

**SOUTH STAFFORDSHIRE LOCAL PLAN
PUBLICATION PLAN NOVEMBER 2022
REGULATION 19 CONSULTATION**

LAND AT BOSCOMOOR LANE, PENKRIDGE

REPRESENTATION PREPARED ON BEHALF OF

RICHBOROUGH ESTATES

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Appendix 1- Location Plan

Appendix 2- Vision Document



1. Introduction

- 1.1. This representation responds to the South Staffordshire District Council's ('SSDC') Local Plan Review 'Publication Plan' ('the Plan') consultation held under Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012. Representations are made with regard to the Plan itself and to the accompanying published evidence, having regard to the National Planning Policy Framework ('NPPF').
- 1.2. This representation is made by Pegasus Group on behalf of Richborough Estates who have a specific land interest in the proposed housing allocation, identified at Policy SA5 as 'Site Ref No. 006 Land at Boscomoor Lane' with a minimum capacity of 80 dwellings ('the Site').
- 1.3. Richborough Estates has previously submitted details of the Site through the Regulation 18 Preferred Options Plan, which included the production of a Vision Document to demonstrate how the site could be delivered; an updated Vision Document is attached to these representations at Appendix 2 for completeness.
- 1.4. The site extends to approximately 3.8 hectares and is within a highly sustainable location of Penkridge, a Tier 1 settlement. The site adjoins the southern edge of the urban area of Penkridge, immediately south Wolgarston Way and to the south of the Staffordshire and Worcestershire Canal. Land to the west of the site is currently undergoing redevelopment from an industrial estate to residential development. The site is visually contained, enclosed by development on all three sides, and includes an area of agricultural land
- 1.5. The representations are framed in the context of the requirements of the Local Plan to be legally compliant and sound. The tests of soundness are set out in the NPPF, paragraph 35. For a Plan to be sound it must be:
 - 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.

1.6. The representations also address the legal and procedural requirements associated with the plan-making process.

2. Planning Policy Context

- 2.1. Richborough Estates supports SSDC's review of the adopted South Staffordshire District Development Plan as required by Policy SAD1 of the Site Allocations Document ('SAD') 2018. This provides the opportunity for the Council to comprehensively review the Vision, Strategic Objectives, development requirements, spatial development strategy and policies shaping detailed development proposals.
- 2.2. The Plan review also provides the opportunity for the Council to not only review its own objectively assessed housing need, but also the role of the District in meeting unmet cross boundary needs from the wider Greater Birmingham and Black Country Housing Market Area ('GBBCHMA').

National Requirements for Plan-Making

- 2.3. The existing Core Strategy for South Staffordshire was adopted in 2012, and as such a holistic review of the Plan is overdue and this is also committed to within the Site Allocations Document 2018. This Local Plan Review will therefore ensure that an up-to-date Local Plan for South Staffordshire will be in place to support growth and meet future development needs.
- 2.4. The Proposed Publication Plan consultation follows previous consultations on the Local Plan 'Preferred Options' review which identified a spatial strategy for housing and employment delivery, whilst also identifying strategic objectives and priorities through numerous policies, including affordable housing. The current consultation document represents SSDC's final version of the Plan and is in accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012 (as amended), having considered representations previously made to the Plan, as well as further evidence.
- 2.5. NPPF para 24 also confirms that local planning authorities '...are under a duty to cooperate with each other, and with other prescribed bodies, on strategic matters that cross administrative boundaries.' In the context of South Staffordshire, strategic matters include housing, employment, infrastructure, and the Green Belt.



- 2.6. Richborough Estates supports SSDC's proactive approach in continuing with a review of the Local Plan, to ensure that an up-to-date policy framework exists within the District to guide growth to 2039 and to ensure that development is genuinely plan-led but would like to make some representations on the soundness of some parts of the Plan.

3. Vision, Strategic Objectives and Priorities

- 3.1. The Publication Plan (Regulation 19) identifies a number of 'Issues and Challenges' surrounding homes and communities, economic prosperity and the natural and built environment. The Document goes on to present a 'Vision' based upon these issues and challenges, and a number of 'Strategic Objectives' by which the Vision can be achieved.
- 3.2. It is noted that the Vision remains broadly the same as that presented in the adopted Core Strategy with regard to the aspirations to protect and enhance the District's rural character, communities, and landscape.
- 3.3. However, the Plan's objectives should be amended to reflect the need to meet both the present and future housing requirements, including those pressures arising through the Duty to Cooperate with neighbouring authorities. In this instance the well-known unmet housing needs of the Greater Birmingham and Black Country Housing Market Area (GBBCHMA) should be clearly considered. This is considered further, later in these representations.
- 3.4. The Local Plan lacks clarity at Strategic Objective 1 and does not define exceptional circumstances for release of Green Belt land as part of its strategy. It should be made clear that the need to identify land for growth and development over the Plan period, and beyond, means that there are exceptional circumstances arising which have required a full and detailed Green Belt boundary review, with a view to identifying land that it is proposed to be released from the Green Belt to meet the District's growth requirements.
- 3.5. In relation to Strategic Objective 2, reference is made to meeting the housing and employment needs of the District. It is considered this could be strengthened to refer to meeting the needs of both existing and new residents of the District, but the overarching thrust that new housing should be focussed on sustainable locations in the District, including the key villages and the edge of conurbation of the Black Country, is supported.

4. Development Strategy

Green Belt – Policies DS1 and DS2

- 4.1. Draft Policy DS1 is broadly in line with the relevant paragraphs of the NPPF relating to development within the Green Belt and is therefore supported. However, it should be noted that Richborough Estates do not accept the Council's proposition that the Green Belt 'contributes towards rural character'. Green Belt is a development restraint policy set out at Chapter 13 of the NPPF and is not a landscape or character policy. The NPPF outlines '*the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence*'. Therefore, the Council should amend the text within Policy DS1 and its supporting text to represent national policy.
- 4.2. The 2018 Greater Birmingham and Black Country Housing Market Area (GBBCHMA) Strategic Growth Study presented a strategic review of the Green Belt across the 'joint authorities' area. This review was undertaken in the light of the shortfall in housing need identified across the area. It was acknowledged that as a significant proportion of land within the Housing Market Area is covered by Green Belt, 'exceptional circumstances' through Local Plan reviews would be required to alter the Green Belt boundaries.
- 4.3. The supporting text to Policy DS1 identifies that exceptional circumstances exist for Green Belt release within the South Staffordshire District. This is supported, as is the Council's commitment to release some land from the Green Belt for development to meet identified need.
- 4.4. However, to be sound, and accord with national policy the Plan must include a consideration of Green Belt boundaries that will endure beyond the end of the Plan period in 2039. Para 140 of the NPPF states that "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."
- 4.5. The Plan should therefore identify opportunities for safeguarded land so that anticipated housing and development needs beyond 2039 are considered as part of the current Local Plan Review and, in particular, are done so in the context of the current reconsideration of



Green Belt boundaries. Safeguarding of land will ensure such needs can be addressed without the need to undertake a further Green Belt boundary review, ensuring the amended boundaries endure beyond the Plan period.

- 4.6. The currently adopted Local Plan at Policy GB2 sets out safeguarded land for the longer term needs of the District. Richborough Estates believes the proposed Local Plan would highly benefit from an introduction of a similar policy within the emerging Local Plan, especially in light of the recent collapse of the Black Country Plan which has led to greater instability of housing supply across the GBBCHMA. The introduction of safeguarded land would allow the Council to assess sites suitable for development and fully maximise the District's capability to greater assist the GBBCHMA growing unmet housing need.
- 4.7. Relevant Green Belt boundary amendments, including the identification of safeguarded land should therefore be considered in the current LP review.
- 4.8. Policy DS2 (Green Belt Compensatory Improvements) is a new policy included within the Regulation 19 Publication Plan. The Policy provides additional detail on expected compensatory improvements for Green Belt (GB) released sites when compared to the Preferred Options Document. Richborough Estates supports the inclusion of a policy setting out the need for Green Belt compensation in relation to sites being removed from the Green Belt. However, the policy still leaves elements of ambiguity and its practical application unclear. Whilst it is appreciated that the SSSC have outlined that 'applicants must demonstrate proportionate compensatory improvements', this does not provide a clear requirement for Green Belt compensation and a revised policy approach is preferred as outlined below.
- 4.9. Policy DS2 also sets out the following hierarchy for Green Belt compensation.
 - a) *Compensatory improvements to remaining Green Belt land adjacent to, or in close proximity to the development site;*
 - b) *Compensatory improvements to remaining Green Belt land within the wider locality accommodating the development;*
 - c) *Compensatory improvements to remaining Green Belt land in an area identified through the council's latest Nature Recovery Network mapping or Open Space Strategy.*

In the event that it is robustly demonstrated that none of the above options can be satisfied (e.g., as land is demonstrably not available) then the council will accept a commuted sum that it will use to undertake compensatory improvements.

- 4.10. The hierarchical approach to the GB compensation policy as drafted is not supported. Neither the NPPF nor the PPG refer to a hierarchy of preferred methods of GB compensation. Furthermore, when assessing the policy, it is not at all clear that the preferred methods of GB compensation would deliver a greater benefit than the approaches lower down the hierarchy.
- 4.11. In the first instance, it would appear that all of the potential methods (items a-c plus the penultimate paragraph) require some method of actually delivering the compensation. In practical terms this is likely to be via a S106 agreement associated with a planning permission to develop the allocation (former GB) site and which either delivers contributions towards compensatory improvements or requires the delivery of the identified improvements.
- 4.12. Whilst it is accepted that having the GB compensation located close to the allocation could be advantageous and should be pursued, ultimately it is the overall value of that GB improvement which is of greatest significance. There is also a suggestion within criteria a) and b) of the proposed policy that the preferred approach is reliant on the developer of the allocation owning additional land in the vicinity. This may not always be the case and so care must be taken to ensure that the application of the policy does not result in ransom type scenario. Similarly, a further issue relates to the potential for the lowest ranked element of the compensation hierarchy (the penultimate paragraph involving paying a commuted sum) resulting in the same, or greater, benefit than compensation associated with the highest element in the hierarchy; especially if it results in significant improvements to an existing resource. This could be as a result of the contributions secured in a commuted sum being spent on public land next to the development site.
- 4.13. Therefore, other benefits associated with particular GB compensation schemes which may be more significant than just proximity to the development site need to be explored further. For instance, the compensation could deliver enhancements to give greater public access to a recreation route such as a Canalside walk or deliver improvements to a degraded nature conservation site. Such GB compensation may deliver wider benefits than merely enhancing land in the immediate vicinity of the site.

4.14. In view of the above it is suggested that the policy is amended to delete reference to the hierarchy and instead state that GB compensation is required in conjunction with development of sites removed from the GB which could include improvements to green infrastructure, woodland planting, landscape and visual enhancements, biodiversity improvements, new or enhanced cycle or walking routes and improved access to new, enhanced, or existing recreational and outdoor sports provision. The policy could indicate that this could be delivered through direct improvements to land or via S106 contributions and the Council will seek the optimum public benefits in proportion to the scale of the site being removed from the GB.

Housing- Policy DS4

4.15. Richborough Estates broadly supports Part a of Policy DS4 which sets a housing target of 9,089 homes over the Plan period whilst providing additional homes to ensure plan flexibility. Upon review of the Local Plan evidence base, though, it is unclear how the Council have concluded that the 'flexibility allowance' should be 13% additional homes. This figure is not evidenced throughout the Evidence Base and Richborough Estates requests the Council provide clarification on this figure.

4.16. The principle of the proposed 4,000 houses to support the GBBCHMA shortfall is broadly supported by Richborough Estates. However, the GBBCHMA Housing Need and Housing Land Supply Position Statement (July 2020) identified the housing shortfall of the GBBCHMA as 67,160 dwellings. Further, the 'Mind the Gap' Barton Willmore Paper dated March 2021 and 'Falling Short – Taking Stock of Unmet Needs across GBBCHMA' paper by Turley in August 2021, both commissioned by HBF Members concluded that the significant unmet needs in the GBBCHMA exist now and will continue to exist in the future. Most recently, the now revoked Draft Black Country Plan 2018–2039 (showed a shortfall of circa 28,000 homes in the Black Country alone and Birmingham City Council have recently suggested a potential shortfall of over 78,000 dwellings in their Development Plan review Issues and Options consultation.

4.17. It is important to stress that the shortfall figures in the GBBCHMA July 2020 paper did not take into consideration the 35% uplift applied to Birmingham or Wolverhampton that were subsequently introduced. The latest Black Country Plan and Birmingham Issues and Options figures therefore show the true extent of the shortfall, which is higher than that which South

Staffordshire have taken into account in preparing their Plan. As set out in the HBF representations to the Publication Plan, the Council should confirm that they could proportionately increase their contribution to unmet need based on the latest figures. The Council's commitment to meeting that unmet need should be set out in a Joint Statement of Common Ground with the other GBBCHMA authorities.

- 4.18. As a result of the overwhelming shortfall in both the Black Country and Birmingham and despite South Staffordshire allocating 4,000 homes, Richborough Estates believes there is scope for an uplift of this figure.
- 4.19. In regard to SSDC own housing needs allocation (5,330 dwellings across the plan period), the Council have allocated the minimum figure of housing required by the Standard methodology and as such, Richborough Estates raises concerns regarding a potential insufficient housing to meet the District's housing needs.
- 4.20. The starting point for the identification of housing requirements is the 2014-based sub-national household forecasts as set out in National Planning Policy Guidance ('PPG') and the utilisation of the standard method of calculation. PPG is also clear that the figure produced by the Standard Method represents a minimum figure, rather than a requirement.
- 4.21. PPG provides a non-exhaustive list of examples whereby additional growth beyond the minimum requirement may be appropriate, including relevant growth strategies for the area, strategic infrastructure improvements or accommodating unmet need from neighbouring authorities.
- 4.22. As part of the Publication Plan, the 2021 Strategic Housing Market Assessment (SHMA) was updated, with the South Staffordshire Housing Market Assessment Update published in October 2022. The 2022 SHMA presents further depth of analysis compared to the 2021 assessment and supersedes the 2021 SHMA.
- 4.23. The updated Housing Market assessment at paragraph 4.17 indicates the revised standard method in 2022 is 241 dwellings per year resulting in a minimum of 5,330 new additional homes to be planned for in South Staffordshire to cover the local need across the Plan period 2018–2039. The assessment considers the proposed target of 9,089 homes (5,089 local need and 4,000 home contribution to meet the unmet GBBCHMA need) to be greater than

the need for the District as a result of the 2021 Census data which indicated the growth within South Staffordshire to be lower than predicted in 2020.

4.24. However, there are a number of potential flaws in the 2021 Census figures, which took place during the Covid-19 pandemic. In a Paper commissioned by the Land Promoters & Developers Federation October 2022, Quod¹ advised that the 2021 Census figures should be considered with caution. Reasons for such caution are identified in the Paper as:

- Internal Migration – many people spent lockdown somewhere different, for example leaving town to stay with parents whilst working remotely. While the Census record ‘usual residents’ this is open to definition and interpretation by people themselves and for many temporary arrangements would have been deemed to be their ‘usual residence’.
- Students – who were disrupted and learning online for a large proportion of time up to and including March 2021 at the time of the Census.

4.25. The report goes on to note that whilst there has been a general, expected slowdown in population growth, the country has not been building more homes than are needed. As an example, household formation has been artificially low, likely suppressed by unaffordability matters.

4.26. Richborough Estates considers a larger housing contribution would have benefits in reducing the likely shortfall within the GBBCHMA such as improving affordability and choice and providing a more reliable source of supply.

4.27. Richborough Estates object to Policy DS4 as not being justified based on proportionate evidence nor positively prepared in the context of the shortfall in housing across the Greater Birmingham Housing Market Area.

¹ Census 2021: What Does it Mean for Housing? Quod for LPDF, October 2022



Economic Uplift and Housing Figures

- 4.28. The South Staffordshire Housing Market Assessment 2021 (HMA) sets out the broad economic consequences of the projected growth in Chapter 5. However, the HMA fails to consider the impact of committed development at the HS2 West Midlands Interchange ('WMI'), which is projected to create around 8,500 new jobs and up to 8,100 indirect jobs off-site, well in excess of the increase in the working age population between 2018 and 2038 identified by the HMA (6,618 people). The updated HMA 2022 also does not consider the impact of the committed WMI. In addition, both the 2021 and updated 2022 HMA do not consider that significant job growth will be provided through committed strategic employment developments planned at i54 and ROF Featherstone.
- 4.29. Richborough Estates has raised concerns about the Economic Development Needs Assessment 2020–2040 (June 2022) (EDNA) in other representations. The EDNA was prepared by DLP Planning on behalf of South Staffordshire District Council and it sought to identify future employment needs across the South Staffordshire area for the period 2020–2040. The EDNA outlines that the approved WMI has the potential to employ 16,600 both on and off site.
- 4.30. The EDNA also identifies the i54 development as a key 'employment corridor' and at paragraph 4.22 states that the facility 'could lead to a profound effect on the local and sub-regional property market as demand for engineering/manufacturing space increases'.
- 4.31. The updated HMA at paragraph 5.10 identifies that the projections profiling the change in population indicate that the working age population in South Staffordshire will grow by 6,618 people between 2020 and 2040. This is notably in excess of the growth of 4,824 jobs indicated by the EDNA, albeit Richborough consider the EDNA underestimates job growth. The updated HMA at paragraph 5.13 suggests that the housing requirement of 9,089 homes over the Plan period is sufficient to address the projected economic growth for the District. However, Richborough Estates, as raised above, have concerns regarding the proposed housing figures due to the large shortfall of housing across the GBBCHMA, which has been exasperated by the rising instability of the Black Country.

Spatial Strategy

4.32. SSDC previously consulted on a Spatial Housing Strategy and Infrastructure Delivery (SHSID) document in October 2019. This looked at how the proposed housing target could be distributed between different settlements and other broad locations within the District.

Longer Term Growth Aspirations for a new settlement- Policy DS6

4.33. Policy DS6 sets out an aspiration for SSDC to deliver a new settlement beyond the plan period. A broad location comprising the transport corridor formed by the A449 and West Coast Mainline between Wolverhampton and Stafford has been identified as a potential area of search for such proposals.

4.34. Richborough Estates made representations to the Preferred Options Plan and continues to support Policy DS6 which recognises the importance and suitability of the identified potential growth corridor. Richborough Estates also supports the objectives for the new settlement as set out within the Policy.

5. Site Allocations- Policy SA5 and Sustainability Appraisal Comments

- 5.1. Following the Preferred Options (Regulation 18) Plan the Council have made a number of additional amendments to certain specific sites, including identification of three additional small brownfield sites and removal of sites where the council suggested the sites were unsuitable.

Housing Allocations- Policy SA5

- 5.2. Land at Boscomoor Lane (site reference O06) is included within Policy SA5 as a draft allocation for housing with a minimum capacity of 80 new dwelling as set out by the site proforma at Appendix C of the Publication Plan.
- 5.3. Richborough Estates supports the housing allocation of Land at Boscomoor Lane, however, the proposed Green Belt boundary of the site is not supported. The Green Belt release boundary, as identified at Appendix 4 of this representation does not follow a logical form, as the proposed boundary diverts around existing properties. Richborough Estates suggests a more appropriate boundary would be to follow the line of Boscomoor Lane. It should be noted that in accordance with NPPF 142 when reviewing Green Belt boundaries, the need to promote sustainable patterns of development should be taken into account. The currently proposed boundary line does not follow a logical nor sustainable pattern for development.
- 5.4. Should the Green Belt boundary be altered, the sites minimum housing capacity should be increased to reflect this change and ensure the site can be developed to reach its full capacity.
- 5.5. Further, the proforma states:
- 'Existing tree and hedgerow boundaries should be retained and reinforced to protect the Canal Conservation Area and the setting of the local listed Lyne Hill Bridge in line with the HESA – stage 2 (2022) recommendations for the site'*
- 5.6. Whilst Richborough Estates supports the retention of existing tree and hedgerow boundaries, it is considered that the text should allow for some removal of trees and hedgerows where



necessary for associated infrastructure. As such, Richborough Estates suggests the text be amended to the following:

'Existing tree and hedgerow boundaries should be retained where possible and reinforced to protect the Canal Conservation Area and the setting of the local listed Lyne Hill Bridge in line with the HESA – stage 2 (2022) recommendations for the site'

6. Development Management Policies

Policy HC1- Housing Mix

- 6.1. Housing mix should be guided by market signals as reflected in the most up to date assessment needs. Such assessments will need to be updated over the course of the plan period.
- 6.2. The requirement that 70% of properties comprise of 3 bedrooms or less is restrictive and does not afford the flexibility expected by NPPF para 62 in order to meet the need to provide for a range of size, type, and tenure for different groups.
- 6.3. The use of the phrase 'disproportionate' in the penultimate paragraph, when describing the quantum of 4+ bedroom houses, lacks the precision and clarity needed for a Plan policy.
- 6.4. The policy should recognise that needs and demand will vary from area to area and site to site and identify that its requirements could be subject to a viability assessment, thus allowing for flexibility in its application.
- 6.5. Clarification should also be made defining 'major' development. It is noted that the Publication Plan has removed footnote 11 from the Issues and Options Plan which defined major development in accordance with the NPPF definition stating major development is "development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more". Whilst a definition is contained within the NPPF, the statutory definition is actually contained within the Town and Country Planning Development Management Procedure Order, which defines major development as where:
- (Ci) the number of dwellinghouses to be provided is 10 or more; or*
- (Cii) the development is to be carried out on a site having an area of 0.5 hectares or more and it is not known whether the development falls within sub-paragraph (c)(i)*
- 6.6. The text emphasised above is an important qualifier when considering whether or not a proposal constitutes major development. This qualifying text has not been carried through into the definition contained within the NPPF. Richborough Estates suggest a definition of

major development should be reintroduced into the Plan, with the DMPO definition referred to for the avoidance of doubt.

- 6.7. In light of the above, the policy is considered unsound, as it is neither justified nor consistent with national policy for the reasons set out above.

Policy HC2– Housing Density

- 6.8. Policy HC2 sets out an aim to achieve a minimum net density of 35 dwellings per net developable hectare in developments 'within or adjoining Tier 1 settlements, in infill locations within the development boundaries of other settlements in the district or in urban extensions to neighbouring towns and cities'.

- 6.9. Richborough Estates welcome the addition to the policy (set out below) which recognises that a blanket approach to density is unlikely to be effective stating:

'Where it would help to support the delivery of local services and facilities, sites will be encouraged to exceed this minimum density standard where this could be done in a manner consistent with other development plan policies, particularly those relevant to the character of the surrounding area.'

'The net density on a site may go below the minimum density standard set above if to do otherwise would result in significant adverse impacts to the surrounding area's historic environment, settlement pattern or landscape character.'

- 6.10. It is also acknowledged that the Council have updated the wording of Policy HC2 to include a direction for settlements within Tiers 2–5 of the Settlement Hierarchy.

Policy HC3– Affordable Housing

- 6.11. Policy HC3 requires proposal for major residential development to provide 30% of all dwellings as affordable housing. The use of the term 'major residential development' in this context requires a definition to save confusion as to what size of development affordable



housing becomes a requirement, it is presumed to be the same as that within the NPPF Glossary. The policy also needs to ensure that evidence is provided when considering viability, especially when looking at brownfield sites.

- 6.12. The requirement for 30% affordable housing appears to be supported by the Viability Study Stage 2 Report 2022 (VA) which confirms at paragraph 3.2.7 that the proposed affordable housing figure can be appropriate for South Staffordshire, but it does highlight the challenges in delivering such a requirement and the need for higher site values to be achieved to deliver this across the board.
- 6.13. The NPPF is clear that the derivation of affordable housing policies should take account not only of need but also have regards to viability and deliverability and a differentiated policy approach should be used to the provision of affordable housing, as set out in the Viability Study.
- 6.14. The Council's position to continue with the established approach of using Section 106 planning obligations to secure the necessary infrastructure to support and mitigate the effects of new development is supported.
- 6.15. The requirement to 'pepper pot' affordable housing in clusters across the development is generally supported. However, the policy should recognise that for management purposes, Registered Providers do require a degree of clustering of affordable housing within a development and this will inform site layouts.
- 6.16. Richborough Estates supports the removal of the suggestion that grant funding for homes to be provided under the requirements of the Policy as requested within the Regulation 18 Representation.
- 6.17. The frequent reference to further guidance being provided by the Affordable Housing SPD is noted. The SPD should do no more than clarify the Local Plan policy and it is suggested that if the requirements for implementing the policy are known to need explanation now then these should either be included within the Plan now or set out within the explanatory text. The SPD is not the appropriate approach for setting new policy and or burdens on delivery, and the Plan should provide clarity at the point of adoption as to what it requires.

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

6.18. Policy HC4 notes major development should:

'...clearly contributes to meeting the needs of older and disabled people.'

6.19. The above policy wording does not define 'older people', so it is unclear as to exactly who this Policy is targeting or who would be eligible to occupy such dwellings.

6.20. It stipulates that all major development should provide bungalows, age restricted single storey accommodation, sheltered/retirement living and extra care housing. The Council do not define what ages will be restricted for single storey development and as such, the policy requires clarification on this matter.

6.21. Such specialist housing, especially that related to extra care and retirement living, often need a minimum critical mass to be viable (for example, extra care units typically require 60+ bedrooms to be viable) and therefore the Council needs to determine, through evidence the minimum size of site which should be able to viably support the provision of such accommodation.

6.22. The policy then needs to provide much greater clarity on when such housing will be required as part of a major development, and to make clear that some housing types may be required on any given site.

6.23. It is further noted that since the Preferred Options consultation, the Plan has moved from expecting 30% all homes to be Building Regulation M4(2) compliant, it now requires 100% of all housing to be M4(2) compliant. This may bring with it issues of affordability, in a context where the access and affordability of housing is an area of wider concern.

6.24. The Council's Viability Study, Stage 2 (2022) acknowledges that at present Part M of the Building Regulations requires all dwellings to be built to a minimum of M4(1) with further enhanced requirements to M4(2) and M4(3) required through policy, subject to evidence of need as well as viability.

6.25. Currently, the requirement for M4(2) properties is optional within Building Regulations and are described as making "reasonable provision for most people to access the dwelling and incorporate features that make it potentially suitable for a wide range of occupants, including older people, those with reduced mobility and some wheelchair users". It is recognised that the older person population is likely to increase over the plan period, however an ageing

population affects the whole country and is not an issue specific to South Staffordshire. If the Government had intended that evidence of an ageing population alone justify adoption of optional standards, then such standards would have been incorporated as mandatory in the Building Regulations, which is not the case.

- 6.26. Furthermore, the HMA identifies a need for 1,783 accessible and adaptable general homes for those over 65 years and 1,235 for those under 65 years, across the Plan Period. This equates to less than 30% of the overall housing requirement to be delivered by this Plan. The updated SHMA 2022 at paragraph 8.14 concludes that it is calculated that adapted housing M4(2) will be required for 3,978 households by 2040 in South Staffordshire. It is therefore not clear how the 100% requirement within the Policy has been arrived at or how this is justified.
- 6.27. Having highlighted the above, it is also noted that the Council's Viability Study 2022 simply refers to a Government consultation² which indicates that M4(2) standards may become mandatory for all new housing.
- 6.28. That consultation was undertaken in 2020 and in July 2022 the Government published their response. This indicates that M4(2) dwellings may indeed become mandatory. This will necessitate a change to Building Regulations and statutory guidance, on which the Government will consult further in due course.
- 6.29. At the present time, though, the requirement for M4(2) dwellings is not mandatory and if the Council wish to pursue a policy requirement of 100% M4(2) dwellings then this needs to be justified, with reference to both need and cost.
- 6.30. As drafted, Policy HC4 is not sound as it is not justified.

Policy HC8 – Self-build and Custom Housebuilding

- 6.31. Policy HC8 requires sites for major residential development to "... have regard to the need on the council's self-build register and make provision of self and custom build plots to reflect this". The policy should be clear that in having regard to the Council's self-build register, it is only part 1 of the register which needs to be considered. The policy should also recognise,

² www.gov.uk: Raising accessibility standards for new homes: summary of consultation responses and government responses (July 2022)

that delivery of self-build housing on new residential sites, successfully occurs when there is a distinct phasing or grouping of plots, secured for such delivery.

6.32. Whilst Richborough Estates generally supports the concept of self-build/custom housing, they do not consider providing them as part of a larger housing development is the most appropriate solution because self/custom builders are more likely to want a more bespoke location/setting. Smaller dedicated self/custom sites are therefore a more appropriate answer.

6.33. Richborough Estates supports the position that should a proposed custom self-build plot not be sold after 12 months following active marketing, then the developer will be permitted to build out the plan as a standard property type.

Policy HC10- Design Requirements

6.34. The introduction of a new set of requirements to ensure high quality design and the creation of beautiful places in line with Government guidance is supported. However, a number of specific comments are made on the policy as drafted:

- The provision of tree lined streets (item c) should be subject to highway authority agreement, and where appropriate, their adoption. In Richborough Estates' experience, local highway authorities do not want trees in immediate proximity of the street due to management concerns or liabilities.
- The point on house types and tenures (item l) is repetition of policy material set out at Policy HC1 and is therefore unnecessary.

Policy HC12- Space About Dwellings and Internal Space

6.35. The continuity of existing external space and dwelling standards is generally supported although there should be a recognition that certain house types, for example Part M4(2) dwellings, should have smaller, more manageable gardens.

6.36. Richborough Estates suggests that some flexibility must be allowed in the application of the Nationally Described Space Standards (NDSS) as occasionally non-compliance with NDSS

may be appropriate for sound urban design reasons and the Policy should therefore build in some flexibility.

6.37. If the NDSS requirement is to be pursued, then the Council need to provide additional evidence for the Local Plan Examination to demonstrate that the policy is sound. National Planning Guidance Housing: optional technical standards (paragraph O20) clearly state that *“Where a need for internal space standards is identified, local planning authorities should provide justification for requiring internal space policies. Local planning authorities should take account of the following areas:*

- *Need – evidence should be provided in the size and type of dwellings currently being built in the area, to ensure the impacts of adopting space standards can be properly assessed, for example, to consider any potential impact on meeting demand for starter homes.*
- *Viability – the impact of adopting the space standard should be considered as part of a plan’s viability assessment with account taken of the impact of potentially larger dwellings on land supply. Local planning authorities will also need to consider impacts on affordability where a space standard is to be adopted.*
- *Timing – there may need to be a reasonable transition period following adoption of a new policy on space standards to enable developers to factor the cost of space standards into future land acquisitions.”*

6.38. It is clear that the introduction of the NDSS requires a Local Plan policy which has been fully evidenced, justified and viability tested. The South Staffordshire Housing Market Assessment Update 2022 (HMA) refers to the NDSS (paragraph 7.32) only in the context of assessing the need for accessible and adaptable homes. The HMA does not provide any justification or evidence for requiring NDSS in the District.

Policy HC14- Health Infrastructure

6.39. This policy refers to proposed developments causing ‘unacceptable impact’ on existing health care facilities but fails to define what level of impact is deemed unacceptable or how

that is to be measured. The policy should also acknowledge that not all residents of a development will be new to a catchment area and may indeed already be registered by the local health care provider, thereby not creating a net additional burden.

- 6.40. Careful analysis is required therefore with regard to the capacity of existing infrastructure to accommodate new patients, before reaching a conclusion as to what any CIL Regulation 122 compliant financial request might be. The requirement for CIL Reg compliance of any request should be clearly specified within policy.
- 6.41. The policy is considered unsound, as it is neither *justified* nor *consistent with national policy* for the reasons set out above.

Policy HC15- Education

- 6.42. Richborough Estates broadly supports the policies' objective for the improvement or construction of schools to meet the demand generated by children in new development. However, as currently written, the policy makes a blanket assumption that new education infrastructure will be required from all new development.
- 6.43. The Policy text requires further clarification as any such provision to be delivered by a S106 agreement, must have regard to the tests of CIL Regulation 122. The policy should make this explicit. In this regard, the policy should also recognise new infrastructure will be required from new development, only where it can be demonstrated that existing capacity to accommodate growth does not currently exist.
- 6.44. The policy is considered unsound, as it is neither *justified* nor *consistent with national policy* for the reasons set out above.

Policy HC17- Open Space

- 6.45. Whilst there is no in principle objection to the requirements of the policy or the provision of open space within developments, some clarifications are required in order to ensure that the Policy is sound.
- 6.46. The policy requirement for on-site equipped play provision as default is not supported as it will not be appropriate for every site, for example where there is already high-quality

equipped play provision in the locality it would not make sense to duplicate this provision. In addition, it is not appropriate to require open space to be centrally located on all sites as this does not take into consideration differences in development sites opportunities and constraints. It is requested that the Council amend the policy to allow policy a more flexible approach to achieve the right design solution for each site.

- 6.47. The focus of Green Infrastructure provision should be based on quality rather than quantity or 'useability' and the exclusion of small incidental green infrastructure (GI) without a clear recreational purpose from on-site open space provision is not supported. The policy text cites landscape buffers as an example of incidental GI which may be excluded. This is not appropriate as landscape buffers can be of a significant size and clearly contribute towards open space provision on a site. They should therefore be included in these calculations. Planning Practice Guidance acknowledges that '*Green infrastructure can embrace a range of spaces and assets that provide environmental and wider benefits. It can, for example, include parks, playing fields, other areas of open space, woodland, allotments, private gardens, sustainable drainage features, green roofs and walls, street trees and 'blue infrastructure' such as streams, ponds, canals, and other water bodies*' (Paragraph 004 - ref ID: 8-004-20190721).
- 6.48. The policy should therefore be revisited and clarified, with clear reference to national guidance ensure that open space and green infrastructure is properly and clearly defined and to recognise the contribution that a range of spaces and uses will bring to a development.
- 6.49. The policy as drafted is unsound as it is *inconsistent with national policy* and is *unjustified* for the reasons set out above.

Policy HC18- Sports facilities and playing pitches

- 6.50. Policy HC18 is informed by the playing pitch and sport facilities assessments produced by KKP in 2020 and is broadly supported.
- 6.51. It is noted that further guidance on the procedure for determining provision required from new development will be set out in an Open Space, Sport, and Recreation SPD. However, the policy requires all new major residential development to contribute towards sports facilities and playing pitches, but no further quantitative details are provided to set out the detail of what will be expected within the Publication Plan.

- 6.52. The requirements for playing pitches are set out in the Future Housing Growth and Playing Pitch Requirements Topic Paper (November 2022). The requirements in regard to the Land north of Station Road are considered broadly appropriate and is supported. It would be more appropriate for SSDC to define standards expected from development as part of policy (as per the open space standard defined by Policy HC17, for example). This approach provides greater certainty in respect of the infrastructure delivery requirements expected from sites, which ultimately impacts upon their viability. The level of provision expected, and the associated viability implications should be considered within both the Infrastructure Delivery Plan and Viability Assessment.
- 6.53. The requirements of delivering sports facilities and playing pitches through on-site provision or S106 contributions is only one element of the package and things sites will need to provide and the Council must ensure the delivery of all potential obligations are taken into account for both on and off-site provision to support the soundness of the Plan at examination.

Policy EC3- Inclusive Growth

- 6.54. The requirement for an Employment and Skills Plan to be prepared for all developments of 100 or more residential dwellings is not supported. Whilst the benefits of such plans are acknowledged, it is considered more appropriate to implement them on a site-by-site basis, dependent on local circumstances and the labour market and such a requirement can be sourced by condition. This is especially important in the context of modular methods of construction inevitably increasing in the coming years, probably sourced from outside South Staffordshire.
- 6.55. If the Policy is to be found sound it should be amended to incorporate flexibility and allow for Employment and Skills Plans to be requested on a site-by-site basis, where appropriate. In so doing the relevant criterion for requesting such policies must be clearly defined and set out within the policy in order to ensure the policy is justified.

Policy EC11- Infrastructure

- 6.56. Policy EC11 commits SSDC to work with and support infrastructure providers and also offer support for the delivery of infrastructure. This is broadly supported, but any assessment of

cumulative impact and mitigation requested must be proportionate and CIL Regulation 122 compliant. The policy should be explicit that this is the case.

- 6.57. The policy is considered unsound, as it is neither *justified* nor *consistent with national policy* for the reasons set out above.

Policy NB2- Biodiversity

- 6.58. Richborough Estates are supportive of the need to address net losses to Biodiversity, through the provision of enhancement to deliver an overall net gain. The Council's policy requirement to deliver 10% Biodiversity Net Gain, reflects that of the Environment Act and is not objected to. Indeed, it reflects one of the core principles of the NPPF to conserve and enhance the natural environment.

- 6.59. In delivering net gain, however, the policy needs to provide as much flexibility as possible. The key test of policy is whether the 10% BNG is being delivered, not necessarily the specific method by which it is delivered. It is important that the way in which these 'net gains' are calculated is given careful consideration and that a pragmatic view is taken in terms of biodiversity enhancements, where there are clear landscape and habitat improvements, rather than being wholly reliant on the output of rigid calculator, in particular where this would impede the delivery of much needed housing.

- 6.60. In this regard, certain aspects of the policy would benefit from clarification. Subsection a) for example, discusses 'maintaining and enhance existing habitats' on development sites as a priority. It has to be questioned, however, that where sites are allocated for delivery, whether such a goal is achievable. Certainly, it is good practice to retain where possible, hedgerows, mature trees, and other key ecological assets. However, for the policy to indicate that habitat protection on site is a priority, over matters such as high-quality urban design, or delivery of any of a raft of other local plan policies, gives this specific element of policy delivery an undue prominence.

- 6.61. The policy would benefit from some limited re-wording (replace 'as a priority' with 'where possible' for example) to provide a more balanced and practical response to achieving the necessary 10% BNG delivery.

Policy NB4- Landscape Character

6.62. Policy NB4, would benefit to an amendment in the text, which reflects the comments made on Policy NB2 above. As drafted, the second paragraph states:

"All trees, woodland, and hedgerows should be protected and retained"

6.63. Whilst it is appreciated that the following sentence identified that should a loss be required, appropriate mitigation measure must be delivered by the developer, the above sentence should be amended to the following:

"All trees, woodland and hedgerows should be protected and retained wherever possible"

Policy NB6– Sustainable Construction

6.64. Given that the Environment Act 2021 has recently been made into law, it needs to be made clear that this policy reflects the Act and its purpose and that it repeats the laws written within it.

6.65. Concern is raised with some of the technical detail raised in Policy NB6. Clause 3 regarding embodied carbon, includes the statement:

6.66. 'Developers must ensure that a recognised monitoring regime is put in place to allow the assessment of energy use, indoor air quality, and overheating risk for 10% of the proposed dwellings (of the council's choosing) for the first five years of their occupancy and ensure that the information recovered is provided to the applicable occupiers and the planning authority.'

6.67. Whilst Richborough Estates fully appreciate the value of Whole Life-Cycle Carbon assessments and the need for some form of post construction, pre-occupation assessment, there is concern raised about this policy. Firstly, once sold the properties will be owned by the purchasers and their mortgagees. There are issues of data protection and consent surrounding the recording and sharing of energy use, air quality and overheating risk data with a third party, in respect of properties that the developer will not own.

6.68. Secondly, with the above in mind, it must be noted that whilst it may be possible to introduce some form of data gathering within the homes, once sold and the responsibility of a third



party, it may become difficult to ensure that all of the devices installed for monitoring will remain active for the entire period.

- 6.69. There is no evidence to suggest that the Council have considered or addressed the GDPR implications of this requirement, its effect on 'mortgage-ability', or indeed its effect on sales values. Presumably properties which are wired to share private individual's lifestyle data, would be less attractive in the marketplace, and that would be reflected in reduced sales values. This element of the possible in not practical to be delivered in the form proposed, and is therefore considered unsound, on the grounds of being neither justified nor consistent with national policy for the reasons set out above.
- 6.70. Further, the requirement of the policy for developments to demonstrate a minimum 63% reduction in carbon emissions, with each dwellings achieving at least a 10% improvement on the Building Regulations Part L 2021 Target for Fabric Energy Efficiency, plus post development requirements to achieve as least zero regulated carbon across the scheme is unnecessary. with the improved Part L Building Regulations and emerging Future Homes Standards we do feel that this may be an unnecessary early step however would support the introduction of early improvements once further details are available within the market to achieve these high standards of construction, without unintended consequence of increased air tightness/efficiency is known. We don't feel that the Council does not need to set local energy efficiency standards to achieve the shared net zero goal.
- 6.71. Having worked in areas of water stress and the emerging requirement for water efficiency playing a bigger part in other areas of construction, we would support the 110l/p/d target.

7. Sustainability Appraisal

7.1. The Publication Plan is supported by a Sustainability Appraisal ('the SA'), prepared by Lepus Consulting³. The purpose of the SA is stated as being to appraise the sustainability performance of all potential site allocations for development. The potential sites are assessed in relation to each of the stated objectives in the SA Framework as follows:

- **SA Objective 1. Climate change mitigation:** Minimise the Plan area's contribution to climate change.
- **SA Objective 2. Climate change adaptation:** Plan for the anticipated impacts of climate change.
- **SA Objective 3. Biodiversity and geodiversity:** Protect, enhance, and manage the flora, fauna, biodiversity, and geodiversity assets of the district.
- **SA Objective 4. Landscape and townscape:** Conserve, enhance and manage the character and appearance of the landscape and townscape, maintaining and strengthening their distinctiveness.
- **SA Objective 5. Pollution and waste:** Reduce waste generation, increase the reuse of, and recycling of, materials whilst minimizing the extent and impacts of water, air, and noise pollution.
- **SA Objective 6. Natural resources:** Protect, enhance, and ensure the efficient use of the district's land, soils, and water.
- **SA Objective 7. Housing:** Provide a range of housing to meet the needs of the community.

³ Sustainability Appraisal of the South Staffordshire Local Plan Review – Regulation 19 SA Report Volume 1 to 3, October 2022

- **SA Objective 8. Health and wellbeing:** Safeguard and improve the physical and mental health of residents.
- **SA Objective 9. Cultural heritage:** Conserve, enhance and manage sites, features, and areas of historic and cultural importance.
- **SA Objective 10. Transport and accessibility:** Improve the efficiency of transport networks by increasing the proportion of travel by sustainable modes and by promoting policies which reduce the need to travel.
- **SA Objective 11. Education:** Improve education, skills, and qualifications in the district. Raise educational attainment and develop and maintain a skilled workforce to support long-term competitiveness.
- **SA Objective 12. Economy and employment:** To support a strong, diverse, vibrant, and sustainable local economy to foster balanced economic growth.
- **SA Objective 13. Equality:** Reduce poverty, crime and social deprivation and secure economic inclusion.

7.2. The SA also appraises the draft development management policies and their likely outcomes.

7.3. The significance of effects is scored as follows:

Significance	Definition (Not Necessarily Exhaustive)
<p>Major Negative --</p>	<p>The size, nature and location of a development proposal would be likely to:</p> <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

	<ul style="list-style-type: none"> 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.

Table 7.1 Guide to scoring significance of effects

7.4. The SA represents an update to previous iterations of the SA which have supported previous consultation versions of the LPR.

Land at Boscomoor Lane: Site Ref: 006

7.5. Land at Boscomoor Lane is assessed within the SA as 'Land off Boscomoor Lane' under site reference: 006. This includes an assessment of the nature and magnitude of the impact of the development both pre- and post-mitigation.

7.6. This assessment is reproduced in Figures 7.1 and 7.2 below.

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
006	+/-	-	-	-	-	-	+	-	-	-	-	-

Figure 7.1 Significance of effects pre-mitigation, Site Ref: 006

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
006	+/-	+	0	-	0	-	+	-	0	-	-	-

Figure 7.2: Significance of effects post-mitigation, Site Ref: 006

7.7. Richborough Estates supports the findings of the SA in respect of the site.

8. Land at Boscomoor Lane

Site Description

- 8.1. Richborough Estates has current land interests in Land at Boscomoor Lane, Penkridge, as shown on the Site Location Plan appended to this representation (see Appendix 1).
- 8.2. The site comprises approximately 3.8ha of land, adjoining the southern edge of the urban area of Penkridge, immediately south of Wolgarston Way and to south of the Staffordshire and Worcestershire Canal. Land to the west of the site is currently undergoing redevelopment from an industrial estate to residential development. The site is visually contained, enclosed by development on all three sides, and includes an area of agricultural land.
- 8.3. To the east of the site lies a large number of existing residential properties beyond the Staffordshire and Worcestershire Canal with views across the site. The Cross Britain Way runs along the Canal's western edge adjacent to the site. Development fronting the Canal should respect the character and locality with a setback to retain the good quality tree stock and hedgerow.
- 8.4. To the west, the final phase of the Persimmon Homes Estate off Boscomoor Lane forms a further urban influence to the site. Public footpath 'Penkridge 19(a)' with associated hedgerows and mature trees provide the boundary to the south of the site, separating it from the fields beyond whilst restricting intervisibility.
- 8.5. The hedgerow field boundaries provide containment and structure and are also characteristic features within the local landscape. They should be retained and enhanced where possible to strengthen the visually contained nature of the site.

Proposed Development

- 8.6. A Vision Document has been prepared in support of the promotion of this site and is included at Appendix 2 to this representation. The Vision Document contains an indicative masterplan which identifies the following features:
 - Delivery of approximately 100 dwellings

- The provision of new Public Open Space with potential for the housing delivery of a children's play facility
- Deliver green corridors
- Provide financial contributions towards strategic infrastructure to support growth within Penkridge

8.7. Further information in respect of the promotion of this site can be found within the supporting Vision Document.

Green Belt

8.8. In August 2022, SSDC published the South Staffordshire Green Belt Study Addendum. The reports are an addendum to the South Staffordshire Green Belt Study (2019) and provides additional sub-parcel assessment and amended maps and plans to reflect the addition of a sub-parcel.

8.9. The South Staffordshire Green Belt Study was published in July 2019, alongside a study employing the same methodology for the Black Country authorities. The study forms an important piece of evidence for the review of the South Staffordshire Local Plan.

8.10. The Green Belt Study comprised of two parts; the first was to assess 'strategic variations' between the contribution of land to the five purposes of the Green Belt, whilst the second includes a more focused assessment of the potential 'harm' of removing land from the Green Belt.

8.11. Alongside the Green Belt Study, a Stage 3 assessment involved undertaking a landscape sensitivity assessment in order to assess the sensitivity of land within the South Staffordshire to housing and employment development. Whilst there is a relationship between landscape sensitivity and Green Belt contribution/harm in that physical elements which play a role in determining landscape character, there are fundamental distinctions in the purposes of the two assessments. As such, the findings of the Stage 3 landscape sensitivity assessment for South Staffordshire and the Black Country are presented in a separate document (Landscape Study 2019) and is considered later in this representation.

Green Belt Purposes

8.12. The National Planning Policy Framework (NPPF) (2021) states that the Green Belt should serve the five following purposes:

- To check the unrestricted sprawl of large built-up area;
- To prevent neighbouring towns merging into one another;
- To assist in safeguarding the countryside from encroachment;
- To preserve the setting and special character of historic towns; and
- To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Land at Boscomoor Lane, Penkridge; Contributions to Green Belt Purposes

8.13. The Green Belt Study 2022 shows the site falling within sub-parcel S32Fs3, 'West and south of Penkridge', which is identified as making the following contribution to the five purposes of the Green Belt:

GB Purpose	Assessment	Rating
P1: Checking the unrestricted sprawl of large built-up areas	Land is sufficiently separated or distant from a large built-up area for there to be no significant potential for urban sprawl from the large built-up area	Weak / No contribution
P2: Preventing the merging of neighbouring towns	Land plays no significant role due to the distance between the West Midlands conurbation and Stafford, and between Stafford and Cannock.	Weak / No contribution
P3: Safeguarding the countryside from encroachment	Land contains the characteristics of open countryside (i.e., 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

Table 8.1: Land Parcel S32F Contribution Towards Green Belt Purposes

8.14. The Study goes on to identify that, should Green Belt Sub-Parcel ref: S32Fs3 (within which land at Boscomoor Lane falls) be released for development, the resulting harm would be ‘low-moderate’, stating:

‘The sub-parcel makes a strong contribution to preventing encroachment on the countryside. This part of the sub-parcel is tightly contained by the existing inset settlement of Penkridge and contains some intruding urbanising elements. Release of this land would therefore simplify the Green Belt; creating a shorter boundary that is consistent with the boundary of the existing inset area of Penkridge.’

Harm Ratings Overview Map of Land within Sub-Parcel

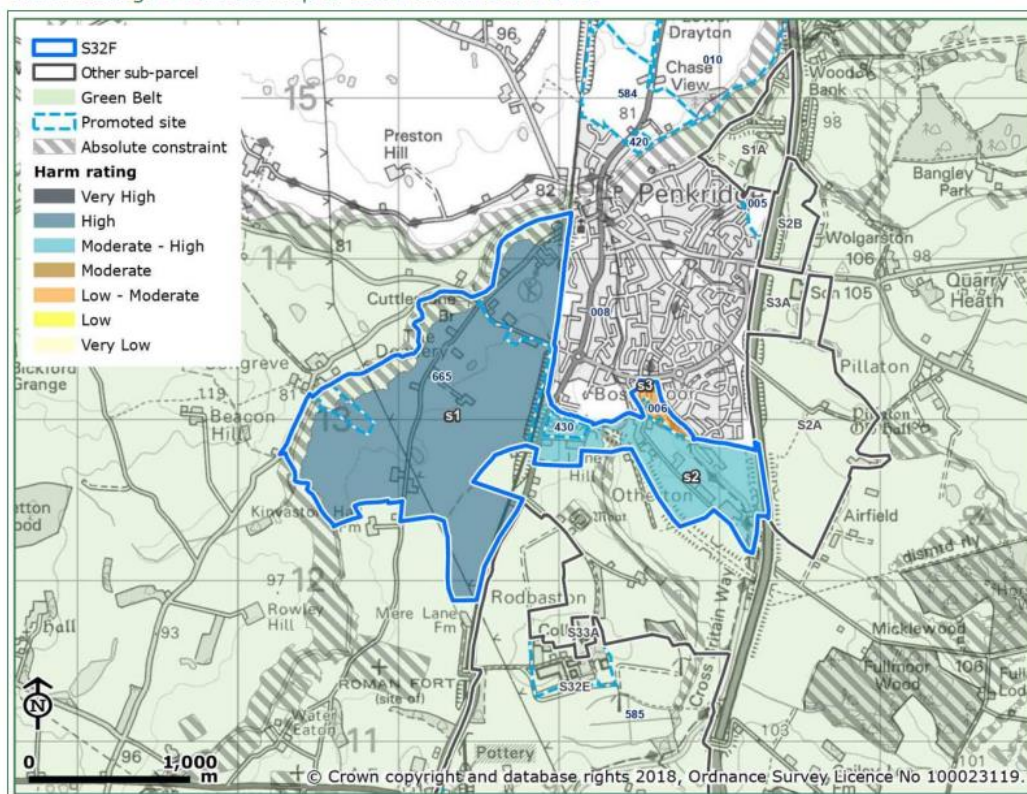


Figure 8.1: Harm Rating for Land Parcel S32F

- 8.15. Richborough Estates supports the conclusions of the above assessment, with the functions against the five purposes of the Green Belt assessment below in relation to the site at Boscomoor Lane

To Check the Unrestricted Sprawl of Large Built-Up Areas

- 8.16. The site is situated between an under-construction development to the west and adjacent to the existing residential edge of Penkrige to the north and east. Boundaries are formed by the footpath Penkrige 19(a) to the south, the Canal to the east, Boscomoor Lane to the west and Wolgarston Way to the north.
- 8.17. As such, the site does not contribute to preventing the unrestricted sprawl of Penkrige, being contained by existing development and robust, permanent boundaries. As identified within the Council's Green Belt Study, the release of the site would simplify the Green Belt; creating a shorter boundary that is consistent with the boundary of the existing inset area of Penkrige.
- 8.18. The site therefore makes a weak/no contribution to this purpose of the Green Belt.

To Prevent Neighbouring Towns from Merging into One Another

- 8.19. In contrast with the Council's Review for the larger Parcel 2, the site is contained within the extents of the existing development at Penkrige, including the under-construction development to the west and development bounding the site to the south along Boscomoor Lane.
- 8.20. As set out above, the site is located within the confines of the existing built area of Penkrige. The development of the site will 'round off' the settlement edge and therefore the built form extents to the south of Penkrige will remain. The development of the site will therefore not contribute towards the merging of neighbouring towns and accordingly makes no contribution to this purpose of the Green Belt.

To Assist in Safeguarding the Countryside from Encroachment

- 8.21. Whilst the site contains some characteristics of open countryside, such as an absence of built development, it remains that the site is surrounded on three sides by the built envelope of Penkrige.

8.22. The short southern section of the site adjacent to footpath Penkridge 19(a) has an urban edge character, with a mature hedgerow and hedgerow trees separating the grassland of the site to the fields to the south. If retained and enhanced with additional trees and the strengthening of the existing hedgerow, this could form a recognisable and permanent new Green Belt boundary. This would further strengthen the landscape structure and the physical and visual boundaries to the site at the interface with the wider landscape and Green Belt to the south.

8.23. It is therefore considered that the site makes a 'moderate' contribution to assisting in safeguarding the countryside from encroachment, rather than the 'strong' contribution identified within the Green Belt Study.

To Preserve the Setting and Special Character of Historic Towns

8.24. As identified within the Council's Green Belt Study, Penkridge is not a historic town and, as such, the removal of the site from the Green Belt would not conflict with this purpose of the Green Belt. Richborough Estates therefore agrees with the conclusions of the Green Belt Study, that the site makes a 'weak/no' contribution to preserving the setting and special character of historic towns.

To Assist in Urban Regeneration, by Encouraging the Recycling of Derelict and other Urban Land

8.25. Whilst it is acknowledged that all Green Belt land make a contribution towards encouraging the recycling of derelict and other urban land, the site and immediate area does not contain significant areas of brownfield land and would therefore not prejudice the redevelopment of urban land in this area. The release of the site from the Green Belt and allocation for residential development would therefore not significantly prevent the recycling of derelict land and other urban land.

8.26. It is therefore considered that the site makes a 'moderate' contribution to this purpose of the Green Belt, rather than the 'strong' contribution identified within the Green Belt Study.

Summary of Green Belt Purposes

8.27. Overall, it is therefore considered that Land at Boscomoor Lane, makes a reduced contribution to the five purposes of the Green Belt than that identified within the Green Belt for Green Belt Sub-Parcel ref: S32Fs3. This contribution is summarised in the table below:

GB Purpose	Previous Rating	Revised Rating
P1: Checking the unrestricted sprawl of large built-up areas	Weak / No contribution	Weak / No contribution
P2: Preventing the merging of neighbouring towns	Weak / No contribution	Weak / No contribution
P3: Safeguarding the countryside from encroachment	Strong	Moderate
P4: Preserve the setting and special character of historic towns	Weak / No contribution	Weak / No contribution
P5: Assist urban regeneration, by encouraging recycling of derelict and other urban land	Strong	Moderate

Table 8.2: Land at Boscomoor Lane, Green Belt Assessment

Green Belt Harm

8.28. Richborough Estates agrees with the conclusion of the Green Belt Study in respect of Green Belt Harm, in that, should the site be released for development, the resulting harm would be 'low-moderate'.

8.29. As identified previously, the site is tightly contained by the existing development and is inset within the existing built form of Penkrige. Release of this land would therefore simplify the Green Belt; creating a shorter boundary that is consistent with the boundary of the existing edge of Penkrige.

8.30. Richborough Estates agrees with the conclusion of the Green Belt Study in respect of Green Belt Harm, in that, should the site be released for development, the resulting harm would be 'low-moderate'. However, as noted previously in this representation, Richborough Estates considers the proposed Green Belt boundary to not promote a sustainable pattern of development as required within NPPF 142. As such, the proposed Green Belt boundary is

requested to be amended to follow the form of Boscomoor Lane. Should the Green Belt boundary be altered it is also requested that the minimum capacity of the site is increased to reflect this change.

Landscape Sensitivity

8.31. South Staffordshire District Council has produced a Landscape Study (2019) which forms part of the Local Plan Review evidence base. The site falls within the following Landscape Character Types: Ancient Clay Farmlands (west) and Settled Heathlands (east). The landscape area is situated immediately to the south of Penkridge. It is bounded by the A449 Stafford Road in the west, the M6 in the east and partly by a disused railway line in the south. The Study identifies that this is a small-scale area which retains some sense of rural character, including some notable mature hedgerows and trees, but which is also influenced by its proximity to the urban fringe of Penkridge and the M6. Overall, it is considered that the landscape sensitivity to residential development is moderate.

8.32. An extract of the Council's Appraisal of Landscape Sensitivity is included below:

Characteristic / Attribute	Lower Sensitivity to Development	Moderate Sensitivity to Development	Higher Sensitivity to Development
Scale			Fields and land divisions are mostly small scale, with frequent human scale features such as farmsteads, other houses and cottages, trees, and hedgerows.
Landform	The area is broadly flat, with elevation ranging from c.95m to c.87m AOD. A minor tributary of the River Penk flows northwards through the area, but this does not affect the flat landform.		

<p>Landscape pattern and time depth</p>		<p>Post-1880s reorganised piecemeal enclosure east of Otherton Lane. Lyne Hill is identified as a pre-1880s settlement. There have been some hedgerow boundary losses through the area post-war, which has adversely affected its time depth.</p>	<p>Some areas of post-medieval piecemeal enclosure south and west of Otherton Lane, including isolated areas north of Lyne Hill Lane which retain irregular field boundaries and thick mature hedgerows and hedgerow trees.</p>
<p>'Natural' character</p>		<p>Limited areas of priority habitat deciduous woodland are identified along the disused railway corridor and the M6. Elsewhere, valued natural features include further woodland along the railway corridor, which has an important role in habitat connectivity through the area and beyond, together with the remnant hedgerow network and areas of non-intensively managed pasture/grassland and scrub.</p>	
<p>Built character</p>	<p>There are some modern features present which impart an urban influence; notably a large new housing estate under construction north of Lyne Hill Lane.</p>	<p>The Staffordshire and Worcestershire canal is an historic feature running through the east of the area and contributes to landscape character.</p>	<p>Otherton Farmhouse on Otherton Lane is a Grade II listed building.</p>
<p>Recreational character</p>		<p>There are some PRowS crossing this area, as well as a traffic-free cycle route along the canal towpath.</p>	
<p>Perceptual aspects</p>	<p>The sense of tranquillity is limited by the area's proximity to the M6.</p>	<p>Otherton Lane passes through the centre of the area and retains a largely rural character, with some scenic views.</p>	
<p>Settlement setting</p>		<p>The area provides a backdrop/setting to the small hamlet of Lyne Hill, as well as the southern edge of Penkrudge, which</p>	

		is characterised by modern housing, including a new housing estate under construction on a former industrial site north of Lyne Hill Lane.	
Visual prominence		Parts of the area have a degree of prominence from the edge of Penkridge and Lyne Hill, although the broadly flat landform and enclosure by frequent vegetation means that expansive views of the area are generally not possible from the wider landscape beyond.	
Inter-visibility with adjacent designated landscapes or promoted viewpoints	Little or no inter-visibility with adjacent designated landscapes or promoted viewpoints.		
Landscape Sensitivity Judgement (SL36 S1)	This is a small-scale area which retains some sense of rural character, including some notable mature hedgerows and trees, but which is also influenced by its proximity to the urban fringe of Penkridge and the M6. Overall, it is considered that the landscape sensitivity to residential development is moderate.		moderate

8.33. The Study concludes that Landscape Parcel SL36S1 (which encompasses land at Boscomoor Lane) is considered to have a ‘moderate’ overall sensitivity to residential development, as identified on Figure 8.2 below.

Landscape Sensitivity Rating

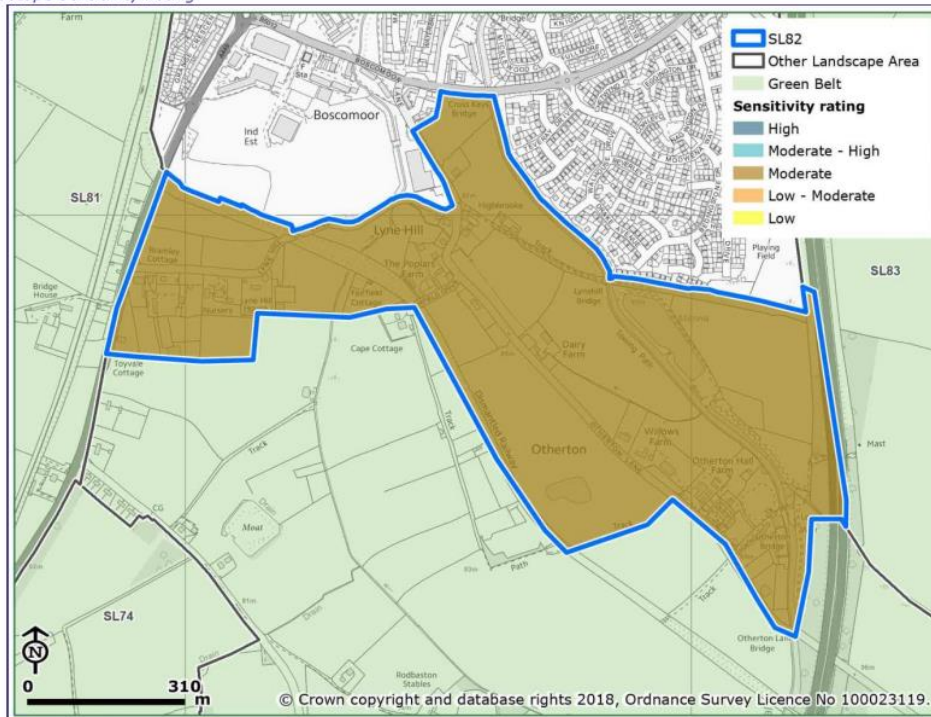


Figure 8.2: Landscape Sensitivity Rating Parcels SL36

8.34. The findings of the Landscape Study for the wider parcel are not necessarily disputed by Richborough Estates. However, it remains that land at Boscomoor Lane performs significantly better in landscape terms, principally due to the fact that the site is enveloped on three sides by the existing built form of Penkridge, thus reducing its landscape sensitivity when compared to the rest of the parcel.

8.35. The site comprises two irregular-shaped grassland fields separated by a typical gappy hedgerow. To the north, Wolgarston Way with associated residential properties overlooks the northern part of the site from a raised vantage point. A small number of properties to the south of Wolgarston Way influence the northwestern corner of the site.

8.36. To the east of the site lies a large number of existing residential properties beyond the Staffordshire and Worcestershire Canal with views across the site. The ‘Cross Britain Way’ runs along the Canal’s western edge adjacent to the site. Development fronting the Canal



should respect the character and locality with a setback to retain the good quality tree stock and hedgerow.

- 8.37. To the west, the under-construction development off Boscomoor Lane provides a further urban influence on the site. Public footpath 'Penkridge 19(a) with associated hedgerows and mature trees provide the boundary to the south of the site, separating it from the fields beyond whilst restricting inter-visibility.
- 8.38. The hedgerow field boundaries provide containment and structure and are also characteristic features within the local landscape. They should be retained and enhanced where possible to strengthen the visually contained nature of the site.
- 8.39. The site is generally flat with no constraints topographically.
- 8.40. It is therefore considered that the sensitivity of the site should be reduced to 'low-moderate'.

Sustainability

- 8.41. South Staffordshire District Council has prepared a Rural Services and Facilities Audit (2021) ('the RSFA') which presents evidence on the relative level of services and facilities present in settlements within South Staffordshire.
- 8.42. The RSFA identifies five key indicators to compare the relative sustainability of settlements within the District as follows:
- Access to food stores;
 - Diversity of accessible community facilities/services;
 - Access to employment locations;
 - Access to education facilities; and
 - Public transport access to higher order services outside of the village.

8.43. Land at Boscomoor Lane is located on the edge of Penkridge, a Tier 1 Settlement.

8.44. The overall settlement hierarchy scoring for Penkridge is presented below.

Access to convenience stores/ supermarkets	
Diversity of other accessible community facilities/ services	
Retail Centres Study	
Access to employment locations	
Access to primary/ first school within settlement	
Access to secondary/ high school within settlement	
Access to 6th form/college within settlement	
Public transport access to higher order services outside of the village	

Table 8.3: Settlement Hierarchy Scoring for Penkridge, RSFA (2021)

8.45. Richborough Estates supports the findings of the RSFA in relation to Penkridge.

8.46. The site benefits from good access to a range of shops, community facilities and health care facilities. In addition, the area includes a number of primary schools and a secondary school and good access to public transport.

8.47. The site is therefore sustainably located.

Impact on the Historic Environment

8.48. An initial appraisal looking at the extent and nature of built heritage assets within the site and surrounding area. The site is located immediately west of the Staffordshire and Worcestershire Conservation Area, which includes the canal and towpath. In addition, there are several canal bridges and locks located within this Conservation Area which are recognised locally as non-designated heritage assets, the closest being Lyne Hill Bridge (No.83) which is located adjacent to the site's south-east corner.

- 8.49. Located approximately 0.5km south-west of the site is the Grade II listed Otherton Farmhouse, which has several associated historic outbuildings. As there is the potential for limited inter-visibility between the site and the farmstead, their significance may be affected by the development of the site.
- 8.50. The identified built heritage assets are not considered to be a constraint to the development of the site as future development will incorporate mitigation measures to minimise any impact on their significance. The level of harm to the Conservation Area and Listed Buildings would not exceed less than substantial and the impact on the non-designated heritage assets would be considered with regard to paragraph 197 of the NPPF. Any future planning application would be supported by a Built Heritage Statement which would assess the significance of the potentially affected designated and non-designated built heritage assets, and any impact on their respective significance from the development of the site.

Surface Water Flooding

- 8.51. According to the Environment Agency Flood Map for Planning, the application site is located entirely within Flood Zone 1 (Low Probability), which is land defined as having less than a 1 in 1000 annual probability of river or sea flooding. The nearest Environment Agency Main River is the unnamed tributary of the River Penk, which is located approximately 50m west of the site.
- 8.52. The Staffordshire and Worcestershire Canal runs along the eastern boundary of the site. Further investigation is needed to better define the level of risk posed to the development, however, due to the controlled and maintained nature of canals, it is not expected to pose a barrier to development.
- 8.53. A surface water and foul water sewer are present on the site, which will require a suitable easement. An alternative option could be to undertake a diversion of the sewers, both options would be subject to further consultation with STW at the appropriate juncture. The presence of the sewers on site is not thought to pose a significant flood risk to the development.
- 8.54. An appropriate Surface Water Management Strategy which complies with the latest local and national advice will be implemented on the site to attenuate the increase in surface water runoff caused by development. As a first option and in line with the drainage hierarchy,

infiltration should be considered for the disposal of surface water due to the expected favourable ground conditions and Sandstone bedrock geology. In the event that infiltration is not viable, the rate at which the runoff is discharged into the surface water sewer on site will be restricted to the equivalent greenfield runoff rate, preventing an increase in flows leaving the site and thus ensuring that the development does not have a detrimental impact upon flood risk elsewhere.

- 8.55. Through the application of Sustainable Urban Drainage Systems (SuDS), the additional surface water will be stored within the site and subjected to multiple stages of treatment to guarantee that the water quality in the wider drainage network is protected. Wherever possible SuDS features will be above ground to enhance the aesthetic amenity of the development and provide valuable habitats for the local wildlife. The attenuation provided will be appropriately sized to include an allowance for climate change. Example SuDS features that will be incorporated into the development wherever possible include attenuation basins, permeable paving, and swales.

Highways (Accessibility to the Site)

- 8.56. The site is sustainably located, and a range of local retail, leisure and employment facilities are accessible by modes other than the private car.
- 8.57. Vehicular site access can be provided via new point of access to Boscomoor Lane in accordance with relevant local and national design guidance, ensuring there would be no material impact on highway safety or highway capacity as a result.

Suitability

- 8.58. The information set out above demonstrates that Land at Boscomoor Lane is a suitable site for development.

Deliverability

- 8.59. There is an agreement in place between the landowner and Richborough Estates to facilitate the development of the site.



- 8.60. There are no constraints likely to render the site undeliverable in the Plan period. The site is available now.
- 8.61. There are no existing uses that would require relocation and no issues of contamination that would require remediation. Many of the impacts of the development of the site can be mitigated and, in many cases, a positive outcome can be achieved.
- 8.62. The site is deliverable and immediately available and subject to allocation, could deliver homes and associated community early in the Plan period.



9. Conclusion

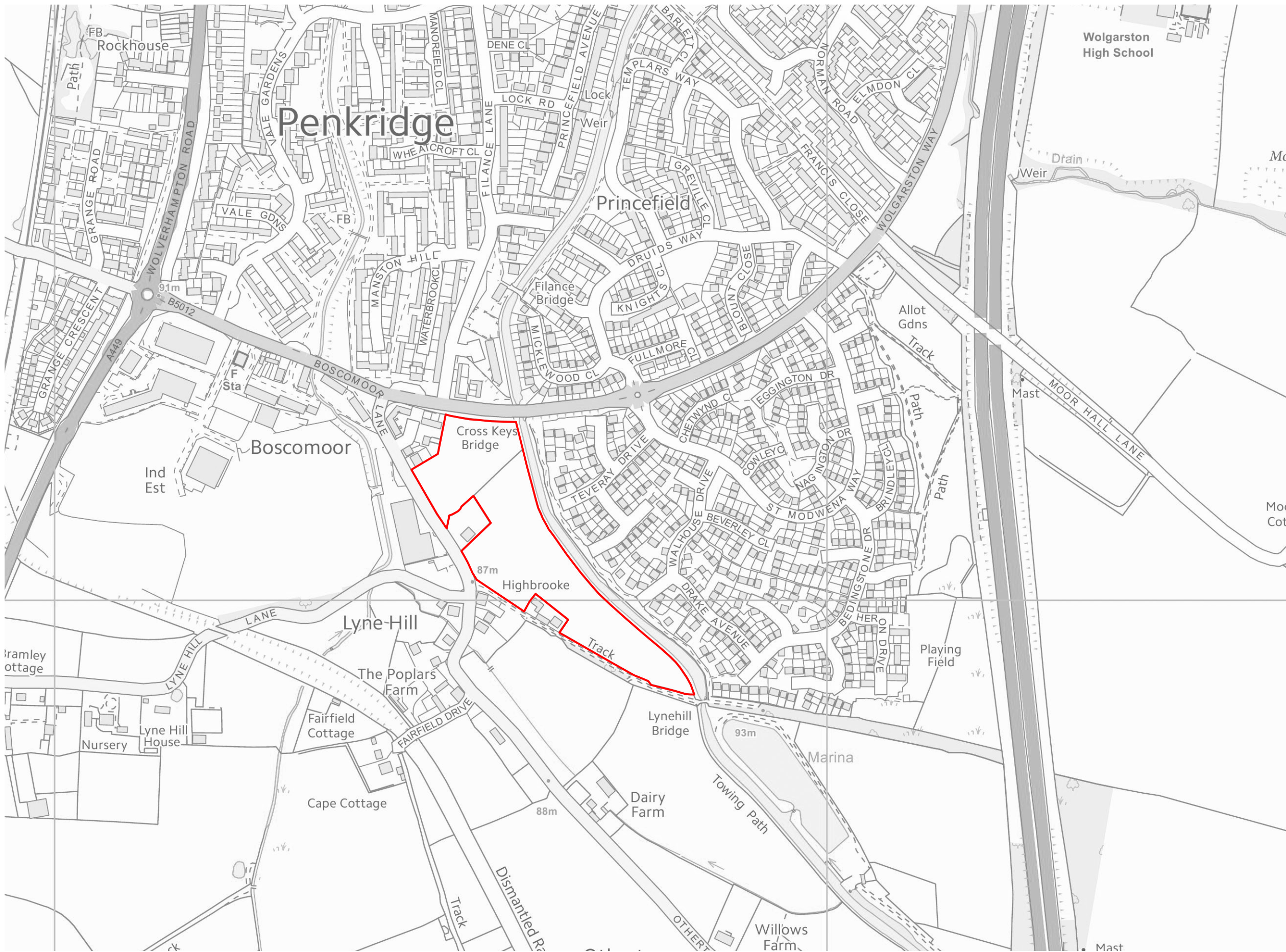
- 9.1. This representation is made by Pegasus Group on behalf of Richborough Estates Limited to the South Staffordshire Local Plan Review, Publication Plan (Regulation 19). This representation relates to Land at Boscomoor Lane which Richborough Estates is promoting for residential development.
- 9.2. Richborough Estates is supportive of the Local Plan Review undertaking but has made specific comments on key matters associated with the Local Plan Review. These include on the amount of land identified for housing, Green Belt land release and safeguarded land, on some development management policies, and, on site specific matters associated with the Council's consideration and evidence base on the Land at Boscomoor Lane.
- 9.3. The information contained within this representation, read in conjunction with the appended illustrative masterplan, demonstrates that Land at Boscomoor Lane is a suitable and deliverable site for residential development subject to its release from the Green Belt.
- 9.4. Richborough Estates considers that their land interests at Land at Boscomoor Lane are a suitable and deliverable site for residential development, subject to release from the Green Belt and that the site could deliver development to meet the identified housing needs within the Plan period.



Appendix 1

Location Plan

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KEY

 Site Boundary

LAND AT BOSCOMOOR LANE, PENKRIDGE - SITE LOCATION PLAN





Appendix 2

Vision Document



LAND AT
BOSCOMOOR LANE

DEVELOPMENT VISION

Prepared by Pegasus Group on behalf of Richborough Estates
DECEMBER 2022 | BIR.5222_01

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**Richborough
Estates**

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Prepared by Pegasus Group
on behalf of Richborough Estates.
December 2022. Project code BIR.5222. Document ref BIR.5222_01.
Contact: Ellie Liggins-Hughes

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SUMMARY &
CONCLUSIONS

THIS DOCUMENT IS DESIGNED TO BE VIEWED AS A3 DOUBLE SIDED



1

INTRODUCTION



1 INTRODUCTION

INTRODUCTION

1.1 The land at Boscomoor Lane represents a logical and appropriate extension to the highly sustainable settlement of Penkrige. The site is sustainable, is well located to a wide range of existing services and facilities and offers an opportunity to deliver new homes alongside supporting infrastructure as part of a balanced growth strategy for Penkrige.

RICHBOROUGH ESTATES

1.2 Richborough Estates is a responsible and specialist strategic land promotion business founded with the aim of working in partnership with landowners. Our projects are located throughout the country ranging from residential schemes of around 50 dwellings to large urban extensions, including sites located within the Green Belt.

1.3 Richborough Estates oversees the entire planning process from start to finish and works closely with local communities, Planning Officers and key stakeholders to create the most mutually beneficial schemes. Richborough Estates is seeking to apply this approach to the proposed development which is the subject of this Promotional Document.

1.4 Richborough Estates has an interest in the land at Boscomoor Lane. The extent of land controlled by Richborough is shown edged red on the Location Plan on Page 6 of this document.

DOCUMENT PURPOSE

1.5 South Staffordshire Council is currently in the process of reviewing their Local Plan to identify and direct growth within the District to 2039. This will include consideration of an appropriate housing requirement and a spatial strategy for distributing growth, informed by an updated settlement hierarchy. The Regulation 19 Local Plan produced by South Staffordshire Council shows the site being removed from the Green Belt and Allocated for housing.

1.6 This Promotional Document presents an analysis of the site and its surroundings and sets out in detail the case for the removal of the site from the Green Belt. This includes a review of the current and emerging planning policy position and an assessment of the site against the five purposes of the Green Belt contained in the National Planning Policy Framework ("The Framework").

1.7 This document also sets out the Vision for the site, informed by a consideration of the constraints and opportunities and an Indicative Masterplan demonstrating how the Vision can be achieved through a well-designed scheme. The document concludes with a concise summary of the site, the proposed development and its key benefits.

1.8 Overall, this Promotional Document presents a sustainable site to supports the site's allocation in the Regulation 19 Plan and its release from the Green Belt.

1.9 This document has been prepared with input from the following Consultant Team:

Planning:
Pegasus Group



Urban Design:
nineteen47



Landscape:
Tyler Grange



Access & Movement:
Hub



Flood Risk & Drainage:
BWB



Heritage:
CgMs





2

PLANNING POLICY CONTEXT



2

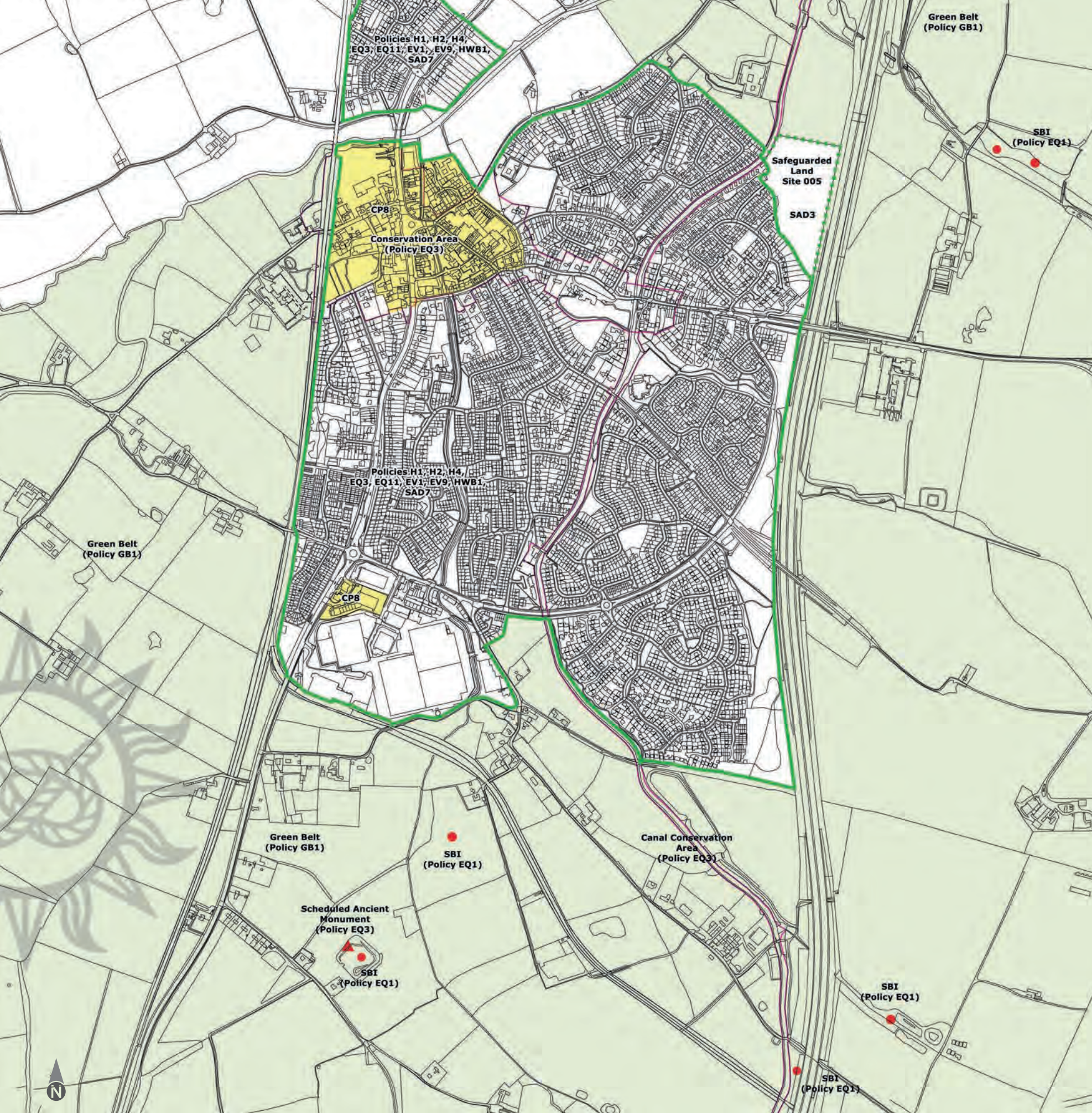
PLANNING POLICY CONTEXT

NATIONAL PLANNING GUIDANCE

- 2.1 A revised National Planning Policy Framework (NPPF) was introduced in July 2021. The Government recognises that the planning system should be genuinely plan-led, with succinct and up-to-date local plans providing a positive vision for each local authority; a framework for addressing housing needs and other economic, social and environmental priorities that span a minimum 15 year period from adoption.
- 2.2 Paragraph 139 of the Framework states that once the general extent of a Green Belt has been approved, it should only be altered in 'exceptional circumstances' through the plan-making process and that the amended Green Belt boundary should be "capable of enduring beyond the plan period". There are exceptional circumstances which justify alteration to the Green Belt boundary in South Staffordshire District and the site offers an opportunity to release Green Belt in a sensitive manner, without harming its purposes and functions, as set out in paragraph 138 of the Framework.
- 2.3 Furthermore, paragraph 11 of the Framework sets out that sustainable development has three overarching objectives: economic, social and environmental. The proposed development accords with each of these objectives, contributing to building a strong, responsive and competitive economy, supporting strong, vibrant and healthy communities and continuing to protect and enhance the natural, built and historic environment.
- 2.4 Chapter 5 of the NPPF sets out how local authorities should boost significantly the supply of housing in order to deliver sufficient supply of homes. The land at Boscomoor Lane, Penkridge represents a deliverable site that is available, achievable and viable and the provision of housing on the site would boost the supply of housing in the District.

Ministry of Housing,
Communities &
Local Government

National Planning Policy Framework



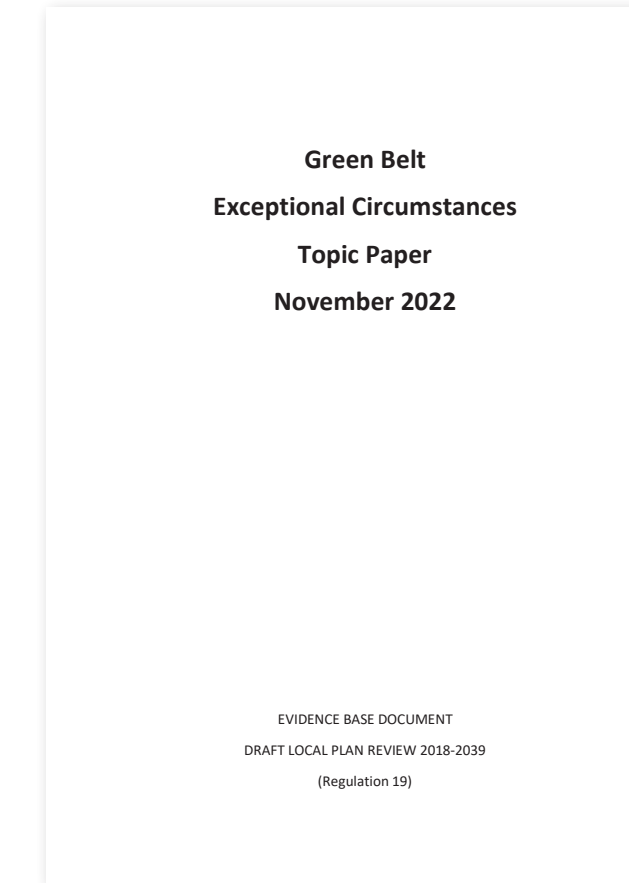
CONSERVATION AREAS | NOT TO SCALE

EXISTING DEVELOPMENT PLAN

- 2.5 The Development Plan for South Staffordshire currently comprises the adopted Core Strategy (adopted 11th December 2012) and the Site Allocations Document (adopted 11th September 2018).
- 2.6 The Core Strategy establishes the strategic policies for the District, notably the housing requirement and distribution of housing (Core Policy 1 and Core Policy 6), whilst the Site Allocations Document provides a range of allocations to deliver the requirements set out within the Core Strategy.
- 2.7 The policies map identifies the following designations relevant to the site:
 - Green Belt (Policy GB1)
 - Canal Conservation Area (Policy EQ3)
- 2.8 Penkridge does not lie within a Neighbourhood Area Designation and therefore a Neighbourhood Plan has not been progressed to date.

SOUTH STAFFORDSHIRE LOCAL PLAN REVIEW

- 2.9 The current adopted development plan commits South Staffordshire District to carrying out an early review of the development plan in order to respond to the increasing need for development, both within South Staffordshire and the wider Greater Birmingham and Black Country Housing Market Area (GBBCHMA). The review process will also ensure consistency with the new National Planning Policy Framework (NPPF), which seeks a requirement for local planning authorities to keep their Local Plan up to date by undertaking a review at least every five years.
- 2.10 Richborough Estates supports South Staffordshire District Council's decision to carry out a review to ensure an up to date planning policy framework is in place in the District to 2039.
- 2.11 South Staffordshire has committed to the delivery of a minimum of 4,000 additional dwellings to contribute towards meeting the housing shortfall within the wider GBBCHMA. This results in the requirement of 9,098 dwellings across the plan period. This represents a significant uplift compared with past delivery experienced within the District.
- 2.12 The Publication Plan is the final draft Local Plan that is consulted on prior to submission of the Local Plan to the Secretary of State for independent examination. The Publication Plan has allocated the site at Boscomoor Lane due to its lower Green Belt harm and sustainable location. Penkridge is a high-ranking settlement within the proposed Policy DS5 Spatial Strategy. Tier 1 settlement such as Penkridge hold a range of services and facilities.



CASE FOR GREEN BELT RELEASE

- 2.13 Given the need to accommodate an increased amount of housing and employment land, the Council concluded there were exceptional circumstances to release Green Belt land through the adoption of the Site Allocations Document. The need to consider Green Belt release through the Local Plan Review process is acknowledged through the Spatial Housing Strategy and Infrastructure Delivery Consultation document to support the preferred strategic option for growth. There are exceptional circumstances that exist for the targeted release of Green Belt land in Penkridge to meet identified housing needs in a sustainable location.
- 2.14 The Green Belt Exceptional Circumstances Topic Paper (November 2022) identifies that Penkridge is a Tier 1 village and therefore one of the most sustainable locations for development within the District. The Topic Paper sets out that whilst land is being allocated to the north of Penkridge outside of the Green Belt, the site at Boscomoor Lane has also been selected as it reflects a lower Green Belt harm and is within a highly sustainable location.



3

THE SITE AND SURROUNDING CONTEXT



3

THE SITE AND SURROUNDING CONTEXT

LAND AT BOSCOMOOR LANE

- 3.1 The site adjoins the southern edge of the urban area of the village, immediately south of Wolgarston Way and to the south of the Staffordshire and Worcestershire Canal. The site is visually contained, enclosed by development on three sides, and includes an area of agricultural land and a residential dwelling with associated garden.
- 3.2 The site comprises two irregular-shaped grassland fields separated by a typical gappy hedgerow, amounting to approximately 3.8 hectares. To the north, Wolgarston Way with associated residential properties overlooks the northern part of the site from a raised vantage point. A small number of properties to the south of Wolgarston Way influence the north western corner of the site.
- 3.3 To the east of the site lies a large number of existing residential properties beyond the Staffordshire and Worcestershire Canal with views across the site. The Cross Britain Way runs along the Canal's western edge adjacent to the site. Development fronting the Canal should respect the character and locality with a set back to retain the good quality tree stock and hedgerow.

- 3.4 To the west, the final phase of the Persimmon Homes Estate off Boscomoor Lane forms a further urban influence to the site. Public footpath 'Penkridge 19(a)' with associated hedgerows and mature trees provide the boundary to the south of the site, separating it from the fields beyond whilst restricting intervisibility.
- 3.5 The hedgerow field boundaries provide containment and structure and are also characteristic features within the local landscape. They should be retained and enhanced where possible to strengthen the visually-contained nature of the site.

SURROUNDING AREA

- 3.6 The site is located adjacent to the current built up area of Penkridge with good access to a range of services and facilities, including being within walking distance of its many facilities and bus links.
- 3.7 The site provides an opportunity to deliver much needed housing, together with all necessary supporting infrastructure.



ACCESS & MOVEMENT

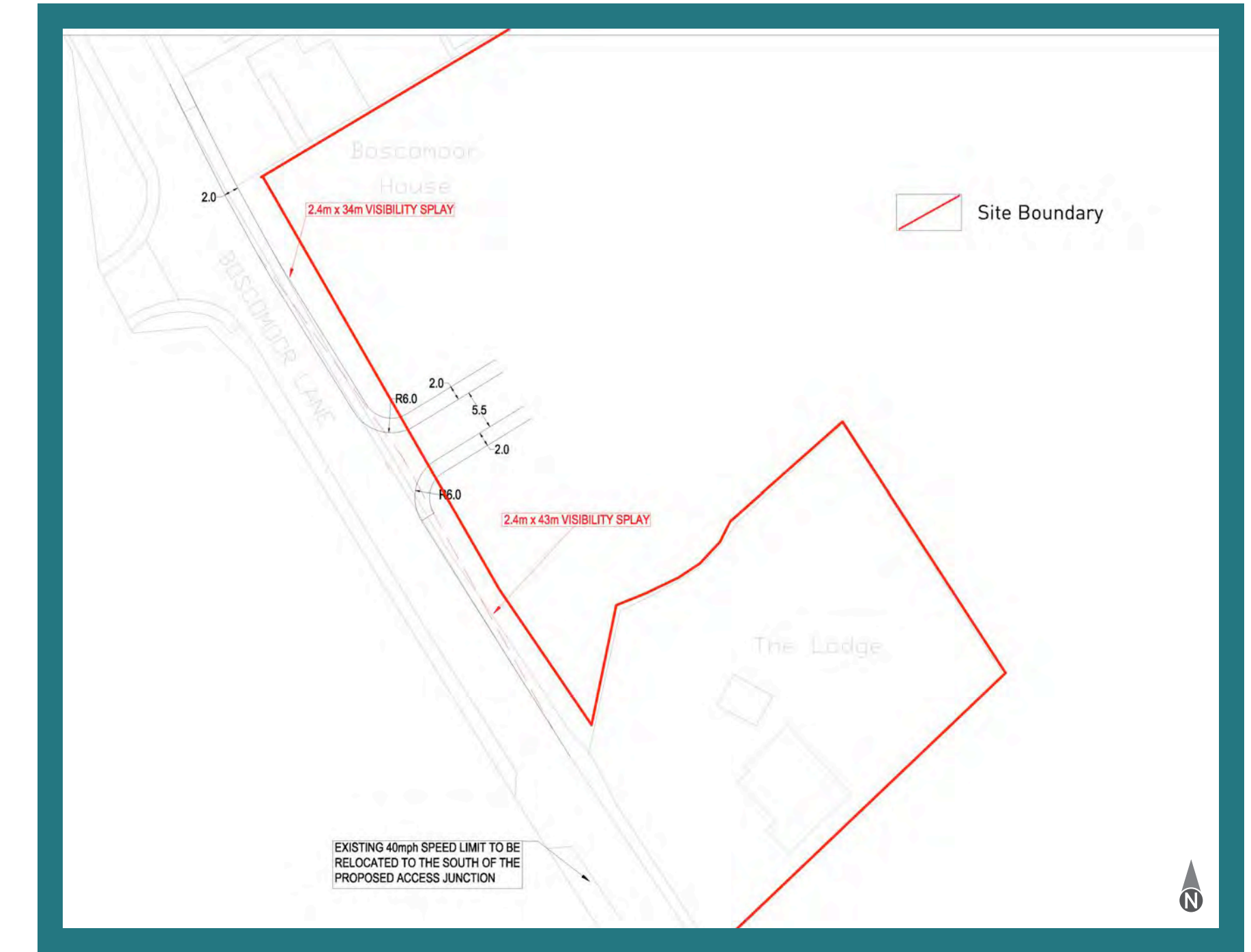
SUSTAINABLE TRANSPORT

- 3.9 The site will provide pedestrian access onto Boscomoor Lane, to the west of the site. A public footpath runs to the south of the site, connecting south to Otherton and the marina whilst also providing a connection to the canal towpath that runs along the western side of the Staffordshire and Worcestershire Canal.
- 3.10 On the northern side of the B5012 there are a number of footpaths that run through green areas that provide a link towards the centre of Penkridge. These provide pleasant traffic free walk route to local facilities within the town centre.
- 3.11 It is also understood that as part of the proposed residential development to the west of Boscomoor Lane (which is currently under construction), there is a planning condition which requires a new Pelican crossing to be provided across Boscomoor Lane (B5012).
- 3.12 The towpath provides a traffic-free cycle route that runs to the east of the proposal site and provides a link to Stafford in the north. A shared use footway/cycleway is also located alongside the A449.

- 3.13 Residential roads to the north of the B5012 within the vicinity of the site are subject to a 30mph speed limit and considered safe for use by cyclists.
- 3.14 The nearest bus stops to the site are located on Wolgarston Way, with the nearest being located within 400m of the centre of the proposed development site; bus services 813, 817, 817a, 875 and 878 run from this location and travel to Stafford town centre, Coven, Penkridge town centre, Robaston and Cannock Town Centre.
- 3.15 Penkridge Rail Station is located approximately 1.2km north of the site. The station provides regular services to a variety of local and national destinations including Liverpool, Crewe and Birmingham.
- 3.16 The location of the proposed development site is therefore seen to be in a sustainable location in terms of the availability of alternatives to the private car that offer a realistic alternative to the private car for commuting and travelling to schools as well as for leisure purposes.

ACCESS

- 3.17 Vehicular access to the site is proposed to be achieved directly off Boscomoor Lane along the western frontage of the site, as shown on the indicative masterplan. The access proposals include a footway which links the site access junction to the existing footway provision further north on the eastern side of Boscomoor Lane. In order to achieve a 2.0m wide footway link, Boscomoor Lane has been narrowed from approximately 6.3m to just over 5.5m in width.
- 3.18 It is considered appropriate to provide pedestrian access alongside the proposed vehicular access. Footways 2.0m in width have been proposed on both sides of the carriageway.
- 3.19 A 2.0m wide footway will then be provided on the eastern side of Boscomoor Lane, which will provide a link to the existing footway provision further north which goes on to connect to existing footways along the B5012.
- 3.20 A Transport Assessment will be completed to assess impacts across the wider network, this will include speed survey work. The Transport Assessment will take account of any local committed development sites and any committed highway improvements.
- 3.21 Suitable mitigation will be provided as part of the development proposals including any identified off-site highway works and contributions.



PROPOSED SITE ACCESS | NOT TO SCALE



CONSTRAINTS AND OPPORTUNITIES | NOT TO SCALE

HERITAGE & ARCHAEOLOGY

3.22 CgMs Heritage has undertaken an initial appraisal of the extent and nature of known built heritage assets within the site and surrounding area.

3.23 The site is located immediately west of the Staffordshire and Worcestershire Conservation Area, which includes the canal and towpath. In addition, there are several canal bridges and locks located within this Conservation Area which are recognised locally as non-designated heritage assets, the closest being Lyne Hill Bridge (No 83) which is located adjacent to the site's south-east corner.

3.24 Located approximately 0.5km south-west of the site is the Grade II listed Otherton Farmhouse, which has several associated historic outbuildings. As there is the potential for limited inter-visibility between the site and the farmstead, their significance may be affected by the development of the site.

3.25 The identified built heritage assets are not considered to be a constraint to the development of the site as future development will incorporate mitigation measures to minimise any impact on their significance.

THE WEST MIDLANDS GREEN BELT

3.26 The site comprises Green Belt land located entirely within South Staffordshire District Council.

3.27 As part of the Plan review the Council have published a Green Belt Exceptional Circumstances Topic Paper (November 2022). The Topic Paper indicates that the site is proposed to deliver a minimum of 80 new homes.

3.28 The below details the Council's stance in relation to Boscomoor Lane.

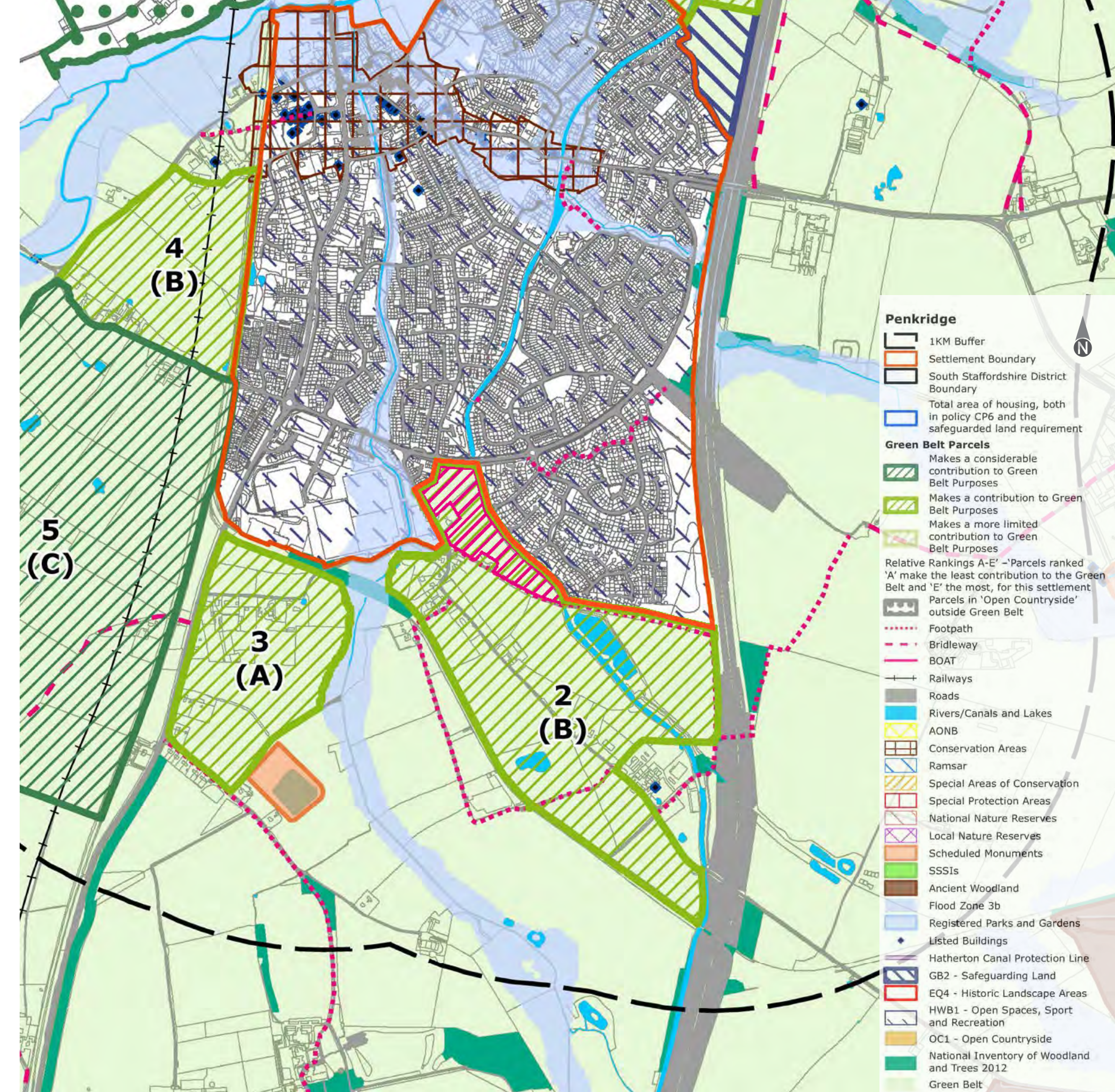
"Penkrige is identified as a Tier 1 village and therefore one of the most sustainable locations for development within the District. In line with this classification, Tier 1 villages including Penkrige were identified for a significant proportion of the district's housing growth."

The site is within parcel 'S32Fs3' within the 2019 Green Belt Study. The parcel identified the site as having a low-moderate harm rating.

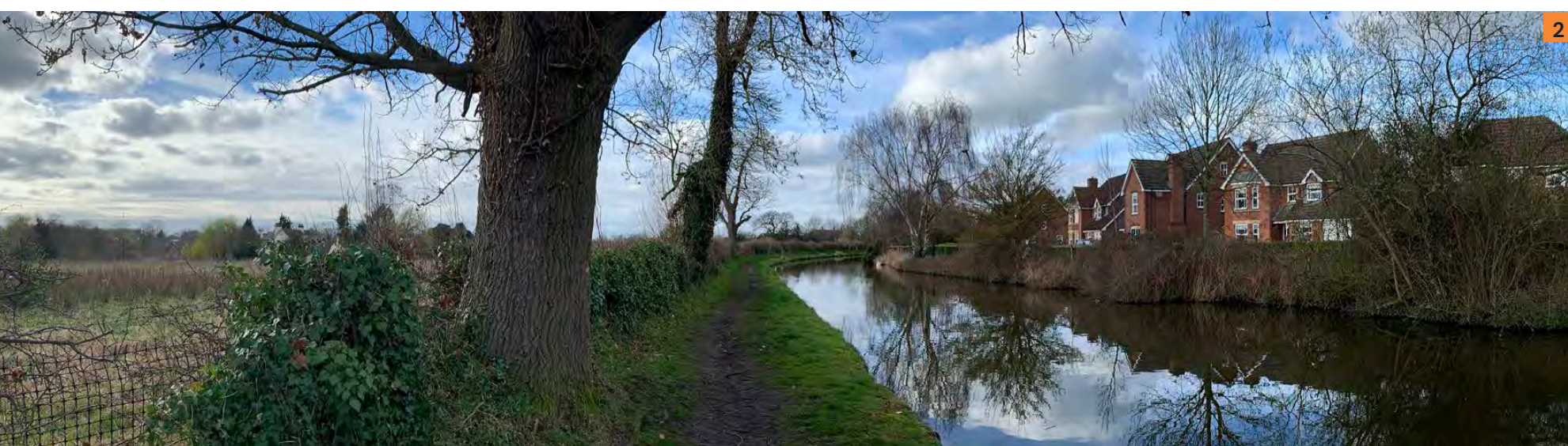
Although land is being allocated to the north of Penkrige outside of the Green Belt, this site has also been selected for allocation reflecting its lower Green Belt harm and sustainable location. The site is within walking distance of a rail station and has good access to a nearby local centre, whilst also being on land of significantly less Green Belt harm than most other sites in both Penkrige and other Tier 1 and 2 villages. Therefore, given the need to release Green Belt at a strategic level and the merits of the site in relation to other Green Belt options in the district, the release of this Green Belt site is required to meet the housing target."

3.29 As indicated within the Topic Paper, the land at Boscomoor Lane, does not satisfy the fundamental aims of the Green Belt. Richborough Estates supports the conclusions of the Council's assessment that the site should be released from the Green Belt.

3.30 The conclusions of the Green Belt evidence has been taken forward in the Regulation 19 version of the Local Plan which confirms there are exceptional circumstances to justify the removal of the site from the Green Belt and allocate it for housing development.



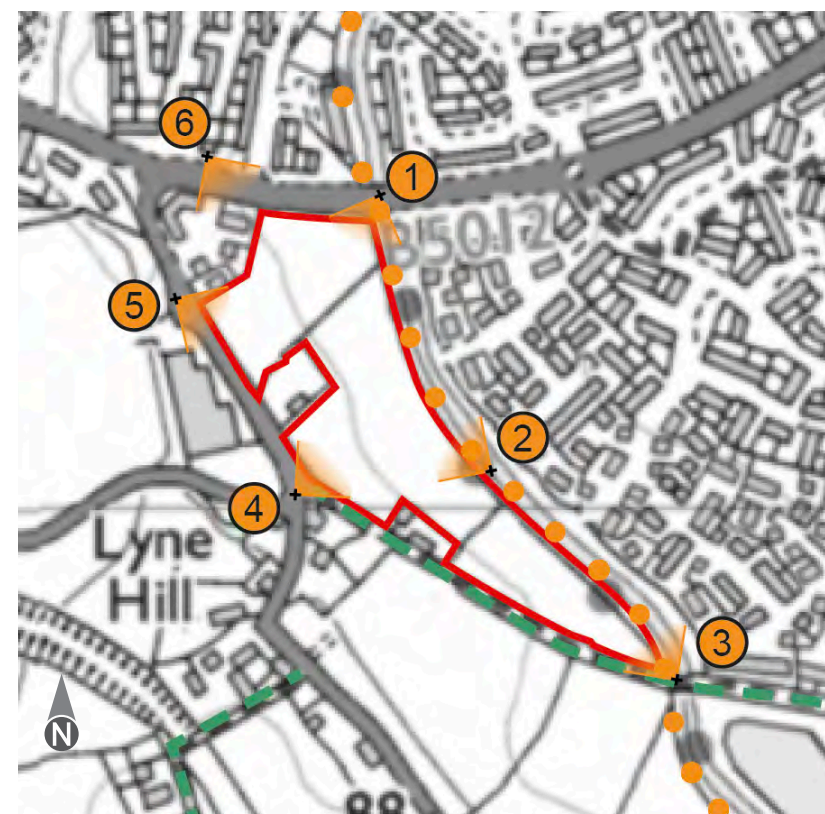
SOUTH STAFFORDSHIRE GREEN BELT STUDY | NOT TO SCALE



VIEWS

3.31 Views from within the site are limited and localised due to the urban influence restricting distant views and mature boundary vegetation adding to the contained nature.

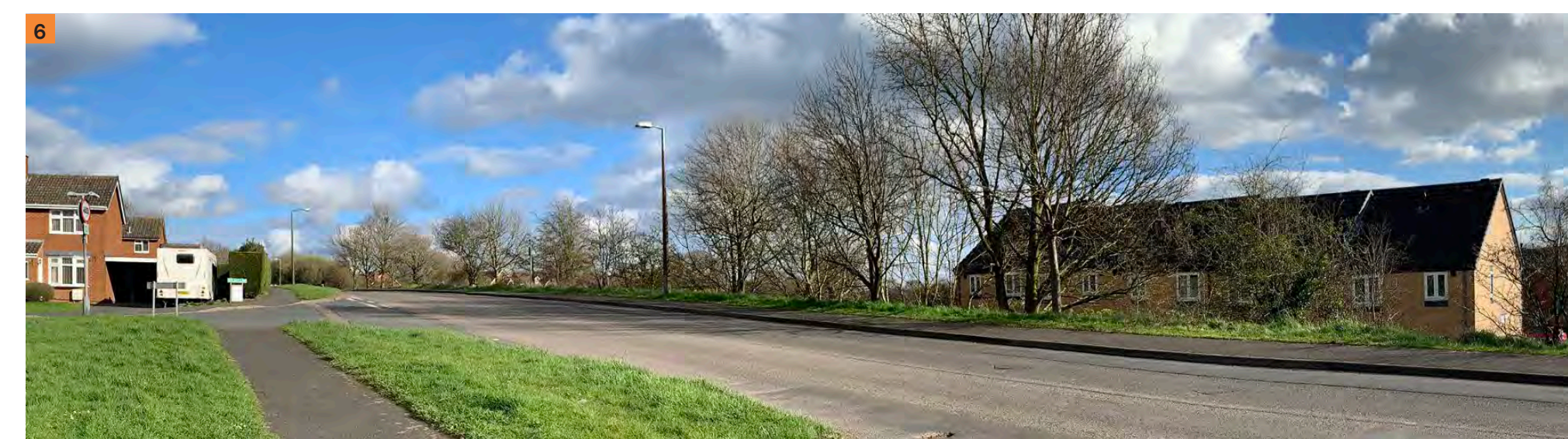
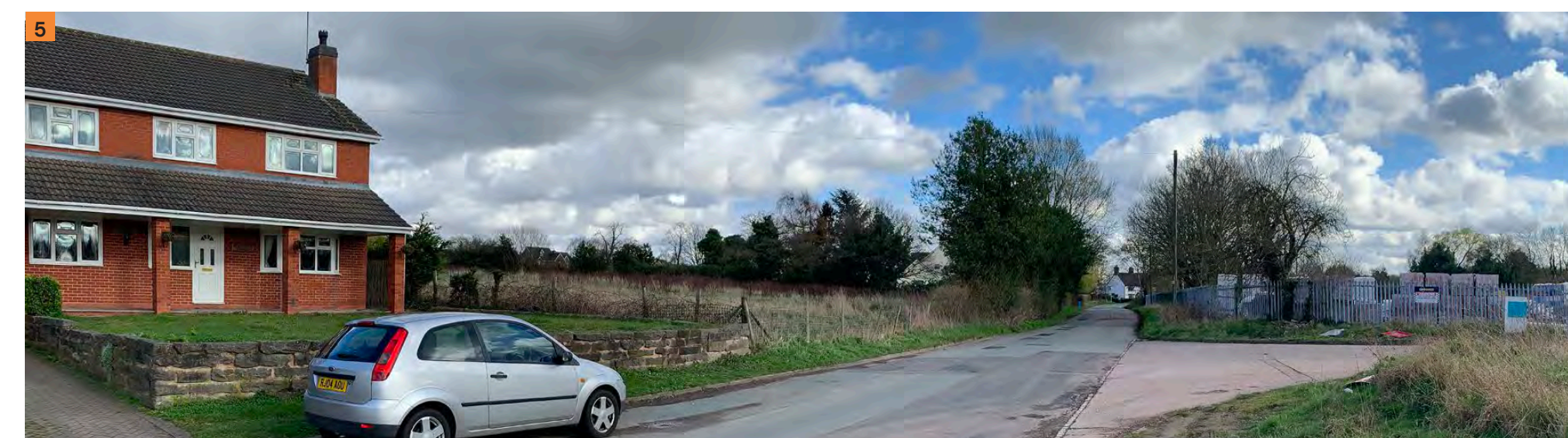
- **Viewpoint 1** shows the view from Wolgarston Way from the bridge over the Staffordshire and Worcestershire Canal to the north of the site. Views are possible across the northern field parcel, with glimpsed views towards the under- construction development off Boscomoor Lane to the west. The internal hedgerow separating the two irregular-shaped fields is gappy and provides only glimpsed views through at certain points when facing south. The viewpoint represents transient users and a number of residents of Wolgarston Way who would experience this view as part of their day-to-day experience.
- **Viewpoint 2** shows the view facing north west along the Cross Britain Way route adjacent to the Canal. It shows the maintained boundary hedgerow allowing for clear views between the site and the existing properties to the east.



VIEW LOCATIONS | NOT TO SCALE

- **Viewpoint 3** shows the view from the footpath Penkridge 19(a), on the bridge above the Canal facing north. The raised vantage point allows for glimpsed views towards the southern part of the site between intervening trees and boundary hedgerows.
- **Viewpoint 4** represents a view from where footpath 'Penkridge 19(a)' meets Boscomoor Lane to the west of the 5 site. Existing properties limit views across the site in addition to the boundary hedgerow and trees. Properties adjacent to the Canal to the east of the site are visible in the distance, providing a further urban influence to the view.
- **Viewpoint 5** shows the view further along Boscomoor Lane towards the site's north west corner facing south east. It shows the existing properties off Boscomoor Lane adjacent to the site boundary, with the entrance to the Persimmon development to the right which provides an urban influence to this boundary.
- **Viewpoint 6** shows the view from Wolgarston Way facing south east. Existing properties in the locality provide the urban context, although this view does highlight the level 6 change from the road to the site.

3.32 Overall, the main receptors of the site with potential visibility are transient users and residents of Wolgarston Way and Boscomoor Lane and recreational users of footpath 'Penkridge 19(a)' which runs along the site's eastern boundary adjacent to the Canal. With the design carefully ensuring the retention of key features such as the internal hedgerow and boundary vegetation, the visual context will remain largely unchanged with a limited nature and extent of views. No distant views are possible, with the proposed development providing no uncharacteristic features.



ECOLOGY

3.33 There are no statutory sites of nature conservation importance at an international (e.g. Special Areas of Conservation) or national (e.g. Sites of Special Scientific Interest) scale located within a 2km radius of the site.

3.34 There are no local nature conservation or wildlife sites within or adjacent to the site.



STAFFORDSHIRE AND WORCESTERSHIRE CANAL

FLOOD RISK & DRAINAGE

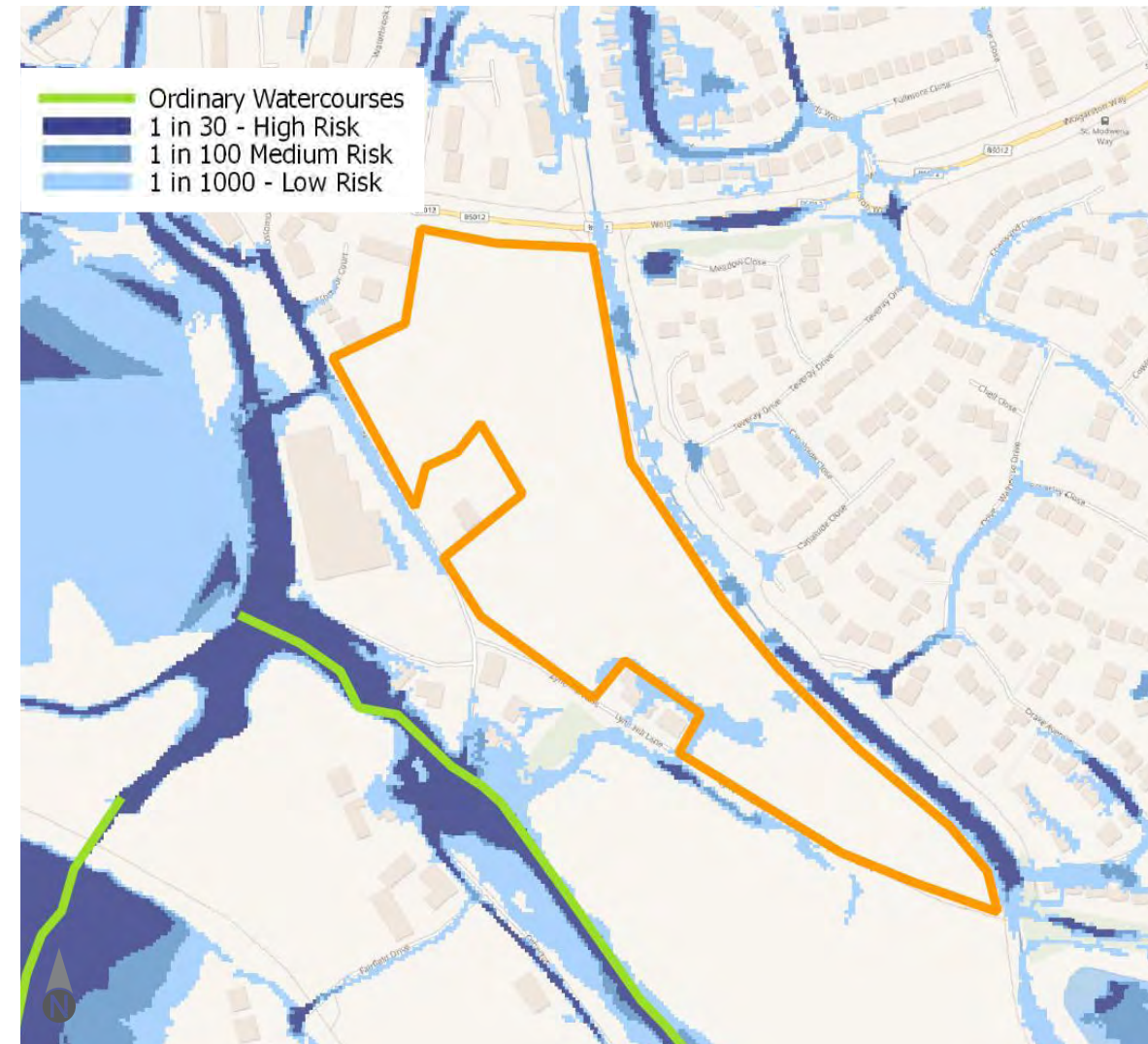
3.35 The published Environment Agency (EA) flood maps show the site is located entirely within Flood Zone 1, with the nearest EA Main River being the unnamed tributary of the River Penk, which is located approximately 50m west of the site.

3.36 The Staffordshire and Worcestershire Canal runs along the eastern boundary of the site. Further investigation is needed to better define the level of risk posed to the development, however, due to the controlled and maintained nature of canals, it is not expected to pose a barrier to development.

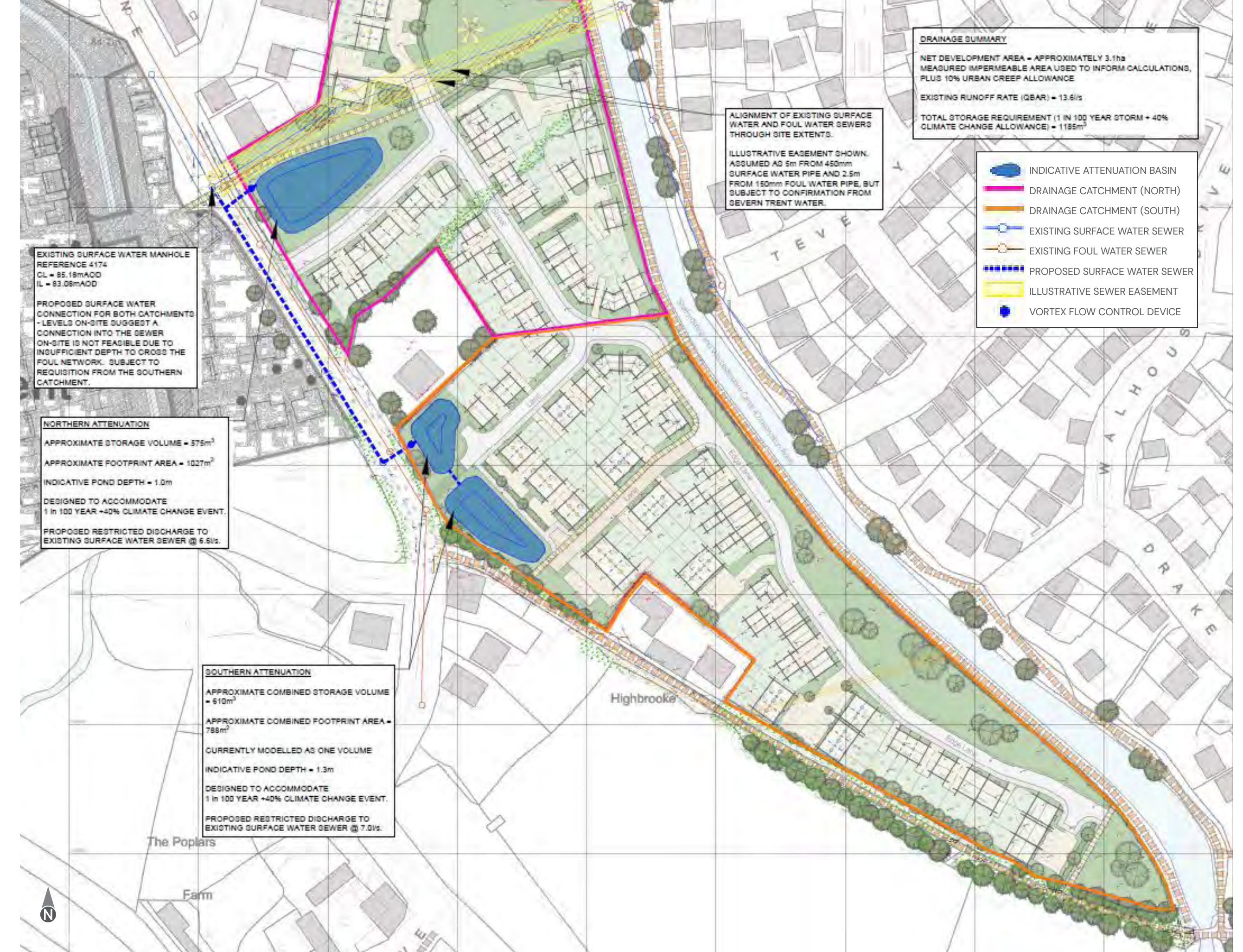
3.37 Underlying geology based upon British Geological Survey (BGS) mapping is identified to comprise of Sandstone with superficial deposits of till. Such a permeable geology has the potential for groundwater emergence. Further review of any available borehole records along with any relevant Strategic Flood Risk Assessment (SFRA) data, to understand the potential risk further.

3.38 A surface water and foul water sewer are present on the site, which will require a suitable easement. An alternative option could be to undertake a diversion of the sewers, both options would be subject to further consultation with STW at the appropriate juncture. The presence of the sewers on site is not thought to pose a significant flood risk to the development.

3.39 Through the application of Sustainable Urban Drainage Systems (SuDS), the additional surface water will be stored within the site and subjected to multiple stages of treatment to guarantee that the water quality in the wider drainage network is protected. Wherever possible SuDS features will be above ground to enhance the aesthetic amenity of the development and provide valuable habitats for the local wildlife. The attenuation provided will be appropriately sized to include an allowance for climate change. Example SuDS features that will be incorporated into the development wherever possible include attenuation basins, permeable paving and swales.



SURFACE WATER FLOOD RISK MAPPING | NOT TO SCALE



DRAINAGE STRATEGY | NOT TO SCALE



4
VISION





4 VISION

VISION

- To produce a living environment of the highest standard, with a clear and recognisable identity which reflects the local vernacular of Penkridge and contextual views;
- To provide a sustainable development comprising a range of houses, including family homes and smaller properties and significant new areas of publicly accessible open space to serve the village of Penkridge;
- To create a safe, attractive and secure neighbourhood, streets and places which promote social interaction which will afford access and movement priority to pedestrians and cyclists, including connectivity with the existing network of footpaths to local services and facilities;
- To provide a locally inspired and meaningful new green space network which enhances the character of the site and the natural and historic environment and creates a robust and enduring new Green Belt boundary;
- To deliver suitable, proportionate and appropriate Green Belt compensation measures; and
- To create a development that will enhance the attraction of Penkridge as a place to live and work, incorporating valued aspects of local character, heritage, landscape, visual amenity and biodiversity.





Development

Highbrooke

The Poplars

Farm

DRIVE

TEVERAY DRIVE

WALHOUSE DRIVE

DRAKE AVENUE

BEVERLEY

CHE TW YND

CO

LEY

AVENUE

5

INDICATIVE MASTERPLAN
AND DESIGN PRINCIPLES

INDICATIVE MASTERPLAN & DESIGN PRINCIPLES



LANDSCAPE STRATEGY | NOT TO SCALE



USE AND AMOUNT | NOT TO SCALE



ILLUSTRATIVE LAYOUT | NOT TO SCALE

- Key
- Application site boundary
 - Open space
 - Indicative surface water attenuation basin
 - Existing (retained) trees & hedgerow
 - Indicative proposed planting
 - Existing Public Rights of Way & towpaths
 - Proposed footpath links
 - Potential for children's play area (LAP)
 - Proposed Market Dwelling
 - Social Rented Tenure
 - Shared Ownership Tenure
 - Potential emergency access

Accommodation Schedule					
House Type	Bed	Total	House Sq Ft	Total Sq Ft	Summary (%)
Affordable					
R201	1	4	455	1,820	4 1%
R203	2	19	635	12,095	19 23%
R205	3	10	910	9,100	10 20%
R402	4	3	1,075	3,225	3 8%
Sub Total		36		26,240	
Market					
R201-B	2	5	700	3,500	5 9%
R202	2	11	620	6,820	11 20%
R301	3	8	990	7,940	
R302	3	8	1,000	8,000	
R303	3	4	835	3,340	
R304	3	4	1,070	4,280	
R401	4	5	1,080	5,400	
R403	4	3	1,535	4,605	
R404	4	6	1,290	7,740	
Sub Total		54		51,525	
Total		90		77,765	



Development

Highbrooke

The Poplars

Farm

Fairfield

6

DELIVERABILITY AND KEY BENEFITS



DELIVERABILITY & KEY BENEFITS

DELIVERABILITY

- 6.1 The site is a suitable area for housing as there are no physical, technical or environmental constraints preventing its development.
- 6.2 The Framework requires Local Planning Authorities to maintain delivery of housing land to meet their housing targets. To be considered deliverable, a site should be:
- **Available.** A site is considered available when there is confidence that there are no legal or ownership problems.
 - **Suitable.** A site is considered suitable for housing development if it offers a suitable location for development and would contribute to the creation of sustainable, mixed communities; and
 - **Achievable.** A site is considered achievable for development where there is a reasonable prospect that housing will be delivered on the site within five years, and in particular, development of the site is viable.

AVAILABLE

- 6.3 Richborough Estates has a legal agreement in place with the landowners and are in a position to progress with the promotion of the site for residential led development. There is no legal or ownership impediments which should prevent the land from being delivered for residential use.

SUITABLE

- 6.4 The site is suitable for residential development for the following reasons;
- It offers a suitable location for development and can be brought forward immediately following an allocation;
 - It would form a natural extension to the established village of Penkridge.

ACHIEVABLE

- 6.5 The site has been fully assessed in terms of its environmental considerations and it has been demonstrated that the delivery of the site is achievable and deliverable, and a team of technical consultants has been appointed to support the delivery of this site moving forward. Where technical constraints are identified, Richborough Estates will provide appropriate mitigation and invest in the site to ensure delivery.
- 6.6 Richborough Estates has reviewed the economic viability of the proposals in terms of the land value, attractiveness of the locality, level of potential market demand and projected rate of sales in Penkridge. These considerations have been analysed alongside cost factors associated with the site, including site preparation costs and site constraints. Richborough Estates can therefore confirm that the site is economically viable and therefore achievable.

GREEN BELT COMPENSATION

- 6.7 The removal from the Green Belt requires Green Belt compensation measures to be delivered. There are a range of compensatory measures which can be delivered to remaining Green Belt Land in the vicinity of the site.
- 6.8 This could include contributions towards improving the canal towpaths where it is in the Green Belt to improvements to other walking routes linking Penkridge and Cannock Chase.

KEY BENEFITS

- 6.9 Development of the site will contribute to building a strong, responsive and competitive economy. In particular, the delivery of new homes at the site will bring economic benefits during the construction, operational and commercial stages.
- 6.10 Overall, the provision of much needed additional open market and affordable homes in the District will contribute to building a strong, responsive, and competitive economy in line with the objectives of the NPPF.



7

SUMMARY AND CONCLUSIONS



SUMMARY AND CONCLUSIONS

- 7.1 This Vision Document demonstrates that there is a need to accommodate an increased level of housing within the District to meet future housing needs and there are exceptional circumstances to justify the need for Green Belt release to accommodate this as part of the Local Plan review.
- 7.2 The site at Boscomoor Lane is deliverable and its allocation in the Regulation 19 Local Plan should be retained. The site provides a logical location for development in Penkrige which could accommodate the site allocation policy minimum 80 new market and affordable homes. The site is however capable of delivering circa 100 dwellings as well as public open space without undermining the purposes of the Green Belt or adversely impacting upon the environment.
- 7.3 In summary, this Promotional Document has illustrated that the site would:
- Positively contribute to the identified need for new housing and create a range and mix of housing types that will make a positive contribution to the District's housing requirements;
 - Provide new Public Open Space with potential for the delivery of a children's play facility;
 - Deliver green corridors encompassing existing hedgerows & field boundaries where possible. The corridors provide for pedestrian permeability within the development;
 - Be sustainably located in an area of Penkrige bounded on three sides by the existing urban area and within close proximity of a wide range of services and facilities;
 - Provide financial contributions towards strategic infrastructure to support growth within Penkrige;
 - Accommodate a high-quality residential development with safe, attractive and secure neighbourhood, streets and places which promote social interaction which will afford access and movement priority to pedestrians and cyclists, including connectivity with the existing network of footpaths to local services and facilities;
 - Deliver suitable, proportionate and appropriate Green Belt compensation measures;
 - Provide a locally inspired and meaningful new green space network which enhances the character of the site and the natural and historic environment and creates a robust and enduring new Green Belt boundary; and
 - Create a development that will enhance the attraction of Penkrige as a place to live and work, incorporating valued aspects of local character, heritage, landscape, visual amenity and biodiversity.



DESIGN



ENVIRONMENT



PLANNING



ECONOMICS



HERITAGE

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DESIGN | ECONOMICS | ENVIRONMENT | HERITAGE | LAND & PROPERTY | PLANNING | TRANSPORT & INFRASTRUCTURE



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