative’ for landscape and townscape in the most recent Sustainability Appraisal, despite the *Landscape Study (2019)* scoring the site’s landscape sensitivity as ‘Low Moderate’ (along with land to the south of Featherstone, the least sensitive of all sites around the village). Site 396 should score ‘minor negative’ for landscape and townscape.

The site scores ‘major negative’ for education, however no justification is provided for this. Indeed, there is no justification for this as the site is within an acceptable walking distance of the Featherstone Academy Primary School. Site 396 should therefore score ‘minor negative’ for education.

It is appreciated that the Council’s evidence base, including the IDP, demonstrates there is currently a lack of highway capacity at Featherstone (particularly in regard to the A460). This capacity issue will be resolved through the delivery of the M54 / M6 / M6 Toll link road, the Development Consent Order for which has now been granted and construction is due to commence in 2023. The link road will be completed well within the current plan period after which Featherstone could accommodate a requisite allocation of housing.

Site 396’s constraints have been overplayed in the Council’s evidence and given the timing of the significant infrastructure improvements in the area growth should be directed to Featherstone given its sustainability. As such, land west of Featherstone should be a proposed allocation in the plan to accommodate this or, as a minimum, safeguarded. It is accepted that policy proposing to allocate or

safeguard land to the west of Featherstone might be subject to a clause that it should not come forward until the link road has been delivered.

Policy HC1: Housing Mix

The policy should be more flexible, recognising that housing needs vary within different areas and on a site-by-site basis. The policy must ensure that the viability of development proposals is protected whilst providing an appropriate housing mix for the site location and local market. In addition to evidence such as the latest Housing Market Assessment, it would be appropriate for the Council to refer to other evidence including current demand.

A prescriptive housing mix policy would apply a blanket approach which could restrict the ability of new development to respond to the needs of the local area (specifically those of the settlement it is located at). Housing requirements constantly evolves and as such there should be flexibility embedded in policies to enable them to respond to changing demands and context. Policy HC1 should therefore more closely reflect the flexibility of the existing Core Strategy policy H1 which requires:

“A mix of housing sizes, types and tenures within both market and affordable sectors, particularly the needs of an ageing population, informed by the Housing Market Assessment, which meet the needs and aspirations of all sections of the local community.”

The *Strategic Housing Market Assessment (October 2022)* does not identify a significant predicted change in the projected household type proportions in South Staffordshire between 2018 figures and 2040. As such, it is not clear why a highly prescriptive housing mix is included within policy HC1.

Policy HC3: Affordable Housing

The latest *Housing Market Assessment Update (2022)* identifies a net affordable housing need of between 67dpa and 156dpa, dependent on the proportion of household income used spent on housing costs. The *Viability Study (2022)* clearly highlights the challenges in delivering the 30% affordable housing requirement, and highlights that without higher sales values the sites would not necessarily be viable. As such, affordable housing policy should take full account of all evidence in terms of both affordable housing need and viability, and ensure that sufficient flexibility remains.

Planning Policy Guidance (PPG) states that a minimum of 25% of all affordable housing units secured through developer contributions should be First Homes. The NPPF states that planning policies should expect at least 10% of the total number of homes to be available for affordable home ownership. The proposed policy is consistent with these requirements.

However, in relation to affordable housing tenure, existing Core Strategy policy H2 states that the precise proportion of affordable housing tenure split will be agreed with the Council *“having regard to local housing needs within the locality of the development, exceptional circumstances and the effects on the viability of a scheme.”*

The proposed policy should be less prescriptive in terms of tenure mix, to allow sites to best respond to current housing needs with a location and site-specific approach. Impact on scheme viability is referenced in the existing policy H2, and there should also be an allowance for a consideration of site viability, including whether there is a need for new infrastructure etc. which could impact on delivery of the allocated sites. The proposed tenure split for affordable housing is broadly in line with the need evidenced in the *Housing Market Assessment Update 2022*. However, this may change over time and location-specific flexibility should be provided.

Policy HC4: Homes for older people and others with special housing requirements

If the Council wishes to adopt the higher optional standards within the Building Regulations (Part M4(2) Category 2) for accessible and adaptable homes, it should only do so by applying the criteria set out in PPG.

The PPG identifies the type of evidence required to introduce such a policy, including the likely future need; the size, location, type and quality of dwellings needed; the accessibility and adaptability of the

existing stock; how the needs vary across different housing tenures; and the overall viability. The Council should provide localised evidence making the specific case for South Staffordshire which justifies the inclusion of optional higher standards for accessible and adaptable homes in this policy. If the Council can provide the appropriate evidence and this policy is to be included, then a transition period being included within the policy could be supported, as appropriate.

The Council should also note that the Government proposes to mandate the current M4(2) requirement in Building Regulations as a minimum for all new homes, with M4(1) applying in exceptional circumstances. This will be subject to a further consultation on the technical details and will be implemented in due course through the Building Regulations. M4(3) would continue to apply as now where there is a local planning policy in place and where a need has been identified and evidenced.

There is a need for policy to be consistent with national standards unless a specific evidenced reason exists for a higher standard to be applied in South Staffordshire.

Policy HC12: Space about dwellings and internal space

External space standards and amenity spaces should not be explicitly stated within the policy. Whilst there are caveats contained within which state an allowance for flexibility “*depending upon the site orientation and the individual merits of the development proposal*”, planning judgement on a case-by-case basis with reference to the distance/size criteria as guidance rather than policy would suffice to achieve suitable quality residential environments. It must be ensured that specific criteria do not result in ‘planning by numbers’ and an unintentional lack of flexibility in assessing future planning applications.

Policy HC13: Parking Provision

Part (e) of the policy references Appendix I of the Plan sets out parking standards, in relation to electric vehicles.

Part S of the Building Regulations ‘Infrastructure for the charging of electric vehicles’ has now taken effect and provides guidance on the installation and location of electric vehicle charge points (EVCPs). It states that a new residential building with associated parking must have access to EVCPs and that their total number must be equal to the number of parking spaces if there are fewer parking spaces than dwellings, or the equal to the number of dwellings where there are more parking spaces. Building Regulations also set technical requirements for the charging points these include having a nominal output of 7kW and being fitted with a universal socket.

The policy should avoid repeating electric vehicle requirements which are otherwise secured through Building Regulations and which may risk a lack of accordance with the Regulations should requirements change during the lifetime of the Plan.

Policy NB6: Sustainable Construction

Part 1

The requirements for carbon emission reductions in Part 1 of NB6, go beyond the Government’s Future Homes Standard roadmap that most developers are working to and on which they have based their future plans, and indeed BDWs own zero carbon homes roadmap – whose target is for all our house types to be zero carbon (regulated energy only) by 2030.

The policy stipulates that all new developments must achieve net zero regulated carbon emissions, but then states that a minimum of 63% reduction should be applied on 2021 Part L. These are different standards, and it is not clear from the consultation how the 63% requirement would be implemented. The policy wording goes on to state that a 10% improvement on the Part L 2021 Target for Fabric Energy Efficiency and that homes should not be gas free. It is unclear whether South Staffordshire have considered the implications of these standards on deliverability as it could significantly impact

the typology of homes provided - hence the need for changes like this to be introduced gradually and applied equally across UK.

In any case, it is important to state that we agree with the need for advancing carbon reduction standards, however, these targets are not the most appropriate way to achieve the desired outcomes. Whilst the Future Homes Standard should set the overall framework and timeframes for the wide scale deliverability of carbon reductions, where opportunities arise BDW would be open to explore advancing standards on select sites, which can contribute to increasing industry readiness for when Future Homes Standard is introduced.

BDW are on track to move all our house types across to updated Building Regulations Part L which will deliver a 31-35% reduction and will uplift our standards again in 2025 to a 75-80% reduction - in line with the Future Homes Standard. There are a number of reasons why building ahead of the Future Homes Standard now may not actually be the best solution. Principally, because of the potentially detrimental local impact on delivery through a lack of sufficiently skilled labour available to implement these new technologies at scale.

The approach, based on the Future Homes target roadmap, takes a more gradual approach which is the right approach. This roadmap, which South Staffordshire should follow, allows time for the government to clarify their policy position on key issues such as whole life carbon where at present there is considerable uncertainty as to how this should be consistently measured. The 2025 implementation date allows time to unpick challenges, carry out appropriate research & development to test low carbon solutions, as well as monitor smaller scale Future Homes Standard projects and how products and the associated supply chain performs.

Regarding Part (b), in principle additional onsite renewable energy should be provided to assist in meeting net zero regulated energy targets. However, South Staffordshire should be flexible in the application of this policy to take account of site-specific constraints which may constrain the onsite provision of, or offsite connection to, renewable/low carbon energy generation.

Concluding on Part 1, BDW would like to express our support for the requirement for all developments to demonstrate a water efficiency standard of 110 litres/person/day. Nationally, BDW currently achieve 105 litres/person/day across all our developments and house types and are fully set up to continue to deliver this.

Part 3

BDW recognise that understanding the embodied carbon of all proposed materials on a development is an important aspect of driving the use of more sustainable practices. Whilst in principle we do not object to a Whole Life Carbon Assessment (WLCA) being required, having discussed with our in-house technical experts, there are issues surrounding data collection to be able to undertake a proper WLCA. Principally, many manufacturers are still lacking the creation and verification of data for Environmental Product Declarations (EPDs).

Most EPDs are from France or Belgium, as both countries require EPDs for construction products. Though there are UK based EPDs, these are often generic values which will not accurately reflect a completed property, so it is important that South Staffordshire allow some tolerance when assessing any submitted WLCA. There are also a few reasons to why in the UK we do not have enough of what is needed to carry out WLC assessments:

- a) EPDs are currently taking around 3 years to be created and verified (leading to potential disruption to the supply of homes if a WLCA cannot be provided due to lack of EPDs)
- b) Manufacturers often have not calculated the Life Cycle Assessment of their product/doesn't have any carbon data (impacting the robustness of any submitted WLCA)
- c) There is no mandatory requirement for construction products to generate EPDs (again impacting the robustness of any submitted WLCA)

Without the full provision of robust EPDs, the assessment process becomes a lot more difficult / time consuming and the WCLA overall becomes somewhat compromised.

Also, given the extent of information required to provide a meaningful WLCA, careful consideration would be required around the timing of submission to the Council. If a WLCA is to be submitted, then it should be required as part of the planning conditions attached to a grant of detailed planning permission. This certainty on what is being built would avoid abortive resource and cost, for both applicants and the LPA, as it would prove difficult for applicants to submit a robust WLCA based on Outline application parameters. The Council must talk with the development industry about the timing of submitting WLCAs should they pursue this via Policy NB6.

Regarding the Part 3 requirement for all major residential and non-residential developments to implement a recognised quality regime that ensures as built performance (energy use, carbon emissions, indoor air quality, and overheating risk) matches calculated design performance. BDW have trialled as built assessments across a small proportion of our sites nationally and would like to make South Staffordshire aware of some important issues that should be considered through this Local Plan consultation:

- There are registered inconsistencies between the currently available as built testing methodologies which could undermine the robustness of any assessment submitted. Testing methodologies need to undergo more rigorous testing and application before they are rolled out at scale.
- There are a limited number of companies offering as built testing and many, if not all, are still principally in the Research & Development stage. It is unlikely that upon Local Plan adoption, the current sector will be able to cope with the demand of development assessment – with a potential consequent delay to housing delivery arising.
- Key elements of the current as built assessment methodology can only be undertaken in winter. This would effectively preclude large sections of a development from being tested and undermine the robustness of any submitted assessment.

Considering these issues that BDW have experienced first-hand:

- a) South Staffordshire should reconsider the requirement for immediate implementation of as built assessments in the Local Plan and instead consider rolling out this requirement at a later date, once the Government undertake further national scale research projects into their implementation.
- b) If the policy is carried through to EiP stage, South Staffordshire adequately demonstrate as part of their evidence base that the current as built assessment sector will be able to meet the resultant demand should all allocations in the Local Plan come forward for delivery on expected timescales.

Summary

DWH welcomes the opportunity to engage with the South Staffordshire LPR Regulation 19 publication consultation.

While much in the plan's vision, objectives and spatial strategy seem sensible, the following matters remain unresolved for which additional evidence needs to be provided or for which changes to the plan will be required:

- Featherstone should be a Tier 2 settlement based on the facilities and services it offers, which are commensurate with other Tier 2 villages.
- There are significant risks to the viability and the delivery of the proposed allocation at Cross Green (draft policy SA2). Additional areas for housing should therefore be allocated at Featherstone, or at least safeguarded to de-risk the spatial strategy's reliance on Cross Green.

- The road infrastructure at Featherstone will be significantly improved during the early stage of the plan period. Additional areas for housing should therefore be allocated at Featherstone, or at least safeguarded to allow new housing to meet the needs of the settlement, as well as provide insurance against potential under delivery at Cross Green.
- DWH's site to the west of Featherstone (Site 396) is a sustainable location to accommodate this growth and these representations set out a vision for how this could be achieved, whilst delivering a new defensible Green Belt boundaries for Featherstone.
- There is also concern development management policies repeat Building Regulations or seek to impose standards higher than that required by Building Regulations.

We would welcome the opportunity to discuss the site and these representations with officers further.

Yours sincerely



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