



**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\***

**2. Agent's Details (if applicable)**

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

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 Limited	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
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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

Policy

DS1

Policies Map

Safeguarded Site :  
Green Belt  
Boundary  
Amendment,  
Lawnswood

4. Do you consider the Local Plan is :

(1) Legally compliant

Yes

No

(2) Sound

Yes

No

(3) Complies with the  
Duty to co-operate

Yes

No

Please tick as appropriate

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

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

The Objector has submitted separate representations seeking the allocation of land for housing purposes east of the A449, Lawnswood.

Representations have been made to the relevant policies of the plan explaining that the housing land supply proposed in the plan is wholly inadequate to meet requirements including those of both South Staffordshire and the Black Country, the site should be released from the Green Belt and allocated for housing purposes.

The Objector has explained in separate representations to the Regulation 19 draft plan why the site should be removed from the Green Belt (via the exceptional circumstances test (for housing purposes) and a new Green Belt boundary redrawn. It is considered that the site is entirely logical for housing purposes being well related to the A449 and it has been explained that the site is well contained by existing built form, highways infrastructure and identifiable boundaries.

Site specific representations have explained that there would be no material environmental or technical issues associated with the release of the site for development and that in Green Belt terms, whilst land would be released from the Green Belt, this is an inevitable consequence for South Staffordshire being a local authority area largely made up of Green Belt designation and where new development needs, both South Staffordshire and the Black Country need to be accommodated.

The Objector believes that there are strong planning reasons to release the site for housing development in the current Local Plan review.

However, should this argument not be accepted the Objector would wish the site to be identified as a safeguarded site for future development to be released through a future Local Plan review. It is noted that the Council has made no provision to provide safeguarded land in the Regulation 19 plan despite the expectation set out in paragraph 140 of the Framework. The advice from the Framework is that the "*Strategic policies should establish the need for any changes to Green Belt boundaries, having regard to their intended permanence in the long term, so they can endure beyond the plan period*".

It is abundantly clear that South Staffordshire, being on the edge of the Black Country conurbation, will have to accept a significant amount of overspill development, for both housing and employment, both in this plan period and beyond.

South Staffordshire's own housing and employment requirements will also need further land to be released from the Green Belt in due course. The Council has made it abundantly clear in paragraphs 5.1 to 5.3 of the Regulation 19 draft plan that it lacks significant amounts of previously developed land and land beyond the Green Belt capable of accommodating future development needs hence the need to release land from the Green Belt this time round.

In this context the Council has made no attempt to identify land for development which should accommodate development needs beyond the plan period.

It is clear that exceptional circumstances do exist to alter Green Belt boundaries as the Council has already agreed to make such changes in order to accommodate its own needs (although the Objector disputes that these have been met in full) and the needs for overspill development for the Black Country (again the Objector submits that insufficient quantum of land have been released in this regard).

#### Test of Soundness

It is considered that the Council's failure to identify safeguarded land to meet development needs beyond the plan period is contrary to the clear advice set out in the Framework. Therefore, the plan fails the test of soundness set out at paragraph 35 of the Framework for the following reasons:

1. *Positively Prepared*; The strategy cannot meet the area's objectively assessed needs and also the overspill requirements from the Black Country beyond the plan period without further reviews to the Green Belt. It is inevitable that further land will need to be released and there is no reason why the Council should not have carried out this assessment and made appropriate provision for safeguarded land beyond the plan period.
2. *Justified*; the strategy cannot be appropriate because it fails to identify development opportunities which will need to be accommodated beyond the current plan period and which will require land to be released from the Green Belt.
3. *Effective*; The strategy is not effective as it does not provide for development needs beyond the plan period of which will require reviews of the Green Belt. The provision of safeguarded land will help to provide certainty for the economy and



homeowners that there will be opportunities to accommodate their needs beyond the plan period.

4. *Consistent with National Policy*; As we have explained above, it is national policy to seek to ensure that when Green Belt boundaries are reviewed, as is occurring in the Regulation 19 review plan, Green Belt boundaries should be redrawn so as to ensure that the boundaries do not need to be changed beyond the plan period. The failure to do so means that the plan fails to heed the advice set out at paragraph 140 of the Framework, advising that Green Belt boundaries should be drawn so as to endure beyond the plan period and the clear advice set out at paragraph 143c of the Framework which states that "*where necessary, identify areas of safeguarded land between the urban area and the Green Belt, in order to meet longer term development needs stretching well beyond the plan period*".

It is noteworthy that paragraph 143e also states that local authorities should demonstrate that Green Belt boundaries will not need to be altered at the end of the plan period. Quite clearly the Council is unable to demonstrate this matter.

(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 Objector seeks the allocation of land east of A449, Lawnswood as safeguarded land to provide development opportunities to accommodate needs in future Local Plan reviews. The land identified is depicted on the plan at Annex A.

Such an approach would address the Objector's concerns regarding the duty to cooperate and would mean that future development needs can be accommodated in accordance with the advice set out in the Framework. This would mean that the following matters could be achieved:

- a) The plan would be positively prepared, preparing a strategy which should allow longer term development needs to be accommodated including those from neighbouring areas.
- b) The plan would be justified and would provide an appropriate strategy. The alternative, of not providing safeguarded land for development needs beyond the plan period, cannot be considered appropriate in the light of Government policy.
- c) The plan would then be effective ensuring that development needs beyond the plan period can be accommodated.
- d) The plan would be consistent with national planning policy particularly paragraphs 140 and 143.

(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 fails to deliver enough housing land to meet the needs for development beyond the plan period. This would not be consistent with national guidance. This is a matter of considerable importance and needs to be debated at Local Plan examination sessions and we request the opportunity to address the Inspector in this regard.

**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>



## South Staffordshire Council

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