



**Local Plan**  
Publication Stage  
Representation Form

**Ref:**

**(For  
official  
use only)**

**Name of the Local Plan to which this representation relates:**

**South Staffordshire Council  
Local Plan 2018 - 2039**

**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\***

*\*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.*

**2. Agent's Details (if applicable)**

Title	Ms	Mr
First Name	Sarah	Fred
Last Name	Day	Davies
Job Title (where relevant)	Senior Land Manager	Consultant
Organisation (where relevant)	Clowes Developments	Harris Lamb
Address Line 1	Ednaston Park	Grosvenor House
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Line 3	Ednaston	Edgbaston
Line 4	Derbyshire	Birmingham
Post Code	DE6 3FA	B16 8SP
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E-mail Address (where relevant)	sarah.day@clowes.co.uk	fred.davies@harrislamb.com



## 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	<input type="text"/>	Policy	SA7 and Table 9	Policies Map	Employment Omission Site Land off B4176/A449 Wall Heath
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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.

Employment Land Omission Site : Land off B4176 and A449, Wall Heath

1) Introduction

The Objector is seeking the allocation of employment land at Wall Heath for Class E(g)iii, B2, B8 and ancillary uses in order to accommodate the employment needs of South Staffordshire and the Black Country.

The site has been assessed by the Council as Site E56 in the Council’s Economic Strategy and Employment Site Assessment Topic Paper, November 2022.

To assist consideration of this objection we attach the following documents to this representation:

- Annex 1 – Site Location Plan identifying the site and the area which is to be identified on the proposals map (this land will also need to be removed from the Green Belt and an objection to the Green Belt boundary/proposals map has been submitted separately).
- Annex 2 – Site Assessment Sheet; we have addressed the points made by the Council in its own assessment of Site E56 to provide an explanation as to why the site is suitable for development.



3. Annex 3 – Employment Market Assessment prepared by Messrs Harris Lamb and Sellers identifying a considerable shortfall of vacant stock in the main employment areas in the Black Country.
4. Annex 4 – Vision Document and updated Masterplan.
5. Annex 5 – Landscape Briefing Note.
6. Annex 6 – Highways Briefing Note.

The site should be added to Table 9 and the list of sites under SA7.

## 2) Site Location

The site is located on the north side of Wall Heath, one of the settlements adjoining the Black Country administrative boundary. As is described in the Site Assessment Sheet, the land is very well related to the Black Country and is capable of being served by public transport as is accepted by the Council. The site is also well defined by existing, physical boundaries meaning that, in Green Belt terms, its release from the Green Belt can be done so with identifiable boundaries containing the site.

The site is also very well defined by its existing boundaries. A former railway line, now well wooded, provides an identifiable landscape feature and has been used to help contain the developed area which is shown on the Masterplan at Annex 4.

The Vision Document accompanying this representation demonstrates that consideration has been given to the development on the site and that regard has been had to a variety of technical and environmental matters including drainage, highways, landscape impact and biodiversity. We note that the Council's assessment of the site has not identified any overriding terms why the site should not be developed in technical or environmental reasons. Although some minor work will be needed to the wooded area along the former railway line to accommodate access, this would have limited impact and would be fully mitigated with replacement planting. Indeed, as is shown on the illustrative Masterplan ample land is retained for biodiversity net gain purposes and, overall there will be an increase in tree planting across the site.

## Context

The Objector considers that the Regulation 19 plan has failed to make proper provision for the employment needs of both South Staffordshire and the Black Country with an over reliance upon the contribution which shall be made to employment supply from the West Midlands Interchange ("**WMI**"). That development is intended to serve regional/national companies with rail related aspirations. Such provision, whilst welcome in the overall economy, will not meet the needs of local businesses seeking new floorspace and development sites in South Staffordshire and the Black Country. Indeed it is noteworthy that an element of the calculation for new land in the plan area has been based on past take up rates which would, of course, have been derived from local businesses and would not reflect any contribution made by WMI. Since WMI will meet the needs of a different category of employer, it is not appropriate to include it in the employment supply for the plan nor to suggest that it will accommodate elements of overspill of the Black Country employment land requirement.



To demonstrate the need for new floorspace to meet local needs, this representation is accompanied by a Market Assessment prepared by Messrs Harris Lamb and Sellers, two firms with specialist agency teams working in the Black Country area. Their assessment demonstrates the very critical lack of floorspace in many of the major employment areas in the Black Country and a number of significant employment land requirements from local firms which are incapable of being met owing to the absence of appropriate sites. However WMI is not seen as an alternative location for these requirements with the consequence that an over reliance on the WMI will simply mean that local needs will go unmet owing to a deficiency in the overall supply of sites to be brought forward through the plan process.

The Masterplan attached at Annex 4 clearly demonstrates that a range of units suited to meet local needs can be accommodated on the site. It may be seen that the type and range of units will be very different to those which are likely to be accommodated on the WMI.

The omission site is very well located in terms of its proximity to both South Staffordshire and the Black Country and indeed one of the advantages of the site, as identified on the Site Assessment Sheet is its close proximity to the Black Country, the employment workforce and the ability to use non-car modes of transport with bus and cycle facilities in close proximity.

We do note that comments have been made regarding the landscape impact of the scheme and the capacity to local networks but these matters have been addressed by the Objector. In landscape terms the site is very well contained within its own boundaries and is not expected to make any material impact on the wider landscape as is confirmed in the attached landscape note at Annex 5.

Similarly, in transport terms it is not expected that the site will require anything other than localised alterations to junctions to accommodate the scale of development proposed.

#### Green Belt Issues

Although it is noted that the site is within the Green Belt, it is of course the case that all significant development in South Staffordshire, both to meet its own needs and those of the Black Country, are going to take place in Green Belt locations where they are best placed to meet the needs of employers and the population. Indeed, if one is going to allocate land to meet the Black Country's employment overspill needs it makes sense for the site to be allocated as close as possible to the boundary of the Black Country to minimise journey to work distances and to provide ease of expansion for those businesses seeking new floorspace.

Owing to the need to allocate more land to meet employment requirements in a location which is best able to provide sustainable patterns of growth, the release of the site is considered to constitute exceptional circumstances justifying a review of the Green Belt boundary through the Local Plan process. It will meet objectively assessed employment needs for both South Staffordshire and the Black Country.

A comprehensive review of the Green Belt considerations, in terms of purposes of Green Belt designation and review of boundaries is contained in a separate representation in respect of Green Belt policy and the proposals map which seeks to remove the site from the Green Belt which will be consistent with the proposal to allocate the site for employment development as per this representation.



In summary, there is a clear need to allocate further land for employment purposes to meet both the needs of South Staffordshire and the Black Country. Such an allocation should take place as close as possible to the Black Country boundary in order to help support expansion of existing businesses in that area and the objection site is well placed to fulfil the needs of local businesses for future floorspace. As the Masterplan demonstrates, a very attractive scheme can be produced with a range of units set in an attractive landscape led setting, providing significant opportunities for biodiversity net gain and ensuring that local residential amenity is protected.

A failure to allocate such land will mean that the economic objectives of the Framework, particularly those set out at paragraphs 8a and 81, will not be met and there will then be consequences for the social aspects of the Framework with a lack of employment opportunities for the local population.

#### Duty to Cooperate

The failure of the Council to identify appropriate levels of land to meet the Black Country overspill means that it cannot be said to address the Duty to Cooperate in a meaningful way such that there will be an unmet need from a neighbouring authority area.

Turning to the test of soundness, the Objector's position is as follows:

- 1) *Positively Prepared*; The strategy does not meet the areas objectively assessed needs because it fails to identify sufficient employment land to meet the overspill requirements of the Black Country. There is insufficient evidence to demonstrate that, with the close socio economic ties between South Staffordshire and the Black Country, the employment land requirement meets the objectively assessed needs and, given the extremely low vacancy rates on existing employment areas in the Black Country, more land needs to be released to meet the employment needs of the Black Country.
- 2) *Justified*; The strategy cannot be appropriate because it fails to meet the objectively assessed needs and fails to release sufficient Green Belt land to allow allocations to be made to meet these needs. Furthermore, the Objector has pointed out that some of the assumptions regarding employment land requirements are unjustified with reductions being made in certain sectors of the economy which are unlikely to be affected by Covid in terms of floorspace. Thus the employment land requirement has been set at an artificially low level.
- 3) *Effective*; The strategy would not be effective. It does not provide for employment needs over the plan period. Simply deferring the issue to a further Local Plan review is inappropriate and would mean that the economic benefits of development in terms of delivering the three elements of sustainability set out at paragraph 8 of the Framework cannot be delivered. It is clear from an examination of the draft Statement of Common Ground that agreement has not yet been reached in respect of employment needs and that once these are considered on a proper, objective basis, sufficient land has been released in a plan area which is based suited to meet those needs.
- 4) *Consistent with National Policy*; As noted above, the failure to provide sufficient land to meet the reasonable overspill requirements of the Black Country means that the plan is not in alignment with the economic objectives of sustainability and the provision of economic opportunities as set out at paragraphs 8a and 81 of the Framework.



(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.

The employment figure set out in policy DS4 is not sound and the amount of land which needs to be found for development needs to be increased significantly. The policy should be amended by removal of references to contributions from WMI (which would otherwise be regarded as windfalls if they do meet the requirements for local businesses); this would mean that the amount of land to be developed to meet local needs should be increased by 18.8 hectares, the figure of 1.2 hectares to be discounted from surplus office floorspace should be removed from the figures and the contribution which will meet the Black Country overspill should be reduced to 16.6 hectares in terms of the surplus element in the South Staffordshire supply.

Given the strong economic connections between South Staffordshire and the Black Country area, it is submitted that a further 84.6 hectares of land should be allocated under DS4 on top of 99 ha identified and with an appropriate amendment made to the proposals map. This gives a total of 183.6 ha to be allocated (these would make up the 18.8 hectares lost from WMI for South Staffordshire and would also contributed to Black Country overspill for employment).

Land to the north of Wall Heath should be allocated under SA7 and Table 9 for 80 hectares of mixed employment.

Such an approach would address the Objector's concerns regarding the Duty to Cooperate and meeting the needs of adjoining authorities and would also ensure compliance with the tests of soundness identified above for the following reasons:

- a) The plan would then be positively prepared providing a strategy which meets the objectively assessed needs of both South Staffordshire and unmet need from neighbouring areas.
- b) The plan would be justified, providing an appropriate strategy. Alternative strategies, which fail to meet objectively assessed needs and overspill needs cannot be regarded as being reasonable.
- c) The plan would be effective making sure that land is allocated to meet local needs instead of relying upon West Midlands Interchange, to a large degree, which is designed to meet the needs of regional/national businesses and does not meet the needs of businesses which so far have made up employment land provision and which form the basis of calculation of the employment requirement for South Staffordshire and which have been identified in the paper produced by Messrs Harris Lamb/Sellers, identifying the severe shortfall of available floorspace on estates which provide for local needs.

The plan will therefore be consistent with national policy ensuring that the economic objectives of paragraphs 8a and 81 are met.



(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:

The emerging plan will fail to deliver enough employment land to meet the overspill requirements of the Black Country and South Staffordshire. One of the fundamental roles of the plan is to deliver a sufficient amount of employment land to meet economic needs and the plan fails to do this. Given the magnitude of this issue we request the opportunity to address the Inspector to outline our concerns.

**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**



## South Staffordshire Council

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>

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