

Part B – Please use a separate sheet for each representation

Name or Organisation: **JOHN DAVIES FARMS LTD**

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

Paragraph Policy **SA1, SA2, SA3, SA4** Policies Map

4. Do you consider the Local Plan is:

- | | | |
|--|------------------------------|--|
| (1) Legally Compliant | Yes <input 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 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.

The Publication Plan places a significant reliance (min 4377 homes by the end of the Plan period) on the delivery of four strategic sites as follows:

- SA1 Land east of Bilbrook (min 848 homes) site ref. 519
- SA2 Land at Cross Green (min 1200 homes) site ref. 646a and 646b
- SA3 Land north of Linthouse Lane (min 1200 homes) site ref. 486c; and
- SA4 Land north of Penkridge (min 1129 homes) site ref. 010, 420 and 584

Such a reliance brings into question the deliverability of the Plan should any one of these sites fail to deliver homes at the rate envisaged. Issues such as the delivery of infrastructure to serve these sites is fundamental in determining the rate at which these sites will deliver homes. However, such issues are identified (in policy MA1) for further consideration as part of a site-wide Strategic Master Plan (SMP) for each site to be prepared by landowners/promoters following pre-application discussions. Without the detailed assessment to be provided in these SMPs, there is considerable uncertainty over whether the four strategic sites will deliver homes at the rate required and therefore whether the Plan will be effective.

In addition, it is noted that three of the four sites require the release of land from the Green Belt, namely

- SA1 Land east of Bilbrook (min 848 homes)
- SA2 Land at Cross Green (min 1200 homes); and
- SA3 Land north of Linthouse Lane (min 1200 homes)

The Housing Site Selection Topic Paper 2022 (Appendix 3) details that the release of green belt land in these locations will result in:

- SA1 (site 519): SA findings - Major negative effects are predicted against



the landscape criteria, due to the site's Green Belt harm.

- SA2 (sites 646 a&b): SA findings - Major negative effects are predicted against the landscape criteria, due to the sites Green Belt harm.

- SA3 (site 486c): SA findings - Major negative effects are predicted against the landscape criteria, due to the sites Green Belt harm.

The Green Belt Study (2019) provides further detail in table 7.1 that development of:

SA1: Site 519 will result in a 'high' level of harm to the Green Belt;

SA2: Site 646a will result in a 'high' level of harm to the Green Belt;

SA2: Site 646b will result in 'high' or 'very high' levels of harm to the Green Belt; and

SA3: Site 486c will result in a 'high' level of harm to the Green Belt.

The release of these sites will therefore result in a weakening of the Green Belt, for example by leaving a narrow gap between towns or increasing its containment by urban areas (as detailed in paragraph 6.23 of the Green Belt Study).

In summary, there is significant reliance on the delivery of housing on four strategic sites where considerable uncertainty remains over the potential rates of housing delivery. In addition, these sites will result in 'high' or 'very high' levels of harm to the Green Belt that could potentially be avoided by allocating land in other areas, such as land in Tier 4 settlements.

As a consequence, the Plan is considered to be unsound as it is not justified (is an appropriate strategy, taking into account the reasonable alternatives) nor effective (deliverable over the Plan period).

(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.

In order to ensure that the Plan is justified (is an appropriate strategy, taking into account the reasonable alternatives) and effective (deliverable over the Plan period), less reliance should be placed on the delivery of housing on large scale strategic sites (S1 – S4) with a greater level of growth, and allocations, directed to lower tier (tier 4) settlements in need of growth where allocations would maintain and enhance the vitality of these communities but not give rise to the 'high' or 'very high' levels of harm to the Green Belt associated with the larger scale (S1-S3) housing sites.

Such a change would also contribute to ensuring that the Plan:

- plans positively for the provision of housing sites of less than one hectare through the allocation of land (in accordance with paragraph 69 of the NPPF), as detailed in the representor's objection to policy DS5;
- is effective in delivering the housing requirement over the Plan period (in accordance with paragraph 23 of the NPPF), as detailed in the representor's objections to policies DS4 and DS5;
- meets the housing needs of lower tier (tier 4) settlements (in accordance with paragraph 78 of the NPPF), as detailed in the representor's objection to policy DS5;
- maintains and enhances the vitality of rural communities and their

local services (in accordance with paragraph 79 of the NPPF), as detailed in the representor's objection to policy DS5; and
- ensures that land is not unnecessarily included within the Green Belt and demonstrates that Green Belt boundaries will not need to be altered at the end of the Plan period, when reviewing Green Belt boundaries (in accordance with paragraph 143 of the NPPF).

(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:

In order to contribute to discussions on the appropriateness of the Plan's reliance on four strategic sites and how this reliance adversely affects its soundness.

(Continue on a separate sheet /expand box if necessary)

Please note the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

Representations cannot be kept confidential and will be available for public scrutiny, including your name and/or organisation (if applicable). However, your contact details will not be published.

Data Protection

Your details will be added to our Local Plans Consultation database so that we can contact you as the review progresses. South Staffordshire Council will process your personal data in accordance with the Data Protection Act 2018 and the General Data Protection Regulations (GDPR). Our Privacy Notice can be viewed at <https://www.sstaffs.gov.uk/planning/strategic-planning--data-protection.cfm>

Please return the form via email to localplans@sstaffs.gov.uk or by post to South Staffordshire Council, Community Hub, Wolverhampton Road, Codsall, South Staffordshire WV8 1PX