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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.
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Part A

1. Personal Details*

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2. Agent's Details (if applicable)

<p>Title <input style="width: 90%;" type="text"/></p> <p>First Name <input style="width: 90%;" type="text"/></p> <p>Last Name <input style="width: 90%;" type="text"/></p> <p>Job Title (where relevant) <input style="width: 90%;" type="text"/></p> <p>Organisation (where relevant) <input style="width: 90%;" type="text" value="Barratt West Midlands"/></p> <p>Address Line 1 <input style="width: 90%;" type="text"/></p> <p>Line 2 <input style="width: 90%;" type="text"/></p> <p>Line 3 <input style="width: 90%;" type="text"/></p> <p>Line 4 <input style="width: 90%;" type="text"/></p> <p>Post Code <input style="width: 90%;" type="text"/></p> <p>Telephone Number <input style="width: 90%;" type="text"/></p> <p>E-mail Address (where relevant) <input style="width: 90%;" type="text"/></p>	<p><input style="width: 90%;" type="text" value="Miss"/></p> <p><input style="width: 90%;" type="text" value="Jessica"/></p> <p><input style="width: 90%;" type="text" value="Graham"/></p> <p><input style="width: 90%;" type="text" value="Associate Planner"/></p> <p><input style="width: 90%;" type="text" value="Savills (UK) Limited"/></p> <p><input style="width: 90%;" type="text" value="55 Colmore Row"/></p> <p><input style="width: 90%;" type="text" value="Birmingham"/></p> <p><input style="width: 90%;" type="text"/></p> <p><input style="width: 90%;" type="text"/></p> <p><input style="width: 90%;" type="text" value="B3 2AA"/></p> <p><input style="width: 90%;" type="text" value="0121 634 8494"/></p> <p><input style="width: 90%;" type="text" value="jgraham@savills.com"/></p>
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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 Policies Map

4. Do you consider the Local Plan is :

(1) Legally compliant	Yes	<input type="text"/>	No	<input type="text"/>
(2) Sound	Yes	<input type="text"/>	No	<input checked="" type="text" value="X"/>
(3) Complies with the Duty to co-operate	Yes	<input type="text"/>	No	<input type="text"/>

Please tick as appropriate

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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.

Paragraph 143 of the National Planning Policy Framework ('NPPF') requires plans to demonstrate that that the revised Green Belt boundaries will not need to be altered at the end of the plan period. SSDC is not proposing to safeguard any land for development and given the significant shortfalls arising from the Greater Birmingham and Black Country Housing Market Area ('GBBCHMA') (discussed further in our response to Policy DS4), we consider it is very likely that SSDC will need to review their Local Plan in the short term to accommodate more growth for the GBBCHMA. 80% of the District is Green Belt (Table 5 of the Publication Plan) and so future Green Belt release is considered to be inevitable to meet housing needs as required in this plan period. Barratt therefore considers that the plan is not consistent with national policy (NPPF Paragraph 35c).

(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.



Please see separate responses to Policies DS4, MA1 and SA1.

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Part B – Please use a separate sheet for each representation

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Policy DS2 states that Green Belt compensatory improvements will be delivered as part of future applications on development sites which have been removed from the Green Belt and allocated in the plan. This aligns with the requirements of NPPF paragraph 142. However, Policy DS2 does not provide any detail on the type or scale of compensatory improvements required. Any requirement should accord with the wording of the Planning Practice Guidance ('PPG') which states that policies for green belt compensatory improvements should be "*informed by supporting evidence of landscape, biodiversity or recreational needs and opportunities*" [Savills emphasis] (Reference ID: 64-002-20190722). Compensatory improvements should not necessarily have to improve access, landscape and biodiversity.

The Policy states that compensatory improvements will be delivered in accordance with a hierarchy, with the preferred approach being on land adjacent to or in close proximity to the development site. National policy requires plans and decision making to make effective use of land (chapter 11 of the NPPF) and NPPF paragraph 143 requires plans to demonstrate that the Green Belt boundaries will not need to be altered at the end of the plan period. Most Green Belt release is on land immediately adjacent to settlement boundaries and primarily in highly sustainable and accessible locations. Therefore, it is important that the provision of Green Belt compensation near these sites should



not be proposed on land which could be more suitable for development in the future.

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Please see separate responses to Policies DS4, MA1 and SA1.

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2. Agent's Details (if applicable)

Title	<input type="text"/>	<input type="text" value="Miss"/>
First Name	<input type="text"/>	<input type="text" value="Jessica"/>
Last Name	<input type="text"/>	<input type="text" value="Graham"/>
Job Title (where relevant)	<input type="text"/>	<input type="text" value="Associate Planner"/>
Organisation (where relevant)	<input type="text" value="Barratt West Midlands"/>	<input type="text" value="Savills (UK) Limited"/>
Address Line 1	<input type="text"/>	<input type="text" value="55 Colmore Row"/>
Line 2	<input type="text"/>	<input type="text" value="Birmingham"/>
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Telephone Number	<input type="text"/>	<input type="text" value="0121 634 8494"/>
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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 Policies Map

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Policy DS4 states that the Council will promote a minimum of 9,089 homes between 2018-2039. SSSDC intend to meet their minimum standard need of 241 dwellings per annum (2022-2039) with a proposed 4,000 dwellings contribution towards the GBBCHMA. Barratt has significant concerns with this approach as set out in detail our response below.

The PPG is clear that the standard method sets the minimum housing need and does not produce a housing requirement figure (Reference ID: 2a-002-20190220); and there may be circumstances where a higher requirement figure is appropriate, for example, meeting unmet HMA needs or previous levels of housing under-delivery (Reference ID: 2a-010-20201216). Although the plan does include a contribution towards the HMA shortfall which the Council may consider is a suitable buffer, the Council has not proposed an uplift to the minimum standard method figure to meet local needs nor has the Strategic Housing Market Assessment ('SHMA') May 2021 and update October 2022 assessed the requirement for an uplift for economic growth aspirations. Without a buffer, we do not consider that the plan has been positively prepared in an aspirational way (NPPF paragraphs 16 and 35) nor does it support the Government's objective of significantly boosting the supply of homes (NPPF paragraph 60).



In order to be found sound, a plan should be positively prepared and “*seek to meet the area’s objective assessed needs and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development*” (NPPF paragraph 35). Barratt therefore supports the proposed approach to contribute towards the GBBCHMA shortfall but objects to the 4,000 dwelling figure.

Paragraph 5.15 of the plan states that there is emerging evidence demonstrating a significant shortfall across the GBBCHMA but the “*exact extent is not currently known*”. Barratt agrees that the distribution of the housing shortfall across the HMA authorities has not been agreed, nor is it known when it will be so the Council cannot fully justify that 4,000 dwellings is a reasonable contribution. Particularly given that there are now additional significant housing shortfalls arising from the Black Country (circa 28,000 dwellings) and Birmingham (circa 78,000 dwellings) and yet the 4,000 dwelling contribution has not been increased from the Preferred Options Stage to reflect the changing circumstances. It is also unclear how SSDC propose to distribute the 4,000 dwellings with the authorities generating the shortfall. The District has a strong connectivity with the GBBCHMA and the Birmingham conurbation so is well placed to accommodate more of the shortfall than other authorities in the GBBCHMA. Barratt therefore considers that in order for the plan to be positively prepared (NPPF paragraph 35), SSDC should be proposing more than 4,000 dwellings towards the significant HMA shortfall.

Reference is made in paragraph 5.13 of the plan to the GBBCHMA position statement from July 2020. Notwithstanding the fact that Barratt has significant concerns with the most recent Position Statement (December 2021) and its unevidenced claim that the existing Birmingham shortfall (circa 38,000 dwellings) has reduced to just 6,302 dwellings, this work is now outdated given the release of Birmingham’s Issues and Options Plan which identifies a significant shortfall of circa 78,000 dwellings across the plan period and demonstrates how woefully inaccurate the Position Statement was.

In order to demonstrate on-going and effective joint working with the HMA authorities, one or more Statements of Common Ground (‘SoCG’) should be prepared to document how strategic matters are being progressed (NPPF paragraphs 27 and 35c). NPPF paragraph 27 also requires SoCG to be made “*publicly available throughout the plan-making process*”. Appendix D of the Duty to Cooperate Topic Paper 2022, sets out a range of SoCGs between SSDC and other HMA authorities. Confirmation is sought on whether these statements have been agreed as none of them are signed. The PPG expects authorities to produce a single SoCG where possible (Reference ID: 61-013-20190315). Given the significant shortfall which is arising from Birmingham and the Black Country, a collaborative and joined up approach to addressing the need is required. Barratt consider that a single SoCG with all authorities should be produced to set out the agreed distribution of the shortfall across the GHMA.



Table 8 in the local plan sets out how housing growth is proposed to be distributed across the District. Circa 16.8% of the total housing growth proposed is to be delivered in Codsall / Bilbrook (679 new dwellings proposed, 584 dwellings from safeguarded land and 462 dwellings from existing permissions). As arguably the most sustainable settlements in the District, it is considered that more growth should be directed to these settlements. Additionally, the train stations within the settlements make this location highly accessible to the GBBCHMA. As stated above, it is considered that the District should be providing more housing to meet the HMA's significant housing needs and Codsall / Bilbrook is an appropriate location to meet these needs.

Table 8 also sets out that 5.8% of the proposed growth is expected to be delivered through windfall sites (600 dwellings across the plan period). The Strategic Housing & Economic land Availability Assessment ('SHELAA') (2022) sets out that the proposed windfall allowance is 30 dwellings per annum that were previously assumed. The graph on page 53 of the SHELAA sets out completions between 2006-2018 on windfall, SHLAA and Site Allocation Document sites. To avoid double counting, windfall allowances should not form part of the first 5 years trajectory. The Housing trajectory in Appendix H should provide a breakdown of key sites so we can assess whether we consider they are reasonable assumptions or not (NPPF paragraph 74).

Within the Housing Growth in Locality 4 (Codsall / Bilbrook) section of the plan, it states that "*the level of growth to be delivered is also aligned to the level of growth advised by the Education Authority to deliver an appropriately sized First School in this location whilst avoiding creating capacity issues at the Middle and High School level*". The NPPF (paragraphs 20 and 34) requires plans to set out the level of infrastructure (including education) that is required to support the amount of growth planned. Barratt therefore do not support SSDC's approach that education capacity should limit the amount of growth being target to the most sustainable settlements in the District as it is not consistent with national policy. If school capacity issues have been identified then this should be addressed now through plans for expansion of the existing schools or the allocation land for education within the plan.

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The proposed contribution towards the GBBCHMA shortfall should be recalculated to reflect the significant increase in the identified shortfall across the plan period.

More growth should be directed to Codsall / Bilbrook as the most sustainable settlements in the District. Barratt's site reference 500 is considered to be in a



highly sustainable location and would form a logical extension to the proposed allocation SA1.

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First Name	<input type="text"/>	<input type="text" value="Jessica"/>
Last Name	<input type="text"/>	<input type="text" value="Graham"/>
Job Title (where relevant)	<input type="text"/>	<input type="text" value="Associate Planner"/>
Organisation (where relevant)	<input type="text" value="Barratt West Midlands"/>	<input type="text" value="Savills (UK) Limited"/>
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The Policy states that *“an integral part of the Strategy will be to ensure that growth is distributed to the district’s most sustainable locations, avoiding a disproportionate level of growth in the district’s less sustainable settlements”*. Barratt supports this approach, however, it is considered that more housing growth should be directed to Codsall / Bilbrook.

Codsall/Bilbrook is identified as a Tier 1 settlement which are the most sustainable settlements in the District (evidenced within the Rural Services and Facilities Audit 2021). Barratt therefore supports growth being directed to these settlements, however we consider that more growth should be accommodated than the proposed 16.8%. The settlements scored the same as Penkridge in the Rural Services and Facilities Audit, yet 17.8% of growth is being directed to Penkridge. This demonstrates an inconsistent approach being applied in the growth strategy. In order to accord with the proposed spatial strategy, additional housing should be allocated in Codsall/Bilbrook. Barratt is promoting land immediately adjacent to Proposed Allocation SA1 to the east of Bilbrook (SHELAA site reference 500). The allocation of this site would ensure that growth is being directed to the most sustainable settlements in the District and will accord with SSSC’s spatial strategy.



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Local Plan 2018 - 2039**

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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	<input type="text"/>	<input type="text" value="Miss"/>
First Name	<input type="text"/>	<input type="text" value="Jessica"/>
Last Name	<input type="text"/>	<input type="text" value="Graham"/>
Job Title (where relevant)	<input type="text"/>	<input type="text" value="Associate Planner"/>
Organisation (where relevant)	<input type="text" value="Barratt West Midlands"/>	<input type="text" value="Savills (UK) Limited"/>
Address Line 1	<input type="text"/>	<input type="text" value="55 Colmore Row"/>
Line 2	<input type="text"/>	<input type="text" value="Birmingham"/>
Line 3	<input type="text"/>	<input type="text"/>
Line 4	<input type="text"/>	<input type="text"/>
Post Code	<input type="text"/>	<input type="text" value="B3 2AA"/>
Telephone Number	<input type="text"/>	<input type="text" value="0121 634 8494"/>
E-mail Address (where relevant)	<input type="text"/>	<input type="text" value="jgraham@savills.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 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 checked="" type="checkbox"/>	No	<input 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.

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Barratt acknowledges that it is a key longer-term aspiration of the council to explore potential options within the district for a sustainable independent new settlement, which has the capacity to accommodate the future housing and economic needs of the district. Given the limited evidence to support a new settlement at this stage, we support SSDC’s approach to exclude the new settlement from the housing trajectory.

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.



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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	Policies MA1 & SA1	Policies Map	<input type="text"/>
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Policy MA1 relates to Policy SA1 – Land east of Bilbrook which is proposed to be allocated for a minimum of 848 dwellings. Barratt has no objection to the allocation of land to the east of Bilbrook. However, Barratt considers their land (SHELAA reference 500) immediately adjacent to Site SA1 should be included within the strategic allocation in order to provide a revised Green Belt boundary that is clearly defined by permanent and physical features (NPPF paragraph 143f).

The Housing Site Selection Topic Paper states that only sites which were assessed in the SHELAA as either 'suitable', 'potentially suitable' or "could potentially be made suitable through the removal of a policy or physical constraint and a more thorough assessment of the site's context" (paragraph 2.3) were considered for allocation. Barratt's land (site reference 500) has been assessed as 'not suitable' for development in the SHELAA 2022. Appendix 1 of the Housing Site Selection Topic Paper, sets out a brief response on why sites have not been proposed to be allocated. The justification provided for site reference 500 is that it was "assessed as 'unsuitable' in the SHELAA".

The SHELAA 2022 states that the key constraints are that the 'site is disassociated from any village development boundary' and that a small part of the site is within Flood Zone 3. The SHELAA states that small part of the site

within Flood Zone 3 has been removed from the overall area which Barratt supports and considers is not a constraint that would impact on the site being delivered for housing. Proposed built development can be directed to Flood Zone 1 areas within the site.

Although Barratt's site is currently disassociated from the village boundary, the delivery of proposed Strategic Allocation SA1 will result in site reference 500 being immediately adjacent to the revised settlement boundary of Bilbrook. The SHELAA currently states that "*Bilbrook development boundary and Site 519 (which adjoins development boundary) has no indicated willingness to promote comprehensive scheme which includes site 500*". Site 500 can be accessed by vehicles directly from Barnhurst Lane so is not reliant on Site 519 (land currently allocated as Site SA1). However, it is important to note that the proposed 'Parameters Masterplan' submitted by the promoters of Site 519 with their representations to the Issues and Options consultation, shows potential pedestrian connections into our client's land. The proposed Concept Plan within Appendix F of the Publication Plan shows that the proposed 'primary routes' through Site SA1 are in close proximity to site 500. Additionally, Policy SA1 could be reworded to require that both Sites 519 and 500 are delivered comprehensively in terms of green infrastructure and pedestrian / cycle connectivity.

A Strategic Transport Assessment (May 2022) has been produced for proposed Strategic Allocation SA1. The Assessment (paragraph 9.2.6) states that "*there is scope to further optimise the layout of the junction at planning application stage, with additional land being available from within the site on the west side of Barnhurst Lane and south of Pendeford Mill Lane. Forecast queues could be optimised further through the use of MOVA control if considered appropriate*". Bloor Homes (the housebuilder promoting site SA1) should be required to dedicate sufficient land around the junction to enable future alterations to the junction if they are required in the future. The design of the junction should appropriately cater for future growth across the area which may not be currently in the pipeline at this stage.

The development of Site SA1 will deliver a number of pedestrian / cycle / public transport connection improvements. The Strategic Transport Assessment also notes that Staffordshire County Council intend to divert the existing bus service in the area adjacent to Site SA1 and financial contributions from Bloor Homes are expected to fund this. If the bus route is diverted, this again will make Barratt's site even more accessible and sustainable for residential development.

Landscape Considerations

SSDC has published a Green Belt Study Addendum (2022) with this consultation. This addendum was prepared by LUC on behalf of SSDC. Barratt's landscape consultant, Zebra Landscape Architects ('ZLA'), has reviewed the technical evidence base for the wider land parcel (referred to as Parcel S46), within which, Site reference 500 is located. In the 2019 South Staffordshire Green Belt Study Stage 1 and 2 Report, also prepared by LUC, Site reference



500 was appraised only as part of the wider land Parcel S46, which has a total area of 776 Hectares.

In 2019, SSDC provided no individual site assessment of site reference 500, which Barratt objected to in their Preferred Options representations, and this continues to be the case within the 2022 Green Belt Study Addendum. The methodology for the Stage 1 and 2 Report and the Addendum are included in the reports. However, the Methodology does not detail how it defined the boundaries for each Land Parcel, or the smaller land areas reviewed as part of these studies. Instead, the studies only considered the quantum of site promoted to the Local Planning Process through the previous Call-for-Sites process, rather than utilising significant natural and man-made features, and durable features to define each of the assessed parcels (and so reflect of NPPF Chapter 13 para 143 part f).

The 2019 Study (Appendix 3) and 2022 Addendum refer to an area 'S46C1'. The S46Cs1 is entitled 'Eastward expansion of Bilbrook north of Moat Brook, or expansion of either Bilbrook or Wolverhampton into River Penk corridor'. SSDC do not outline the quantum of S46Cs1 on a plan contained within these studies, so it is unknown if site reference 500 is included within this area. None-the-less, and with consideration to Chapter 13 of the NPPF (including para 143 part f), it is evident on site, that site reference 500 is defined by significant physical features. These extensive features were noted in ZLA's site-specific Green belt Review (2021) (submitted with Barratt's Preferred Options response and resubmitted with this response) as follows:

'The site is situated inside, and sandwiched between, main vehicle routes to the east of Bilbrook including the Pendeford Mill Lane and Barnhurst Lane which robustly enclose the settlement of Bilbrook and land within its curtilage. Beyond the site's eastern edge is Barnhurst Land with the Shropshire Union Canal running parallel north to south. There is extensive employment/industrial built form and land use immediately east of this location (discernible from the site). There is a strong tree belt to the east and south of the site with scattered residential built form aligned with Barnhurst Lane. The River Penk runs from east of Barnhurst Lane and along the site's southern edge create a further physical boundary to the site. These features contain the site from the wider typical countryside to the north and east of the site's location.'

Given the above, ZLA consider that Site reference 500 is enclosed by well defined, extensive and durable man-made and natural features. ZLA consider that these features should have been utilised for a site-specific assessment of Site reference 500, rather than the site forming part of the wider S46Cs1 (which is assumed due to a lack of published information), and the far wider sweeping and expansive Parcel S46. S46Cs1 is a wider tract of land situated south of the previously promoted site reference 519 (proposed allocation SA1). This land extends beyond significant physical features, which already define site reference 500, including the route of Barnhurst Lane, the neighbouring Shropshire Union Canal and extensive employment/industrial built form beyond these two significant features to the east. Additionally, the route of the River



Penk runs to the south of the site beyond the woodland block which bounds the site from the south east to the south west.

Given this, site reference 500 is situated within the geographical area of Bilbrook and Codsall, and not experienced as part of Pendeford to the east and south, and located beyond the River Penk and the interlying extensive woodland beyond Bilbrook, through which Barnhurst Lane runs, crossing the River Penk. It is these features which divorce the site reference 500 from the wider Parcel S46 and the S46Cs1 area. These features are permanent and robust and would be more than sufficient to define a landscape parcel in its own right, which ZLA consider could have been included within the LPA's assessment and addendum. Additionally, given these features, ZLA consider that site reference 500 should not have formed part of the wider S46Cs1, from which it is divorced and shares a very limited relationship when seen on the ground.

Furthermore, the adjoining land parcel (site reference 519 and proposed allocation SA1) has been assessed separately to site reference 500. In the 2019 Green Belt Study (see page 560), SSSC considered that the release of land parcel 519 from the Green Belt for residential development would incur 'Moderate to High' harm to the Green Belt, and it has remained as 'Moderate to High' harm within the 2022 Green Belt Addendum (see Figure 7.3a). However, site reference 500 has been assessed 'high'. It is unclear why site reference 500 have been assessed differently to site reference 519. It is evident when on the ground that site reference 500 and site reference 519 collectively form the south eastern edge of Bilbrook. Site reference 500 and Site reference 519 are not separated by significant features, but narrow field hedgerows, which represent insignificant features for Green Belt realignment in the long term. Consequently, ZLA consider that there is a deficiency within the 2022 Green Belt Addendum as these two sites should have been reviewed holistically in accordance with the SSSC's protocol and methodology. In the absence of this, ZLA's site specific assessment (December 2021) is the most reliable and appropriate assessment for appraising site reference 500's Green Belt function. Whilst site reference 500 is located beyond the land parcel 519, it is directly enclosed extensively by significant man-made and natural features. Like site reference 519, site reference 500 is enclosed by Barnhurst Lane, the neighbouring Shropshire Union Canal and extensive employment/industrial built form beyond these two significant features to the east. Site 519 is enclosed in part by these features. However, site reference 500's southern boundary is enclosed by extensive woodland, with the course of the River Penk situated beyond the woodland whereas site reference 519, and the proposed allocation, is not. The southern boundary of site reference 519 is defined by an outgrown, gappy, and in places degraded field hedgerow. ZLA consider that this boundary is very weak for the permanent realignment of the Green Belt, which could be less robust and prone to future revision in the long term. Consequently, it is considered that when released from the Green Belt alone, the southern boundary of Site reference 519 / proposed allocation SA1, will not result in a robust Green Belt edge. The inclusion of site reference 500 would create a strong, robust edge to Bilbrook and revised Green Belt boundary.



Both site references 500 and 519 are located within these boundaries, and share an intervisibility with the settlement edge of Bilbrook, and the wider urban area of Codsall, as well as sharing direct and obvious views towards the recently completed and still being built out residential dwellings north west of the site (south of Pendeford Mill Lane).

In light of the above, ZLA considers that through the employment of a site-based assessment, it is evident that the release of site reference 500 for residential development would present no greater harm, or even less harm to the function and integrity of the wider Green Belt than the proposed release of site reference 519/SA1. The release of Site 519 and site reference 500 in combination would create a strong, robust edge to the further development of Bilbrook, enabling Green Belt re-alignment to significant man-made and natural features which would be robust and resilient going forward. Site reference 500 is not reliant on weak, insignificant physical features such as the noted gappy and outgrown field hedgerows within neighboring land parcels, rather the boundaries of site reference 500 are considered by ZLA to be significant, durable and robust and would enable a far stronger distinction between the urban environment and open countryside.

Consequently ZLA consider that, it is the above features, through their retention, that are likely to reduce the impact of development on the perception of spatial openness and visual openness across the wider Green Belt area between Bilbrook and Pendeford to the east. Therefore, to release land from the Green Belt between Bilbrook and Barnhurst Lane without site reference 500, would lead to an insufficient realignment of the Green Belt between Bilbrook and Pendeford. The release of site reference 500 would lead to a more robust, permanent solution, whilst still offsetting the effect of encroachment and coalescence through the site's own significant boundaries, or the substantial features which directly enclose it.

We consider that the development of Site Reference 500 forms a logical extension to Strategic Allocation SA1 and pedestrian and green infrastructure links could be provided to strengthen the accessibility and environmental net gain of the overall allocation. It is not considered that the 'constraints' identified within the SHELAA hinder the site's potential to deliver housing. The proposed Concept Plan for Site SA1 also shows that the proposed school and community hub within Site SA1 is in close proximity to site 500 so although it is currently detached, the provision of these facilities will make the east of Bilbrook even more sustainable than it already is. The extension of Site SA1 to include Barratt's land (Site 500) will also mean that more housing is being directed to the most sustainable settlement in the District which accords with SSDC's proposed spatial strategy.



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Barratt's site reference 500 is considered to be in a highly sustainable location and would form a logical extension to the proposed allocation SA1. We therefore request for the site to be released from the Green Belt and allocated for development within the plan.

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.

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This policy seeks to increase the supply of 2 and 3 bedroom homes which Barratt supports. However, the policy then seeks for all major development housing sites to provide a minimum of 70% of properties to be 3 bedrooms or less. We note that this requirement has reduced from the 75% previously proposed in the Preferred Options plan. However, Barratt do not support applying a blanket requirement across the District. Although the policy could provide useful guidelines to the type of dwellings that the District would seek to be provided on a site (e.g. stating that ‘a greater amount of 1, 2 and 3 bed dwellings is encouraged’), it is important that the final housing mix on a site is determined on a site by site basis taking relevant market signals (Planning Practice Guidance (PPG) Reference ID: 61-038-20190315), site location and needs assessments at the time of the application in to account.

The Policy also states that “*any development that fails to make efficient use of land by providing a disproportionate amount of large, 4+ bedroom homes compared with local housing need will be refused*”. When stating ‘disproportionate’ does the Council mean anything above the 30% required under this policy? If it is, then we are not sure what benefit this part of the policy provides. The wording is negative and we therefore do not consider that it has been ‘positively prepared’ (NPPF paragraph 35).

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The final housing mix should be determined on a site by site basis and reference to a minimum of 70% of dwellings being 3 bed or less should be removed from this policy.

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The Policy proposes a minimum density of 35dph in developments within or adjoining Tier 1 settlements, in infill locations within the development boundaries of other settlements in the district or in urban extensions to neighbouring towns and cities. As set out in our response to Policy HC1, Barratt objects to a blanket approach to density being taken as it should be agreed on a site by site basis. However, it is appreciated that wording has been added to the policy to state that site context could be a consideration to deliver a lower density.

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 policy should be reworded to state that *“housing developments...are encouraged to achieve a minimum net density...”*.



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.

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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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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)

<p>Title <input style="width: 90%;" type="text"/></p> <p>First Name <input style="width: 90%;" type="text"/></p> <p>Last Name <input style="width: 90%;" type="text"/></p> <p>Job Title (where relevant) <input style="width: 90%;" type="text"/></p> <p>Organisation (where relevant) <input style="width: 90%;" type="text" value="Barratt West Midlands"/></p> <p>Address Line 1 <input style="width: 90%;" type="text"/></p> <p>Line 2 <input style="width: 90%;" type="text"/></p> <p>Line 3 <input style="width: 90%;" type="text"/></p> <p>Line 4 <input style="width: 90%;" type="text"/></p> <p>Post Code <input style="width: 90%;" type="text"/></p> <p>Telephone Number <input style="width: 90%;" type="text"/></p> <p>E-mail Address (where relevant) <input style="width: 90%;" type="text"/></p>	<p><input style="width: 90%;" type="text" value="Miss"/></p> <p><input style="width: 90%;" type="text" value="Jessica"/></p> <p><input style="width: 90%;" type="text" value="Graham"/></p> <p><input style="width: 90%;" type="text" value="Associate Planner"/></p> <p><input style="width: 90%;" type="text" value="Savills (UK) Limited"/></p> <p><input style="width: 90%;" type="text" value="55 Colmore Row"/></p> <p><input style="width: 90%;" type="text" value="Birmingham"/></p> <p><input style="width: 90%;" type="text"/></p> <p><input style="width: 90%;" type="text"/></p> <p><input style="width: 90%;" type="text" value="B3 2AA"/></p> <p><input style="width: 90%;" type="text" value="0121 634 8494"/></p> <p><input style="width: 90%;" type="text" value="jgraham@savills.com"/></p>
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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 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" value="X"/>
(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 policy proposes specific percentages for each affordable tenure. Barratt objects to this requirement. Paragraph 8.10 of the SHMA 2022 sets out that 50% of the affordable housing requirement of the affordable housing provision to be both affordable rent/ social rent. A distinction needs to be made between affordable and social rent, and this should be reflected in the policy.

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.

Barratt considers that Policy HC3 should be amended to state 'where possible' in order to provide sufficient flexibility and allow tenures to be agreed between SSDC and the applicant on a site by site basis and determined on local need at the time of the application.



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.

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Part A

1. Personal Details*

2. Agent's Details (if applicable)

**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.*

<p>Title <input style="width: 90%;" type="text"/></p> <p>First Name <input style="width: 90%;" type="text"/></p> <p>Last Name <input style="width: 90%;" type="text"/></p> <p>Job Title (where relevant) <input style="width: 90%;" type="text"/></p> <p>Organisation (where relevant) <input style="width: 90%; border: 1px solid black;" type="text" value="Barratt West Midlands"/></p> <p>Address Line 1 <input style="width: 90%;" type="text"/></p> <p>Line 2 <input style="width: 90%;" type="text"/></p> <p>Line 3 <input style="width: 90%;" type="text"/></p> <p>Line 4 <input style="width: 90%;" type="text"/></p> <p>Post Code <input style="width: 90%;" type="text"/></p> <p>Telephone Number <input style="width: 90%;" type="text"/></p> <p>E-mail Address (where relevant) <input style="width: 90%;" type="text"/></p>	<p><input style="width: 90%; border: 1px solid black;" type="text" value="Miss"/></p> <p><input style="width: 90%; border: 1px solid black;" type="text" value="Jessica"/></p> <p><input style="width: 90%; border: 1px solid black;" type="text" value="Graham"/></p> <p><input style="width: 90%; border: 1px solid black;" type="text" value="Associate Planner"/></p> <p><input style="width: 90%; border: 1px solid black;" type="text" value="Savills (UK) Limited"/></p> <p><input style="width: 90%; border: 1px solid black;" type="text" value="55 Colmore Row"/></p> <p><input style="width: 90%; border: 1px solid black;" type="text" value="Birmingham"/></p> <p><input style="width: 90%; border: 1px solid black;" type="text"/></p> <p><input style="width: 90%; border: 1px solid black;" type="text"/></p> <p><input style="width: 90%; border: 1px solid black;" type="text" value="B3 2AA"/></p> <p><input style="width: 90%; border: 1px solid black;" type="text" value="0121 634 8494"/></p> <p><input style="width: 90%; border: 1px solid black;" type="text" value="jgraham@savills.com"/></p>
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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 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 Policy requires for all dwellings delivered on major developments to meet M4(2) standards. The PPG states that Councils have the option to “set additional technical requirements exceeding the minimum standards required by Building Regulations in respect of access” where there is a justified need for this requirement (Reference ID: 56-002-20160519). The NPPF also requires all policies to be underpinned by relevant and up to date evidence which should be adequate, proportionate and focused on supporting and justifying planning policies (paragraph 31). The PPG (Reference ID: 56-005-20150327 to 56-011-20150327) sets out the evidence necessary to justifying a policy requirement for optional standards which includes:

- the likely future need;
- the size, location, type and quality of dwellings needed;
- the accessibility and adaptability of the existing stock;
- variations in needs across different housing tenures: and
- viability.

The PPG (Reference ID: 56-008-20160519) also states that when adopting accessibility standards, “Local Plan policies should also take into account site specific factors such as vulnerability to flooding, site topography, and other circumstances which may make a specific site less suitable for M4(2) and M4(3) compliant dwellings, particularly where step free access cannot be achieved or is not viable. Where step-free access is not viable, neither of the Optional Requirements in Part M should be applied” [Savills emphasis]. Policy HC4 makes no provision for the PPG exceptions.



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 be justified (NPPF paragraph 35), Policy HC4 should be amended to refer to site specific factors which may render compliance with the Part M(4)2 standards unachievable or viable.

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.

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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)

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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	<input type="text"/>	<input type="text" value="Miss"/>
First Name	<input type="text"/>	<input type="text" value="Jessica"/>
Last Name	<input type="text"/>	<input type="text" value="Graham"/>
Job Title (where relevant)	<input type="text"/>	<input type="text" value="Associate Planner"/>
Organisation (where relevant)	<input type="text" value="Barratt West Midlands"/>	<input type="text" value="Savills (UK) Limited"/>
Address Line 1	<input type="text"/>	<input type="text" value="55 Colmore Row"/>
Line 2	<input type="text"/>	<input type="text" value="Birmingham"/>
Line 3	<input type="text"/>	<input type="text"/>
Line 4	<input type="text"/>	<input type="text"/>
Post Code	<input type="text"/>	<input type="text" value="B3 2AA"/>
Telephone Number	<input type="text"/>	<input type="text" value="0121 634 8494"/>
E-mail Address (where relevant)	<input type="text"/>	<input type="text" value="jgraham@savills.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 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 checked="" type="checkbox"/>	No	<input 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.

Policy HC8 states that major developments will be required to have regard to the need on the council's self-build register, and make provision of self and custom build plots to reflect this. Barratt supports the flexible approach being proposed in this policy.

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.



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Yes, I wish to participate in hearing session(s)

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2. Agent's Details (if applicable)

Title	<input type="text"/>	<input type="text" value="Miss"/>
First Name	<input type="text"/>	<input type="text" value="Jessica"/>
Last Name	<input type="text"/>	<input type="text" value="Graham"/>
Job Title (where relevant)	<input type="text"/>	<input type="text" value="Associate Planner"/>
Organisation (where relevant)	<input type="text" value="Barratt West Midlands"/>	<input type="text" value="Savills (UK) Limited"/>
Address Line 1	<input type="text"/>	<input type="text" value="55 Colmore Row"/>
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Post Code	<input type="text"/>	<input type="text" value="B3 2AA"/>
Telephone Number	<input type="text"/>	<input type="text" value="0121 634 8494"/>
E-mail Address (where relevant)	<input type="text"/>	<input type="text" value="jgraham@savills.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 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.

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Part c of Policy HC9 states that all developments will be required to incorporate tree lined streets. We consider that the policy should be worded as set out in the NPPF. Paragraph 131 states that “*planning policies...should ensure that new streets are tree-lined*” with footnote 50 adding “*unless, in specific cases, there are clear, justifiable and compelling reasons why this would be inappropriate*”. In order to be consistent with national policy (NPPF paragraph 35), Policy HC9 should be amended to refer to situations where tree-lined streets may not be appropriate. Barratt’s experience on a number of current housing developments is that Highways Authorities are not always supportive of tree-lined streets particularly in relation to the long-term management of the highways trees.

Part e states that proposals should use “*bespoke house types to avoid a monotonous visual appearance*”. It is unclear what is meant from that but on major development schemes delivered by national housebuilders, providing all bespoke house types is not achievable or reasonable.

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.



Amend Policy HC9 part c as stated above.

Delete reference to ‘bespoke house types’ being required by Part e of the policy.

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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 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 policy requires all new dwellings to meet Nationally Described Space Standards. Where a need for internal space standards is identified, the PPG (Reference ID: 56-020-20150327) requires Councils to take account of the need for the standards, the potential impact on viability and the timing of introducing the standards. We objected to this policy in our Preferred Options representations as no evidence was provided to justify these standards. SSDC has now produced an Internal Space Standards Topic Paper (November 2022). We have no further comments on this requirement within the policy.

The policy also proposes very specific garden area and distance requirements. Although private amenity space and distances between dwellings are not addressed within the internal space standards guidance, there is a national requirement to make the most effective use of land (NPPF Chapter 11). We consider that the Council should have to justify the requirement for these specific standards and the potential impact of this policy on proposed housing yields.

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.

If the garden areas and distance requirements remain, then the policy should be reworded to say 'where possible'.

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:

To provide oral evidence and engage in the Examination discussions on this matter.


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Name of the Local Plan to which this representation relates:

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Local Plan 2018 - 2039**

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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	<input type="text"/>	<input type="text" value="Miss"/>
First Name	<input type="text"/>	<input type="text" value="Jessica"/>
Last Name	<input type="text"/>	<input type="text" value="Graham"/>
Job Title (where relevant)	<input type="text"/>	<input type="text" value="Associate Planner"/>
Organisation (where relevant)	<input type="text" value="Barratt West Midlands"/>	<input type="text" value="Savills (UK) Limited"/>
Address Line 1	<input type="text"/>	<input type="text" value="55 Colmore Row"/>
Line 2	<input type="text"/>	<input type="text" value="Birmingham"/>
Line 3	<input type="text"/>	<input type="text"/>
Line 4	<input type="text"/>	<input type="text"/>
Post Code	<input type="text"/>	<input type="text" value="B3 2AA"/>
Telephone Number	<input type="text"/>	<input type="text" value="0121 634 8494"/>
E-mail Address (where relevant)	<input type="text"/>	<input type="text" value="jgraham@savills.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 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.

The policy states that “*smaller areas of incidental green infrastructure without a clear recreational purpose (e.g. landscape buffers, highways verges) and areas without public access will not count towards meeting the quantitative on-site open space standard*”. No definition is provided as to what constitutes ‘small’ nor how applicants can demonstrate that it serves a purpose. SSDC has also not provided any information to justify why small areas of green infrastructure will not be regarded as part of the open space provision. Landscape buffers, highways verges and other small areas of green space, may not be ‘useable’ from a recreation perspective but they provide visual benefits for residents and place-making as well connecting green infrastructure across sites and with the wider network. This policy will just encourage applicants to provide green infrastructure across sites.

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.



Barratt request that Policy HC17 be amended to remove reference to smaller areas of incidental green infrastructure not forming part of the on-site open space standard.

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.

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Part A

1. Personal Details*

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2. Agent's Details (if applicable)

<p>Title <input style="width: 90%;" type="text"/></p> <p>First Name <input style="width: 90%;" type="text"/></p> <p>Last Name <input style="width: 90%;" type="text"/></p> <p>Job Title (where relevant) <input style="width: 90%;" type="text"/></p> <p>Organisation (where relevant) <input style="width: 90%;" type="text" value="Barratt West Midlands"/></p> <p>Address Line 1 <input style="width: 90%;" type="text"/></p> <p>Line 2 <input style="width: 90%;" type="text"/></p> <p>Line 3 <input style="width: 90%;" type="text"/></p> <p>Line 4 <input style="width: 90%;" type="text"/></p> <p>Post Code <input style="width: 90%;" type="text"/></p> <p>Telephone Number <input style="width: 90%;" type="text"/></p> <p>E-mail Address (where relevant) <input style="width: 90%;" type="text"/></p>	<p><input style="width: 90%;" type="text" value="Miss"/></p> <p><input style="width: 90%;" type="text" value="Jessica"/></p> <p><input style="width: 90%;" type="text" value="Graham"/></p> <p><input style="width: 90%;" type="text" value="Associate Planner"/></p> <p><input style="width: 90%;" type="text" value="Savills (UK) Limited"/></p> <p><input style="width: 90%;" type="text" value="55 Colmore Row"/></p> <p><input style="width: 90%;" type="text" value="Birmingham"/></p> <p><input style="width: 90%;" type="text"/></p> <p><input style="width: 90%;" type="text"/></p> <p><input style="width: 90%;" type="text" value="B3 2AA"/></p> <p><input style="width: 90%;" type="text" value="0121 634 8494"/></p> <p><input style="width: 90%;" type="text" value="jgraham@savills.com"/></p>
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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 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 checked="" type="checkbox" value="X"/>	No	<input 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.

Policy NB2 states that 10% Biodiversity Net Gain is required for all major developments. It is considered that our clients land (site reference 500) will be able to demonstrate at least 10% Biodiversity Net Gain if it were released from the Green Belt and allocated for development.

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.



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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	<input type="text"/>	<input type="text" value="Miss"/>
First Name	<input type="text"/>	<input type="text" value="Jessica"/>
Last Name	<input type="text"/>	<input type="text" value="Graham"/>
Job Title (where relevant)	<input type="text"/>	<input type="text" value="Associate Planner"/>
Organisation (where relevant)	<input type="text" value="Barratt West Midlands"/>	<input type="text" value="Savills (UK) Limited"/>
Address Line 1	<input type="text"/>	<input type="text" value="55 Colmore Row"/>
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Post Code	<input type="text"/>	<input type="text" value="B3 2AA"/>
Telephone Number	<input type="text"/>	<input type="text" value="0121 634 8494"/>
E-mail Address (where relevant)	<input type="text"/>	<input type="text" value="jgraham@savills.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 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" value="X"/>
(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.

Policy NB4 proposes to amend the adopted Landscape Character policy to strengthen the protection of trees and hedgerows. The NPPF protects ancient woodland and ancient and veteran trees (paragraph 180c), there is no national requirement to protect all trees. However, that being said, we understand the important contribution trees can make to the character of an area. We consider that the policy should seek to protect ancient and veteran trees unless there are wholly exceptional reasons to justify their removal. Trees classified as Category A or B should be protected 'where possible'. We do not consider that Category C or U trees should be afforded any specific protection within the policy.

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 for Policy NB4 to be consistent with national policy (paragraph 35d), it should be amended to remove protection of trees which are not defined as 'irreplaceable habitats' (NPPF Annex 2).



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.

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No, I do not wish to participate in hearing session(s)

Yes, I wish to participate in hearing session(s)

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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 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.

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This policy states that major developments must achieve a minimum 63% reduction in carbon emissions for each dwelling by on-site measures compared to UK Building Regulations through fabric and energy efficiency measures as well as on-site renewable energy regeneration. These requirements are considered to be over and above the requirements of PPG which states that Local Plans “*can set energy performance standards for new housing or the adaptation of buildings to provide dwellings, that are higher than the building regulations, but only up to the equivalent of Level 4 of the Code for Sustainable Homes*” (Reference ID: 6-012- 20190315).

The Sustainable Construction and Renewable Energy Topic Paper (November 2022) states that the requirement to not exceed Level 4 standards is not set out in the NPPF (paragraph 7.3). The Topic Paper (paragraph 7.3) goes on to make assumptions on whether standards above the Part L Building Regulations can be used and reference is made to other local authorities who have adopted policies above level 4 standards (although the names of the authorities have not been quoted). Barratt does not agree with the assumptions made by SSDC within the Topic Paper. Firstly, although the Level 4 standards may not be specifically quoted within the NPPF, in order to be “*consistent with national policy*” and sound, plans are required to accord with the NPPF and “*other statements of national planning policy*” (NPPF paragraph 35d). The PPGs is national guidance and therefore the inclusion of Reference ID: 6-012-



20190315, is relevant. Secondly, plans are examined on a case by case basis. Therefore, other plans may have been found sound with policies requiring energy performance above the Part L standards but this should not mean that every local plan can propose requirements which are contrary to national guidance.

The PPG also states that if a Council is “*considering policies on local requirements for the sustainability of other buildings, local planning authorities will wish to consider if there are nationally described standards and the impact on viability of development*” (Reference ID: 6- 009-20150327). The Viability Study 2022 has assumed a +7% increase on build costs for houses and +4% build cost for flats to meet these targets. Given Policy NB6 is proposing requirements much greater than existing regulations, further clarity is sought on the assumptions made in the Viability Study and where the costs have been taken from. As presented we consider the evidence to be unjustified and inconsistent with national guidance.

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.

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