



REPRESENTATION

in respect of
South Staffs Regulation 19 Consultation
on behalf of
Barberry Developments

15 December 2022
Client Reference: RCA035g
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1. INTRODUCTION

- 1.1. This representation is made by RCA Regeneration Ltd on behalf of Barberry (Perton) Ltd to the South Staffordshire Regulation 19 Consultation on the Publication Plan, which is running from the 11 November until 23rd December 2022.
- 1.2. The Publication consultation document is the fourth public consultation on the emerging South Staffordshire Local Plan following the Preferred Option consultation in November 2021, the Spatial Housing Strategy and Infrastructure Delivery (SHSID) consultation in October 2019 and the Issues and Options consultation in October 2018.
- 1.3. The Planning Practice Guidance (PPG) and SEA Directive¹ requires a clear and transparent process of identifying, describing and evaluating reasonable alternatives in both policy and site allocation terms. There is often a direct conflict between the imperative to deliver new homes and enough jobs to support the local economy, whilst continuing to offer sufficient protection to the environment. There is also a soundness and legal compliance element to the preparation and production of SA documents and as such we have considered these as part of our submission.
- 1.4. It is noted that this consultation on the Publication plan now firms the policies up from the previous consultation stages, taking account where appropriate the comments received and presenting the plan in its final draft form for Publication.
- 1.5. To reflect the requirements of the consultation process, the following table sets out which paragraphs/page numbers we have commented on, and these are then dealt with, in turn, throughout this document.

Policy	Paragraph	Page
HC1		87
HC2		89
HC3		91
HC4		93
HC6		96
HC7		98
HC8		100
HC10		104
HC10	N	105
HC11		106
HC12		108
HC13		110

¹ <https://www.gov.uk/government/publications/strategic-environmental-assessment-directive-guidance>

HC15		113
HC17		116

- 1.6. We do not respond to all sections of the Publication Plan, only those which we currently consider relevant to our clients and/or the sites they are promoting and areas/villages/settlements within which those sites are located.
- 1.7. We are aware that only comments on the soundness and legal compliance of the plan can be made and it must be targeted to a specific policy or paragraph in the draft Plan. In paragraph 35 of the Framework, plans can be found 'sound' where they meet the following tests:
- 'a) Positively prepared – providing a strategy which, as a minimum, seeks to meet the area's objectively 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;*
- b) Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;*
- c) Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and*
- d) Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.'*
- 1.8. We therefore make our comments with this in mind.
- 1.9. These views are without prejudice to future submissions or hearing statements, which may be made in advance of the Examination.

2. REPRESENTATION

- 2.1. This section provides our comments on a number of elements of the Publication document as follows:

Policy HC1: Housing Mix

- 2.2. We are largely supportive of policy HC1 housing mix as it states that on major development sites, the market housing mix 'must' include a minimum of 70% of properties with three bedrooms or less. We would prefer the wording of 'must include' to be amended to 'should' as such a target would place a disproportionate and inflexible burden on small and medium housebuilders who may be more inclined to provide bespoke homes with a higher specification for customers seeking larger homes. Moreover, a housing mix policy for the borough as a whole does not account for the vagaries of local markets, nor local supply issues.
- 2.3. We therefore do not consider this policy is consistent with NPPF para 82.

Policy HC2: Housing Density

- 2.4. We are broadly supportive of the proposed housing density of 35 dwellings per hectare but feel that this policy should give some reference to best and most effective use of the land, to ensure efficient housing delivery where it is needed most. This would also accommodate the need for higher density development within certain 'character areas' of larger multi-phase developments.

Policy HC3: Affordable Housing

- 2.5. We consider that in relation to the proposed 25% shared ownership and 25% first homes tenures, there should be some flexibility given here as it allows affordable rent to be substituted against shared ownership. To not include or indicate this within the policy would, in our view make the policy inconsistent with NPPF para 82.

Policy HC4: Homes for older people and others with special housing requirements

- 2.6. We object to the wording of Policy HC4 where it states the following:

'All major developments will also be required to ensure 100% of both the market and affordable housing meets the higher access standards Part M4(2) Category 2'

- 2.7. To require all major developments to meet the higher access standards of Part M4(2) Category 2 could have significant financial viability implications. This policy also does not seem to account for the redevelopment of (for instance) listed buildings, as in many cases it will not be possible to meet the access standards of Part M4(2) Category 2 within the confines of a listed building without resulting in a detrimental impact or due to spatial restrictions. We therefore consider that this policy should be reconsidered to take into account more constrained sites where this would not be possible, or where viability would indicate that flexibility should be applied.
- 2.8. If such flexibility is not written into this policy, we consider it would be inconsistent with NPPF para 82.

Policy HC6 Rural Exception Sites

- 2.9. Whilst we are broadly supportive of this policy, we consider that smaller housing sites need to be better defined. Given that Rural Exception Sites are delivered on the basis of local need, this policy assumes that sites can only be small, which runs contrary to the NPPF which does not stipulate such sites should be small:

2.10. Paragraph 78 states that *'In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs. Local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs, and consider whether allowing some market housing on these sites would help to facilitate this.'*

2.11. We therefore do not consider that this is consistent with national policy.

Policy HC8: Self-build and Custom Housebuilding

2.12. Policy HC8 talks about major developments but does not give a percentage requirement of self-build/custom-build plots. We consider that the policy is vague and would benefit from clarification, given how precise the council have been about the proportion of affordable housing, for instance.

2.13. In light of the fact that the council are under an obligation to maintain a custom and self-build register, it should be clear what the requirements are and how a policy could address this appropriately.

Policy HC10: Design Requirements

2.14. We have considered Policy HC10 and note that there is a lack of reference to character areas in major sites, so this should be given greater emphasis as it will be sought by the council in any case.

2.15. We also consider that the policy needs to be supportive of flexible approaches to planning applications (such as a hybrid outline) now that the Hillside Judgement² has been released. The Hillside Judgment reaffirms the 'Pilkington principle'. This establishes that where a development has already been built in accordance with and under a first permission, the ability to lawfully implement a second permission on part of the same defined site is dependent on whether it is physically possible to carry out that second permission based on what has already been carried out in the first permission. This occurrence is sometimes referred to as a 'drop-in permission'.

2.16. With regard to point J in Policy HC10: 'Gives safe and convenient ease of movement to all users prioritising pedestrians and cycle users', this point, in our view, should include the requirements for developments to be adequately lit to ensure the safety of pedestrians and cycle users.

2.17. In order to be considered consistent with para 82 of the NPPF, this policy requires greater flexibility.

Policy HC11: Protecting Amenity

2.18. We are widely supportive of this policy but consider that outlook also needs to be covered to consider the impact of development proposals on neighbouring living conditions. Furthermore, there should be some consideration within the policy of the potential for overheating, under part O of Building Regs³. There could be many sites proposed for allocation that could be noisy. Noise mitigation in many new homes involves mechanical venting and windows that do not open. This has implications for overheating in some cases.

² <https://www.supremecourt.uk/cases/uksc-2020-0211.html>

³ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1057374/ADO.pdf

Policy HC12: Space About Dwellings and Internal Space

- 2.19. We note that this policy mentions outlook and mentions a garden area ratio under 'external space'. However, has this been tested against the proposed net densities of 35 dwellings per hectare and above?
- 2.20. We also feel that the suggested 21m distance between dwellings from principal elevations should be subject to further review because it could result in excessively wide streets which may affect developments achieving net density targets. Moreover, it would not accommodate the sorts of street hierarchies that would typically be advocated in larger developments with multiple character areas. Furthermore, such separation distances could result in wide carriageways appearing over-dominant, creating a poor environment with a lack of a sense of place.
- 2.21. We consider the policy, as worded, would be contrary to para 130 of the NPPF which states that *'Planning policies and decisions should ensure that developments ... (d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;'*

Policy HC15 Education

- 2.22. Whilst we broadly support this policy, we note that it perhaps hasn't been correctly applied by South Staffordshire in omitting the promotion sites in Perton, on the basis that these sites are not (in the view of the Council), sufficiently close to existing education facilities. We consider that this should be reconsidered in order to make this policy justified.

Policy HC17 Open space:

- 2.23. We are supportive of this policy, but what is the formula to calculate open space provision requirements and has this been considered by the viability study? We consider that this should be included as part of the policy or in an Annex to the main document. This should be made available before the plan is submitted for examination.

Policy DS5 The Spatial Strategy to 2039

- 2.24. In relation to the 4000-home contribution towards unmet housing needs of the Greater Birmingham and Black Country Housing Market Area, it remains unclear whether this is now a contribution entirely for the Greater Birmingham area or whether there was a proportion towards the unmet need of the Black Country. This figure should be disaggregated. Especially given that Birmingham's shortfall is some 79,000 dwellings and in addition the emerging Black Country Plan had identified a shortfall of 28,000 dwellings. With a provision of only 4,000 dwellings being made by South Staffordshire towards these shortfalls. with this in mind it cannot be accepted that their Plan has been positively prepared under the terms of paragraph 35 of the NPPF.

3. THE SITE AND PROPOSALS

- 3.1. We would firstly like to highlight that we are disappointed that our client's site: Land East of Wrottesley Park Road, Perton (Site Reference 238) has not been included as an allocation within the Publication Plan document. We note that it continues to be omitted as an allocation for Perton since our previous representations to the Preferred Options document and we strongly object to this.
- 3.2. Whilst we do not seek to repeat our previous representations, we would like to reiterate that we are strongly opposed to the non-inclusion of the site and consider that there is no justifiable reason as to why the site should not be included as a housing allocation for the plan period. We have addressed these issues in our previous representations as follows:
 - Concern over the A41 Junction: Cotswold Transport Planning provided a response within our previous representations which we have reattached in appendix A for ease of reference.
 - Concern over the remoteness of any new site in Perton from secondary education facilities: We have provided some information on this in our December 2021 reps including information on the local schools including secondary ones which we have reattached in Appendix B for reference.
 - Concern over Green Belt/landscape sensitivities: We have reattached, in Appendix C, a rebuttal provided by Lavigne Lonsdale on these issues for ease of reference. This was also included in our previous submission to the preferred options consultation.
- 3.3. We feel that the site should be included in the emerging plan as it would make a valuable contribution towards meeting the district housing target 9,089 homes over the period from 2018-2039.
- 3.4. The site is 30.1 ha (74.35 acres) in size, comprising four regularly sized fields of agricultural land bound by mature, trimmed field hedgerows with the occasional hedgerow tree. It is relatively featureless and is, in our view largely unconstrained.
- 3.5. The ground is relatively flat with gentle undulations. It lies at 130m elevation on the western boundary and 125m elevation on the eastern boundary with a fall into the centre of the site. It lies on the upper flat plain of the local ridgeline that falls south of Pattingham Road.
- 3.6. The site is bound by Wrottesley Park Rd to the western boundary and Pattingham Road to the southern boundary.
- 3.7. We have included below a location plan showing the extent of the site.



- 3.8. We note that the publication plan allocates 'Land west of Wrottesley Park Road (south)' site reference 239 for residential development. We consider that our client's site (site 238) would be significantly less harmful to the openness of the area (in Green Belt terms) as it would relate far better to the existing settlement pattern of both Perton and Wightwick, which form an almost unbroken block of development, wrapping around the site.
- 3.9. Indeed, we consider that the allocation of site 239 in the publication plan would result in an unnatural extension into the Green Belt which would not relate well to Perton or Wightwick, appearing incongruous.
- 3.10. We would like to highlight the following points about the site:
- 3.11. The site could deliver around 600 new market and affordable homes and large areas of new green infrastructure (and biodiversity net gain), as well as other public benefits within the first 5 years of the next South Staffordshire plan period, without the need for major infrastructure investment.
- 3.12. The site presents an opportunity to deliver housing within Perton, particularly as it relates well to the existing established settlement edge, with the opportunity to provide a more permanent, robust and enduring boundary to the Green Belt beyond. At present, the Green Belt boundary along the edge of Perton and Wightwick is a mixture of hedgerow, rear gardens and other boundaries which do not offer the same enduring qualities.
- 3.13. The site is clearly locationally sustainable: equally, if not more sustainable than that of the proposed allocation. There are a wide range of facilities within 400-700m (5 and 10 minute walk) in both Perton (South Staffordshire) and Wightwick (Wolverhampton Metropolitan Borough). These include schools, community and leisure facilities including library, medical centres, recreation grounds, play, golf course, local shops and pubs. All of these have been shown in the Vision Document we produced for the site to support the allocation at the Preferred Options stage. Our analysis of walking distances make it clear that car-based journeys could be

genuinely reduced through the provision of safe and enjoyable routes to the local schools for children of all ages – taking cars off the roads.

- 3.14. Mitigation for Green Belt loss will be provided through new open spaces not currently accessible to local people. These spaces will be well positioned for everyone to use and will include substantial biodiversity and environmental quality improvements as well as spaces for equipped play and sporting activities.
- 3.15. For the reasons highlighted above, we urge that the council should give further consideration to the land to the east of Wrottesley Park Road. We consider it would be an excellent opportunity for new homes and green infrastructure in a highly sustainable location.

APPENDIX A: COTSWOLD TRANSPORT PLANNING RESPONSE

Barberry
Land at Former Perton Court Farm, Perton
Highways and Transportation Representation Report
Local Plan Preferred Options
CTP-19-723
December 2021

1. Introduction

- 1.1 This Highways and Transportation Representation Report (HTRR) has been prepared in response to the public consultation being held by South Staffordshire Council on the Local Plan Preferred Options dated November 2021.
- 1.2 This report presents an initial high-level appraisal of the transport related issues identified in the Housing Site Selection Topic Paper 2021 and Infrastructure Delivery Plan 2021 for the Land at Former Perton Court Farm, at Perton in South Staffordshire for Barberry. An indicative site location plan is provided at **Appendix A**.
- 1.3 The Local Plan Preferred Options (2021) report considers the response to the 2019 Spatial Housing Strategy and Infrastructure Delivery consultation and has refined the preferred spatial housing strategy to reflect some of the issues raised. One of the key changes is limiting new residential land allocations at Perton to the existing safeguarded land due to the lack of a finalised junction improvement scheme at the A41 Holyhead Road / Wrottesley Park Road / Heath House Lane junction.

2. Potential Improvements to A41 Holyhead Road Signalised Junction

- 2.1 A review of potential mitigation options has been undertaken to determine whether additional capacity could be provided at the junction of the A41 Holyhead Road Wrottesley Park Road / Heath House Lane junction to accommodate additional residential land allocation at Land at Former Perton Court Farm.
- 2.2 A site visit was undertaken on the 26th November 2021 to observe the junction during the AM network peak hour (08:00-09:00). During the site visit queuing was observed on the A41 Holyhead Road east and west arms along with the Wrottesley Park Road arm.



2.3 Two potential feasibility options for mitigation at the junction of the A41 Holyhead Road Wrottesley Park Road / Heath House Lane junction have been explored that are discussed in greater detail below.

Option 1

2.4 Option 1 proposes minor geometric alterations to the existing traffic islands.

2.5 The existing stop lines on approach to the signals of the A41 Holyhead Road (north-west and south-east arms) are set some way back from the arms of Wrottesley Park Road and Heath House Lane. There is opportunity to relocate the existing islands and stop lines on A41 Holyhead Road arms forward towards the junction which would allow a further reduction of the intergreen times to the signals and improve inter-visibility between the arms of the junction to the signal heads.

2.6 An initial feasibility drawing has been prepared and is attached at **Appendix B** demonstrating the improvements for consideration. It is considered that these improvements would improve the existing capacity of the junction.

Option 2

2.7 Option 2 proposes significant geometric alterations to the junction that are summarised below:

- A41 Holyhead Road Western Arm Approach – Re-alignment of the existing kerb line on the northern side, existing stop lines and island moved forward approximately 3.5m to improve inter-visibility and intergreen times.
- A41 Holyhead Road Western Arm Exit – Re-alignment of the southern kerblines to accommodate a two lane exit arrangement provided for 100m to a merge point.
- A41 Holyhead Road Eastern Arm Approach – Entry approach reallocated to provide ahead movement from both lanes, removing the current island and alterations to the existing pedestrian crossing facilities.
- Wrottesley Park Road Approach – Re-alignment of the western side kerblines to accommodate a new island, retaining a 1m verge for street furniture.



- Wrottesley Park Road Exit – Re-alignment of the eastern kerblineline to accommodate a two lane arrangement downstream for 45m to the merge point, retaining a 2m footway.
- Heath House Lane Approach – Entry approach reallocated to provide ahead movement from both approach lanes.

- 2.8 An initial feasibility drawing has been prepared and is attached at **Appendix C** demonstrating the improvements for consideration.
- 2.9 Vehicle swept paths have been undertaken for both left and right turns for a 16.5m articulated HGV to ensure that the largest vehicle can be accommodated within the geometric amendments to the junction.
- 2.10 The proposed geometric changes to the junction are considered to provide greater capacity when compared to Option 1 and improve the overall performance of the junction.

Summary

- 2.11 Whilst it is recognised that a full topographical survey and highway boundary would need to be obtained with a detailed drawing prepared to ensure deliverability, it is considered that either of these options would be deliverable within the existing highway boundary. Traffic surveys in the form of manual traffic counts and queue length surveys would also be required to undertake junction capacity assessments and test the proposed mitigation and it is considered that there are deliverable improvements that could be undertaken in terms of the geometric arrangement of the junction to improve capacity.
- 2.12 An option of a roundabout was also considered but unfortunately this could not be delivered within the existing extent of highway although a 'lozenge type' roundabout could be explored as an additional potential mitigation option should in principle support be given to a more unconventional junction arrangement.

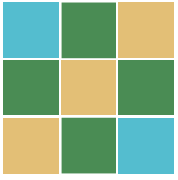
3. Conclusion

- 3.1 It is recognised that the A41 Holyhead Road / Wrottesley Park Road / Heath House Lane junction is constrained but there are options to provide significant improvements to the junction within the existing highway boundary. It is considered that the presented mitigation at Option 1 or 2 would provide the opportunity to improve



capacity at the junction of the A41 Holyhead Road / Wrottesley Park Road / Heath House Lane junction.

- 3.2 However, it is also noted that there have been significant changes in travel behaviour since the Covid Pandemic and reduced traffic growth when compared against historic traffic forecasts that should also be taken into consideration in any future junction capacity assessments. In addition, particular care is needed in respect of trip rates, and sensitivity testing may be appropriate as TRICS are also currently collecting additional data throughout 2021 and reference should be made to the TRICS 'Decide and Provide' Guidance Note which accounts for current uncertainties as far as possible. A review of peak hours should also be undertaken as peak periods and hours may have also changed since before the pandemic.
- 3.3 It is recognised that there would be a further, more detailed assessment required to demonstrate that the development at Land at Former Perton Court Farm could be accommodated on the transport network without a severe impact occurring and this would be addressed in a Transport Assessment and Travel Plan.
- 3.4 This HTRR has provided an initial assessment of the potential capacity improvements that could be delivered within the extent of the existing highway, subject to a more detailed assessment as part of a planning application.

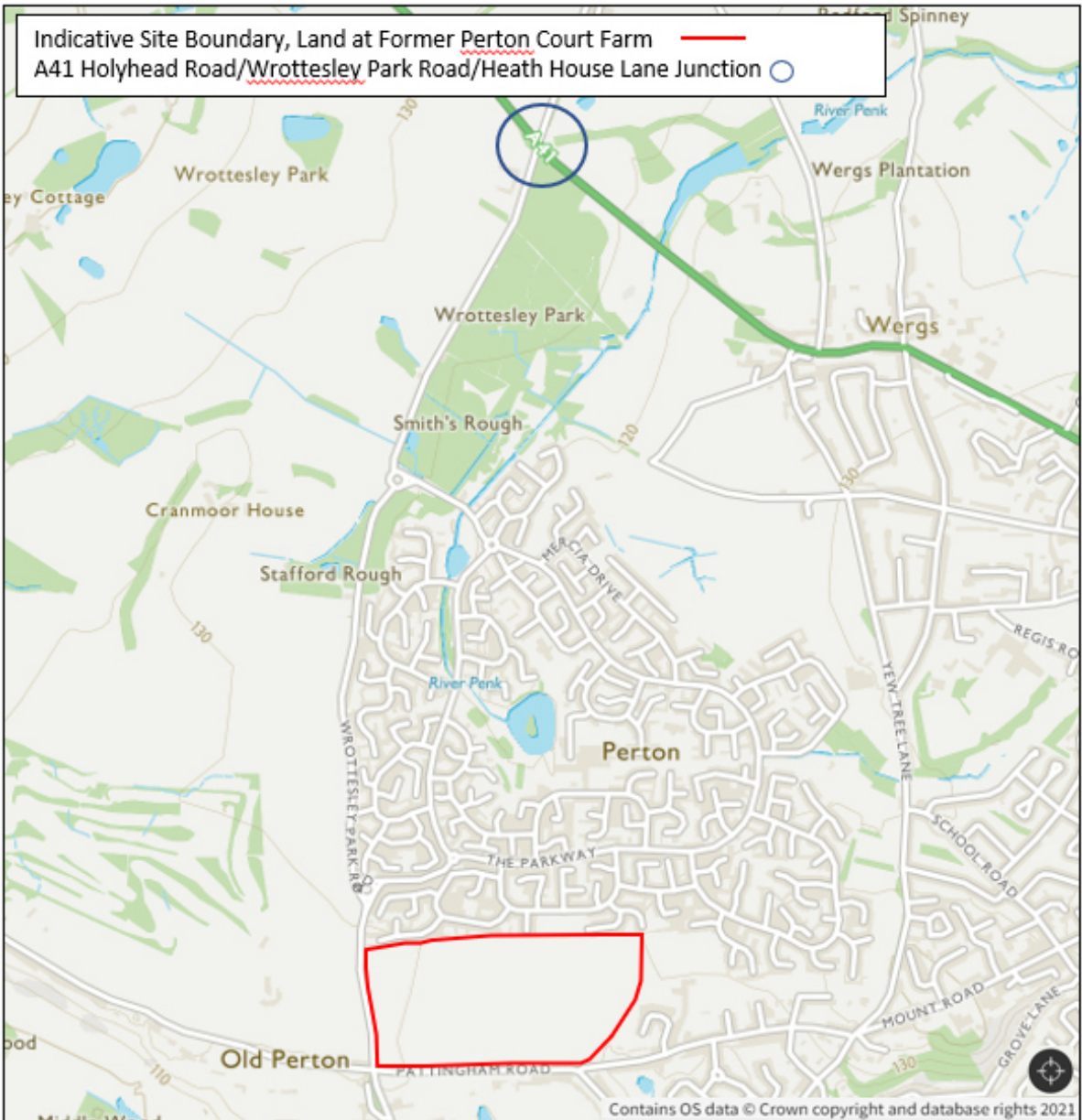


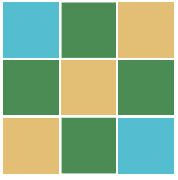
COTSWOLD
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PLANNING

Appendix A

Indicative Site Location Plan

Indicative Site Boundary, Land at Former Perton Court Farm ————
A41 Holyhead Road/Wrottesley Park Road/Heath House Lane Junction ○





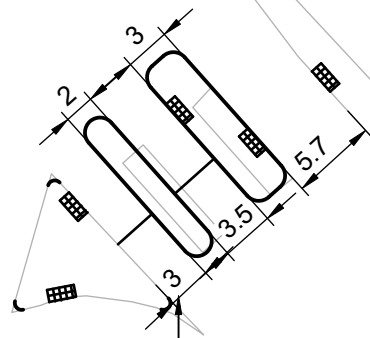
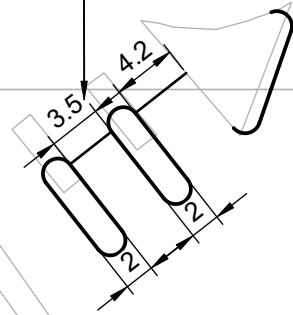
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Appendix B

Potential Mitigation Option I

123.011

Existing stop lines and islands moved forward approx. 3.5m to improve inter-visibility and intergreen times



Existing stop lines and islands moved forward approx. 3.5m to improve inter-visibility and intergreen times

Notes:

1. Do not scale from this drawing. All dimensions are in metres, unless stated otherwise.
2. Ordnance Survey, (c) Crown Copyright 2020. All rights reserved. Licence number 100022432.
3. All dimensions are indicative and subject to topographical survey.

Rev	Date	Details	Drawn by	Checked by



CLIENT: **Barberry**

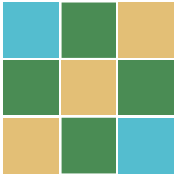
PROJECT: **Land at Court Farm
Perton**

TITLE: **A41 / Wrottesley Park Road
/ Heath House Lane
Junction Improvements**

STATUS: **PRELIMINARY**

SCALE @ A3: 1:500	DATE: 03/12/21	DRAWN: MP	CHECKED: JM	APPROVED: JM
JOB NO: CTP-19-723	DRAWING NO: SK04	REVISION: -		

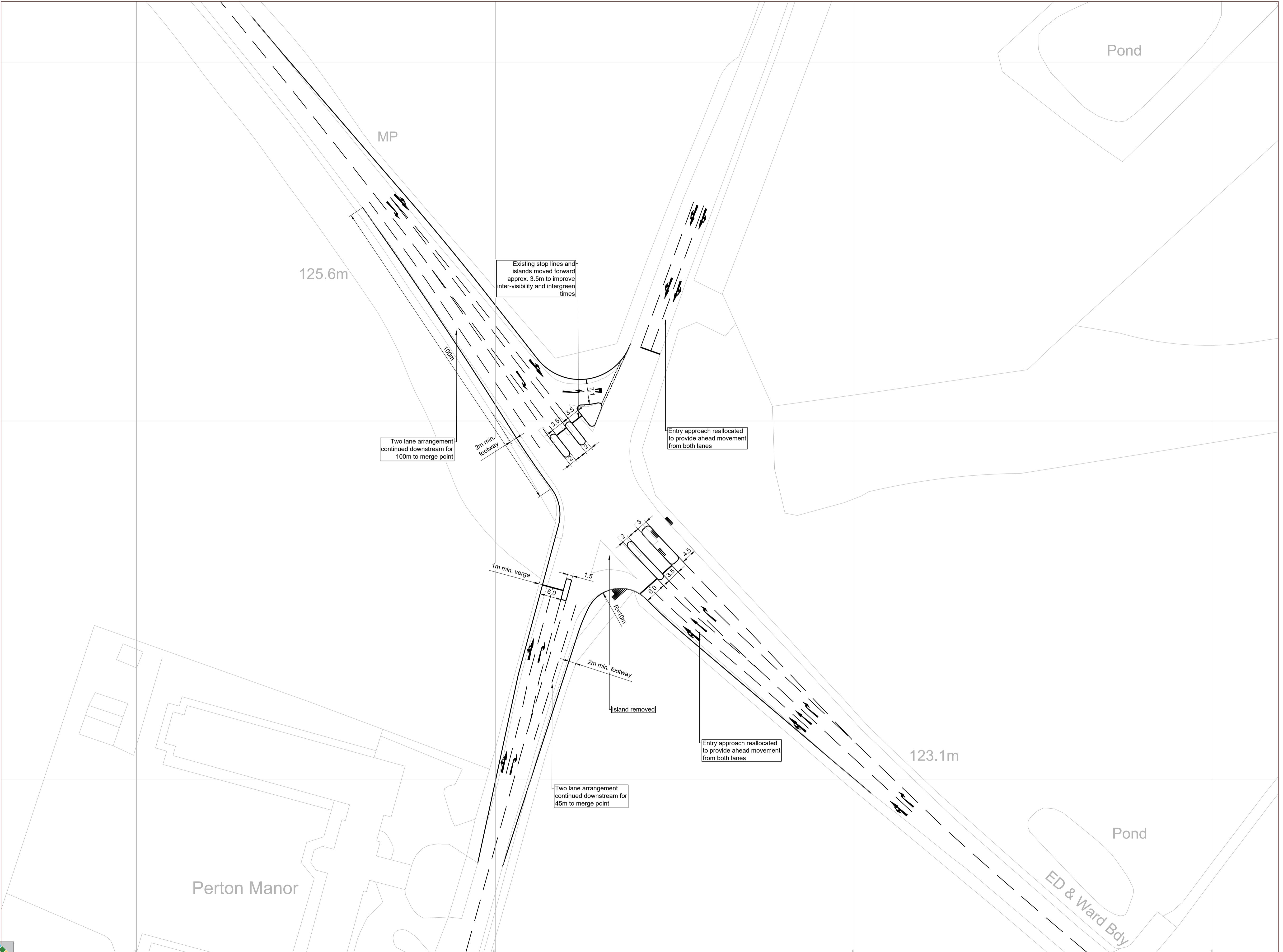




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Appendix C

Potential Mitigation Option 2



- Notes:**
1. Do not scale from this drawing. All dimensions are in metres, unless stated otherwise.
 2. Ordnance Survey, (c) Crown Copyright 2020. All rights reserved. Licence number 100022432.
 3. Layout shown is for concept design only based on OS data. Actual available dimensions may vary and further design work should be undertaken on a topographical survey to confirm.

Rev	Date	Details	Drawn By	Checked By



CLIENT: **Barberry**

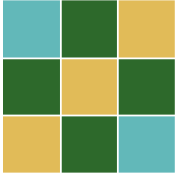
PROJECT: **Land at Court Farm, Perton**

TITLE: **A41 / Wrottesley Park Road/ Heath House Lane Junction Potential Improvements Opt 2**

STATUS: **INFORMATION**

SCALE @ A1:	DATE:	DRAWN:	CHECKED:	APPROVED:
1:500	09/12/21	MP	JM	JM
JOB NO:	DRAWING NO:	REVISION:		
CTP-19.723	SK05	-		





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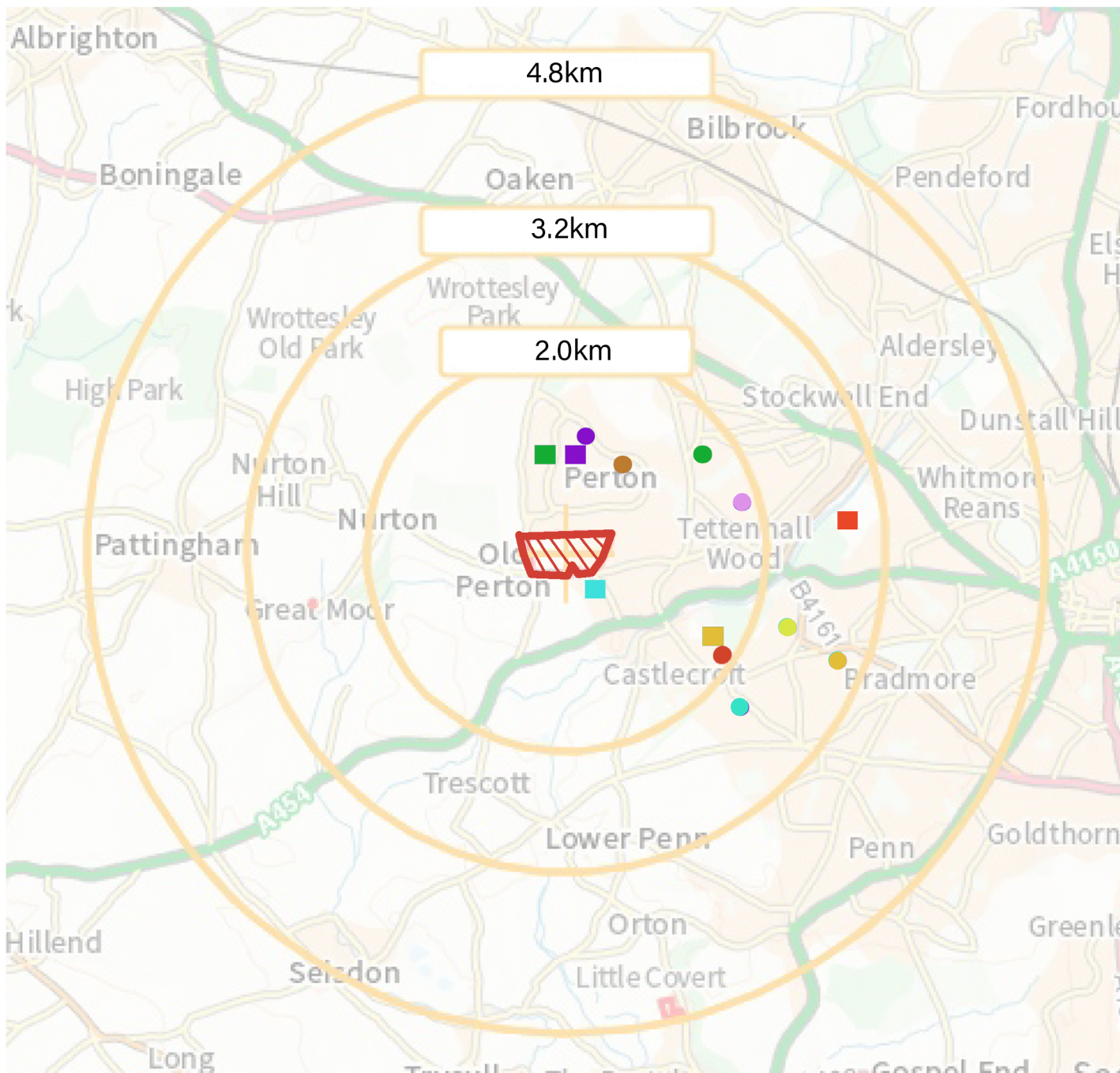
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APPENDIX B: SCHOOLS MAP AND EXAMPLE WALKING ROUTE TO SCHOOL

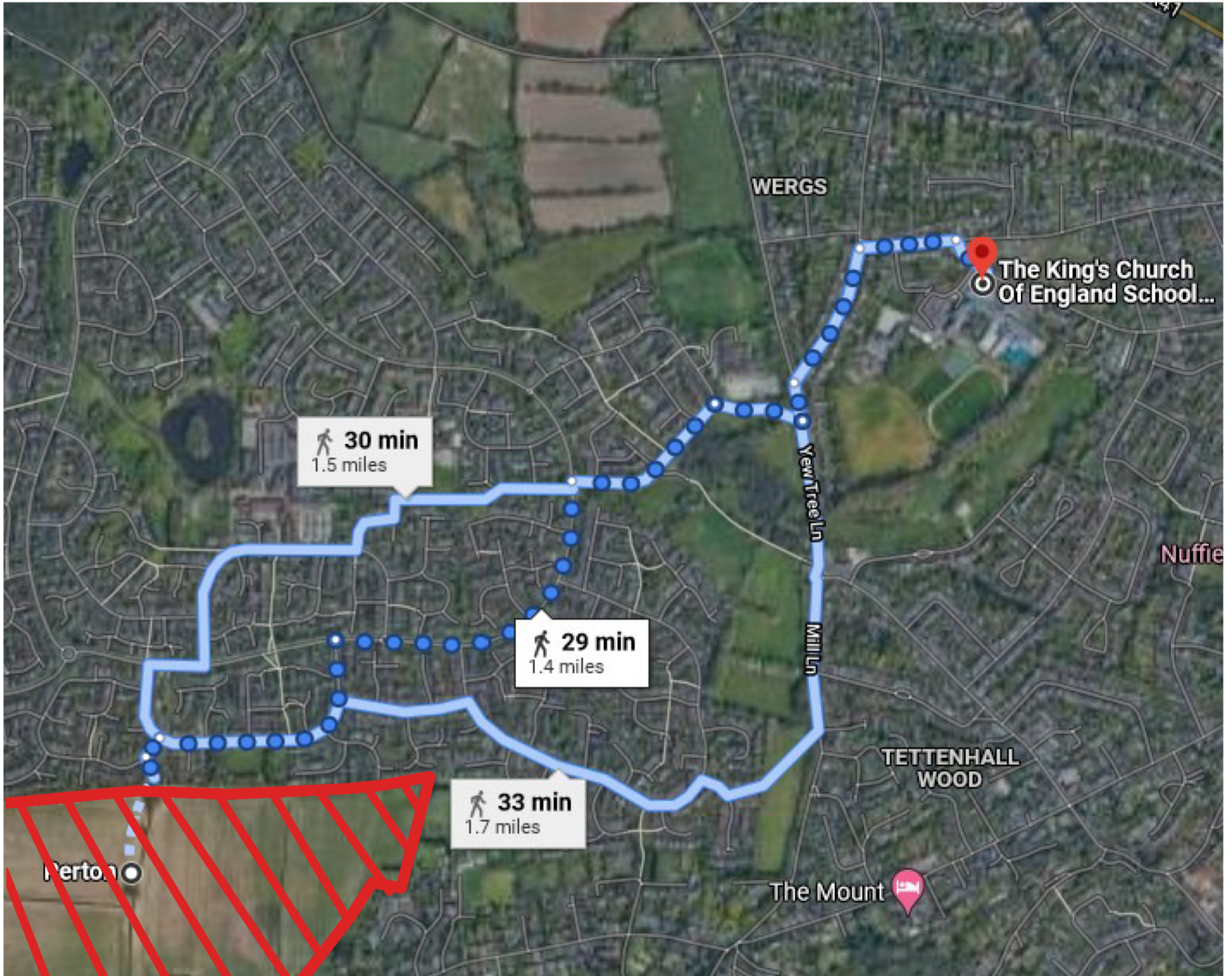
SCHOOLS PLAN



KEY

-  Application Site Boundary
-  St Peter's Collegiate Academy Secondary School
-  Wightwick Hall Secondary School
-  The King's Church of England Secondary School
-  Perton Middle School
-  Smestow Academy Sixth Form
-  Pinwee Primary School
-  Bhylls Acre Primary School
-  Perton First School
-  Perton Primary Academy
-  Woodthorpe Primary School
-  Christ Church Junior School
-  Castlecroft Primary School
-  Uplands Junior School

EXAMPLE OF WALKING ROUTES TO THE KING'S CHURCH OF ENGLAND SCHOOL



KEY

 Application Site Boundary

APPENDIX C: LAVIGNE LONSDALE REBUTTAL

Land at Former Perton Court Farm | Perton
South Staffordshire's Local Plan Review Preferred Options

Landscape Response to Green Belt and Landscape Issues

13th December 2021



LL-378-RE001(-)



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Truro
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www.lavignelonsdale.co.uk | tel: 01225 421539 | 01872 273118

Prepared on behalf of Barberry Perton Ltd.
Contact: Alison Osborne-Brown
Prepared by: Alison Osborne-Brown

Revision : -
Date : December 2021
Checked : ML

1.1. Representation

This representation has been prepared on behalf of Barberry (Perton) Ltd. in respect of land at Former Perton Court Farm. It relates to the South Staffordshire Council Local Plan Review, which has reached the Preferred Options stage. The consultation is ongoing and ends on 13th December 2021.

We have considered the existing Development Plan as it now stands and have also considered the policies being proposed by the emerging Local Plan. This document responds to the Landscape and Green Belt evidence that has informed the Preferred Options stage and emerging plan. These views are without prejudice to future submissions or hearing statements, which may be made in advance of the Examination stages.

1.2. Local Plan Review - The Preferred Option

South Staffordshire Council has reduced the level of growth proposed in Perton since the previous Local Plan review consultation, removing the recommendation for new land allocation in this area.

This change has come about due to significant constraints identified in the site assessment process that includes highway concerns, proximity to education and Green Belt and landscape sensitivities. This, together with the need to only release Green Belt in exceptional circumstances, has resulted in housing growth in Perton being limited to existing planning permissions and sites within the existing development boundaries and the delivery of safeguarded land adjacent to Perton.

This decision making is based upon a site assessment process which we will demonstrate is based upon inconsistent and unbalanced evidence, and as a result has provided flawed results in Housing Site Allocations Paper 2021.

Our response that follows demonstrates that the allocated/safeguarded (Site 239), when assessed on a level playing field, does NOT perform better than Land at Former Perton Court Farm (Site option 238), and it is our recommendation that Site 238 is allocated to help deliver the Council's preferred spatial strategy.

This landscape response document has been prepared as part of a suite of representation reports submitted by RCA Regeneration Ltd. and is intended to assist the Council with its consideration of land at former Perton Court Farm and its suitability for removal from the Green Belt and allocation as a strategic residential site.

1.3. Background

This report has been carried out by Alison Osborne-Brown who is a Chartered Member of The Landscape Institute and Associate at Lavigne Lonsdale.

Alison holds a BA (Hons) Degree in Landscape Architecture (1985), a Diploma in Landscape Architecture (1986) and has been practicing for over 36 years as a Landscape Architect. During her professional career she has had a wide and varied range of experience. She has; been a Partner in her own practice, Technical Director of a multi-disciplinary company in Worcester, and worked for international multi-disciplinary design-led practices - primarily in the UK but also overseas in South-East Asia and Australia.

Alison specialises in feasibility studies, residential masterplanning, landscape and visual impact assessments, landscape character assessments, and urban regeneration and has prepared many successful planning applications for residential developments. She also presents evidence at public inquiry and Local Plan examination.

Her approach to masterplanning is landscape and place making-led from the outset, underpinned by a strong vision for sustainable residential development with embedded design quality, a sense of community, a sustainable multi-modal and healthy environment, generous green infrastructure, and wildlife-rich biodiversity to provide multiple social, ecological, and economic benefits.

1.4. Landscape Response

This response to landscape and visual matters has been based upon a highly experienced and professional working understanding of; GLVIA3 (the 'industry standard'), Landscape Sensitivity Assessment and Green Belt Assessment.

This report follows on from previous submissions in respect of the same site at the Issues and Options stage during late 2018 and the Spatial Housing Strategy and Infrastructure Delivery Consultation in 2019, that provided a package of information in support the promotion of the site as a strategic housing allocation to South Staffordshire.

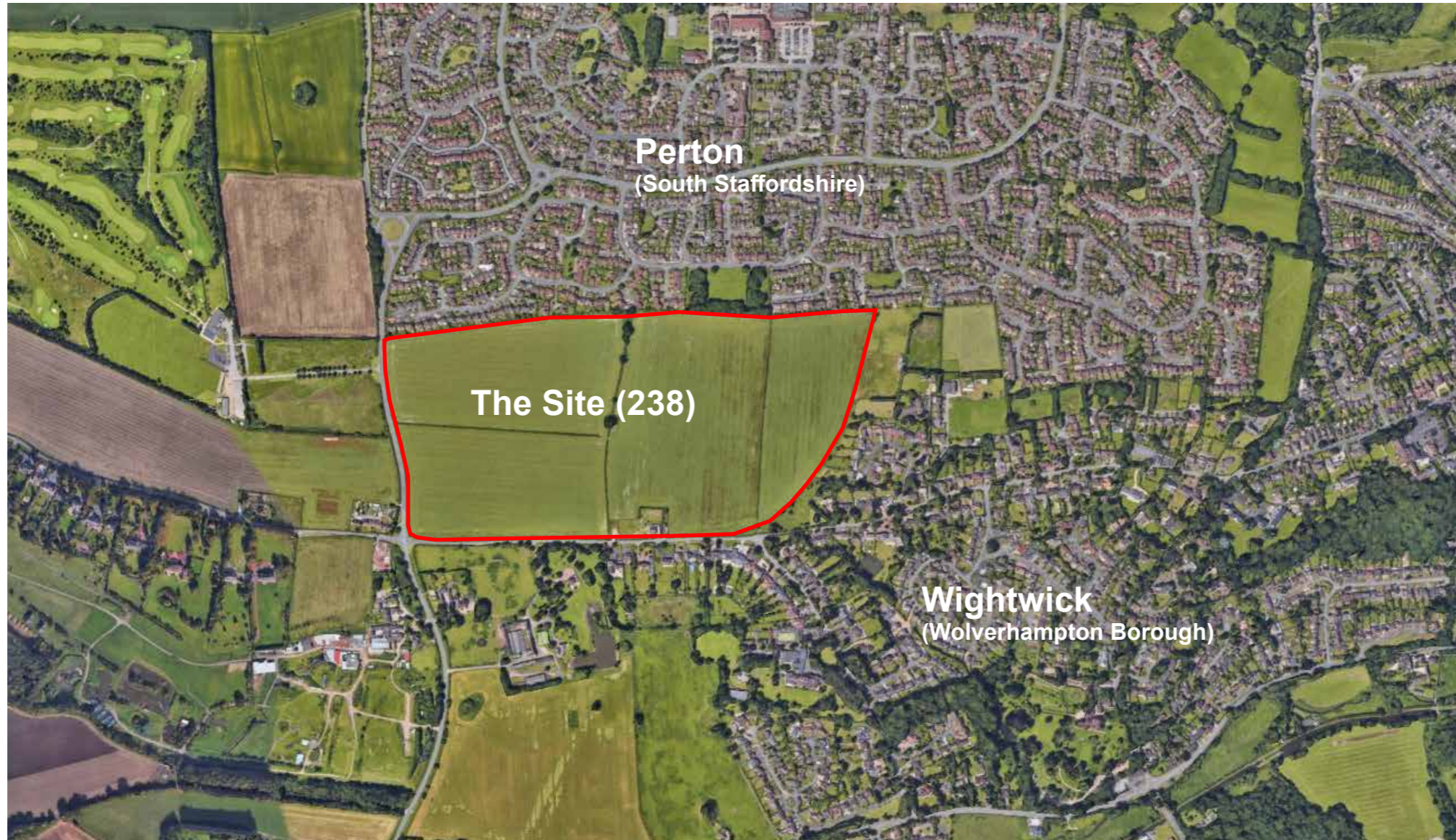


Figure 1: Site 238 - Aerial Context + Red Line Boundary

2.1. The Site

The site comprises 30.1 hectares (ha) /74.35 acres of land immediately adjacent to the southern built boundary of Perton, South Staffordshire, yet directly adjacent to Wolverhampton Metropolitan Borough.

The site is under the control of Barberry (Perton) Ltd., and is sustainable, available, deliverable and suitable for residential development - to help meet the growth requirements of South Staffordshire for the plan period 2018 to 2037.

2.2. Location and Facilities – A complete neighbourhood

The site is positioned in a highly accessible location immediately abutting Perton and Wightwick that forms the settlement edge of Wolverhampton Metropolitan Borough. The site forms a narrow strip of land which separates the two settlements; however, this has been eroded to the east of the site where the two suburbs of Perton and Wightwick have effectively merged.

Whilst Perton is categorised by South Staffs as a Tier 2 village it is acknowledged in their Local Plan evidence that Perton has merged with Wolverhampton and is part of a ‘town’, rather than a town in its own right.

Para 3.20 of the Green Belt Study 2019 states, **“Although not a town in its own right, Perton is sufficiently close to Wolverhampton, for these settlements to be considered to constitute part of a town.”**

The site’s location benefits from a 15-minute neighbourhood, however many facilities are much closer to the site and lie within a 5- and 10-minute walk.

A 15-minute neighbourhood is a well-known concept that provides residents access to most, if not all, of their needs within a short walk or bike ride from their home. Such 15-minute policies transform urban spaces into connected and self-sufficient (or ‘complete’) neighbourhoods, that reduces car use and encourages active foot and cycle travel.

Available facilities within a 15-minute walk include:

- Educational facilities
- Community and leisure facilities including library, medical centres, recreation grounds, play, golf course
- Local shops and pubs



Figure 2: Site Location Plan

2.3. Site Summary of the Landscape and Visual Appraisal

The previous Representational Document for the site was carried out in December 2019. It was prepared by Alison Osborne-Brown when Director at One Creative Environments. This report provided a high-level Landscape and Visual Appraisal (LVA) of the site and its setting, together with a review of access and drainage and a local townscape appraisal of Perton and Wightwick. This identified considerations and opportunities to inform a landscape and place-making led approach to the promotion of the site for residential development.

The LVA comprised a desk-top study and on-site survey field work. This assessed the landscape baseline and visual baseline separately. The extent of the study area covered the site itself and the wider context of Perton and Wightwick (Wolverhampton). From a landscape perspective it considered planning policy designations to understand whether there was any landscape planning, nature conservation or heritage sensitivities, the landscape character and the physical components of the landscape and potential landscape effects. The visual baseline included a digitally modelled 'zone of visual influence' and an assessment of views to understand the potential visibility of the proposed development, likely sensitivity of views and potential visual effects. It also considered the townscape characteristics of the surrounding urban area of Perton and Wightwick. The LVA determined where potential landscape and visual effects may be experienced, and the primary mitigation measures were embedded into the initial landscape-led concept masterplan.

2.4. Lack of Site Constraints

Other than currently lying within Green Belt, which is addressed in greater detail in Section 3, the LVA identified a lack of site constraints to residential development:

- The site is unaffected by any of the 'closed list' of Footnote 7 designations included in the 2021 Framework.
- No statutory or non-statutory nature conservation or heritage designations - other than 2no. trees protected by TPO on the northern boundary hedgerow abutting Perton.
- No Public Rights of Way through the site but it can connect up to adjacent public footpaths and public open spaces.
- Very limited site visibility, views are predominantly contained to immediately adjacent to the site due to the relatively flat landscape, low horizon and intervening screening from low ridge lines, large woodland blocks, and tall hedgerows.
- A relatively featureless site that exhibits some of the local landscape character 'Sandstone Estatelands' characteristics, namely it is relatively featureless, comprising four regularly sized relatively flat fields of arable land bound by mature, trimmed field hedgerows with the occasional hedgerow tree.
- Intensively farmed with little evidence of wildlife value.
- Bound by development on three sides between Perton and Wightwick - with Perton tightly abutted along the full extent of the site's northern boundary, Wightwick to the southern boundary and majority of the eastern boundary, further enclosed by the busy Wrottesley Park Road on its western boundary.
- No service/utility constraints.

2.5. Many Site Opportunities

The site has the opportunity to deliver many social, environmental, and sustainable benefits in addition to meeting the much-needed un-met housing needs in South Staffordshire and the adjacent Black Country:

- **Aligns with Para 11 of the Framework** - promoting a sustainable pattern of development that: meets the development needs of the area; aligns growth and infrastructure; improves the environment and mitigates climate change (including making effective use of land in urban areas).
- **Is in a sustainable location close to existing services and facilities** – providing a complete neighbourhood within a 5-15min walk.
- **Can deliver a viable scheme that can provide circa 600 new homes of which 180no. would meet the policy requirement of 30% affordable housing** - this meets Priority 1 of the Council's adopted Housing and Homelessness Strategy 2018-2022 and its four objectives, namely: 1. Increase affordable housing provision 2. Deliver a balanced housing market 3. Improve the specialist housing offer 4. Make best use of the district's existing housing stock.
- **Provides excellent, new and sustainable connectivity between Perton and Wightwick with opportunities for a dedicated, and safe green walking / cycle route through an area of new public open space.** This responds to and enables a recognised and significant movement/migration of residents from South Staffs into Wolverhampton for social, retail, employment and education purposes. Current sustainable access provision between Perton and Wolverhampton is very poor.
- **Provides a greatly improved, high quality residential interface between Perton and Wightwick** - based upon best practice urban design that integrates positive high quality, animated frontages set within a well-treed leafy setting. Perton currently turns its back on its neighbour and is inward looking and set within a heavily car dominated layout. It is typical of a poorly designed housing scheme from the 1980's where its boundaries and main streets are backed onto by rear gardens and tall fencing – with poor natural surveillance and dead frontages. Our scheme looks to address this poor interface with Wolverhampton.
- **Provides generous, high quality, and multi-functional green infrastructure** - with nature-rich spaces for wildlife, sustainable drainage, informal recreation and health and well-being.





View from Pattingham Road looking northwards across the site to Perton



View from Wrottesley Park Road looking eastwards across the site to Perton and Wolverhampton where the two have clearly merged.

3. Rebuttal of South Staffs Local Plan Review – Preferred Options

3.1. Perton and South Staffordshire's Preferred Options for the Plan Period 2018-2038.

The Council's preferred Spatial Housing Strategy, set out in the Local Plan Review Preferred Options 2021, does not now seek to allocate additional housing growth in Perton over the plan period 2018 to 2038, other than the existing safeguarded site 239 adjacent to the village.

This has fundamentally changed from the strategy set out in the 'Spatial Housing Strategy and Infrastructure Delivery' consultation for Perton in 2019 which sought to allocate significant additional growth around the village in recognition of its Tier 2 settlement status, level of services and facilities available in the village, and the opportunities for large land parcels adjacent to the village to deliver both housing growth and significant green infrastructure for Green Belt compensatory measures.

This decision making is based upon a site assessment process which is based upon inconsistent and unbalanced evidence and has provided flawed results.

We have carried out a summary review and interrogation of Site 239 v our site 238 (and other sites in Perton) and referred to the following papers / studies to demonstrate this:

- Housing Site Selection Paper Preferred Options (including Appendix 3 Site Proformas) - September 2021
- Sustainability Appraisal of SSDC Preferred Option Plan, August 21
- Green Belt Assessment for SS (including Appendix 2) – July 2019
- Landscape Sensitivity Assessment – July 2019
- Partial Green Belt Review (Method Statement and Appendix) – January 2014
- SAD Site Assessment and Discounted Sites Paper – Aug 2017
- SAD - 2018
- Site Allocations Document (SAD) 2014

3.2. The Site and other Land Parcels

For ease of reference, as site reference options are not consistent throughout the evidence base papers, the following table sets out the land parcel references for the site and nearby adjacent land parcels around Perton that have been assessed in the Local Plan Review and which we have reviewed in this section.

Land off Wrottesley Road is the only site allocated with a proposed safeguarded extension.

Name of Land Parcel	Site Reference -Preferred Options	Site Reference - Green Belt Study 2014	Site Reference - Green Belt Study 2019	Site Reference – Landscape Sensitivity Assessment 2019
The Site Land at Former Court Farm	238 a + b	5 (C)	S59D	SL29
Land off Wrottesley Park Road	239	4 (B)	Not Assessed	Not Assessed

3.3. Housing Site Selection Paper Preferred Options – Sept 2021

This provides a summary of proposed allocations in Perton. This has been informed by the merits of all the sites which are set out in Appendix 3 which sets out the full site assessment pro-formas and wider evidence base that has informed the Council's site selection, namely:

- Sustainability Appraisal (SA) findings
- Conformity with Infrastructure-led strategy and opportunities for infrastructure delivery
- Sequential test
- Green Belt harm
- Landscape Sensitivity
- Impact on historic environment
- Known site constraints
- Site opportunities
- Summary conclusions

3.3.1 Housing Allocation for Perton

The summary conclusion for Perton is that the only proposed allocation in Perton is Site 239. Site 239 Land off Wrottesley Park Road is made up of two land parcels, one of which has planning permission for development for 220 dwellings; the other, comprising 7.15ha, which is safeguarded and can provide a minimum of approx 150 dwellings.

3.3.2 Summary of Site Proforma for the Safeguarded Site 239

The summary findings are:

SA findings: Major negative effects are only predicted against the education criteria, due to distance to primary and secondary education.

Green Belt: This states that the site is on non-Green Belt land, having been safeguarded for development through the Site Allocations Document 2018.

Landscape Sensitivity: it states that as the site was previously selected as being suitable for development through the SAD 2018 which had regard to its sensitivity- the sites Landscape Sensitivity has not been reviewed.

Known Constraints: TPO's scattered along the site's eastern boundary (Wrottesley Park Road); within a mineral safeguarding area.

County Highways: OK in principle, access existing roundabout to be considered. No mention is made of the major negative effects of this junction that have been applied to Site 238 and other Potential Allocation Sites.

SUMMARY CONCLUSIONS:

Key Positives and negatives are identified as:

- In non-Green Belt safeguarded land allocated in SAD 2018;
- Major negative impacts are predicted against education in the Sustainability Appraisal.

Conclusion - Having regard to all site assessment factors set out in the proforma, the site is considered to perform better than other site options and could deliver the Council's preferred spatial strategy.

Our response that follows demonstrates that Site 239, when assessed on a level playing field, does NOT perform better than site option 238, since all Green Belt and Landscape criteria has been excluded from decision making.

3.3.3 Summary of Site Proforma for Land at Former Perton Court Farm Site 238

The summary findings are:

SA findings: Major negative effects are predicted against the education and landscape criteria, due to distance to primary and secondary education and the Site's Green Belt harm.

Green Belt harm: Moderate-High

Landscape Sensitivity: Moderate.

Sequential test: Insufficient non-Green Belt opportunities to deliver the infrastructure led strategy. Additional growth is required above levels of safeguarded land

Known Constraints: Small amount of TPO's at the site's northern boundary. Development of whole site could lead to coalescence of Perton and Wolverhampton to south.

County Highways: Concerns regarding cumulative impacts on junctions to north and south of Perton and walking to secondary education.

SUMMARY CONCLUSIONS:

Key Positives and negatives are identified as:

- Similar Green Belt harm and landscape sensitivity to majority of land around the village;
- Major negative impacts predicted against education in SA
- Major negative impacts against landscape criteria in SA but failing to consider such areas for development may result in unsustainable pattern of development and would run contrary to the Black Country Authorities proposed use of the Green Belt/Landscape evidence base as set out in the Duty to Cooperate correspondence.
- Highways authority raise initial concerns with impact on surrounding junctions.
- Could result in coalescence of Wolverhampton urban area and Perton.

Conclusion - Having regard to all site assessment factors set out in the proforma, the site is not considered to perform so well compared to other site options that it should be allocated instead of, or in addition to 239.

Our response that follows demonstrates that Site 238, when assessed on a level playing field, perform better than site option 239, and it is our recommendation that Site 238 is allocated in addition to Site 239, to help deliver the Council's preferred spatial strategy.

3.4. Sustainability Appraisal (SA) of Preferred Options Plan, August 2021

The SA confirms SSDC is proposing a housing target of 8,881 dwellings in the plan period. This also allows for an additional 4,000 dwellings to contribute to the unmet housing need of GBHMA.

The Preferred Options Plan is based upon Option G of the Spatial Housing Strategy and Infrastructure Delivery (SHSID) described as “Infrastructure-led development with a garden village area of search beyond the plan period”.

Para 1.10.4 confirms the key changes to the preferred Spatial Strategy with regard to Perton;

“Limiting new allocations at Perton to the existing safeguarded land, reflecting the lack of a finalised junction improvement scheme at the A41 and the remoteness of Green Belt Site options from education facilities”.

In F11 of the SA, the table for preferred allocated sites states that a key positive for Site 239 is that it is in non-Green Belt safeguarded land, the key negative is the major negative impacts on education.

One needs to look at the SA’s Table 2.3: Guide to Scoring Significant Effects adjacent to understand how this decision has been made. Clearly Site 239’s omission from the Green Belt and Landscape Sensitivity Studies and the assumed negligible harm to both has determined an inaccurate outcome to the draft Preferred Options.

Site Reference	1	2	3	4	5	6	7	8	9	10	11	12
	Climate Change Mitigation	Climate Change Adaptation	Biodiversity & Geodiversity	Landscape & Townscape	Pollution & Waste	Natural Resources	Housing	Health & Wellbeing	Cultural Heritage	Transport & Accessibility	Education	Economy & Employment
Perton												
238	+/-	-	+/-	-	-	-	+	-	-	-	-	-
239	+/-	-	+/-	-	-	-	+	-	-	-	-	-
241	+/-	+	+/-	-	-	-	+	-	-	-	-	-
243	+/-	-	+/-	-	-	-	+	-	-	-	-	-
245	+/-	-	-	-	-	+	+	-	-	-	-	-
246a	+/-	-	-	-	-	-	+	-	-	-	-	-
260	+/-	+	+/-	-	-	-	+	-	-	-	-	-
402	+/-	+	+/-	-	-	-	+	-	-	-	-	-

Figure 3: SA Site Assessment table for Perton.

Table 2.3: Guide to scoring significant effects

Significance	Definition (not necessarily exhaustive)
Major Negative --	The size, nature and location of a development proposal would be likely to: <ul style="list-style-type: none"> Permanently degrade, diminish or destroy the integrity of a quality receptor, such as a feature of international, national or regional importance; Cause a very high-quality receptor to be permanently diminished; Be unable to be entirely mitigated; Be discordant with the existing setting; and/or Contribute to a cumulative significant effect.
Minor Negative -	The size, nature and location of development proposals would be likely to: <ul style="list-style-type: none"> Not quite fit into the existing location or with existing receptor qualities; and/or Affect undesignated yet recognised local receptors.
Negligible 0	Either no impacts are anticipated, or any impacts are anticipated to be negligible.
Uncertain +/-	It is entirely uncertain whether impacts would be positive or adverse.
Minor Positive +	The size, nature and location of a development proposal would be likely to: <ul style="list-style-type: none"> Improve undesignated yet recognised receptor qualities at the local scale; Fit into, or with, the existing location and existing receptor qualities; and/or Enable the restoration of valued characteristic features.
Major Positive ++	The size, nature and location of a development proposal would be likely to: <ul style="list-style-type: none"> Enhance and redefine the location in a positive manner, making a contribution at a national or international scale; Restore valued receptors which were degraded through previous uses; and/or Improve one or more key elements/features/characteristics of a receptor with recognised quality such as a specific international, national or regional designation.

Figure 4: SA Guide to scoring significant effects

3.5. Our response to the Housing Site Selection Paper and Sustainability Appraisal 2021

3.6.1 Inconsistencies in Site Assessments

In the Housing Site Selection Paper in 5.8.6, in connection with the safeguarded site 239, it states,

“The site assessment process has revealed no unmitigable constraints to the sites’ delivery, other than the major negative effects predicted in the SA due to the distance from schools”.

It could therefore be concluded that any Green Belt and Landscape Sensitivity issues are mitigable. However this does not fully accord with the tables in the SA which notes in para B.18.4.6 that site 239 was not assessed by the Landscape Sensitivity Study and development at this site is assessed as having a negligible impact.

Similarly, in para B.18.4.3 site 239 was not assessed for Green Belt harm and development is considered to have negligible harm.

In addition, no mention is made of the major negative impacts of the Wrottesley Road junction on site 239, which have formed clear reasons for non-allocation of other Reasonably Alternative Sites.

This exclusion of 239 from the 2019 Green Belt Study and Landscape Sensitivity Assessment has meant Site 239 has not been assessed on a level playing field with all other Reasonably Alternative Sites.

When comparing Site 238 and 239 on the SA table the only difference in the whole assessment is the level of effect in Landscape and Townscape terms, with Site 239 having a Minor Negative effect whereas 238 is assessed as having a Major Negative Effect.

3.6.2 Exclusion of Site 239 from the 2019 Green Belt and Landscape Sensitivity Studies

Understanding Site 239’s exclusion from the 2019 Green Belt and Landscape Sensitivity studies has thrown up some significant inconsistencies and incorrect assumptions:

There is a lack of transparency of findings -Since the Site was excluded from the Green Belt and Landscape Sensitivity Studies of 2019, we had to look back through many previous papers to determine when this site was assessed and what the findings were. This was like looking for a needle in a haystack and was neither transparent nor easy to unearth.

SAD 2018 - lack of explanation for removal of Site 239 from the Green Belt - We reviewed the SAD 2018 to try to understand the reasons for Site 239 being identified for allocation. This does not provide

any reasoned explanation for the site’s removal from the Green Belt other than the site, *“makes a lesser contribution to the GB compared to other sites in Perton”*. This is deduced because it wasn’t assessed! It also has, *“a lesser impact on landscape character than all the other sites in Perton”*. Again, this assumption is made because it wasn’t assessed!

The removal of Site 239 is presented as a fait accompli, without any background analysis and recommends both parcels are removed from the GB with the northern parcel allocated and the southern parcel safeguarded.

Site Assessment Discounted Site Paper, August 2017 - No explanation for removal of Site 239 from Green Belt and no Landscape Sensitivity Assessment - It is stated that this document provides the Council’s full justification. On review of this NO written commentary is made with regards to its impact on the Green Belt or Landscape Sensitivity, in-fact this has been studiously omitted. As such the site has been inaccurately categorised in the RAG scoring as Yellow - i.e. it has the least impact on the Green Belt compared with other sites in the village. There is no evidence to support this. Had Site 239 been subject to Green Belt and Landscape Sensitivity analysis then it is our assertion that Site 238 would have had a better scoring than 239. See Figure 5 overleaf.

Only a limited Green Belt review of Site 239 dating back to 2014 - One must go back further to the Partial Green Belt Review of 2014 to find an assessment of the impact on the Green Belt. Site 239 is shown as 4B. Site 238 is shown as 5C.

Figure 6 overleaf shows the findings of the partial Green Belt review 2014 and shows with the dark green hatch that **ALL** sites surrounding Perton, including site 239, are **deemed to make a considerable contribution to Green Belt Purposes**.

Parcels 1,2 and the eastern half of Parcel 5 were considered to be the parcels that best perform the purposes of Green Belt. Parcels 3 and 4 (Site 239), despite making a considerable contribution to the purposes of the Green Belt were considered to perform the purposes of Green Belt slightly less well. Both parcels are very open and free from encroachment. However, the golf course to the south and the woodland to the north are assessed to provide potential barriers to urban sprawl.

It would appear that it was on this basis that site 239 was removed from the Green Belt.

Had 239 been subject to the more recent and detailed 2019 Green Belt Assessment then the site would have been assessed on a like by like basis and clearer, transparent judgements could have been made. It would then have been apparent that Site 238 perform better in Green Belt terms than Site 239.

We have carried out an assessment of site 239, based upon the Green Belt 2019 methodology, which is set out in section 3.7.

Site Reference Number	Sequential test	Green Belt review categorisation	Landscape Sensitivity	Accessibility to Amenities (Inc. Employment)	Surface water Flooding	Highways (accessibility to the site.)	Impact on current land use	Impact on Natural Environment	Impact on Environmental Quality	Impact on Historic Environment	Tier 1 assessment comments*	Site taken forward for consideration against tier 2 criteria Yes/No	qualitative assessment of material planning considerations	Proposed to be allocated
238a land at former Perton Court Farm	Orange	Orange	Yellow	Green	Green	Green	Yellow	Green	Green	Green	<u>Landscape Sensitivity</u> - southern part of the site is an area of high landscape sensitivity, in contrast to a large area of the site adjoining the development boundary which is of medium sensitivity; on balance and having regard to the allocation, the site is judged to be medium-high sensitivity. <u>Accessibility to amenities</u> - site has relatively good vehicular and pedestrian access to the village centre. <u>Loss of facilities</u> - loss of agricultural/grassland <u>Natural Environment</u> - part of the site is believed to be Grade 2 agricultural land. <u>Historic Environment</u> - if the site was allocated then the applicant would need to have regard to the Staffordshire HLC assessment - specifically where historic field boundaries exist.	No - on balance, the site did not perform as well as other sites against tier 1 criteria, specifically in terms of impact on the Green Belt	N/A	N/A
239 land west of Wrottesley Park Road	Orange	Yellow	Yellow	Green	Green	Green	Yellow	Green	Green	Yellow	<u>Accessibility to amenities</u> - site has relatively good vehicular and pedestrian access to the village centre. <u>Loss of facilities</u> - loss of agricultural/grassland <u>Natural Environment</u> - part of the site is believed to be Grade 2 agricultural land. <u>Historic Environment</u> - if the site was allocated then the applicant would need to have regard to the Staffordshire HLC assessment - specifically where historic field boundaries exist, as well as the HER to the west of the site.	Yes	A number of representations were received relating to the site during the 'Issues and Options' consultation stage with more supporting the site than those that opposed it - there was also some support from the Petron Parish Council for the site; At the 'Preferred Options' consultation stage more opposed the site than supported it. Site has capacity to provide opportunities for community infrastructure; has capacity to provide opportunities for new open space and recreation as well as close proximity to existing provision (including the golf course); has capacity to provide economic opportunities, however access to existing employment opportunities is negligible between the sites; golf course offers a strong boundary to restrict longer term encroachment to the west, and existing hedgerows/tree belts contain the site within natural boundaries; sites would be able to link onto existing roundabout creating a greater sense of integration with the existing village.	Yes - part of the site adjacent could meet the entire allocation and meet the necessary open space and community benefit requirements. Access to be provided off existing roundabout. Remainder of the site suitable to meet all of Perton's safeguarded land requirement

Figure 5: Excerpt of Site Assessment Discounted Paper, 2017 - Sites 238 and 239.

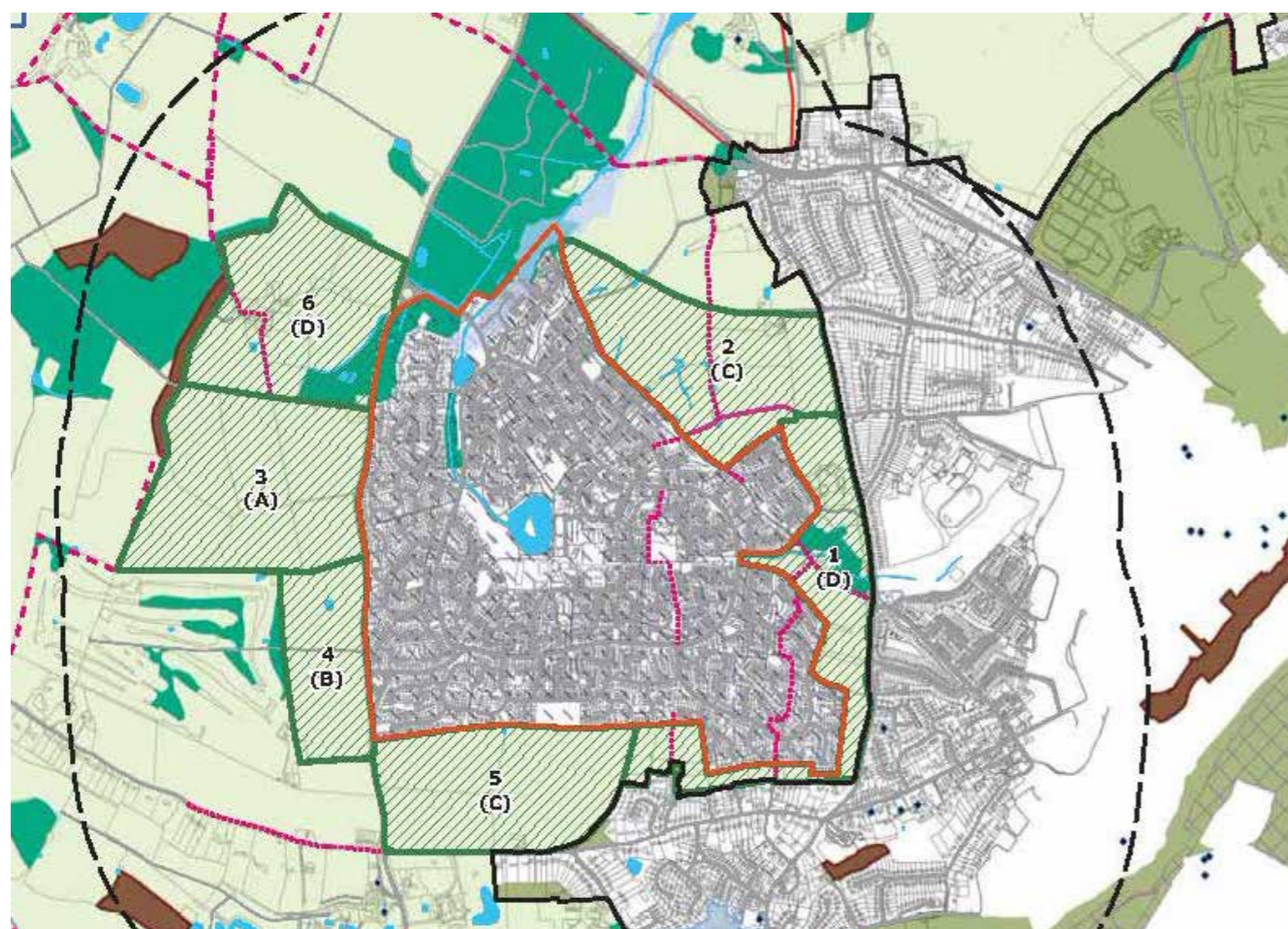


Figure 6: Sites around Perton assessed in Partial Green Belt Review of 2014

3.6. The Green Belt Study 2019

Core Policy 1 outlines the Spatial Strategy for South Staffordshire. The policy earmarks the Main Service Villages, that includes Perton, as the main centres for housing growth, employment development and service provision.

With around 80% of the District designated as Green Belt, South Staffordshire has been relatively successful at preventing the outward spread of the larger urban conurbations. However, the District is at risk from development ‘leapfrogging’ to sites immediately beyond the Green Belt boundary, which can result in unsustainable patterns of housing, public services, or employment land, and would be contrary to the Preferred Options Plan SHSID “Infrastructure-led development”.

SSDC identified the potential need to revise Green Belt boundaries to accommodate the identified housing need and a Green Belt Study was undertaken in 2019 to inform the consideration of revisions to Green Belt boundaries in the district as part of the LPR.

As stated in the Green Belt Study,

“In each location where alterations to Green Belt boundaries are being considered, planning judgement is required to establish whether the sustainability benefits of Green Belt release and the associated development outweigh the harm to the Green Belt designation”.

3.7. Our Response to the Findings of the Green Belt Study

3.7.1 Assessment Process

We have looked at the following two sub-parcels referenced in GB Study Appendix 3 Stage 2 Harm Assessment:

- Sub-parcel Ref S59D - South of Perton - namely Site 238
- Sub-parcel Ref S54B - Perton Park/Cranmore/Wrottesley Park - that lies directly adjacent to Site 239

3.7.2 Green Belt Assessment of Site 238 (Sub-parcel Ref S59D)

The Site is assessed as having a Moderate-High Harm Rating.

We disagree with this, most notably the Harm Rating assessment to Green Belt Purposes P1 : Checking the unrestricted sprawl of large built-up areas; and P3: Safeguarding the countryside from encroachment.

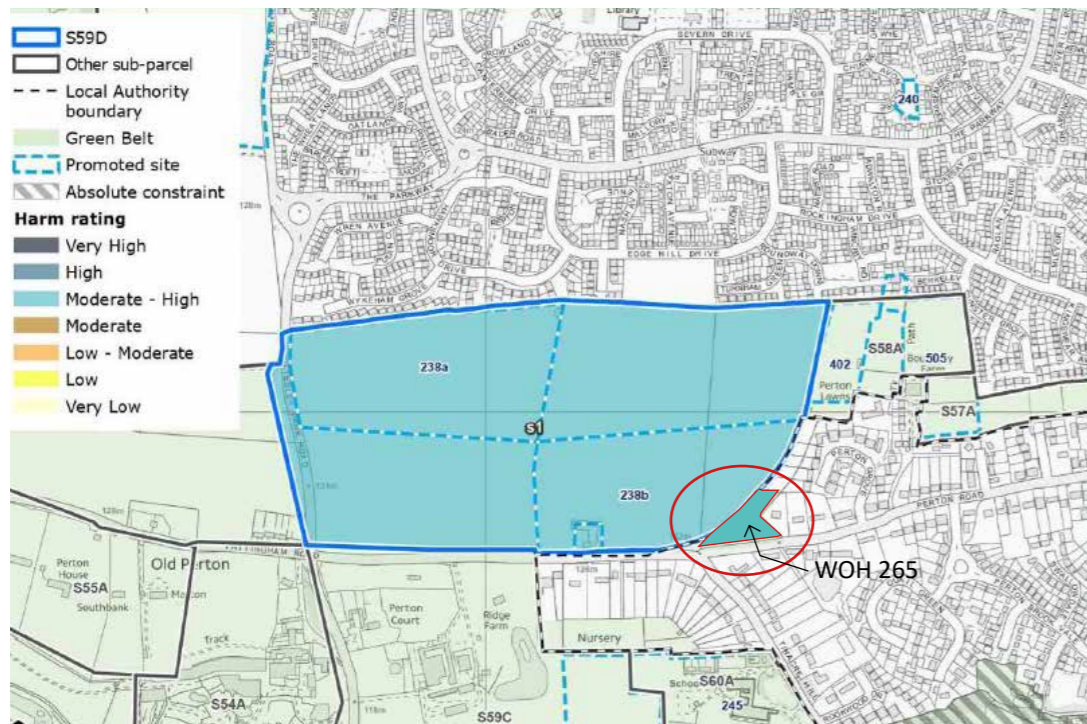


Figure 7: Site 238 (Sub-parcel S59D) - South of Perton (and Site WOH 265, Wolverhampton)

Assessment of Parcel Contribution to Green Belt Purposes

GB Purpose	Assessment	Rating
P1: Checking the unrestricted sprawl of large built-up areas	Land is close or adjacent to the West Midlands conurbation, contains no significant urban development, and has strong openness. It retains a stronger relationship with the wider countryside than with the urban area.	Strong
P2: Preventing the merging of neighbouring towns	Land plays no significant role due to the distance between the West Midlands conurbation and Albrighton, the nearest town to the west.	Weak / No contribution
P3: Safeguarding the countryside from encroachment	Land contains the characteristics of open countryside (ie an absence of built or otherwise urbanising uses in Green Belt terms) and does not have a stronger relationship with the urban area than with the wider countryside.	Strong
P4: Preserve the setting and special character of historic towns	Land does not contribute to the setting or special character of a historic town.	Weak / No contribution
P5: Assist urban regeneration, by encouraging recycling of derelict and other urban land	All parcels are considered to make an equal contribution to this purpose.	Strong

Figure 8: Excerpt from GB Assessment of Parcel 238's Contribution to Green Belt Purposes

Purpose 1 of the Green Belt: Checking unrestricted sprawl of large built-up areas

On consideration of the Criteria for Assessment of Green Belt contribution, set out in Stage 1 of the Green Belt Assessment, we disagree with the assessment of harm and would argue that the site makes a Moderate-Weak contribution to checking unrestricted sprawl for the following reasons:

- The site lies in close proximity and adjacent to large built up areas on three sides to the north, east and south
- The site does have a sense of openness, however with highly visible housing abutting on three sides of four, the land has a much stronger relationship, both physically and visually, with the surrounding urban area.

- The site has a weaker relationship to the wider Green Belt to the west due to a) the dense, tall hedgerow on the sites western boundary which provides a high degree of visual containment and a definitive strong boundary and, b) due to the nature of the flat landscape and resultant low horizon where the boundary hedgerow provides an effective visual screen with little inter visibility of the Green Belt land beyond the site.

SUMMARY: The land has a strong enough relationship with the surrounding large built up area of Perton and Wolverhampton, and a weak enough relationship with adjacent Green Belt land, for housing development to be regarded as ‘infill’ rather than sprawl.

On the basis of the 3 point-rating scale assessment criteria in Table 4.2 and para 4.12 of the Green Belt Study, we assess the site as making a Moderate contribution to Purpose 1 - “Land adjacent or close to the large built-up area that contains some urban development and/or is to an extent contained by urban development, but retains openness and some (very limited) relationship with the wider countryside”.

Purpose 3 of the Green Belt: Safeguarding the countryside from encroachment

On consideration of the Criteria for Assessment of Green Belt contribution, we disagree with the assessment of harm and would argue that the site makes a Weak contribution to safeguarding the countryside from encroachment:

- There is a significant urban influence from adjacent land, and a degree of physical containment that limits contribution to this purpose.
- The urban areas of Perton and Wolverhampton contain the site on three sides providing a significant degree of containment to the open land.
- The presence of the sites western boundary hedgerow, particularly when experienced from Wrottesley Park Road, provides a strong definitive boundary to the Green Belt and provides a natural continuum to the line of the existing urban area which abuts to the north. There is a clear relationship of the land with the surrounding visible urban area.
- Whilst the land exhibits some characteristics of the countryside – i.e. four, featureless fields subdivided by hedgerows and the occasional tree - there is an overriding and clear presence of built development to three of its four boundaries. The strong urbanising influences of Perton and Wolverhampton reduces the sense of the site being open countryside.
- When viewing the land from both Perton and Wolverhampton the land relates more strongly to the surrounding settlements rather than the wider countryside.

SUMMARY: The land contains characteristics of open countryside (i.e. there is an absence of built or otherwise urbanising uses in Green Belt terms on the land itself), but it has a stronger

relationship with its surrounding urban area than with the wider countryside. It is contained by urban settlement on three of its four boundaries. The land retains some degree of openness and has some relationship with the wider countryside but this is compromised by adjacent urbanising development.

Applying these revised assessments to the Parcels Contribution to Green Belt would result in the following rating:

- P1 : Checking unrestricted sprawl - Moderate
- P2: Preventing merging of neighbouring towns - Weak/No Contribution
- P3: Safeguarding the Countryside from encroachment - Weak/No Contribution
- P4: Weak/No Contribution
- P5: Strong (all parcels are considered to make an equal contribution to this purpose).

3.7.3 Site 238 Assessment of Harm

The Criteria for Assessment of Harm resulting from Green Belt Release is set out in the Stage 1 Green Belt Assessment from paras 6. 14 - 6.27. This is based on a 7 point scale of harm (see Figure 9 below).

Applying this further grain of analysis which considers whether contribution to any of the purposes is

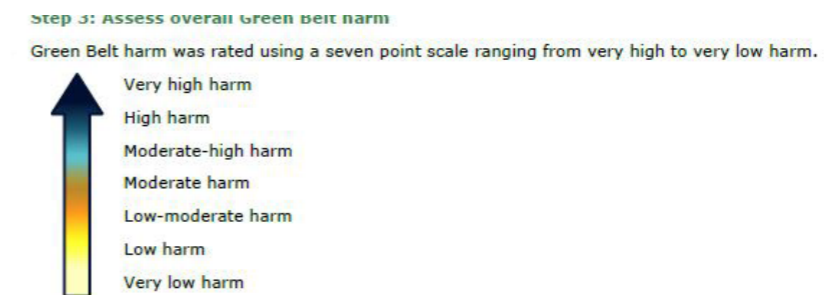


Figure 9: Green Belt Harm Rating - 7 point scale

particularly significant, it is our professional judgement that the level of harm resulting from Green Belt release of Site 238/Sub-Parcel S59D would be **Low-Moderate**.

The site makes a Low - Moderate contribution to Green Belt Purposes and would simplify and strengthen the Green Belt boundary which has been eroded to such an extent that Perton and Wolverhampton have effectively merged. The extent of containment is such that release of this land would have a negligible effect on the wider Green Belt.

The following site photographs illustrate our Green Belt assessment.

3.7.4 Settlement Coalescence

The issue of settlement coalescence has been raised in the Housing Site Selection Topic Paper proforma (Appendix 3) as a reason for non-allocation. However, it has also been acknowledged at the Issues and Options stage that coalescence of Wolverhampton and Perton is seen to have already taken place.

This is reinforced at paragraph 3.15 of the South Staffordshire 2019 Green Belt Study (Stage 1 and 2) which informs the preparation of the emerging Local Plan. Here, it states:

“Figure 3.1 indicates the area that has been identified as the West Midlands conurbation, which is defined as the main ‘large built-up area’ to which Purpose 1 relates. It includes those settlement areas deemed close enough to the ‘core’ urban area for development associated with them to be considered to be part of the ‘large built-up area’, including the towns of Aldridge and Brownhills and other settlements including Pelsall, Rushall, Shelfield, Tettenhall and Perton”.

Para 3.20 then goes on to state that: *“Although not a town in its own right, Perton is sufficiently close to Wolverhampton, for these settlements to be considered to constitute part of a town.”*

Perton is already regarded as being amalgamated with Wolverhampton and part of a ‘town’, and we agree with this. Given its relatively recent construction, Perton functions as a suburb of Wolverhampton rather than a self-contained settlement in its own right. This inconsistency on the issue of coalescence should be dismissed from the Council’s evidence.

3.7.5 Sustainability Appraisal

The SA identifies the site as having good pedestrian access to the existing footpath network. We have also identified the potential to greatly improved sustainable connectivity between Perton and Wightwick with a dedicated green footpath and cycle corridor. This sustainable route is very much needed as connectivity is currently poor and there is the recognised high movement of people from South Staffs to Wolverhampton for employment, shopping and education.

An existing public right of way just east of the site at Boundary Farm is very poor, with broken stiles and heavily overgrown vegetation. This actively discourages safe, sustainable movement due to its dangerous and inaccessible condition (see photo to the left).



Unsafe and inaccessible PROW at Boundary Farm.



View from Wolverhampton (Pattingham Road) the site is contained by urban development to the north (Perton) and Wolverhampton to the southern and eastern boundary with the coalescence of Perton and Wolverhampton



View from Perton public open space the site is contained by urban development to the north (Perton) and Wolverhampton to the southern and eastern boundary



View from Wrottesley Park Road looking eastwards across the site where the urban settlement of Perton has coalesced with Wolverhampton



Tall, dense hedge to the site's western boundary to Wrottesley Park Road

With regards to the Major negative impacts predicted against education for Site 238 the Council does acknowledge in the Housing Site Selections Preferred Options paper in para 3.11, ***“that the SA walking catchments do not have regard to on-the-ground walking routes or pedestrians footways. This extra information therefore offers an opportunity to sense check the degree of pedestrian connectivity to infrastructure on a site-by-site basis”***.

3.7.6 School Walking Distances

On this basis of on-the ground walking routes the site is circa 1.2km (15 minute walk) to Perton Primary; 1.5km (20 min walk) to Perton First School, 1.8km (20-25min walk) to Perton Middle School, and; 2.4km (30 min walk) to The King's C of E Secondary School in Wolverhampton.

We would also refer you to Appendix A in RCA Regeneration Ltd. Response Paper - School Isochrone Plan and example of Walking Route to King's C of E Secondary School.

Based on the governments agenda to encourage active walking, improve health and well-being, and respond positively to Climate Change - these are highly sustainable distances.

Major negative impacts are predicted against Landscape and Townscape. We have addressed the inaccuracy of the Green Belt Assessment that contributes to this scoring and will address the inaccurate findings of the Landscape Sensitivity Study in 3.8.

3.7.7 Mitigation Measures to Reduce the Potential Harm to the Green Belt

There are a range of mitigation measures set out in Chapter 8 of the Stage 1 Green Belt Study which could satisfactorily mitigate any potential harm to the Green Belt at Site 238. These are all consistent with the design principles that we have set out to guide the landscape and place making-led approach to development on the site:

- Use of additional landscape planting to bolster and reinforce the tall, dense hedgerow along the western boundary to Wrottesley Park Road to clearly define a consistent Green Belt boundary.
- Create a clear transition from urban to rural, using building densities, heights, materials and Green Infrastructure to create a softer, more permeable edge.
- Reinforce views to the adjacent countryside within the Green Belt
- Design and locate buildings, landscape planting and green open spaces to minimise intrusion on settlement settings of Perton and Wightwick.
- Design road infrastructure to limit perception of increased urbanisation associated with new development i.e. a walkable neighbourhood that embeds the principles of ‘Active Design’ with all streets designed as pedestrian and cycle friendly.
- Multi-functional green infrastructure that integrates sustainable drainage features to enhance the separation between settlement and countryside.

3.7.8 Draft Allocation WOH 265 - Black Country Threshold of Green Belt and Landscape Sensitivity Harm

It is clear that the Black Country is applying a much lower threshold to the impact of harm on the GB and Landscape Sensitivity which has arisen from its housing shortfall of circa 28,000 dwellings, of which circa 9,500 dwellings lie within Wolverhampton. Refer to Figure 7. This is evidenced with draft allocation WOH 265 in Wolverhampton, a small slither of land allocated for just 4 dwellings on 0.6ha, adjacent to the south-eastern boundary of our site. This is a substantially low density but is in a sustainable location and relates well to existing settlement. However it is our opinion that the proposed realignment of the Green Belt to a, ‘track to the north west, which runs along the Wolverhampton / South Staffs District boundary’, is neither robust nor enduring as a defensible Green Belt boundary. Green Belt is a strategic planning policy which exists on a permanent basis, transcending plan periods and should only be released in exceptional circumstances. Such a small ‘nibble’ of the Green Belt as proposed is unlikely to pass the exceptional circumstances test, nor is it likely to be warranted on such a small-scale site.

It is our view that the wholesale removal of Land at Former Perton Farm (Site 238), together with the small site should be considered, where the exceptional circumstances test could be met and where the compensatory measures as set out in the NPPF at para 142 could be properly addressed: **‘Strategic policy-making authorities should..... also set out ways in which the impact of removing land from the Green Belt can be offset through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land’.**

3.7.9 Green Belt Assessment of Site 239

Since Site 239 was omitted from the 2019 Green Belt Study - we have carried out our own Green Belt Assessment of it.

As it is surrounded by Sub Parcel Ref 54B - (Perton Park /Cranmoor / Wrottesley Park), where the eastern boundary follows Wrottesley Park Road along its length, other than the inset that excludes Site 239, it seems reasonable to refer to the 54B Green Belt Stage 2 Harm Assessment when considering Site 239. This has also been supplemented by our own site assessment.

Following our site assessment we agree with the GB assessment of this parcel’s contribution to the 5 GB purposes, which we believe would apply equally to Site 239 had it been assessed.

Overall Assessment of Harm of Site 239 is Assessed as High.

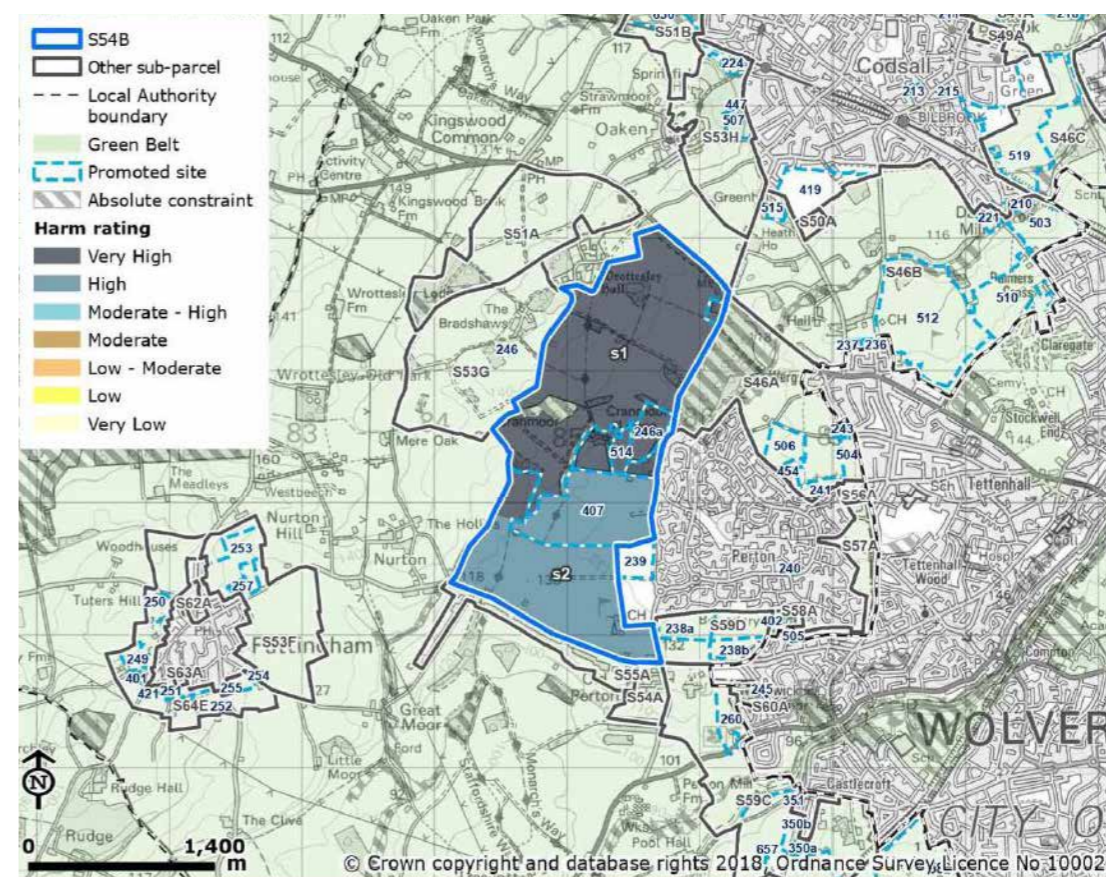


Figure 10: Sub-parcel S54B - Harm Rating

P1: Checking the unrestricted sprawl of large built-up areas	Land is close or adjacent to the West Midlands conurbation, contains no significant urban development, and has strong openness. It retains a stronger relationship with the wider countryside than with the urban area.	Strong
P2: Preventing the merging of neighbouring towns	Land plays no significant role due to the distance between the West Midlands conurbation and Albrighton, the nearest town to the west.	Weak / No contribution
P3: Safeguarding the countryside from encroachment	Land contains the characteristics of open countryside (ie an absence of built or otherwise urbanising uses in Green Belt terms) and does not have a stronger relationship with the urban area than with the wider countryside.	Strong
P4: Preserve the setting and special character of historic towns	Land does not contribute to the setting or special character of a historic town.	Weak / No contribution
P5: Assist urban regeneration, by encouraging recycling of derelict and other urban land	All parcels are considered to make an equal contribution to this purpose.	Strong

Figure 11: Excerpt from GB Assessment of Sub-Parcel 54B Contribution to Green Belt Purposes

Site 239 lies adjacent to the southern area of this land parcel. This part of the sub parcel lies directly adjacent to the settlement of Perton, however expansion into this area of land would result in a weaker Green Belt boundary that is currently formed by the strong, definitive boundary of Wrottesley Park Road. This currently creates a strong distinction between settlement and open countryside.

In terms of Purpose 1, whilst Site 239 lies adjacent to the urban edge, it is very open and has a far greater relationship with the surrounding countryside than that of the urban area, clearly seen in the photographs overleaf. In terms of Purpose 3, the land exhibits strong characteristics of the countryside – i.e. wide open farmland, woodland and a tall, dense hedgerow boundary to Wrottesley Park Road that effectively screens Perton. There is a relative absence of urban form other than a few isolated rooftops above the hedgerow.

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Site 239, would be an isolated projection that bears no relationship to the existing urban setting and would be physically separated from Perton by virtue of not only the road but also the poorly designed layout of the housing in Perton that abuts Wrottesley Park Road. These sits gable end to the road, with a streetscape that has no positive frontage and nothing in urban design terms that Site 239 could respond to. Site 239 would be a satellite and entirely separate development that is poor in urban design terms and weakens the Green Belt.

3.7.10 Sustainability Appraisal

The SA identifies that the site has poor pedestrian connectivity and is assessed as having a negative impact on local accessibility. It also has Major negative impacts predicted against education and is further to the local schools, than Site 238. Refer to Appendix A in RCA Regeneration Ltd. Response Paper School Isochrone Plan.

No reference is made to its landscape and townscape effects since these were not assessed and were deemed to cause negligible harm. Had they been considered in line with all other sites, then the SA would have identified the site as having Major negative impacts on the Green Belt/Landscape.



Site 239 lies west of Wrottesley Park Road beyond the tall treed hedgerow. Perton properties sit gable end on to the road with no positive or active frontage.



Site 239 - an open site, bound by woodland with an overriding physical and visual relationship with the surrounding countryside. There is an absence of built form other than the occasional partial roof which is only visible in winter when there is no leaf cover.

3.7.11 Summary of Findings of the Green Belt Assessment

In considering alterations to the Green Belt boundaries, had the same planning judgements from the Green Belt 2019 study been applied to Site 239, (that have been applied to all other Reasonably Alternative Sites at Perton) it is our assertion that the harm of Site 239 to the Green Belt and its major lack of sustainability benefits outweigh any benefits to its release from the Green Belt.

Omission of Site 239 from the Green Belt Study 2019 has resulted in a flawed and inaccurate assessment of all Reasonably Alternative Sites at Perton. This has been further compounded by the inaccurate assessment of Site 238 in terms of its potential Green Belt harm.

We have demonstrated that the Green Belt Study 2019 inaccurately assessed Site 238 in terms of Purpose 1 and 3. We have shown that Purpose 1: Checking unrestricted sprawl - makes a Moderate contribution and Purpose 3: Safeguarding the Countryside from encroachment - makes a Weak/No Contribution.

In summary, the site makes a Low - Moderate contribution to Green Belt Purposes and would simplify and strengthen the Green Belt boundary which has been eroded to such an extent that Perton and Wolverhampton have effectively merged. The extent of containment is such that release of this land would have a negligible effect on the wider Green Belt.

We have demonstrated that Site 239, when assessed on a level playing field with Site 238, performs worse than site option 238, and it is our recommendation that Site 238 is allocated in addition to Site 239, to help deliver the Council's preferred spatial strategy.

It is also clear that the Black Country have applied a much lower degree of harm to Green Belt and Landscape Sensitivity. This is evidenced at site WOH 265 which lies adjacent to Site 238. On its own it is unlikely to pass the exceptional circumstances test, unwarranted on such a small-scale site. However, should the wholesale removal from Green Belt of Land at Former Perton Farm (Site 238) together with the small WOH265 site be considered, then the exceptional circumstances test could be met and compensatory measures as set out in NPPF para 142 could be properly addressed.

3.8. The Landscape Sensitivity Assessment 2019

The Landscape Sensitivity Study takes a broad brush approach and assesses against a set of criteria on a 3-point scale ranging from Low, Medium to High.

Site 238 falls within Landscape Area Reference SL29 which encompasses a large geographic area extending to the south, east, west and north and encompasses land to the west and south of Perton and Wightwick and includes the narrow strip of land by Boundary Farm. See Plan below in Figure 12.

Site 239 has been omitted from the assessment, despite lying within this area.

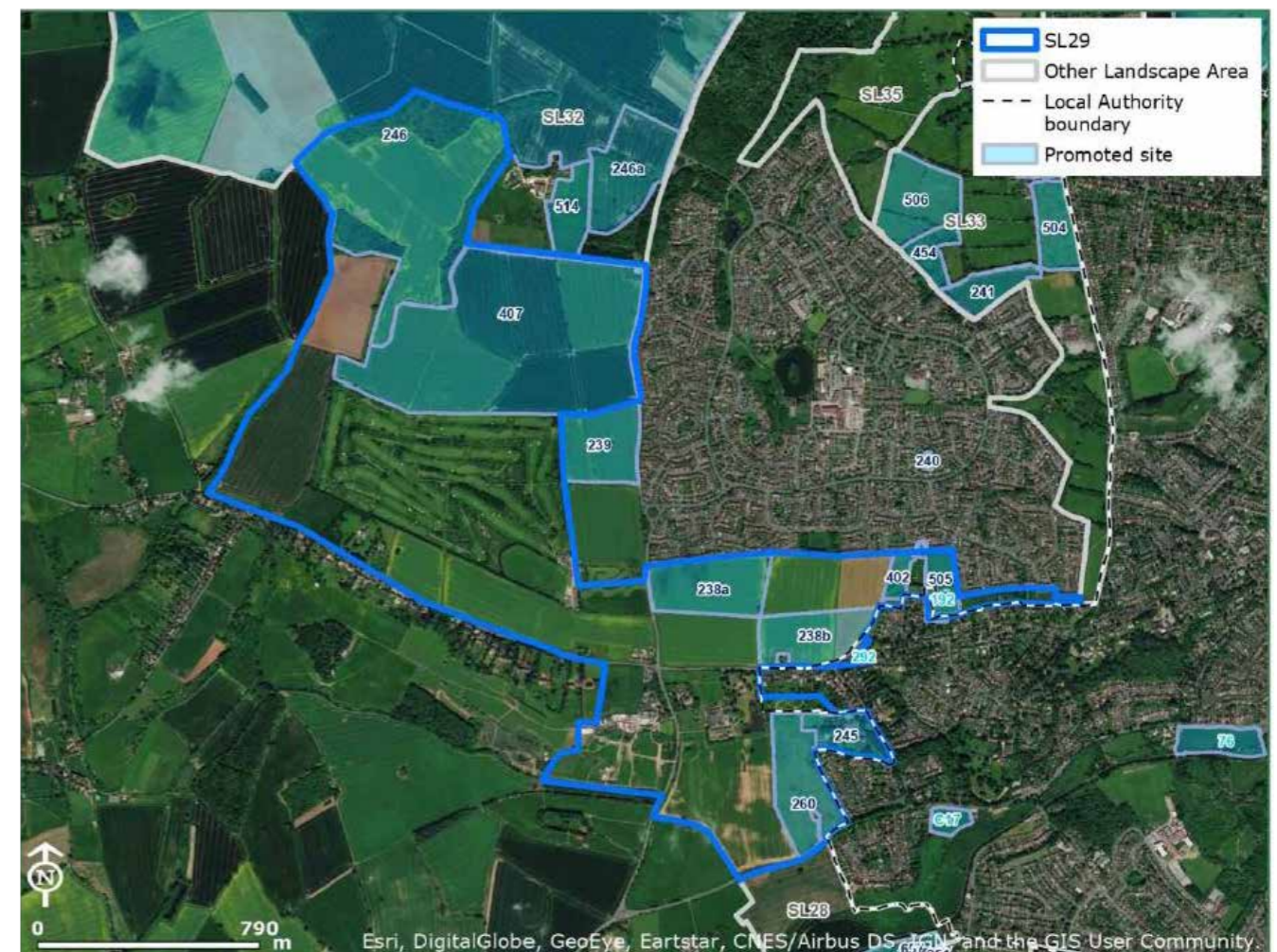


Figure 12: Aerial View of Landscape Area with Promoted Sites

The area falls within the Landscape Character Type Settled Farmlands.

Other than lying in Green Belt there are no absolute constraints or other relevant designations attached to Site 238. It is unknown if there are any constraints attached to Site 239.

3.9. Our response to the Landscape Sensitivity Assessment 2019

3.9.1 Appraisal of the Landscape Sensitivity Criteria

The extent of the site area is too large and the assessment is too broad.

The appraisal is far too general and lacks a nuanced response. To accurately assess each of the proposed sites that fall within this large landscape area requires a greater level of detail to appropriate to assess each land parcel accurately.

Factors should be judged at a site specific level and should also take into account how new development might provide necessary and enhanced green infrastructure, public open space, biodiversity, healthy accessible areas for informal recreation, and respond positively to climate change.

3.9.2 Landscape Sensitivity Assessment of Site 238

We have carried out our own assessment of Site 238 using the criteria / methodology set out in the Landscape Sensitivity Study which is set out adjacent to the criteria for ease of reference.

Landscape Sensitivity Assessment Criteria			Assessment Site 238
Scale <i>This considers the scale within the landscape area. Intricate smaller scale landscapes are likely to be more sensitive to the introduction of built development than uniform large scale landscapes because of the risk of development appearing out of scale with the underlying landscape pattern. Field boundaries that are intact (with strong hedgerows and mature trees) increase the sense of intimacy, whereas boundaries that are lost or degraded increase the perceived scale of the landscape.</i>			
Low	Moderate	High	Moderate 4, Medium scale, regular fields
Large scale field pattern or land divisions (generally over 20 ha).	Medium scale field pattern or land divisions or a mixture of small scale and large scale fields or land divisions.	Small scale field pattern or land divisions (generally under 5 ha).	
Landscape <i>This considers the shape of the landscape. Smooth, gently undulating or flat landforms are likely to be less sensitive to development than a landscape with a dramatic landform, distinct landform features as development may mask distinctive topographical features that contribute to landscape character.</i>			
Low	Moderate	High	Low Absence of topographical variety, featureless, minor undulations/ flat
Absence of strong topographical variety. Featureless, smooth, very gently undulating or flat landform.	Undulating landform or some distinct landform features.	Presence of strong topographical variety or distinctive landform features e.g. incised valley with prominent slopes.	
Landscape pattern and time depths <i>This considers the historic origin of the landscape area including field pattern. Landscapes with more irregular field patterns, particularly those of historic origin, are likely to more sensitive to the introduction of modern development than landscape with regular scale field patterns because of the risk of losing characteristic landscape patterns.</i>			
Low	Moderate	High	Low 4 simple, uniform fields
Simple. Regular or uniform field patterns (mainly of modern origin).	Mixture of simple and complex landscape field patterns.	Complex. Irregular and varied field patterns (including historic field patterns i.e. piecemeal enclosure with irregular boundaries, ridge and furrow). Landscapes designated for their historic value.	
'Natural' character <i>This considers the 'naturalistic' qualities of the landscape area in terms of the coverage of semi-natural habitats and valued natural features (e.g. trees and hedgerows) which contribute to landscape character and could be vulnerable to loss from development. Areas with frequent natural features (including large areas of designated habitats) result in increased sensitivity to development, while landscape with limited natural features will be less sensitive.</i>			
Low	Moderate	High	Low Intensive farmland subdivided by species-poor hedges + occasional tree. Lack of semi-natural habitats
Lack of semi-natural habitat coverage or valued natural features. e.g. intensively farmed or areas with high levels of existing development or brownfield sites.	Areas of valued semi-natural habitats and features in parts of the landscape, whilst other parts are intensively farmed or developed.	Frequent occurrence of valued natural features (tree, hedgerows, woodland) or areas of semi-natural habitats.	

Built character		
<p>This considers the built character of the landscape area with particular reference to the presence of heritage assets that contribute to landscape character (i.e. valued features that may be designated as Conservation Areas, Scheduled Monuments, listed buildings, archaeological features or remains or other features). Landscapes with a high density of historic features important to the character of the area is likely to be more sensitive to the introduction of modern development than areas where such development already exists.</p>		
Low	Moderate	High
Presence or adjacent to modern development or contemporary structures that detract from landscape character, e.g. utility, infrastructure or industrial elements.	Mixture of modern development and historic features important to landscape character.	Presence or adjacent to small scale, historic or vernacular settlement or historic features important to landscape character (e.g. Listed Buildings, archaeological features).
Recreational character		
<p>This criterion considers the presence of features and facilities which enable enjoyment of the landscape, and the importance of these. This may include public rights of way, bridleway, open access land and outdoor tourist/ visitor attractions with facilities. Recreation activities such as walking, cycling, horse riding or more formal recreation activities where enjoyment of the landscape is important to the experience. Importance of features may be indicated by designation as long distance footpaths or recreation routes, national cycle routes, proximity to areas of local population (such as local parks) and outdoor tourist attractions often marked on Ordnance Survey maps.</p>		
Low	Moderate	High
Publically inaccessible or limited provision of access routes likely to be of community importance. Recreational value limited to community sports facilities (where enjoyment of the landscape is not integral to the activity).	Some Public Rights of Way and footpaths. Landscapes with green spaces or recreation areas valued in the local context.	Landscapes important for access and enjoyment of the landscape e.g. open access land, country parks or outdoor tourist attractions with visitor facilities. Presence of well-connected long distance routes and public rights of way linking centres of population.
Perceptual aspects		
<p>This considers qualities such as rurality (traditional land uses with few modern, human influences), sense of remoteness or tranquillity. High scenic value, freedom from human activity/ disturbance and 'dark skies' would add to sensitivity in this criterion. This is because development will introduce new and uncharacteristic features which may detract from a sense of tranquillity and or remoteness.</p>		
Low	Moderate	High
Close to visible or audible signs of human activity and modern development.	Some sense of rural character but with some signs of human activity and modern development.	A rural landscape, remote from visible or audible signs of human activity and modern development.

Assessment Site 238
<p>Low/Moderate Low - Next to modern housing of Perton Mod - Wightwick Conservation Area nearby</p>
<p>Low No public access or recreation</p>
<p>Low/Moderate Bound by visible and audible modern development to three sides, with some sense of rural character</p>

Settlement setting		
<p>The extent to which the landscape area contributes to the identity and distinctiveness of a settlement by way of its character and/ or scenic quality, for example by providing an attractive backdrop, or playing an important part in views from a settlement.</p> <p>The extent to which the landscape area relates to the form and pattern of the existing adjacent settlement and the character of the adjacent settlement edge, for example if it is well integrated by woodland cover or open and exposed to form a 'hard' edge. This includes the role of significant landscape elements in either separating an undeveloped area from a settled area or linking it to it. The criterion also considers the extent to which the area contributes to a perceived gap between settlements⁴ (the loss of which would increase coalescence).</p>		
Low	Moderate	High
Does not provide an attractive backdrop to adjacent settlement or play a separation role. Development could provide the opportunity to improve an existing settlement edge.	Provides some contribution as a backdrop to the adjacent settlement or plays a role in the perception of a gap between settlements. Development would not represent a step-change in settlement form but may adversely affect the existing settlement edge to some extent.	Contributes positively as an attractive backdrop to adjacent settlement, providing a distinctive element in views that are key to the character of the settlement or forms an important part in the perception of a gap between settlements. Development would adversely affect settlement edge (which may be historic or distinctive) or would have a poor relationship with it (crossing a boundary feature or extending into an area with a distinctly different landscape).
Visual prominence		
<p>This considers the visual prominence of the landscape area, reflecting the extent of openness or enclosure in the landscape (due to landform and land cover), and extent to which potential development would be visible. It also considers the skyline character of the area including whether it forms a visually distinctive skyline (e.g. due to the presence of important landmark features) or an important undeveloped skyline.</p>		
Low	Moderate	High
Non-prominent. Visually enclosed landscape screened by landform or land cover. Does not form a visually distinctive skyline, e.g. natural bowls.	A mixture of prominent and non-prominent. Semi-enclosed or has some enclosed and some open areas or visually distinctive skylines.	Visually prominent. Very open in views from the wider landscape. e.g. open plains/ plateau with no screening land cover. Forms a visually distinctive skyline, e.g. undeveloped skylines or skylines with important landmarks (might include historic monuments or features).
Inter-visibility with adjacent designated landscapes or promoted viewpoints		
<p>This considers the role the landscape area plays in contributing to valued views. These are considered to be views within, towards or from Cannock Chase AONB, Registered Parks and Gardens, and all marked and promoted viewpoints.</p>		
Low	Moderate	High
Little inter-visibility with adjacent sensitive landscapes (i.e. Cannock Chase AONB or Registered Parks and Gardens) or marked viewpoints (i.e. viewpoints marked on the OS 1:25,000).	Some inter-visibility with surrounding sensitive landscapes or viewpoints.	Strong inter-visibility with sensitive landscapes (i.e. Cannock Chase AONB or Registered Parks and Gardens) or marked viewpoints (i.e. viewpoints marked on the OS 1:25,000).

Assessment Site 238
<p>Low/Moderate Low - Perton - poor backdrop. Development could improve settlement edge. Mod - Wightwick higher quality settlement edge with some sense of rural character</p>
<p>Low Limited visibility - low horizon and visually enclosed</p>
<p>Low No inter-visibility with adjacent sensitive landscapes</p>

Table 3.2 Overall Landscape Sensitivity

Sensitivity	Definition
High	The landscape has strong character and qualities with notable features which are highly sensitive to change as a result of introducing built development
Moderate-high	
Moderate	The landscape has some distinctive characteristics and valued qualities, with some sensitivity to change as a result of introducing built development.
Low-moderate	
Low	The landscape lacks distinct character and qualities and has few notable features, or is robust with regard to introducing built development.

3.9.3 Summary Assessment of Landscape Sensitivity of Site 238

Overall Landscape Sensitivity is assessed as Low-Moderate. The landscape lacks distinct character and qualities and has few notable or valued features. The site is robust with regards to introducing development adjacent to Perton but there is some sensitivity next to Wightwick.

- The landscape has a relatively featureless landscape character that exhibits some of the local Sandstone Estatelands characteristics, namely it is relatively featureless, comprising four regularly sized, relatively flat fields of arable land bound by mature, trimmed field hedgerows with the occasional hedgerow tree.
- The land is intensively farmed with little evidence of wildlife value.
- There are no statutory or non-statutory nature conservation or heritage designations - other than 2no. trees protected by TPO on the northern boundary hedgerow abutting Perton.
- There are no Public Rights of Way through the site and no recreational facilities
- Visibility of the site from public areas is very limited and contained - due to the relatively flat landscape and low horizon and intervening screening from low ridge lines, large woodland blocks, and tall hedgerows.
- The land is bound by development on three sides between Perton and Wightwick - with Perton tightly abutted along the full extent of the site's northern boundary, Wightwick to the southern boundary and majority of the eastern boundary, further enclosed by the busy Wrottesley Park Road on its western boundary.

3.9.4 Assessment of Landscape Sensitivity of Site 239

Since Site 239 was omitted from the Landscape Sensitivity Assessment of 2019 we have carried out one here, based upon the stipulated criteria:

Scale - Low: Large scale field patterns.

Landform - Low: Absence of topographical variety, featureless, relatively flat.

Landscape pattern and time depth - Low: Regular uniform site with regular field patterns.

Natural Character - Moderate: Has strong relationship to adjacent naturalistic features including mature hedgerow trees, coniferous woodland and in-field tree copse

Built character - Low: No public access or recreation

Perceptual aspects - Moderate/High: Overriding perception of a strongly rural character but with some signs of human activity and urbanising elements to the periphery

Settlement Setting - High: Provides a very rural, positive backdrop and distinctive countryside character to the adjacent settlement of Perton

Visual prominence - Moderate: Visually enclosed but with strong visual connectivity to the very rural landscape to the north

Inter-visibility with adjacent designated landscapes or promoted viewpoints - Moderate: Views likely from Monarchs Way Long distance Trail north-west of the site. Long distance trails are highly valued where the quality and views of the landscape from them are likely to be one of the main reasons for people to use them.

3.9.5 Summary Assessment of Landscape Sensitivity of Site 239

Overall Landscape Sensitivity is assessed as Moderate-High. The landscape has distinct, strongly rural characteristics but with few notable, valued features. It is well-enclosed on three sides but has a strong relationship to the very rural, wooded countryside to the north and west. The landscape has a poor relationship to existing settlement. Wrottesley Park Road provides a clear demarcation to the settlement edge with a very rural landscape to the west. As such the landscape would be sensitive to change as a result of introducing built development.

3.9.6 Summary Findings of our Landscape Sensitivity Assessment

Had Site 238 been accurately assessed its impact would result in Low-Moderate Landscape Sensitivity.

If Site 239 was included in the 2019 Assessment to ensure all Reasonably Alternative Sites were assessed on an equal basis, its impact would result in Moderate-High Landscape Sensitivity.

4. Summary

4.1. Summary Introduction

This representation has been prepared on behalf of Barberry (Perton) Ltd. in respect of land at Former Perton Court Farm. It relates to the South Staffordshire Council Local Plan Review, which has reached the Preferred Options stage. The consultation is ongoing and ends on 13th December 2021.

This document responds to the Landscape and Green Belt evidence that has informed the Preferred Options stage and emerging plan. These views are without prejudice to future submissions or hearing statements, which may be made in advance of the Examination stages.

In respect of land at Former Perton Court Farm, this had in the previous Local Plan review, been recommended as a new land allocation. South Staffordshire Council however has revised the previously intended level of growth in Perton, and has removed the recommendation for new land allocation in this area, other than a safeguarded site. This is due to the perceived significant constraints identified in the site assessment process that includes highway concerns, proximity to education and Green Belt and landscape sensitivities.

This landscape response has interrogated the evidence and shows that this decision making has been based upon an inconsistent and unbalanced site assessment process which has resulted in flawed results.

4.2. Failure to assess all sites on an equal basis

We have demonstrated that the 2021 Housing Site Selection and Sustainability Appraisal Papers have failed to assess all the Potential Allocation Sites on an equal basis. The only proposed allocation in Perton in the Emerging Plan is the safeguarded site, Site 239. However this was omitted from the 2019 Green Belt Study and Landscape Sensitivity Assessment, and as such, flawed assumptions were made in the Sustainability Appraisal that their impacts were 'negligible'.

Decisions to allocate and safeguard this site was based upon very limited Green Belt evidence dating back to 2014 which was not supported by analysis.

4.3. Summary Assessment of the Safeguarded Site (Site 239) - Green Belt Harm and Landscape Sensitivity

We have demonstrated through a transparent clear assessment, applying the methodology from the 2019 GB Study, that this safeguarded site (Site 239) has an assessed High rating of Harm to release from the Green Belt. Expansion into this area of land would result in a weaker Green Belt boundary that is currently formed by the strong, definitive boundary of Wrottesley Park Road. This currently creates a strong distinction between settlement and open countryside.

Whilst Site 239 lies adjacent to the urban edge, it is very open and has a far greater relationship with the surrounding countryside than that of the urban area. The land exhibits strong characteristics of the countryside and there is a relative absence of urban form.

We have also demonstrated, through applying the 2019 Landscape Sensitivity Methodology, that the site has a Moderate to High Landscape Sensitivity. The landscape has distinct, strongly rural characteristics but with few notable, valued features. It is well-enclosed on three sides but has a strong relationship to the very rural, wooded countryside to the north and west. The landscape has a poor relationship to existing settlement. Wrottesley Park Road provides a clear demarcation to the settlement edge with a very rural landscape to the west. As such the landscape would be sensitive to change as a result of introducing built development.

Combined, the Green Belt and Landscape Sensitivity effects are assessed to have a Major Negative impact on the SA Landscape and Townscape objective. If these results are accurately considered in the SA together with the Major negative impact due to distance to schools, which is further than Site 238, the Site would not emerge as the preferred and only option.

4.4. Summary Assessment of Land at Former Perton Court Farm (Site 238) - Green Belt Harm and Landscape Sensitivity

With regards to land at Former Perton Court Farm (Site238) we have demonstrated that the Green Belt predicted level of Moderate-High harm rating is inaccurate.

When subject to a balanced and detailed review of the five GB purposes, it is clearly evidenced that the land only has a Moderate harm rating. The land has a strong enough relationship with the surrounding large built up area of Perton and Wolverhampton, and a weak enough relationship with adjacent Green Belt land, for housing development to be regarded as 'infill' rather than sprawl.

The inconsistency of settlement coalescence between Perton and Wolverhampton as a reason for non-allocation should be dismissed as this does not accord with the council's evidence base, which agrees that coalescence has already taken place.

In terms of the sites Landscape Sensitivity, the 2019 assessment is far too generalised and covers far too wide an area to accurately appraise the nuances of the individual sites within it. We carried out our own assessment applying the LS methodology and assessed the site as having Low-Moderate Landscape Sensitivity. The landscape is featureless and has few notable, valued features. The site is robust with regards to introducing development adjacent to Perton but there is some sensitivity next to Wightwick. The land is intensively farmed with little evidence of wildlife value. Visibility of the site from public areas is very limited and contained and the land is bound by development on three sides between Perton and Wolverhampton.

Combined, the Green Belt and Landscape Sensitivity effects are assessed to have a Minor

Negative effect on the SA Landscape and Townscape objective. If these results are accurately considered in the SA together with the fact that on-the-ground walking routes to local schools are within 1.2km (15 min walk) to Perton Primary School; 1.5km (20 min walk) to Perton First School and 1.8km (20-25min walk) to Perton Middle School, then Site 238 will be assessed as a far more sustainable site than 239.

4.5. Black Country has applied a much lower Degree of Harm to Green Belt Release

The Black Country is applying a much lower threshold to the impact of harm to the Green Belt and Landscape Sensitivity. This has arisen from its housing shortfall of circa 28,000 dwellings, of which circa 9,500 dwellings lie within Wolverhampton.

This is evidenced at site WOH 265 which lies adjacent to Site 238. On its own it is unlikely to pass the exceptional circumstances test, unwarranted on such a small-scale site. However, should the wholesale removal from Green Belt of Land at Former Perton Farm (Site 238) together with the small WOH265 site be considered, then the exceptional circumstances test could be met and compensatory measures as set out in NPPF para 142 could be properly addressed.

4.6. Mitigation of Green Belt Harm at Former Perton Court Farm

There are a range of mitigation measures for Site 238 that could satisfactorily mitigate the potential Low/Moderate harm to the Green Belt. These all support the design principles that underpin the landscape and place making-led approach to development on the site.

Mitigation measures include: Use of additional landscape planting to bolster and reinforce the western boundary to Wrottesley Park Road and provide a clearly defined, consistent new Green Belt boundary; Create a clear transition from urban to rural, using building densities, heights, materials and Green Infrastructure to create a softer, more permeable edge; Reinforce views to the adjacent countryside within the Green Belt; Design and locate buildings, landscape planting and green open spaces to minimise intrusion on settlement settings of Perton and Wightwick; Design road infrastructure to limit perception of increased urbanisation associated with new development i.e. a walk-able neighbourhood that embeds the principles of 'Active Design' with all streets designed as pedestrian and cycle friendly, and; Multi-functional green infrastructure that integrates sustainable drainage features to enhance the separation between settlement and countryside.

4.7. The Benefits of Land Allocation at Former Perton Court Farm

This report has been produced to assist the Councils decision making on Site Allocation in the Emerging Plan. We have demonstrated that land at Former Perton Court Farm is free from technical, physical and environmental constraints and that the site is available, deliverable and sustainable. Having regard to all the evidence set out in this report, the site is considered to perform far better than previously thought, which was based upon inaccurate Green Belt and Landscape Sensitivity study findings - and could deliver the Council's preferred spatial strategy.

The site can deliver many social, environmental, and sustainable benefits in addition to meeting the much-needed unmet housing needs in South Staffordshire and the adjacent Black Country.

It aligns with Para 11 of the Framework - promoting a sustainable pattern of development that meets the development needs of the area; aligns growth and infrastructure; improves the environment and mitigates climate change (including making effective use of land in urban areas) and is in a sustainable location close to existing services and facilities – providing a complete neighbourhood within a 5-15min walk.

It can deliver a viable scheme that can provide circa 600 new homes of which 180 will meet the policy requirement of 30% affordable housing. It provides excellent new sustainable connectivity between Perton and Wightwick with opportunities for a dedicated, and safe green walking / cycle route through an area of new public open space – where currently access is poor. This responds to the significant movement of residents from South Staffs into Wolverhampton for social, retail, employment and education purposes.

It provides a greatly improved, high quality residential interface between Perton and Wightwick, based upon best practice urban design that integrates positive high quality, animated frontages set within a well-treed leafy setting and provides generous, high quality, and multi-functional green infrastructure - with nature-rich spaces for wildlife, informal recreation and health and well-being.

