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Dear Sir / Madam,

**South Staffordshire Local Plan Review – Publication Consultation
Land at Mile Flat, Kingswinford**

On behalf of our client, FGD Limited, we are writing in response to the Local Plan Review Publication consultation in relation to their land interests at Mile Flat, Kingswinford ('the Site').

Site Context

The Site is located off Mile Flat in Wall Heath, Kingswinford and is approximately 33 hectares (83 acres). The Site is in single ownership (FGD Limited) and is currently in agricultural use. As shown on the attached Site Location Plan, the Site is bound by Swindon Road, a Sub Station and Hinksford Caravan Park to the north, Mile Flat, residential dwellings and commercial properties to the east, agricultural land and Greensforge to the south and the Staffordshire Canal to the west.

Our client's land is located within South Staffordshire District ('SSDC') Local Planning Authority (LPA) Area but is immediately adjacent to Dudley Metropolitan Borough Council's (DMBC) LPA area.

The Site has been assessed in the SHELAA 2022 (site reference 577) as 'NCD1' which the Housing Site Selection Topic Papers (2021 & 2022) state that this means the site is "potentially suitable for housing but not currently developable because of a policy designation". The supporting table of the SHELAA notes that site 577 is "*potentially suitable but subject to policy constraints – Green Belt & Core Policy 1*". The site assessment summary states "*north eastern corner of the site is directly adjacent the urban edge of the Black Country. Promoter indicates 4ha of employment land could be accommodated on site. Urban edge site modelled at 35 dwellings per hectare.*" We support the positive assessment of the site in the SHELAA.

As a result of the SHELAA 'NCD1' assessment, the Site has also been assessed within Appendix 3 of the Topic Papers. Appendix 3 states that the key constraints for the site is against the Education and Landscape criteria. The Site is considered to be too far from primary and secondary education and it is located within an area of High Green Belt harm. In regards to education, the site is of a scale where land for a primary school and / or community facilities could be provided to support residential development on the site and elsewhere in the District / Kingswinford if required.

Although the Site is in an area of 'high' Green Belt harm, all of the land to the west of the Black Country has either been assessed as 'high' or 'very high' and the Site has 'low-moderate' landscape sensitivity. It is considered that suitable Green Belt compensatory and landscape improvements could be provided on the Site if it was allocated for residential and / or employment uses. We also consider that if the Site was released from the Green Belt, then Mile Flat offers a clear physical and permanent revised Green Belt boundary (National Planning Policy Framework (NPPF) paragraph 143f).

Offices and associates throughout the Americas, Europe, Asia Pacific, Africa and the Middle East.

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Appendix 3 of the Topic Paper also notes that the “Historic Environment Site Assessment indicates the potential for significant effects that may not be mitigated”. The Publication Plan policy map also now shows Scheduled Ancient Monuments (‘Roman Camps at Greensforge’) immediately adjacent to the southern boundary of site 577. Page 32 of the Historic Environment Site Assessment (‘HESA’) (October 2022) states that *“red direct physical impacts and indirect impacts upon setting are predicted due to the site’s proximity the Scheduled Roman forts to the south, the fact that it is bisected by a Roman road and due to the probable prehistoric and Roman remains which are recorded on the site by the HER”*. The HESA also notes that development in the south of site 577 may not be appropriate immediately adjacent to the SAMs however development in the northern part of the site could be suitable subject to retaining the alignment of the roman road as open space and producing a detailed mitigation strategy. This is noted, however, the HESA is a purely desk based exercise therefore we do not consider that development in the south of the site should be ruled out at this early stage. If the site were to be allocated, further technical work could be undertaken by the landowner to identify the significance of the heritage assets and any mitigation which could be implemented to limit any impact on the assets.

Appendix 2 of the Housing Topic Papers set out that the Highways Authority have no concern with access to the site subject to highway improvements. It is considered that the Site is in an accessible location in close proximity to Wall Heath (0.6 miles) which offers a number of shops and facilities. There are also a number of schools within 1.6km of the Site: St John’s C of E Primary School to the north and Summerhill School and Mitie Within Summerhill School to the south east. There are also existing bus stops on Swindon Road (immediately adjacent) and Enville Road (c. 50m from the Site) to the north of the Site. Both stops serve bus route 16 which offers a frequent service and connects the Site to Stourbridge, Wombourne, Kingswinford and Wolverhampton.

Subject to a sensitive design and proposed mitigation for any potential heritage and landscape impacts, it is considered that the Site is suitable for residential and / or employment uses, is available for development and could be delivered within the next 5 years if required.

Publication Consultation Response

Policy DS4 states that the SSDC is seeking to deliver 9,089 homes across the plan period (2018-2039). 5,089 dwellings will be delivered to meet the District’s needs and a 4,000 dwelling contribution is proposed towards meeting the unmet needs of the Greater Birmingham and Black Country Housing Market Area (GBBCHMA).

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”* (National Planning Policy Framework (‘NPPF’) paragraph 35). The Planning Practice Guidance (‘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). We therefore support the Council’s proposal to contribute towards the GBBCHMA shortfall but have concerns over the ‘4,000’ dwellings figure.

When the Preferred Options version of the plan was consulted on, and SSDC initially proposed the 4,000 dwelling contribution, we were aware that the Black Country authorities had published evidence that they could not accommodate circa 28,000 dwellings and 210ha of employment need within their own boundaries. Since the Preferred Options consultation, it is now apparent that there is also a significant additional shortfall arising from Birmingham (circa 78,000 dwellings and 73.6ha of employment land). However, even with this significant shortfall increase, SSDC has not sought to increase their contribution and it remains at 4,000 dwellings.

The Duty to Cooperate Topic paper (November 2022) states that South Staffordshire has based their contribution on the GBBCHMA Strategic Growth Study 2018 and the minimum four strategic growth locations recommended in the Study (paragraphs 514). Firstly, this Study was produced prior to the additional shortfalls within the Black Country and Birmingham (circa 106,000 dwellings in total) having been confirmed. Secondly,

it is apparent that only SSDC seem to be reliant on the Study. If not all of the HMA authorities are taking the same approach and some have clearly stated that they place no weight to the study findings, it is unclear how the Study can be relied upon by SSDC.

We consider that the proposed contribution towards the GBBCHMA housing and employment shortfalls, should be increased to reflect the evidence published more recently on the significant increase to the shortfall across the plan period.

Paragraph 5.19 of the Publication Plan sets out changes made to the housing growth strategy as a result of previous comments made to the Preferred Options consultation. SSDC has now sought to reduce the amount of growth allocated to the western edge of the Black Country. SSDC state that this reflects “*the relatively limited unmet need arising from Dudley Metropolitan Borough, which also holds significant Green Belt site options in this area within its own administrative boundary as set out in the GBBCHMA Strategic Growth Study*”. We do not support this statement. Even though Dudley claim to be able to meet their own needs, there is still a significant shortfall arising from across the Black Country (which Dudley is a part of) and Birmingham which SSDC should be seeking to accommodate in sustainable locations across the district. Land immediately adjacent to the western edge of the Black Country, such as site reference 577, is considered to be highly suitable and accessible to the Black Country to meet the significant unmet housing and employment needs.

I trust the above is helpful. Given our objection to Policy DS4, I would like to participate in the hearing sessions relating to housing needs and supply.

Yours sincerely



Jessica Graham
Associate