



SOUTH STAFFORDSHIRE COUNCIL PREFERRED OPTIONS CONSULTATION DECEMBER 2021

REPRESENTATION

in respect of
LAND SOUTH OF BRIDGNORTH ROAD, WOMBOURNE
on behalf of

RICHBOROUGH ESTATES

13 December 2021

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1. INTRODUCTION

- 1.1. This is a representation made on behalf of Richborough Estates in respect of a site at land south of Bridgnorth Road, Wombourne.
- 1.2. The representation relates to the South Staffordshire Council Local Plan Review, Preferred Options stage. The consultation is ongoing and ends on 13th December 2021.
- 1.3. We have considered the existing Development Plan and have also considered the policies being proposed by the emerging Local Plan. We do not respond to all sections of the emerging plan, only those which we currently consider relevant. These views are without prejudice to future submissions or hearing statements, which may be made in advance of the Examination stages.

Structure

- 1.4. The response makes comments on the following paragraphs and policies. We end with further information regarding our site.

- Summary comment regarding the selected Preferred Option
- Strategic Objective 2
- DS1 Green Belt
- DS2 Open Countryside
- Housing Supporting Text
- DS3 The Spatial Strategy to 2038
- SA2 Strategic Development Location: Land at Cross Green
- SA5 Housing Allocations
- HC1 Housing Mix
- HC3 Affordable Housing
- HC4 Homes for Older People
- HC6 Rural Exception Sites
- HC7 Self & Custom Build Housing
- HC9 Design Requirements
- HC11 Space about dwellings and internal space standards
- HC14 Health Infrastructure
- HC15 Education
- HC17 Open Space
- HC19 Wider green infrastructure design principles
- NB5 Renewable and low carbon energy generation
- NB7 Managing flood risk, sustainable drainage systems and water quality

2. Representation

Summary

- 2.1. The Council identified the preferred spatial strategy for distributing growth in the Spatial Housing Strategy and Infrastructure Delivery Plan (October 2019)(SHSIDP). The Plan has been prepared to provide a level of housing growth which would meet South Staffordshire's housing needs plus a 4000-home contribution towards the unmet needs of the wider Greater Birmingham Housing Market Area. Option G from the SHSIDP has been identified as the preferred option, which is infrastructure-led development with a garden village area of search beyond the plan period. These representations do not comment on the calculation and distribution of the 4000-home figure or the suitability of the preferred strategy or the supporting Infrastructure Delivery Plan (IDP).
- 2.2. We are concerned that focussing much of the growth on large strategic sites in excess of 800 dwellings that are reliant on the delivery of infrastructure could lead to delayed delivery of numbers in the plan. For resilience and flexibility, we consider that a greater number of smaller sites should be allocated.

Strategic Objective 2

- 2.3. We support this Objective which seeks to meet the needs of the district whilst making a proportionate contribution to the needs of the Greater Birmingham Housing Market Area (HMA). However, it is unclear how this contribution is disaggregated to each Authority within the HMA, so we suggest greater clarity is provided in the plan to give more confidence and clarity in the Plan. Details of any agreements made under the Duty to Co-operate or in Memoranda of Understanding or Statements of Common Ground should be included in the Evidence Base.

Policy DS1 - Green Belt

- 2.4. Firstly, we consider that this policy largely repeats the Framework, and to simplify the plan, could be – in part – removed, and replaced to refer the reader to the Framework instead.
- 2.5. The policy also states that “Development within the Green Belt must retain its character and openness”. This statement would appear contradictory, and it is unclear how this could be achieved in practice. Development will inevitably have an impact on openness, so the policy wording as it stands appears impracticable and undeliverable.

Policy DS2 - Open Countryside

- 2.6. It is not clear from the wording of proposed policy DS2 what types of development would or would not be acceptable in open countryside. We believe this should be revisited.

Housing Supporting Text (paragraphs 4.6 to 4.20)

- 2.7. We consider that in light of known worsening housing affordability during the pandemic that the plan should be revisited when the ONS house price to earnings data is updated in March 2022.
- 2.8. The relative proportion of safeguarded land sites (1,608) against the provision of housing overall (5348 seems high. It is not clear whether these are intended to remain as safeguarded land in the emerging Local Plan or whether they will be converted to allocations – clarity is required. If they are intended to remain as safeguarded sites, whilst we accept the need for safeguarded

sites which reduce the need for a continuously reactive reassessment of green belt boundaries in future, we would have concerns that such a high proportion of reserve sites is surely less 'plan led' as a result. The same applies to the windfall allowance, which we also consider to be excessive.

- 2.9. Table 8 of the PO Local Plan seems to include safeguarded land as contributing to the overall OAN and is not included as additional land 'above and beyond' their requirement. If the safeguarded land is being converted to allocation then we have no issue with this approach. However if the safeguarded sites are to remain as such, we do have concerns. The role of safeguarded land in the Green Belt is fairly straightforward: it provides flexibility during plan reviews where 5 year supply dips, or there are other problems with delivery. To that end the contribution safeguarded land makes to the current OAN figure should be little to none, with safeguarded sites included that are above and beyond the OAN figure. This would take account of their intended long term permanence and endurance beyond the Plan period, in combination with the requirement at NPPF 143(e) that green belt boundaries should not need to be altered at the end of the Plan period.
- 2.10. If the focus of green belt release in the emerging Plan is solely that needed to meet the emerging Plan requirements, then future planned development needs will necessitate further green belt releases. We consider it would be more appropriate, both for effective and positive preparation of the emerging Local Plan and to ensure that green belt boundary review is not an ongoing iterative process running alongside Plan preparation on each occasion, to seek to secure sufficient land release to meet anticipated future needs beyond the Plan period. This would be more aligned to the need to plan positively. If the safeguarded land referred to in Table 8 is that being brought forward from the adopted Plan then it needs to be replaced with new safeguarded sites as part of this new Plan review.

Policy DS3 – The Spatial Strategy to 2038

- 2.11. There is some confusion here as to whether the new development is being built to address previous infrastructure issues and the extent to which this will address and accommodate new development. We are concerned that existing sustainable settlements are not receiving allocations and growth is instead being focussed on some very large allocations in seemingly rather less sustainable locations that will be reliant on largescale infrastructure delivery to make them sustainable.
- 2.12. The third paragraph states that the priority is "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". But if this is the case, this would not appear to relate well to the proposals to allocate large Urban Extensions which are so large, they will require their own infrastructure. This appears to be generic and does not relate well to Wombourne, a highly sustainable location – which is currently subject to only limited growth. This is one of the most unaffordable areas of the Borough and proportionate growth and the attendant improvement in housing choice appears not to have been factored into the decision-taking here.
- 2.13. We note that policy DS3 indicates that 'Land at Cross Green' is put forward and is anticipated to deliver a large scale housing development of 1200 dwellings. Within Policy DS3, it is stated that 'the Council will continue to work with partners to seek opportunities to deliver' this.

Policy SA2 - Strategic development location: Land at Cross Green

- 2.14. Policy SA2 sets out the context of the site allocation at Cross Green. We note in this policy that the justification of allocating this site is heavily reliant on the 'Land at Cross Green SPD', which has not yet been published and is claimed to be adopted in the 'early years of the plan period'.
- 2.15. The heavy reliance on a pending SPD does not provide certainty when the site will be delivered. With no clear timeline of when this site can be delivered, we consider that the council should look to allocate further sites in addition to it to provide flexibility to ensure that they are still able to meet the housing target of 8,881 dwellings over the plan period.

Policy SA5 – Housing Allocations

- 2.16. Allocations have been made in Wombourne but we are of the view that the evidence needs to be clearer and better explained as to why they are the sequentially preferable sites and why the omission sites were considered sequentially less preferable.

Policy HC1 – Housing Mix

- 2.17. This policy states that market housing will need to provide 75% of the development as 3-bed dwellings or smaller. This policy could be more flexible where it would allow for different approaches to phased development and other development outside of the scope of the plan, including rural exception sites.

Policy HC3 – Affordable Housing

- 2.18. We consider that this policy should be amended to avoid it being fixed and provide more flexibility, so that other evidence (such as that provided by Registered Providers or through housing needs assessments for individual parishes) and the SHMA can be considered. The Plan also seems to suggest that this could therefore not be reviewed until the Plan itself is reviewed in more than 5 years' time.
- 2.19. This Policy also comments on the desirability of 'pepper potting' affordable units, but to provide greater clarity for applicants, this should be quantified. For example, including a statement such as "unless the application is for entirely affordable housing, clusters of a certain number of dwellings or less, should be used", would assist.
- 2.20. The Policy contains a suggestion that the Council will not support forms of grant funding; it is not clear what is meant by this and should be removed as it relates to the policies of third party grant providers (such as Homes England) which are outside the control of the Local Plan.
- 2.21. When discussing potential offsite/financial contributions, this should be clarified by stating that this will be subject to viability/market evidence.
- 2.22. It is suggested that the final bullet point be removed. It is unclear on what basis the Council could assume that all policy compliant developments will be viable, this risks failing to take into account the nuances of site specific circumstances.

Policy HC4 – Homes for Older People

- 2.23. The requirement for 30% of all market and affordable homes to meet Building Regulations Standard Part M4(2), in addition for the requirement for all homes to meet Nationally Described Space Standards without being fully evidenced, is unnecessary burdensome on developers. What is the justification for 30%? What is the justification for both standards being required? The land-take for a dwelling to meet both NDSS and M4(2) can be high and can lead to dwellings that

are of a floor area that takes them above local affordable housing price thresholds and local market price levels. It can also lead to an inefficient use of land.

Policy HC6 – Rural Exception Sites

- 2.24. This policy accepts that a small amount of market housing would be permitted in proposals outside of the Green Belt where essential to the viability of the scheme. Whilst we generally support this policy, we are unclear why this is only something permissible outside the Green Belt, since being within or outside the Green Belt will have no impact on the viability of the scheme. Given that the vast majority of South Staffordshire is within the Green Belt, this is a sweeping restriction that appears to lack clear justification.
- 2.25. There have been a small number of Green Belt exception sites that have been supported by S78 appeal inspectors, such as Shop Lane, Oaken – because they were aligned to the provisions within the NPPF. Why therefore would this Local Plan take a different approach? We do not consider this is consistent with national policy.

Policy HC7 – Self & Custom Built Housing

- 2.26. The requirement to put Self Build dwelling plots on all major developments is onerous and the policy provides no certainty in terms of the level of provision, providing no reassurance to the Council, developers, or would-be self-builders. Providing self-build dwellings within a wider development provides significant health and safety concerns, introducing potential new contractors.
- 2.27. In addition, this policy does not recognise that self and custom builders are very unlikely to want to position themselves within a volume housebuilder site, so the uptake of these plots is likely to be poor. We consider that it would be a far better policy to allocate small plots to meet this need instead.

Policy HC9 – Design Requirements

- 2.28. Whilst the majority of this policy is supported, we do have concern about the requirement for 'Tree lined streets'. Whilst it is appreciated that this is a national requirement, it should be the role of the Local Plan to put 'meat on the bone' in terms of how this should be implemented. We would also question whether this has been discussed with the highways adoptions team.
- 2.29. Developers are also likely to have to contribute towards exorbitant maintenance fees, which will need to be factored into the plan viability. There should also be guidance in terms of which streets will be expected to be tree lined, and an appreciation for circumstances where this may not be appropriate because it is out of character, for example.
- 2.30. The policy introduces a requirement for a Design and Access Statement (DAS) to be submitted with every application. This seems onerous and would add unnecessary costs for householders proposing very minor applications, where the DAS is likely to add very little value in any event.

Policy HC11 – Space about dwellings and internal space standards

- 2.31. We suggest that some flexibility is added to this wording policy, perhaps to suggest that *most* development *should* meet NDSS. Affordable Housing providers do not want NDSS in some areas as the floor area can take them above local affordable housing price thresholds. The same can also be true for market homes, which can price out first time buyers. It can also lead to inefficient use of land and, depending on the mix (particularly in light of the policies proposed by

this Plan to focus on homes with lower numbers of bedrooms), can make it challenging to achieve 35dph.

Policy HC14 – Health Infrastructure & Policy HC15 – Education

- 2.32. These policies should be amended to reflect the fact that new development should not be solving existing problems.

Policy HC17 – Open Space

- 2.33. This policy creates a requirement for play provision to be provided automatically in all areas of development-associated public open space. This would seem disproportionate, particularly for smaller sites and those in proximity to existing play facilities. This requires amendment or further justification. Provision should also relate to bed spaces and not number of units, to be proportionate. Proposed requirements for open space to be centrally located and contain play equipment should also be omitted, as the suitability and requirements for the open space should be assessed on a site specific basis, taking into account the site constraints and existing local provision.

Policy HC19 – Wider green infrastructure design principles

- 2.34. Whilst we support the need for good quality green infrastructure, the information provided within this policy is vague for such an advanced stage, this should be substantiated within the emerging local plan, rather than left for an SPD which may not be produced for some time.
- 2.35. We would also like further clarity as to whether provision of Open Space (HC17) and Sports Facilities and Playing Pitches (HC18) would qualify as green infrastructure within this policy. If not, this would represent an unduly onerous set infrastructure requirements.

Policy NB5 - Renewable and low carbon energy generation

- 2.36. Whilst the aims of this policy are clearly laudable, the omission of energy storage as a strategic policy is something that requires addressing in the local plan. This is not in the context of energy storage being directly related to a development proposal; rather standalone facilities operated by specialist companies. Energy storage is crucial in the transition towards renewable forms of energy generation, because unlike fossil fuelled power stations which can be turned on and off like a tap, the way renewable energy is generated can rarely be controlled; it is intermittent and unpredictable.
- 2.37. With battery technology, energy can be stored during times of high production, and then discharged when demand is at its peak, when the grid becomes strained. This becomes even more important because the peaks and troughs of renewable energy generation and energy demand do not overlap when using renewable sources, so this is a crucial way of balancing the grid.
- 2.38. The importance of energy storage has been recognised by National Government in recent years, as battery storage technologies have advanced and become more viable. If electric car charging points and a move away from the use of gas in domestic settings happens in the short term, national grid capacity must be increased and this local plan should have a policy to cover this.

Policy NB7 - Managing flood risk, sustainable drainage systems & water quality

- 2.39. National policy dictates that a Flood Risk Assessment (FRA) should be provided for all development in Flood Zone 2 and 3, and on sites over 1ha in Flood Zone 1 (see footnote 55 of the

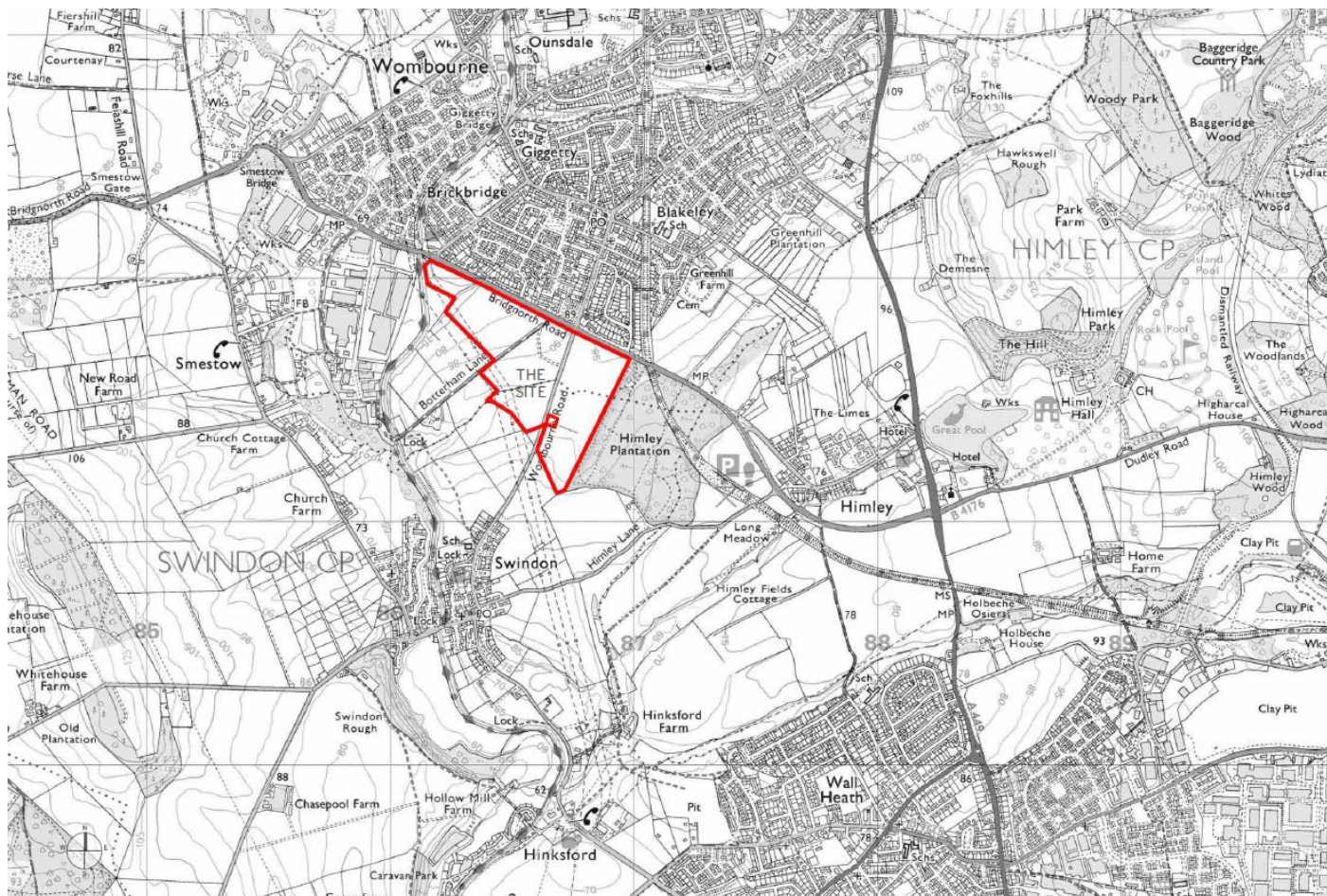
Framework¹). Therefore, it is unclear why this policy is seeking to request an FRA on all major sites. Whilst we would agree to the provision of a drainage strategy on all major sites, we disagree with an automatic requirement for a FRA. This would appear another onerous requirement.

- 2.40. We agree with the importance placed on providing SuDS, but we disagree that all major developments should provide them. Brownfield sites, for example, may struggle with this requirement.

¹ [National Planning Policy Framework \(publishing.service.gov.uk\)](https://www.gov.uk/policy-framework)

3. THE SITE AND PROPOSALS: LAND SOUTH OF BRIDGNORTH ROAD, WOMBOURNE

- 3.1. The site comprises four conjoined parcels of agricultural land sustainably located on the southern urban edge of Wombourne and within Green Belt. Collectively, the site extends to about 30.5 hectares (75.4 acres) and in development terms, would represent a logical extension and 'rounding' to the existing settlement edge.
- 3.2. Access to each parcel would be gained via the existing adopted highway network; with multiple access points enabling development construction and new housing to be delivered provided in a phased and flexible manner. A choice of pedestrian footways and recreational walks provide access to countryside and a range of local facilities located within a short walking distance.
- 3.3. Situated between urban and landscape contexts, the site is well related to existing and established residential edge of Wombourne, which comprises medium density, contemporary development of varying form, character and style.



- 3.4. This site presents an excellent opportunity for a sustainable housing, or mixed use development adjacent to the existing settlement and areas of employment land. With previous representations we have already submitted a Vision Document, explaining and summarising the

constraints and opportunities presented by the site, and how, through an indicative landscape-led masterplan, the site might be delivered.



- 3.5. The new green infrastructure within the site would not only act in a 'compensatory' way but would provide strategic public open space that was previously not available for local people, offering a new parks and open spaces for existing and future residents to use and enjoy. We consider that this would balance positively against any potential landscape criteria harm caused through the loss of the Green Belt land (as assessed by the Sustainability Appraisal that accompanies this consultation).
- 3.6. The site currently presents as a 'blank canvas' with very few constraints, bar the hedgerows and trees dotted within the site. Clearly, the hedgerow and trees offer some habitat for birds and insects and would be retained as much as possible within any new scheme, together with the creation of linked and integrated new biodiversity network within and through the site.
- 3.7. The site is entirely within Flood Zone 1, with no significant surface water drainage constraints, as demonstrated in Flood Risk Assessment work undertaken by BWB. There would be space within the site for attenuation measures such as basins to be included.

- 3.8. Other than the Green Belt designation, the site is unaffected by any site constraints, including any on the 'closed list' of 'Footnote 7' designations included within the NPPF. The evidence base supporting the current consultation, in particular the Housing Site Selection Paper 2021, suggests that, save for the Green Belt designation, the site would be considered suitable and deliverable for housing within the plan period. The Sustainability Appraisal concludes that the site would be a reasonable alternative to the proposed allocations. It appears not to have been chosen only because the proposed allocations are 'sequentially preferable'.
- 3.9. We submit that this site could be a reasonable additional allocation rather than an alternative. This site could deliver around 350 new homes within the first 5 years of the next South Staffordshire plan period, without the need for major infrastructure investment and without the need to phase delivery. Allocation of this site would lend much needed flexibility to the delivery of housing in the new plan period. We encourage you to reconsider your decision to omit this site from the proposed allocations.