



**Local Plan
Publication Stage
Representation Form**

Ref:

**(For
official
use only)**

Name of the Local Plan to which this representation relates:

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

Please return to South Staffordshire Council BY 12 noon Friday 23 December 2022

This form has two parts –

Part A – Personal Details: need only be completed once.

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

Part A

1. Personal Details*

**If an agent is appointed, please complete only the Title, Name and Organisation (if applicable) boxes below but complete the full contact details of the agent in 2.*

2. Agent's Details (if applicable)

Title	Mr	Mr
First Name	Paul	Fred
Last Name	Tomlinson	Davies
Job Title (where relevant)	Finance Director and Company Secretary	Consultant
Organisation (where relevant)	Folkes Holdings Ltd	Harris Lamb
Address Line 1	Forge House	Grosvenor House
Line 2	Dudley Road	75-76 Francis Road
Line 3	Stourbridge	Edgbaston
Line 4		Birmingham
Post Code	DY9 8EL	B16 8SP
Telephone Number	01384 424242	0121 455 9455
E-mail Address	p.tomlinson@folkesholdings.com	fred.davies@harrislamb.com



(where relevant)

Part B – Please use a separate sheet for each representation

Name or Organisation:

3. To which part of the Local Plan does this representation relate?

Paragraph	<input type="text"/>	Policy	<input type="text" value="DS1"/>	Policies Map	<input type="text" value="Green Belt Boundary Amendment"/>
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4. Do you consider the Local Plan is :

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

Please tick as appropriate

5. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Regarding Green Belt considerations the Objector notes the content of paragraphs 5.1 to 5.3 of the Local Plan Review ("LPR"). It is pertinent to note that some 80% of South Staffordshire District is Green Belt and that all its land adjoining the Black Country conurbation is within the Green Belt.

Further, as is explained in paragraph 5.3, the plan area has very limited amounts of previously developed land within the Green Belt which, in terms of both availability and location, could be released to meet housing needs of both South Staffordshire and the substantial and significant unmet needs arising from the Black Country conurbation.

It is inevitable, therefore, that land identified for housing to effectively meet the Black Country unmet needs will have to take place on greenfield sites within the Green Belt as these are evidently in a sustainable location in respect of accessibility to services and commuting patterns. We contend that any decision to allocate overspill land beyond the Green Belt i.e., the 20% of South Staffordshire which is not within Green Belt, would not be in a sustainable location and would lead to unsustainable patterns of transport and commuting and would not effectively meet the housing needs of the Black Country conurbation.

It is evident, from the South Staffordshire Council's 2019 Green Belt Study Stage 1 report, that all the substantive Green Belt land parcels lie adjacent to the Black Country conurbation. Not surprisingly all the broad land parcels, including S75 (within



which sits Lawnswood) are rated 'strong' against the first and third Green Belt Purposes i.e., P1: 'Checking the unrestricted sprawl of large built-up areas' and P3: 'Safeguarding the countryside from encroachment'. The Objector therefore considers that in order to effectively meet the significant unmet housing needs of the Black Country conurbation adjacent land which can deliver sustainable development, such as the Objection Site land, need to be released from the Green Belt.

These arguments form the basis of an exceptional circumstances case for redrawing the Green Belt boundary to exclude the omission site from the Green Belt and to allow its allocation for employment development.

In this representation we consider the implications of the release of land from the Green Belt in terms of the Green Belt objectives identified at paragraph 138 of the National Planning Policy Framework (NPPF) and also the approach which should be taken when identifying new boundaries as per paragraph 143 of the NPPF.

We comment as follows:

Green Belt Purposes

- a) *To check the unrestricted sprawl of large built-up areas;* By allocating the site through the Local Plan process, the release of the site would form part of a planned review of the Green Belt as per the advice in paragraphs 5.1 to 5.3 of the LPR. The site benefits from having readily identifiable boundaries, in particular the A449, which ensure that, once released, formal boundaries will be identified, and this will again help to ensure the site is contained and there is no "unrestricted" sprawl of a large built-up area.
- b) *To prevent neighbouring towns merging into one another;* The Objection Site clearly performs a negligible role for this Green Belt Purpose.
- c) *To assist in safeguarding the countryside from encroachment;* As is explained at paragraphs 5.1 to 5.3 of the LPR, the Local Plan area does not benefit from large areas of non-Green Belt land adjoining the conurbation nor does it have large areas of previously developed sites which could be reallocated for housing purposes. It is inevitable, therefore, that to accommodate both the housing and employment needs of both South Staffordshire and the overspill requirements of the Black Country conurbation that open countryside will need to be released for development. The Objection Site should therefore not be discounted simply because it lies in the countryside.
- d) *To preserve the setting and special character of historic towns;* The objection site does not form part of the setting or special character of a historic town and, therefore, no conflict arises in respect of this purpose.
- e) *To assist in urban regeneration, by encouraging the recycling of derelict and other urban land;* Again, we refer to paragraph 5.3 of the LPR. It is clearly acknowledged by the Council that the plan area does not have significant parcels of derelict and other urban land which could be used for development. Similarly, the adjoining Black Country conurbation is deficient in land supply to meet its housing and employment needs with the consequence that land outside of the urban area will have to be released for development. There is, therefore, no reasonable prospect of the development needs of the plan area or the overspill needs of the Black Country conurbation being met on recycled derelict or other urban land and, therefore, the release of the objection site would not have an implication for urban regeneration.



We have had regard to the Council's assessment of the site in respect of the Green Belt and note that it is stated that the site performs an important Green Belt function. That, of course, must, in effect, be a truism since if the site did not form such a function it should not have been included in the Green Belt in the first place. However, an objective assessment of Green Belt purposes, as has been carried out above, demonstrates that there is no significant impact caused by the release of the site in terms of Green Belt objectives and it is evident that Green Belt land has to be released to meet development needs for both South Staffordshire and the Black Country conurbation.

Turning to the requirements of paragraph 143 of the Framework, we note that the Green Belt boundary, once redrawn to accommodate the omission site, would help to meet requirements for sustainable development. It provides an opportunity for close links with the Black Country and the Council's assessment sheet for the objection site, notes that the site is in a location "*in close proximity to Dudley urban area there is a strong employment population catchment, whilst public transport networks operate around the site*". Clearly the sustainability credentials of the site have been established by the Council itself.

In line with paragraph 143e of the Framework, the Green Belt boundaries will not need to be altered at the end of the plan period and, in accordance with 143f, the boundaries use physical features that are readily recognisable and will be enduring. To confirm, these comprise, on the western boundary the A449, on the northern boundary Lawnswood and on the southern boundary the River Stour. These boundaries will be evidently identifiable and clearly capable of enduring well beyond the plan period.

The Objector considers that the failure of the Council to allocate the site for housing development is not in accordance with the principles of the Duty to Cooperate process and also renders the plan unsound. In the context of the Duty to Cooperate, whilst it is acknowledged that the Council has been in discussions with neighbouring authorities, the extent of the housing land overspill has not been finalised and based on representations made by the Objector in respect of overall housing land requirements it is clear that South Staffordshire should be making a much greater contribution to the Black Country conurbation overspill.

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

- 1) *Positively Prepared*; The strategy does not meet the area's objectively assessed needs because it fails to identify sufficient housing land to meet the significant unmet housing need of the Black Country conurbation.
- 2) *Justified*; The strategy cannot be appropriate because it fails to make a reasonable contribution to the significant unmet housing need of the Black Country conurbation by not releasing sufficient Green Belt land to allow allocations to be made to meet these needs.
- 3) *Effective*; The strategy would not be effective. It does not provide for housing needs over the plan period. Simply deferring the issue to a further Local Plan review is inappropriate and would mean that the significant unmet housing needs of the Black Country conurbation would not be addressed.
- 4) *Consistent with National Policy*; As noted above, the failure to provide sufficient land to meet the reasonable overspill requirements of the Black Country means that the plan is not in alignment with the social objectives of sustainability and the



need to significantly boost the supply of housing as set out at paragraphs 8b and 60 of the Framework respectively.

(Continue on a separate sheet /expand box if necessary)

6. Please set out the modification(s) you consider necessary to make the Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at 5 above. (Please note that non-compliance with the duty to cooperate is incapable of modification at examination). You will need to say why each modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The plan's policies map needs to be amended by the removal of the objection site from the Green Belt. Green Belt boundaries will be redrawn to the extent of the site. The plan attached at **Appendix 1** shows the extent of the land to be withdrawn from the Green Belt with the western boundary of the Objection Site forming the new Green Belt boundary.

Such an action would help to address the Objector's concerns regarding non-compliance with the Duty to Cooperate and the matter of soundness set out in Section 5 and would mean that the plan will have been prepared on the basis of an appropriate strategy providing an effective plan capable of delivering land for housing purposes to meet the significant unmet needs arising from the adjacent Black Country conurbation.

The strategy will be justified, meeting known requirements and would be preferable to the alternative of not meeting these.

(Continue on a separate sheet /expand box if necessary)

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

7. If your representation is seeking a modification to the plan, do you consider it necessary to participate in examination hearing session(s)?

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

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

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

8. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

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

***Please note** the Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.*

Representations cannot be kept confidential and will be available for public scrutiny, including your name and/or organisation (if applicable). However, your contact details will not be published.

Data Protection

Your details will be added to our Local Plans Consultation database so that we can contact you as the review progresses. South Staffordshire Council will process your personal data in accordance with the Data Protection Act 2018 and the General Data Protection Regulations (GDPR). Our Privacy Notice can be viewed at <https://www.sstaffs.gov.uk/planning/strategic-planning--data-protection.cfm>

Please return the form via email to localplans@sstaffs.gov.uk or by post to South Staffordshire Council, Community Hub, Wolverhampton Road, Codsall, South Staffordshire WV8 1PX