

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 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.

Policies Map 28 for Seisdon limits opportunities for housing growth as it does not identify any housing site allocations and draws the development boundary tightly around the existing built form of the settlement.

This treatment of Seisdon in the Publication Plan fails to:

- recognise the sustainability of the settlement;
- protect and enhance the settlement's sustainable village centre and its services and facilities;
- meet housing needs during the Plan period, including the needs of the settlement and the NPPF requirement to provide 10% of housing growth on sites of less than 1 hectare (as detailed in the representor's objection to policy DS5);
- ensure that the Plan makes an appropriate contribution towards the unmet needs of the Greater Birmingham Housing Market Area (as detailed in the representor's objection to policy DS4);
- reduce reliance on the delivery of housing on four strategic sites where considerable uncertainty remains over the rate of housing delivery achievable in the Plan period (as detailed in the representor's objection to policies SA1, SA2, SA3 and SA4); and
- ensure that development is directed to sites that have less harm on the Green Belt (as detailed in the representor's objection to policies SA1, SA2, SA3, SA4 and SA5).

In summary, the Plan fails to ensure that housing development needs will be met and it is inconsistent with national planning policy. As a consequence, the Plan is considered to be unsound as it is not positively prepared (meets the area's objectively assessed needs), justified (is an appropriate strategy, taking into account the reasonable alternatives), effective (deliverable over the Plan period) or consistent with national policy.

(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.

Policies Map 28 should be amended to include the allocation of housing site 671 in Seisdon. This proposed modification will contribute to the soundness of the Plan by helping to ensure:

- that development needs are met (it is positively prepared);
- an appropriate strategy that takes into account the needs of Tier 4 settlements (it is justified);
- that the Plan relies on sites that do not suffer from significant questions over deliverability (it is effective); and
- consistency with national policy on housing site requirements and Green Belt.

It is recognised that all 4 of the sites identified in the Council's Strategic Housing & Economic Land Availability Assessment (SHELAA) for Seisdon have been identified as potentially suitable for housing development, and that the detailed assessment of these sites (in Appendix 3 of the Housing Site Selection Topic Paper) identifies that all 4 are broadly comparable.

However, the assessment of sites contained within the Housing Site Selection Topic Paper is based upon a number of criteria including the findings of the Sustainability Appraisal and the Green Belt Study. The Green Belt Study identifies that sites 671 and 358 give rise to the least amount of harm on the purposes of the Green Belt in this location. In addition, it is contended that there are a number of inaccuracies or omissions with the sustainability assessment of site 671 in Seisdon, as follows:

- **Site 671 has been identified as scoring poorly with respect to 'Climate Change and Adaptation' due to part of the site being within an area determined to be at low, medium and high risk of surface water flooding. The assessment therefore concludes that development at the site would be expected to have a major negative impact on pluvial flood risk, as development could potentially locate some site end users in areas at high risk of surface water flooding, as well as exacerbate pluvial flood risk in surrounding locations. However, the area subject of surface water flooding is negligible and can either be excluded from the allocation or accommodated within any site layout as part of a sustainable drainage solution and/or open space provision. The potential 'Climate Change and Adaptation' impact should therefore be revised to negligible.**
- **Site 671 has been identified as scoring poorly with respect to 'Cultural Heritage'. For this aspect of the assessment, development on both site 359 and site 671 is considered to have the potential to give rise to minor negative impacts. However, the assessment details that development on site 359 may negatively impact on the setting of Listed Buildings, the settlement's Conservation Area and coincides with the archaeological feature 'Seisdon Hall Park, Trysull'. In comparison, the only concern raised on Site 671 is that it is located**



adjacent to 'Seisdon Hall Park, Trysull'. It is evident that site 359 has a far greater potential impact upon the historic environment than site 671 and this should be reflected in the scoring with site 671 identified as being negligible in this aspect.

- Table 7.2 of the Green Belt Study provides an assessment of each site's potential harm on the Green Belt. Whilst some sites in Seisdon have been identified as potentially having a 'Moderate-High' impact, site 671's potential impact is identified as 'Moderate'. However, this distinction between sites is not adequately recognised in the Sustainability Appraisal. In addition, site 671 is also uniquely located within the settlement, adjoining the recreational ground, to reduce the impact of removing land from the Green Belt by providing compensatory improvements in the form of:
 - new or enhanced green infrastructure;
 - woodland planting;
 - landscape and visual enhancements (beyond those needed to mitigate the immediate impacts of the proposal);
 - improvements to biodiversity, habitat connectivity and natural capital;
 - new or enhanced walking and cycle routes; and
 - improved access to new, enhanced or existing recreational and playing field provision.
- It should also be recognised that Site 671 lies closer, and benefits from better pedestrian linkages to the settlement's main services/facility (Seisdon Convenience Store and Off Licence).

Given the above, it is considered evident that site 671 represents the most sustainable location for new housing development in Seisdon and should therefore be allocated in whole, or part, to help ensure that development needs are met, an appropriate strategy is provided that takes into account the needs of this Tier 4 settlement, reduced reliance is placed on sites that suffer from significant questions over deliverability and consistency with national policy on housing site requirements and Green Belt.

(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)
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✓	Yes , I wish to participate in hearing session(s)
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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 how the Plan may most appropriately meet the needs of Seisdon during the Plan period.

(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