

	<p>Local Plan Publication Stage Representation Form</p>	<p>Ref:</p> <p>(For official use only)</p>
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Name of the Local Plan to which this representation relates:

**South Staffordshire Council
Local Plan 2023 - 2041**

Please return to South Staffordshire Council by 12 noon Friday 31 May 2024

This form has two parts –
 Part A – Personal Details: need only be completed once.
 Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

Part A

1. Personal Details*

2. Agent's Details (if applicable)

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

Title	Mr	
First Name	Richard	
Last Name	Brown	
Job Title (where relevant)	Senior Director	
Organisation (where relevant)	CBRE	
Address Line 1	55 Temple Row	
Line 2	Birmingham	
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Post Code	B2 5LS	
Telephone Number	07788 302012	
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Part B – Please use a separate sheet for each representation

Name or Organisation:

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

Paragraph	4.1, 5.60, 5.61, 6.48, 10.3, 10.6, 13.12, 13.14	Policy	Strategic Objective 6, DS4, DS5, SA5, EC1, EC2, NB6B, and NB6C	Policies Map	15
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4. Do you consider the Local Plan is :

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

Please tick as appropriate

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

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

Our representations focus on the soundness of the Local Plan. Please see our full representations, which are provided in our separate West Midlands Interchange representations document dated May 2024, for further detail. Provided below is a summary detailing our consideration of the four tests of 'soundness' set out within the NPPF.

a) Positively Prepared

- We do not contest the strategy for collecting data or preparing the evidence base for the draft Local Plan. We consider that the allocation selection for the sites set out within Policies SA3 and SA5 meet the area's objectively assessed needs.
- It is however considered that the decision to retain the West Midlands Interchange ("WMI") allocation within the Green Belt instead of reviewing the Green Belt Boundaries to remove the site does not allow for the effective delivery of the employment allocation within the plan. Retention of the Green Belt



designation will provide unnecessary restrictions to any future Town and Country Planning Act Applications coming forward in an area with an extant Development Consent Order consent where development has commenced.

b) Justified

- No significant justification has been provided for not reviewing the Green Belt boundaries for just the WMI allocation. The NPPF sets out that authorities are not required to review their Green Belt boundaries, however other Green Belt land has been released within this plan for housing delivery. As such, a review of the Green Belt boundaries has been undertaken as part of the local plan.
- Moreover, it is noted that in the Regulation 18 and previous Regulation 19 Draft Plans, the developable area (minus community park areas) of WMI were shown as being removed from the Green Belt. There has been no justification provided as to the change to the previous two plans to now wash over the entire of WMI with Green Belt.

c) Effective

- The draft local plan includes development management policies that are not considered to be effective due to their wording.
- Policies EC1 and EC2 support the delivery of employment land 'in line with their allocation and/or substantive planning permission'. Reference to 'and/or substantive planning permission' does not allow for variations to extant consents in order to effectively deliver employment sites to meet operational needs. As such, in order for the policies to be effective, this wording should be removed from both policies.
- Policies NB6B and NB6C support energy efficiency on new non-residential development. To effectively deliver these policies the wording should be more precise, and set out specific parameters for developers to comply with.
- Finally to support the effective delivery of West Midlands Interchange within the plan period, the site should be removed from the Green Belt to allow for the effective and efficient delivery of this employment allocation without the need to demonstrate 'very special circumstances' for any future development that may be necessary, particularly to meet the operational needs of occupiers of the site. The site, by reason of its extant DCO, has already been assessed against 'very special circumstances' for removal of the site from the Green Belt by the SOS.

d) Consistent with National Policy

- In line with Paragraphs 142, 145, 147 and 148 of the NPPF we contest that the washing over of the E33 allocation with the



Green Belt designation (i.e. excluding the WMI Green Infrastructure) would be inconsistent with the key Green Belt characteristics of openness and permanence. The construction of WMI commenced in July 2023, with preliminary earthworks to enable the development of the site, which will comprise urban form.

- The DCO grants development of rail-served warehousing, rail freight terminal and associated infrastructure outwith the WMI Green Infrastructure areas identified on site allocation E33.
- The allocation, in combination with the extant DCO, means that the site will no longer be consistent with the key Green Belt characteristics of openness and permanence.
- As set out in the Regulation 18 Issues and Options Plan and Regulation 19 Publication Plan, it has been accepted by the LPA previously that exceptional circumstances exist to justify the re-alignment of the Green Belt boundary to remove the developable area and retain the WMI Green Infrastructure area within the West Midlands Green Belt. The acceptability of WMI in this location, has also been considered by the Secretary of State in his determination of the DCO, which has been made and has been implemented.
- Therefore, the proposed Green Belt boundary should revert to the previous Regulation 19 Publication Plan approach of excluding E33 from the Green Belt and including the WMI Green Infrastructure areas within the Green Belt.

For our full representations please see the separate document 'SSDC Local Plan Review – Publication Plan (West Midlands Interchange), dated May 2024.'

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

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



We proposed the following re-wording of the policies set out below (additional text in **bold**, removal of text ~~strike-through~~):

- Strategic Objective 6: to reflect logistics as one of SSDC's key sectors: '*Strategic Objective 6 sets out a strategy for economic development. The strategy seeks to retain existing employment and fosters sustainable economic growth, encouraging inward investment and job creation in key sectors such as advanced manufacturing **and logistics** and providing the skills to enable residents to access these jobs.*'
- Policy SA5: *The WMI employment site allocation (E33) is for a Strategic Rail Freight Interchange (SRFI) and will be progressed in-line with the Development Consent Order (DCO) that was granted permission on 4 May 2020. As noted, the DCO was implemented in July 2023. ~~WMI remains washed over by Green Belt.~~*
- Policy EC1: *There will be strong in principle support for employment development within the development boundaries of these sites that is in line with their allocation ~~and/or substantive planning permission~~ and that result in significant job creation.*
- Policy EC2: '*There will be strong in principle support for employment development within the development boundaries of these sites that is in line with their allocation ~~and/or substantive planning permission~~ and that result in significant job creation.*

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



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

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

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

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

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

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

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

Given that West Midlands Interchange is a major employment allocation within the draft local plan and a piece of nationally significant infrastructure we consider necessary to, in particular, present our argument for the removal of this site from the West Midlands Green Belt within the Local Plan to the Inspectorate. The site, by nature of its scale, extant consent, national significance and permanence should be removed from the Green Belt (less the Green Infrastructure areas) in line with the DCO and in accordance with the approach taken by the LPA in the previous versions of the draft local plan.

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

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

Data Protection

Your details will be added to our Local Plans Consultation database so that we can contact you as the review progresses. South Staffordshire Council will process your personal data in accordance with the Data Protection Act 2018 and the General Data Protection Regulations (GDPR). Our Privacy Notice can be viewed at [Data Protection \(Strategic Planning\) | South Staffordshire District Council \(sstaffs.gov.uk\)](#)

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