



RESPONSE TO QUESTIONS POSED BY PREFERRED OPTIONS LOCAL PLAN CONSULTATION (2021)

D Morgan PLC / Site references: 116 + 131 and adjacent land

Introduction

This submission dated 13 December 2021 replaces that made on 10 December 2021.

Peacock + Smith are instructed on behalf of our client D Morgan PLC to submit representations in response to South Staffordshire District Council's Preferred Options Local Plan (POLP) consultation. We are promoting land encompassed by site references: 116 + 131 and adjacent land (hereafter referred to as 'site refs: 116 and 131').

We will explain in these representations why we consider the emerging Local Plan to be flawed and unsound. The comprehensive and detailed representations we make are to assist the Council in producing a policy compliant Local Plan. Should the Council not comply with national policy, there is a risk that the Plan may be found unsound by an Inspector.

Inspector's Decision City of York Local Plan

Earlier this year, York City Council fell short of satisfying Green Belt policy adequately, and were advised at examination by the Inspector to "*give serious consideration*" to withdrawing the Local Plan and restarting the process again as the Plan was fundamentally flawed and could not be overcome without a comprehensively revised approach. This outcome emphasises the importance of ensuring adequate evidence and justification is incorporated throughout.

Promoted Site refs: 116 and 131 - Evidence

The entirety of our representations must be considered with each of the answers to each of the 12 consultation questions.

At the outset we raise these fundamental concerns to the Council:

- Our promoted sites 116 and 131 adjacent to Cheslyn Hay, a Tier 1 settlement, by definition, in compliance with the hierarchy must be considered first. Strategic Objective 2 / Policy DS3 applies, as does NPPF para 11, 16, 105 and 142.
- Paragraph 142 concerning release of Green Belt land is prescriptive and makes it clear that the Council "*to release Green Belt land for development plans should give first consideration to land which has been previously-developed and/or is well-served by public transport*". The Council has not done so and has not provided any evidence for justification for not doing so.
- The 2017 baseline position of the Rural Services and Facilities Audit is out of date. It excludes the 2019 electrification of the Chase Line and latest passenger capacity and frequency information made possible by the 2019 electrification of the Chase Line, a key rail corridor into the GBHMA. The 2017 baseline which is out of date prejudices the assessment of promoted site refs: 116 and 131.
- Strategic Objective 2 / Policy DS3, Tier 1 settlements should be a priority but the allocated sites at Coven and Essington (site refs: 486c and 646a&b) are near remote Tier 3-5 settlements and by definition are not the most sustainable sites and are not well-served by public transport. This results in a policy conflict with Strategic Objective 2, Policy DS3 and NPPF 142, which all

make it clear beyond any doubt that if Green Belt sites are to be released, they must be policy compliant with local and national policy.

- Conflict with NPPF paras 11, 16, 105, 110 and 142 – to align growth with infrastructure. Sustainable development is public transport focused, providing a genuine choice of transport modes, limiting the need to travel. By definition Tier 1 sites and in particular our client's sites ref: 116 and 131 achieve and satisfy these policy requirements. By definition (refer to the hierarchy) neither Tier 3-5 settlements Coven or Essington achieve this (site refs: 486c and 646a&b) and this policy conflict has not been justified and/or has been ignored.
- Strategic allocation at Penkrige – leapfrogs green belt and is furthest from the Greater Birmingham Housing Market Area where the need arises, creating long journeys in conflict with locating sustainable development to achieve short journeys through limiting the need to travel NPPF para 105.
- Our client's compliant sites ref: 116 and 131 have not been prioritised in line with the settlement hierarchy, adjacent to Cheslyn Hay, a Tier 1 settlement and have not been allocated but should be. We will evidence and demonstrate why in these detailed and comprehensive representations before there is any allocation for housing on Tier 3-5 settlements at Coven or Essingham (ref: 486c and 646a&b).

In response to the Council's consultation questions, and our Appendices 1-8 of these representations, we have given full consideration to compliance with Strategic Objective 2, Policy DS3, and NPPF paras 11, 16, 105, 110 and 142.

Para 142 states that "*where it has been concluded that it is necessary to release Green Belt land for development, plans should give first consideration to land which has been previously-developed and/or is well-served by public transport*".

On site refs: 116 and 131, which are adjacent, we provide evidence that our client's sites do comply with para 142 release of Green Belt land, which are located in highly sustainable locations that are well-served by public transport with a genuine choice of transport modes. Para 105 makes it clear "*significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes*".

By definition, using the settlement hierarchy Tier 1 sites are better located than Tier 3-5 sites and therefore national policy (and the Council's local policies) make it clear that development should be prioritised in or adjacent to Tier 1 locations.

Our client's sites ref: 116 and 131 are also within the Catchment Area of Cannock Town Centre with its range of shops, retail parks, leisure outlets and other services including bus station for onward journeys to a wide range of destinations accessible within 10-15 minutes from our client's sites which have access to the extensive bus network and also have access along an existing traffic-free green infrastructure route for walking/cycling, connecting our client's sites to Landywood Station on the Chase Line, a key rail corridor into the GBHMA.

The Council have not given first consideration to NPPF para 142 and have failed to explain and justify its allocation of inferior, less sustainable Tier 3-5 sites at Coven and Essington (486c and 646a&b) which are not well-served by public transport.

NPPF para 142 is paramount in considering policy-compliant sites first in assessing the release of Green Belt land for development.

We deal with the Council's flawed assessment process in answer to Question 1.



For the Council to release Green Belt land for development, the emerging Plan should give first consideration to our client's sites, otherwise the Council is in conflict with para 142.

For convenience we have provided Appendices 1-8 to demonstrate policy compliance with local and national policy which must be read with our answers to each of the 12 consultation questions.

Promoted Site refs: 116 and 131 – Evidence. The Appendices included are as follows:

- Appendix 1: Footpath Connections from site refs: 116 + 131, well connected to Tier 1 Cheslyn Hay/Great Wyrley and Landywood Railway Station
- Appendix 2: Green Infrastructure potential of promoted site refs: 116 + 131, including reference to SHELAA 2018: *"site also suggested for open space and safeguarded land for recreational use"*.
- Appendix 3: Rural Services and Facilities Audit extract (Tier 1 Cheslyn Hay)
- Appendix 4: 2019 Site Promotion document extract evidencing services and facilities available in Tier 1 Cheslyn Hay with distances
- Appendix 5: Rail accessibility and distances from the Housing Site Selection Topic Paper to nearest train stations
- Appendix 6: Accessibility to hospitals, extract from Issues + Options Consultation document 2019
- Appendix 7: Cannock Town Centre Bus Network and Connectivity from bus station
- Appendix 8: Access to major employment with road and rail access from Tier 1 Cheslyn Hay
- Appendix 9: Long-term new settlement proposal (post 2038)

We remind the Council of our previous engagement and representations, evidencing all of the above, and set these out on page 12 of this representation.

Policy Requirements

In responding to the Council's questions, we acknowledge that although in most cases the Council have made reference to the correct policies, however, we point out that the Preferred Options strategy and allocations (principally the allocations at Coven and Essington (site refs: 486c and 646a&b) totalling 2,400 houses) are in conflict with the Council's own policies and in conflict with the overarching national policies and we further point out that referable to the Table provided by the Council that we have reproduced on page 18 that the Council have not acted transparently.

This Table is potentially misleading because the 2,400 homes are not shown within any Tier of the settlement hierarchy.

To inform the answers to the 12 consultation questions, we set out the key policies on the following pages which the Council must comply with, but have failed to do so.

The Council's compliance or not will be examined in due course at the public examination into the Local Plan and the Inspector's decision in the City of York Local Plan examination is relevant which the Council should have regard to in addressing its failings which we bring to the Council's attention.

Strategic Objective 2 (as amended in bold, see below and Question 3 of this consultation response) reads as follows:

*Strategic Objective 2: Meet the housing needs of the District whilst making a proportionate contribution towards the unmet needs of Greater Birmingham Housing Market Area. New development will be focused on sustainable locations within the District, **well-served by public transport**, either within or adjacent to the District's key villages or through urban extensions adjacent to neighbouring towns and cities.*

Policy DS3 of the POLP draws on the findings of the Rural Services and Facilities Audit (below), stating that an **integral** part of the Strategy will be to **ensure** that growth is “located at the most accessible and sustainable locations in accordance with the settlement hierarchy... avoiding a disproportionate level of growth in the district's less sustainable settlements”.

It goes on to acknowledge that the District's Tier 1 settlements hold a wide range of services and facilities, stating they “have access to key rail corridors into the adjacent towns and cities upon which the district relies for its higher order services and employment”.

Para 2.3 of the Rural Services and Facilities Audit further notes

“...it is clear that the NPPF 2021 emphasises the importance of the following matters: [inter alia]

- ***Maximising the opportunities to use existing and proposed transport infrastructure;***
- ***Limiting the need to travel, offering a genuine choice of transport modes and maximising sustainable transport solutions”***

National Planning Policy Framework (NPPF) 2021

NPPF paragraph 11 promotes sustainable patterns of development:

11a) all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects...

NPPF paragraph 16 states that Plans should *inter alia*:

- a) be prepared with the objective of contributing to the achievement of sustainable development;*
- b) be prepared positively, in a way that is aspirational but deliverable;*
- c) be shaped by early, proportionate and effective engagement between planmakers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees...*

NPPF Para 105 is specific in telling the local authority how to achieve sustainable development, stating that:

“Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes”.

NPPF Para 110 does not promote development of this nature, stating:

In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that inter alia:

- *appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location...*

NPPF Para 142 is mutually compatible with paras 16, 105 and 110:

142. When drawing up or reviewing Green Belt boundaries, the need to promote sustainable patterns of development should be taken into account. Strategic policymaking authorities should consider the consequences for sustainable development of channeling development towards urban areas inside the Green Belt boundary, towards towns and villages inset within the Green Belt or towards locations beyond the outer Green Belt boundary. Where it has been concluded that it is necessary to release Green Belt land for development, plans should give first consideration to land which has been previously-developed and/or is well-served by public transport. They should also set out ways in which the impact of removing land from the Green Belt can be offset through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land.

We evidence throughout our representations that our client's adjacent sites refs: 116 and 131 are compliant with all of the above key local and national policies.

Our client's promoted sites:

- ***Maximising the opportunities to use existing and proposed transport infrastructure***
- ***Limiting the need to travel, offering a genuine choice of transport modes and maximising sustainable transport solutions***

Throughout these representations we will demonstrate that the Council has failed to achieve compliance with the above and appears to have ignored the above in preferring the allocation of non-compliant Tier 3-5 sites at Coven and Essington (refs: 486c and 646a&b) for 2,400 homes.

In contrast our client's sites have been previously developed and/or are well-served by public transport and do offer a genuine choice of transport modes and limit the need to travel because they are located to Cheslyn Hay, a Tier 1 location and are located in the Cannock Town Centre catchment area and within proximity to major employment sites (Appendices 3-8).

We will show in our answer to Question 1 that our client's sites 116 and 131, located adjacent to a Tier 1 settlement benefitting from the "greatest access to services and facilities" with "food stores, a wider range of services and facilities than other villages, a range of education establishments, access to a train station and good access to employment and wider facilities outside the village via public transport".

Tier 3-5 sites lower down the hierarchy perform poorly, yet we will demonstrate in Question 1 in relation to the Sustainability Appraisal assessment which we reproduce, and in relation to Number 12 of the assessment, that in relation to our client's promoted sites, they are assessed with "poor" sustainable access to employment opportunities whereas the Council's proposed allocations at Coven and Essington are both assessed with "reasonable" access to employment opportunities.

There are no circumstances in which this can be correct based on the settlement hierarchy.

We also address Green Belt "compensatory improvements" referable to NPPF para 142 and we say we can achieve the proposals first set out in 1996 Local Plan Policy R6, "The restoration proposals for the site will create an amenity /nature conservation area of great value to the community", as offered in

the 2006 housing appeal (ref: APP/C3430/ A/06/2019854) and as set out in the 2018 SHELAA: “*site also suggested for open space and safeguarded land for recreational use*”, as set out in Appendices 1-2. The Council’s current proposals in the emerging Local Plan make no reference to these requirements and we state they should be restated in the emerging Local Plan to support our client’s sites proposed housing allocations on site refs: 116 and 131.

Paras 105 and 142 are prescriptive.

Para 105 states development:

“should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes”.

Para 142 requires plans to give first consideration to land that is well-served by public transport:

“Where it has been concluded that it is necessary to release Green Belt land for development, plans should give first consideration to land which has been previously-developed and/or is well-served by public transport”.

The current Preferred Options Local Plan has proposed sites for allocation that are poorly located with no railway stations, limited access to the bus network, with heavy reliance on the use of the private car, on the edge of remote Tier 3-5 settlements at Essington (site ref: 486c, 1,200 homes) and Coven (site ref: 646 a&b, 1,200 homes), which are in conflict with Strategic Objective 2 and Policy DS3 and NPPF paras 11, 16, 105, 110 and 142.

The Council has not complied with and/or has ignored para 2.3 of the Rural Services and Facilities Audit which further notes:

“...it is clear that the NPPF 2021 emphasises the importance of the following matters: [inter alia]

- Maximising the opportunities to use existing and proposed transport infrastructure;***
- Limiting the need to travel, offering a genuine choice of transport modes and maximising sustainable transport solutions”***

The Council have provided no evidence to justify why this obvious and overwhelming policy conflict is considered necessary in their assessment to release Green Belt sites for development in compliance with the overarching requirement of NPPF para 142.

The Council have also provided no evidence to show that they have given our client’s sites first consideration and have provided no justification for not allocating them.

Even the Council in its own Policy DS3/Strategic Objective 2 acknowledge it is not sustainable to place large-scale growth in remote, poorly served Tier 3-5 settlements with no railway station when there are other sites and settlements in the hierarchy (referrable to Policy DS3) that are well-served by public transport, with Railway Stations and which benefit from a wide range of services and facilities adjacent to Tier 1 settlements which by definition have access to key rail corridors and a railway station.

Our client’s promoted sites ref: 116 and 131 are additionally in the catchment of Cannock Town Centre and benefit from its extensive bus network, with its bus station for onward journeys and vast array of bus services (Appendix 7). The bus station is accessible from bus stops immediately adjacent to our client’s sites and in Cheslyn Hay within a short journey time of 10-15 minutes, accessing shops, retail parks, leisure outlets, employment opportunities and other services found in Town Centres.



Our client's promoted sites ref: 116 and 131 also benefit from existing Active Travel green infrastructure, providing a car-free route for walking/cycling within 2km to Landywood Railway Station (Appendix 1-2), a key rail corridor for commuting into the adjacent towns and cities in the GBHMA upon which the district relies for its higher order services and employment (Appendices 5-8).

Approximately 21% of the District's working population live and work in South Staffordshire, with the majority commuting outside the District (79%).

If they are to travel sustainably, these people need access to an extensive bus network and/or key rail corridor, which are all features that the Council should consider in releasing Green Belt land to promote opportunity and employment.

We consider that now is an appropriate time to recognise that our client's adjacent sites (ref: 116 and 131) are overwhelmingly policy compliant, including with NPPF Para 105 requires that development:

"should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes".

NPPF para 142 also requires:

"plans should give first consideration to land which has been previously-developed and/or is well-served by public transport".

We invite the Council, in accordance with local and national policy, to meet with us following the close of this consultation to discuss bringing the adjacent sites (ref: 116 and 131) forward as allocations.

Preferred Options Local Plan policies

In the POLP, Strategic Objective 2 reflects national policy, but the proposed remote Tier 3-5 allocations with poor services and no railway station referable to the settlement hierarchy are non-compliant with Strategic Objective 2.

They are also in conflict with NPPF paras 16, 105, 110 and 142.

Strategic Objective 2 (as amended in bold, see below and Question 3 of this consultation response) reads as follows:

*Strategic Objective 2: Meet the housing needs of the District whilst making a proportionate contribution towards the unmet needs of Greater Birmingham Housing Market Area. New development will be focused on sustainable locations within the District, **well-served by public transport**, either within or adjacent to the District's key villages or through urban extensions adjacent to neighbouring towns and cities.*

Strategic Objective 2 is prescriptive. It requires new development to be focused on sustainable locations and is specific as to where these locations must be, namely "*within or adjacent to the district's key villages or through urban extensions adjacent to neighbouring towns and cities*".

Refer to Appendices 3-8 which demonstrate the difference in compliance with Strategic Objective 2 between our client's sites at Tier 1 Cheslyn Hay/Great Wyrley with a railway station, accessing the Chase Line, a key rail corridor into the GBHMA, and within the catchment area of Cannock Town Centre accessing a bus station with extensive bus network for onward journeys and the Council's proposed poorly-located allocations at remote Tier 3-5 Essington and Coven (site refs: 486c and 646a&b) which



are in conflict with Policy DS3 which requires growth to be “located at the most accessible and sustainable locations in accordance with the settlement hierarchy...”.

In the Rural Services and Facilities Audit 2021, a baseline position of 2017 is still erroneously being used when assessing the accessibility of sites/settlements, prejudicing the assessment of our client’s sites (refs: 116 and 131) as we will explain throughout these representations.

A 2017 baseline does not take into account the opening of the £110m Chase Line electrification upgrade of this key rail corridor for commuters into the GBHMA which has led to many benefits since the project was completed in 2019, including: speed increases; reduced journey times; increased passenger capacity owing to increased frequency and longer trains being accommodated; and reduction in CO₂ emissions to facilitate a future increase in passenger numbers. The Chase Line accesses Cannock (3 minutes journey time), Bloxwich (7 minutes), Walsall (13 minutes), Rugeley (14 minutes) and Birmingham New Street (34 minutes) for leisure, shopping and employment (Appendix 5).

Despite these many benefits now being in place for over two years (since 2019), the Rural Services and Facilities Audit 2021 erroneously continues to rely on data available in 2017.

The effect of this error is to misreport the service levels, frequency and capacity achieved since 2019 on the Chase Line.

The 2017 baseline position is significantly outdated and results in an unsound and flawed assessment. It specifically does not take into account the many benefits arising from the electrification of the Chase Line (2019), key rail corridor and commuter line into the GBHMA.

This prejudices any assessment of site refs 116 and 131.

The West Midlands Strategic Employment Study (2015) identified 2 regional employment sites within 5km of our client’s promoted sites - i54 is accessible from the M54 motorway Junction 2 and Hilton Cross is accessible from the M54 Junction 1. Both regional employment sites are accessible within a short 5-10 minute journey from site refs: 116 and 131 (see Appendix 8).

This has not been taken into account and prejudices any assessment of the accessibility of our client’s sites to employment opportunities.

Policy DS3 of the POLP draws on the findings of the Rural Services and Facilities Audit, stating that an *integral* part of the Strategy will be to *ensure* that growth is “located at the most accessible and sustainable locations in accordance with the settlement hierarchy... avoiding a disproportionate level of growth in the district’s less sustainable settlements”.

This means locating growth in or adjacent to Tier 1 settlements.

Policy DS3, like the Rural Services and Facilities Audit, acknowledges that the District’s Tier 1 settlements hold a wide range of services and facilities.

The Policy also goes on to say that these settlements “*have access to key rail corridors into the adjacent towns and cities upon which the district relies for its higher order services and employment*”.

It is extraordinary given that the District relies on higher order Tier 1 settlements for services and employment that the Council continues to prejudice the assessment of our client’s sites ref: 116 and 131 adjacent to Tier 1 Cheslyn Hay by maintaining an out-of-date 2017 baseline position with respect to public transport accessibility, both train and bus infrastructure and services.

The POLP currently fails to recognise the important role of the Chase Line as a key rail corridor into the Greater Birmingham Housing Market Area (including increased passenger capacity and frequency following electrification in 2019 at a cost of £110m) in providing connectivity to nearby settlements, towns and cities in the GBHMA “upon which the district relies for its higher order services and employment”.

From Landywood Railway Station on the Chase Line, within walking distance of our client’s sites, Cannock can be reached in 3 minutes, Bloxwich in 7 minutes, Walsall in 13 minutes, Rugeley in 14 minutes and Birmingham New Street in 34 minutes.

Our client’s sites have not been allocated despite their close proximity to the GBHMA and easy access using this key rail corridor adjacent to the Tier 1 settlement Cheslyn Hay/Great Wyrley and located within Cannock Town Centre catchment area, well-served by public transport and well-served by a genuine choice of transport modes with high-frequency services both rail and bus (Appendices 5-7).

Policy DS3 confirms that sustainable growth of these larger Tier 1 settlements will be delivered through appropriate allocations made in the Local Plan.

The proposed growth in the POLP is not sustainable; the allocated sites at remote Tier 3-5 Essington (site ref: 486c) and Coven (site ref: 646 a&b) do not satisfy the policy’s requirements.

The Council does not explain how it can justify allocating sites in conflict with Policy DS3.

We further draw attention to this obvious conflict in responding to the consultation questions.

Policy DS3 goes on to reaffirm that an infrastructure-led approach will be followed...

*“with growth located at the most accessible and sustainable locations in accordance with the settlement hierarchy... An **integral** part of the Strategy will be to **ensure** that growth is distributed to the district’s most sustainable locations, avoiding a disproportionate level of growth in the district’s less sustainable settlements”.*

The key phrase – “in accordance with the settlement hierarchy” – is prescriptive.

Key words in Policy DS3 are “**integral**” and “**ensure**”; these words mean no change and no compromise.

As we have pointed out, Tier 3-5 Coven and Essington of the settlement hierarchy are by definition not the most sustainable locations for development, with no train station, limited bus network, and poor services and facilities.

The Council are therefore not complying with Policy DS3, in accordance with the settlement hierarchy, and an **integral** part of the strategy is not being achieved.

The Council does not **ensure** that growth is distributed to the District’s most sustainable locations.

We again refer to Para 2.3 of the Rural Services and Facilities Audit which further notes

“...it is clear that the NPPF 2021 emphasises the importance of the following matters: [inter alia]

- ***Maximising the opportunities to use existing and proposed transport infrastructure;***
- ***Limiting the need to travel, offering a genuine choice of transport modes and maximising sustainable transport solutions”***

Tier 1 Settlements

Tier 1 settlements in the District are identified as being Penkridge, Codsall, Bilbrook and Cheslyn Hay/Great Wyrley.



These Tier 1 settlements hold a wide range of services and facilities and “*have access to key rail corridors into the adjacent towns and cities upon which the district relies for its higher order services and employment*”.

Despite this, the Council have assessed our client’s sites as having poor access to employment, which is a clear and obvious error.

In stark contrast the Council have assessed the proposed Tier 3-5 sites as having reasonable access to employment which is also a clear and obvious error.

Tier 1 settlements by definition are considered to be the most sustainable locations to locate growth “*in accordance with the settlement hierarchy*”, Policy DS3 applies. Tier 1 settlements are also confirmed to “*have access to key rail corridors into the adjacent towns and cities upon which the district relies for its higher order services and employment*”. Policy DS3 applies.

Despite this conflict with the settlement hierarchy, The Council’s preference is to allocate 2,400 homes in Coven and Essington, Tier 3-5 locations, with no railway station, limited bus network and poor services and facilities, departing from Policy DS3 rather than allocating our client’s sites which the Council have excluded from its assessment by using a 2017 baseline position, despite them having access to a key rail corridor, the Chase Line, into adjacent towns and cities within the GBHMA upon which the District relies for its higher order services and employment.

Approximately 21% of the District’s working population live and work in South Staffordshire, with the majority commuting outside the District, making access to a key rail corridor, the Chase Line, an essential part of the emerging Local Plan to “*align growth with infrastructure*”, NPPF para 11(a).

Cheslyn Hay/Great Wyrley only have 5.8% of the Council’s housing requirement allocated to them, significantly less than all other Tier 1 settlements, despite being well-served by public transport, with a genuine choice of transport modes, including frequent bus services and Landywood station on the Chase Line, and being in the catchment area of Cannock Town Centre, with its significant range of shops, retail parks, facilities and employment opportunities limiting the need to travel.

Coven and Essington are identified as being lower down the settlement hierarchy as they “*hold a smaller range of services and facilities than Tier 1 and 2 settlements*”.

It therefore makes no sense as to why the Council prefer large-scale Green Belt release (2,400 homes in Coven and Essington), in conflict with NPPF paras 11, 16, 105, 110 and 142, on the periphery of these least accessible and least sustainable Tier 3-5 settlements when the Council acknowledges in its emerging policies that these are not the most sustainable locations “*in accordance with the settlement hierarchy*” (Policy DS3) for development and do not meet the aims of Strategic Objective 2, and do not comply with NPPF paras 11, 16, 105, 110 and 142, as set out above.

We also have concerns, as set out on pages 17-18, referable to the Spatial Housing Strategy, that the Council’s approach to its proposed allocations on sites 486c and 646a&b and how it has been presented is misleading.

We believe this approach chosen by the Council is not transparent, it results in a misinformed process and Plan.

We consider the Council’s current approach is flawed and unsound, and will not survive scrutiny at a Local Plan examination, not least because the Council has departed from its settlement hierarchy, Strategic Objective 2, Policy DS3, and is in conflict with NPPF paras 11, 16, 105, 110 and 142.

We believe that the Council should be aware of its non-compliance approach not least because para 2.3 of the Rural Services and Facilities Audit further notes:

“...it is clear that the NPPF 2021 emphasises the importance of the following matters: [inter alia]

- ***Maximising the opportunities to use existing and proposed transport infrastructure;***
- ***Limiting the need to travel, offering a genuine choice of transport modes and maximising sustainable transport solutions”***

For this reason, we go on to provide a detailed explanation in our representations to inform the emerging Local Plan.

Green Belt release - NPPF Para 142, land well-served by public transport

The POLP document confirms that the Council will be releasing Green Belt land to accommodate its housing requirement, which includes an additional 4,000 homes to satisfy need arising from the Greater Birmingham Housing Market Area.

These homes must be served by public transport with a genuine choice of transport modes to allow leisure, shopping and employment trips to be made in/out of the GBHMA.

Allocated sites must *“align growth with infrastructure”* to achieve sustainable development, and be well-served by public transport with a genuine choice of transport modes as per NPPF paras 11, 16, 105, 110 and 142.

Referrable to our client’s sites, there are a range of frequent public transport options and destinations available. On the Chase Line from Landywood Station, Cannock can be reached in 3 minutes, Bloxwich in 7 minutes, Walsall in 13 minutes, Rugeley in 14 minutes and Birmingham New Street in 34 minutes (Appendix 5).

There is also a well-established bus network and bus station, with services regularly operating to a range of destinations (Appendix 7). It is a 10-15 minute trip from Cheslyn Hay to Cannock Bus Station.

Para 105 unambiguously states:

“Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes”.

Para 142 unambiguously states that in preparing a Plan,

“Where it has been concluded that it is necessary to release Green Belt land for development, plans should give first consideration to land which has been previously-developed and/or is well-served by public transport”.

A Local Plan approach which departs from these national policy requirements, NPPF paras 105 and 142, would result in an unsound Plan.

Green Belt release – NPPF Para 142, plans should give first consideration to land that is previously developed

Site ref: 116 is currently occupied by Champions Wood Quarry. It is considered an area suitable to accommodate additional housing in Cheslyn Hay/Great Wyrley. In the 1996 Local Plan Policy R6 states: *“The restoration proposals for the site will create an amenity/nature conservation area of great value*



to the community” as offered in the 2006 housing appeal (ref: APP/C3430/ A/06/2019854) and as set out in the 2018 SHELAA: “site also suggested for open space and safeguarded land for recreational use” (Appendices 1-2).

The Mineral Planning Authority did not object to the Planning Appeal and the housing development now proposed on adjacent sites ref 116 and 131 will provide the above requirements which should be carried forward into the emerging Local Plan as part of a housing allocation on our client’s promoted sites.

Site ref: 131 incorporates the following planning consents:

- 89/00885 (Change of use to golf driving range)
- 90/00341 (clubhouse, tennis courts and additional parking for driving range)
- 94/00507 (9-hole golf course putting green and mounding) approved in 1989 and 1994.

Development commenced in relation to the above but the developer failed.

An entrance from Wolverhampton Road (B4156) was constructed and exists into the golf course development.

Site ref: 131 is considered an area suitable to accommodate additional housing in Cheslyn Hay/Great Wyrley.

Both sites, which are adjacent, are in a sustainable location, exceptionally well-served by public transport, both a key rail corridor and extensive bus network. Additionally, the sites are within the catchment area of Cannock Town Centre, with its shops, retail parks, leisure outlets and employment opportunities, facilities and services, where there is a bus station providing public transport for all age groups and mobilities. Refer to Appendices 3-8 which demonstrate how our client’s sites are in a sustainable location, well-served by a range of public transport modes, accessible for all age groups and mobilities with excellent connectivity from numerous routes.

The requirement of NPPF para 142 for Green Belt “*compensatory improvements*” can be satisfied in the allocation of our client’s sites as they can incorporate the proposal as set out in the 1996 Local Plan Policy R6: “*The restoration proposals for the site will create an amenity /nature conservation area of great value to the community*” carried through into the 2018 SHELAA: “site also suggested for open space and safeguarded land for recreational use” (Appendix 1-2).

We say these policy requirements should be carried forward into the emerging Local Plan as part of a housing allocation on sites 116 and 131 which would mirror the approach taken in the 2006 housing appeal (ref: APP/C3430/ A/06/2019854) to incorporate 7.7ha woodland for green infrastructure and recreation purposes which was not opposed by the Mineral Planning Authority in 2006.

Previous Council engagement

Since 2019, the full list of documents submitted to the Council are as follows:

- Call for Sites: Site Refs 116, 131 and adjoining land, Peacock + Smith (July 2019)
- South Staffordshire District Council Local Plan Spatial Housing Strategy and Infrastructure Delivery Consultation Response, Peacock + Smith (December 2019)
- South Staffordshire District Council Infrastructure Delivery Plan (IDP), Peacock + Smith (February 2020)

- Technical Transport Note, Bryan G Hall (February 2020)

We have previously discussed the promoted land with Officers at a meeting held at South Staffordshire District Council's offices on 28 October 2019. In advance of this meeting, Officers were sent a detailed Call for Sites site promotion document setting out the sites' merits, with particular emphasis on limiting the need to travel and offering a genuine choice of transport modes (para 105) on sites well-served by public transport to which the Council should give first consideration (para 142) (see Appendices 3-8).

We also set out how the proximity to employment opportunities will limit the need to travel. This is again conveyed to the Council in Appendix 8.

At the meeting, Officers confirmed that the site promotion document had been reviewed and could be taken as 'read'. It was recommended to submit the document as part of the formal Local Plan consultation process and this was done in December 2019 in response to the Spatial Housing Strategy & Infrastructure Delivery consultation.

For this reason, we do not repeat the content of the previous submissions verbatim, but they must be read and considered alongside our representations being made to the POLP consultation.

Preferred Options Local Plan (POLP) consultation

The current POLP consultation document continues to include areas of Green Belt release, owing to the level of housing need including 4,000 homes arising from the GBHMA and very limited available brownfield sites (para 4.3). Our client's previously-developed promoted sites, located in the Green Belt, are not yet proposed for allocation by the Council.

Site ref: 116 is currently occupied by Champions Wood Quarry. It is considered an area suitable to accommodate additional housing in Cheslyn Hay/Great Wyrley.

Site ref: 131 incorporates the following planning consents:

- 89/00885 (Change of use to golf driving range)
- 90/00341 (clubhouse, tennis courts and additional parking for driving range)
- 94/00507 (9-hole golf course putting green and mounding) approved in 1989 and 1994.

Development commenced in relation to the above but the developer failed.

An entrance from Wolverhampton Road (B4156) was constructed and exists into the golf course development.

Site ref: 131 is considered an area suitable to accommodate additional housing in Cheslyn Hay/Great Wyrley.

Both sites are adjacent and in a sustainable location, well-served by public transport, with a well-developed bus network, accessible to all age groups and mobilities, with the Chase Line, a key rail corridor providing a genuine choice of transport modes including to hospitals (Appendix 6).

Additionally, both sites are within the catchment area of Cannock Town Centre, accessing shops, retail parks, leisure outlets, and employment opportunities, services and facilities for all age groups and mobilities within a 10-15 minute bus journey from our client's promoted sites to a bus station serving many other destinations.



Refer to Appendices 3-8 which demonstrate how our client's sites are in a sustainable location, well-served by existing green infrastructure for cycling/walking (these are the most sustainable travel modes) connecting our client's sites using existing green infrastructure routes to Tier 1 Cheslyn Hay/Great Wyrley and Landywood Railway Station (Appendix 1-2).

The requirement of NPPF para 142 for Green Belt "*compensatory improvements*" can also be satisfied in the allocation of our client's sites as they will incorporate the proposal as set out in 1996 Local Plan Policy R6: "*The restoration proposals for the site will create an amenity /nature conservation area of great value to the community*" as offered in the 2006 housing appeal (ref: APP/C3430/A/06/2019854) and carried forward into the 2018 SHELAA: "*site also suggested for open space and safeguarded land for recreational use*". The Mineral Planning Authority did not object to the housing Planning Appeal and our current proposals for housing development could now provide the above requirements which should be carried forward into the emerging Local Plan as part of a housing allocation "*of great value to the community*".

Cheslyn Hay is identified as a Tier 1 Settlement in the Rural Services and Facilities Audit 2021, along with four other settlements: Bilbrook, Codsall, Great Wyrley and Penkridge. These five locations are considered to be the locations with the "*greatest access to services and facilities*" typically having "*food stores, a wider range of services and facilities than other villages, a range of education establishments, access to a train station and good access to employment and wider facilities outside the village via public transport*" (Rural Services and Facilities Audit, pg 11).

Policy DS3 of the POLP draws on the findings of the Rural Services and Facilities Audit, reaffirming that an infrastructure-led approach will be followed "*with growth located at the most accessible and sustainable locations... in accordance with the settlement hierarchy*".

Policy DS3, like the Rural Services and Facilities Audit, acknowledges that the District's Tier 1 settlements hold a wide range of services and facilities. The Policy also goes on to say that these settlements "*have access to key rail corridors into the adjacent towns and cities upon which the district relies for its higher order services and employment*". Despite this, the approach taken by the Council in the POLP currently fails to recognise the important role which the Chase Line holds in providing connectivity to nearby settlements, towns and cities including the GBHMA. Our client's sites have not been allocated despite their close proximity and easy access to this key rail corridor and adjacent to the Tier 1 settlement of Cheslyn Hay and within the catchment area of Cannock Town Centre.

Policy DS3 confirms that sustainable growth of these larger Tier 1 settlements will be delivered through appropriate allocations made in the Local Plan. The proposed growth in the POLP is not sustainable; the allocated Tier 3-5 sites at Essington (site ref: 486c) and Coven (site ref: 646 a&b) do not comply with Strategic Objective 2.

Cheslyn Hay, including D Morgan PLC's promoted sites, benefits from exceptional public transport infrastructure with excellent, frequent services, including rail services on the Chase Line. Landywood railway station serves Cheslyn Hay/Great Wyrley and is the only station within South Staffordshire on the Chase Line, a key rail corridor into the adjacent towns and cities including within the GBHMA upon which the district relies for its higher order services and employment (see Appendices 3-8).

The Chase Line accesses Cannock (3 minutes journey time), Bloxwich (7 minutes), Walsall (13 minutes), Rugeley (14 minutes) and Birmingham New Street (34 minutes) for leisure, shopping and employment (Appendix 8). There is also a bus station and bus network (Appendix 7) which offers frequent services



for all age groups and mobilities to an extensive range of destinations, providing a genuine choice of transport modes.

For those who are too young to drive or those who cannot or do not wish to drive, Landywood Railway Station and access to the Chase line and access to the extensive bus network from our client's promoted sites (refs: 116 and 131) does not disadvantage them.

The electrification of the line, at a cost of £110m, has led to many benefits since the project was completed in 2019, including: wheelchair access to platforms facilitating rail access to all mobilities, with speed increases; reduced journey times; increased passenger capacity owing to increased frequency and longer trains being accommodated; and reduction in CO₂ emissions.

The Infrastructure Delivery Plan (IDP) recognises Landywood railway station on page 7, and notes that recent railway upgrades have seen the electrification of the Chase Line between Rugeley Trent Valley and Walsall stations (including via Landywood) but does not expand on this and in particular the Rural Services and Facilities Audit 2021 is still using the 2017 baseline position which is at odds with the IDP.

Despite these obvious benefits now being in place for over two years, the Rural Services and Facilities Audit 2021 continues to erroneously rely on baseline data available in 2017 which excludes these benefits now available (since 2019) and prejudices the assessment of our client's promoted sites (site refs: 113 and 161).

The Chase Line accesses Cannock (3 minutes journey time), Bloxwich (7 minutes), Walsall (13 minutes), Rugeley (14 minutes) and Birmingham New Street (34 minutes) for leisure, shopping and employment. From Birmingham New Street, access is possible to the Metrolink tram system, HS2 and Birmingham International Airport. Appendix 6 demonstrates our client's sites using the Chase Line and/or the extensive bus network has the shortest journey time by bus and rail to a hospital of any Tier 1 settlement.

The 2017 baseline position is significantly outdated and results in an unsound and flawed assessment which prejudices the allocation of our client's sites.

National Planning Policy Framework (NPPF) para 142 confirms that:

"where it has been concluded that it is necessary to release Green Belt land for development, plans should give first consideration to land which has been previously-developed and/or is well-served by public transport".

Land which is not previously-developed and/or not well-served by public transport is not the first consideration and allocating such land results in an unsound and flawed approach and plan.

Para 5.2 of the IDP acknowledges the Council's proposed strategy is infrastructure-led, reflecting the desire to see growth that does not put a strain on existing infrastructure, whilst recognising the national policy requirement to ensure growth is situated in locations with good access to infrastructure and sustainable public transport, in accordance with NPPF para 105 to *"align growth and infrastructure"* and *"limiting the need to travel, offering a genuine choice of transport modes"*.

The IDP, owing to its iterative nature, should be based on up-to-date infrastructure and timetables.

At present, when considering access to employment, the IDP relies on an out-of-date 2017 baseline which does not reflect the electrification and upgrades to the Chase Line in 2019.

This results in a flawed and unsound assessment.

Furthermore, the proposed M54/M6 link road (opening 2025; in final stages of consent being granted) should also be included and emphasised, compliant with NPPF para 11a, *“aligning growth and infrastructure”*.

The link road is in close proximity of our client’s promoted sites (within 750m) and will provide easy, quick access to the major employment zones of I54 and Hilton Cross, referred to in the West Midlands Strategic Employment Study (2015).

This enhanced link road access will supplement the employment offer already available in close proximity to our client’s sites which fall within the catchment of Cannock Town Centre, itself a significant employment area with a bus station, served by many bus services and a railway line, serving Landywood Railway Station, providing a genuine choice of transport modes and connectivity for onward travel.

As we have already identified, Tier 1 settlements typically have a *“wide range of services, food stores, a wider range of services and facilities than other villages, a range of education establishments, access to a train station and good access to employment and wider facilities outside the village via public transport”*.

The Council has not been consistent with national policy in applying the settlement hierarchy or with national policy in taking this into account when Green Belt release sites have been considered, instead choosing to allocate sites on the edge of unsustainable Tier 3-5 settlements as defined by the settlement hierarchy.

An example of this with reference to a *“range of education establishments”* are the numerous academies and schools located in the Cheslyn Hay/Great Wyrley Tier 1 settlement to which our client’s proposed sites (ref: 116 and 131) have easy Active Travel walking/cycling access (Appendices 3-4):

- Cheslyn Hay Academy
- Great Wyrley Academy
- Saint Thomas More Catholic Primary School
- Moat Hill Primary School
- Cheslyn Hay Primary School
- Landywood Primary School

In stark contrast the Council in proposing the allocation of site refs: 486c and 646a&b make it clear that if these poorly located sites in Tier 3-5 settlements were allocated, new schools, services and infrastructure would have to be provided. The IDP does not propose new transport infrastructure in these locations.

Para 2.3 of the Rural Services and Facilities Audit further notes:

“...it is clear that the NPPF 2021 emphasises the importance of the following matters: [inter alia]

- *Maximising the opportunities to use existing and proposed transport infrastructure;*
- *Limiting the need to travel, offering a genuine choice of transport modes and maximising sustainable transport solutions”*

However, despite this recognition in the Local Plan’s evidence base, large sites (totalling 2,400 homes) in the Green Belt, on the edge of Tier 3-5 settlements, with limited access to public transport and no genuine choice of transport modes, with no *“range of educational establishments”*, with no proposed

transport infrastructure in the IDP, are proposed for Green Belt release and subsequent allocation, including:

- Policy SA2: Land north of Linthouse Lane, Essington (Site ref: 486c, 1,200 homes)
- Policy SA3: Land at Cross Green, Coven (Site ref: 646 a&b, 1,200 homes)

Furthermore, the allocation comprising the following site (SA4) results in a significant amount of housing being placed a considerable distance from where the Greater Birmingham Housing Marking Area need arises, creating long journeys back to the GBHMA with heavy reliance on the private motorcar with significantly increased emissions:

- Policy SA4: Land North of Penkridge (Site ref: 010, 420 and 584)

We deal with the above elements in detailed responses to the Council's 12 consultation questions.

Overall, we consider the Council's approach is flawed and in direct conflict with the NPPF and the Council's policies and intended strategy.

Not least, this is demonstrated in the distribution of growth, as set out in the Table overleaf on page 18, extracted from the Spatial Housing Strategy up to 2038.

1,200 homes are allocated at Essington, with a further 1,200 homes allocated at Coven. Once these are factored in, these remote Tier 3-5 settlements in the least sustainable settlements are having considerable growth, in conflict with the settlement hierarchy and conflicting with Policy DS3 which states that most development will be focused on the most sustainable settlements i.e. those in Tier 1.

We consider the Spatial Housing Strategy Table, setting out the Council's intended development strategy, to be misleading.

At first glance, it appears that Tier 3 settlements are taking an overall 6.1% share of housing growth, however, once factoring in '*areas adjacent to neighbouring towns and cities*', the picture is very different and we strongly make the point that the way the Council has presented this Table is to exclude 2,400 homes at Coven and Essington from the any of the settlement hierarchy Tiers.

The format of the Table should be amended so the 2,400 homes at Essington and Coven are attributable to the necessary Tiers, and the share of growth across each area of the hierarchy is accurately presented.

Our client is proposing in the region of 1,000 homes on sustainable Tier 1 sites (ref 116 and 131) that are in the catchment of Cannock Town Centre, well-served by public transport with a genuine choice of transport modes and in close proximity to services, facilities and employment opportunities, including a range of "*educational establishments*".

All key aspects which the Council's preferred Tier 3-5 allocated sites lack.

Despite the Council's stated recognition of national policy, it is also clear that the Council has not sought to maximise the use of public transport despite recent significant investments which have increased capacity on the Chase Line, a key rail corridor for commuting nearby towns and cities including Birmingham and the GBHMA

This, along with other aspects of the Council's strategy and allocation approach, are considered in relation to the twelve questions posed by the POLP consultation.

Spatial Housing Strategy 2018-2038	Indicative minimum dwelling numbers 2018-2038			
Location	Total proportion of housing delivery	Existing planning permissions and allocations	Safeguarded land	New allocations
The district's rural area				
Tier 1 villages	39.7%	1151	890	1939
Penkridge	17.2%	504	88	1129
Codsall/Bilbrook	16.7%	423	584	666
Cheslyn Hey / Great Wyrley	5.8%	224	218	144
Tier 2 villages	17.0%	723	614	370
Wombourne	8.0%	289	280	239
Brewood	1.8%	76	63	43
Kinver	2.5%	123	82	44
Perton	3.7%	226	150	0
Huntington	0.9%	9	39	44
Tier 3 villages	6.1%	466	104	81
Essington	2.3%	235	0	0
Coven	1.1%	64	48	0
Featherstone	1.2%	84	39	0
Shareshill	0.0%	1	0	0
Wheaton Aston	1.0%	67	0	37
Pattingham	0.5%	7	17	22
Swindon	0.3%	8	0	22
Tier 4 Villages	0.3%	30	0	0
Growth in other rural locations and Tier 5 settlements	2.6%	258	0	0
Areas adjacent to neighbouring town and cities				
Employment-led growth at Land at Cross Green (Brewood and Coven Ward)	12.0%	0	0	1,200
Northern edge of the Black Country at Land north of Linthouse Lane (Essington Ward)	12.0%	0	0	1,200
Western edge of the Black Country at Land at Langley Road (Wombourne Northhand Lower Penn Ward)	3.9%	0	0	390
South of Stafford at Land at Weeping Cross (Penkridge North East and Acton Trussell Ward)	1.7%	0	0	168
Other sources of supply				
Windfall development on small sites	4.5%	450	0	0

New allocations should read '1,200'

New allocations should read '1,200'

New allocations should read '0'

New allocations should read '0'



Conclusion

We conclude that the Council's vision and implementation of its proposed strategy is unsound, and the underpinning evidence is fundamentally flawed despite the Council identifying the correct policies. An example is the proposed allocations of 2,400 homes at Essington (site ref: 486c) and Coven (site ref: 646a&b) in Tier 3-5 settlements that are not well-served by public transport, with no Railway Station, not within a Town Centre bus catchment network accessing a bus station, and do not have sufficient educational facilities. There is no genuine choice of transport modes, and there is no choice of shops, retail parks, employment facilities and services. They are locations highly reliant on the private motorcar and these locations do not achieve short journeys. Those who are too young to drive or those who cannot or do not wish to drive, will be severely disadvantaged.

The proposed strategy is in conflict with Strategic Objective 2 and Policy DS3 and with NPPF 11, 16, 105, 110 and 142.

We propose the allocation of our client's sites (refs: 116 and 131) at Cheslyn Hay/Great Wyrley which can utilise Landywood Station on the Chase Line giving access to employment and wider facilities in proximity to Tier 1 Cheslyn Hay/Great Wyrley, as referred to in the Rural Services and Facilities Audit.

The Chase Line has been recently electrified at a cost of £110m which has led to many benefits, including: speed increases; reduced journey times; increased passenger capacity owing to more frequent and longer trains being accommodated; and reduction in CO₂ emissions.

The Chase Line accesses Cannock (3 minutes journey time), Bloxwich (7 minutes), Walsall (13 minutes), Rugeley (14 minutes) and Birmingham New Street (34 minutes) for leisure, shopping and employment within the GBHMA.

The introduction of significantly improved rail services and capacity in 2019 has not been recognised in the Council's evidence base – a baseline position of 2017 is erroneously still being used in the Rural Services and Facilities Audit 2021.

Our client's sites are also well-served by frequent bus services within the well-established bus network, and fall within the catchment of Cannock Town Centre which has a host of additional shops, retail parks, services, facilities and employment opportunities which are easily accessible to all age groups and mobilities and in close proximity.

It is a 10-15 minute trip to Cannock Bus Station.

Our client's sites have easy access to existing services, employment opportunities and infrastructure which can be utilised now.

The West Midlands Strategic Employment Study (2015) identified 2 regional employment sites within 5km of our client's promoted sites - i54 is accessible from the M54 motorway Junction 2 and Hilton Cross is accessible from the M54 Junction 1. Both employment sites are accessible within a short 5-10 minute journey from site refs: 116 and 131 (see Appendix 8).

The allocation of our client's sites would result in compliance with paragraphs 105 and 142 of the NPPF, which require significant development to be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes, and first consideration to be given to Green Belt sites that are well-served by public transport.



It would also result in compliance with Strategic Objective 2, Policy DS3 of the POLP and the Tier 1 settlement approach and in compliance with NPPF paras 11, 16, 105, 110 and 142.

NPPF Para 105 is specific in telling the local authority how to achieve sustainable development, stating that, “Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes”.

Our client’s sites have access to the Chase Line, a key rail corridor into adjacent towns and cities *“upon which the district relies for its higher order services and employment”* (Policy DS3).

The South Staffordshire Economic Development Needs Assessment identified that approximately 21% of the District’s working population live and work in South Staffordshire, with the majority commuting outside the District.

79% of the working population commuting outside of the District underlines the importance of public transport accessing a genuine choice of transport modes if South Staffordshire are to produce a policy compliant plan, including satisfying NPPF paras 11, 16, 105, 110 and 142.



QUESTION 1: Do you agree that the evidence base as set out in Appendix A is appropriate to inform the new Local Plan? Yes/No. Please provide comments on the content or use of the evidence base set out in Appendix A referencing the document being referred to.

No. It is recognised that the Council have gone through a process of commissioning and considering evidence, however D Morgan PLC are of the view that whilst the correct documents have been compiled, their content and use is deficient and in conflict with the NPPF and local policies as to how they are applied which we have gone some way to explain in preceding pages 1-14.

- **Sustainability Appraisal**

For example, the Sustainability Appraisal relies on the Rural Services and Facilities Audit 2021 which assessed access to employment centres via rail and bus using a 2017 baseline from areas within the District.

It crucially does not take into account a key rail corridor for commuting into the GBHMA, the Chase Line, which was electrified at a cost of £110m and opened in 2019. The electrification scheme has led to many benefits, including: speed increases; more frequent trains; reduced journey times; increased passenger capacity owing to more frequent and longer trains being accommodated by the improved rail infrastructure; and reduction in CO₂ emissions.

The Sustainability Appraisal relies on Hansen Scores for assessing public transport access to employment opportunities, however, the scores are based on outdated railway timetables from May 2017 and bus timetables from September 2017; these timetables are now over four years old and do not reflect the public transport services in operation today.

The Hansen Scores do not reflect the £110m electrification of the Chase Line (2019) and the enhanced rail services now available. The September 2017 baseline position is unsound as it is not based on the most up-to-date infrastructure and service data.

The evidence base should include the £110m 2019 electrification of the Chase Line, improving commuter services into the GBHMA, for more passengers, with more capacity, at an increased frequency.

The same applies in relation to the M56/M6 link road which is due to open in 2025 and currently in the final stages of consent being granted. Given that the Local Plan period runs to 2038 the benefits arising from the Chase Line and M56/M6 link road should be used to inform the Local Plan.

A Sustainability Appraisal has been undertaken by the Council which includes an assessment of our client's promoted sites adjacent to a Tier 1 settlement (site refs: 116 & 131) and the proposed sites for Green Belt release at Land north of Linthouse Lane, Essington (site ref: 486c) and Land at Cross Green, Coven (site refs: 646 a&b), both adjacent to Tier 3-5 settlements.

We include an extract on page 22 from the Sustainability Appraisal which shows a comparison of how each site is said to perform.

Using the Council's own hierarchy, Tier 1 settlements will, by definition, perform better in terms of sustainability than Tier 3-5 settlements. The extracted table does not reflect this.

This needs to be revisited, taking into account the settlement hierarchy approach and our comment on it, and taking into account the evidence we have provided on preceding pages 1-20.

Site Ref.	1 Climate Change Mitigation	2 Climate Change Adaptation	3 Biodiversity & Geodiversity	4 Landscape & Townscape	5 Pollution & Water	6 Natural Resources	7 Housing	8 Health & Wellbeing	9 Cultural Heritage	10 Transport & Accessibility	11 Education	12 Economy & Employment
116	+/-	--	-	--	0	-	+	-	-	-	-	-
131	+/-	--	-	--	--	-	+	-	-	-	-	-
486c	+/-	--	-	--	--	-	+	-	-	-	-	+
646 a&b	+/-	--	-	--	--	-	+	-	-	-	-	+

In relation to **Number 1** Climate Change Mitigation, our client’s sites are in close proximity to Tier 1 settlement Cheslyn Hay/Great Wyrley benefitting from green infrastructure Active Travel linkages (Appendices 1-4) for walking/cycling, providing the most sustainable travel modes. In addition there is a choice of sustainable public transport modes (Appendices 5-7) with Active Travel linkages (Appendices 1-4) with employment opportunities in close proximity (Appendix 8) including opportunities in Tier 1 settlements and available within the Cannock Town Centre catchment area. This means that the use of the private car will be minimised, providing a real choice of sustainable travel for all age groups and mobilities and for those who do not wish to use the private motorcar, generating CO₂ emissions.

Sites 116 and 131, adjacent to a Tier 1 settlement, by definition perform better than 486c and 646 a&b which are adjacent to Tier 3-5 settlements remote from public transport, services and facilities, increasing carbon emissions through car journeys through a heavy reliance on the private motorcar.

The Council acknowledges that approximately 21% of the District’s working population live and work in South Staffordshire, with the majority (79%) commuting outside the District.

Sites within or adjacent to Tier 1 settlements by definition will provide a greater opportunity to provide climate change mitigation which is why Policy DS3 reaffirms that an infrastructure-led approach will be followed “*with growth located at the most accessible and sustainable locations... in accordance with the settlement hierarchy*”.

By definition the promoted site refs: 116 and 131 will perform better compared to sites lower in the hierarchy. The sites should be assessed as having ‘major positives’ in relation to climate change mitigation.

In relation to **Number 2** Climate Change Adaptation, our client’s sites lie wholly within Environment Agency Flood Zone 1, being of the lowest risk and by definition will perform more positively compared to sites of higher risk (refs: 486c and 646a&b).

In relation to **Number 3** Biodiversity and Geodiversity, our client’s sites do not encompass any designated sites of this nature and for this reason will perform positively. Refer to Local Plan 1996 Policy R6: *The restoration proposals for the site will create an amenity /nature conservation area of great value to the community.* This was carried through to the 2018 SHELAA, the promoted sites offer an opportunity to deliver a Country Park, Open Space and Safeguarded Land for recreational use as part of the proposal for a housing allocation.

In relation to **Number 4** Landscape and Townscape, site ref: 116 is a quarry, and site ref: 131 encompasses previous planning consents: 89/00885 (Change of use to golf driving range), 90/00341 (clubhouse, tennis courts and additional parking for driving range) and 94/00507 (9-hole golf course putting green and mounding) approved in 1989 and 1994. The development did commence but the developer failed. An entrance from Wolverhampton Road (B4156) was constructed and exists into the golf course development. As a result, there will be a negligible impact on the landscape owing to the already consented uses which do not appear to have been taken into account in the assessment to date. Development would therefore not be disassociated from Cheslyn Hay/Great Wyrley, and instead appear as a logical extension with a recreational area of great value to the community (Appendices 1-4).

In relation to **Number 5** Pollution and Water, site ref: 116 is shown to perform better than any other site in the Table, it having a 'negligible' impact. Owing to it being adjacent, we consider site ref: 131 should also be upgraded to a yellow/negligible rating and treated in the same manner. The sites are not located in Air Quality Management Areas, and are also located outside of groundwater Source Protection Zones.

In relation to **Number 6** Natural Resources, both the adjoining promoted sites have various implemented consents upon them and will have a negligible impact. Site ref: 116 is currently occupied by Champions Wood Quarry and Site ref: 131 incorporates the following planning consents:

- 89/00885 (Change of use to golf driving range)
- 90/00341 (clubhouse, tennis courts and additional parking for driving range)
- 94/00507 (9-hole golf course putting green and mounding) approved in 1989 and 1994.

Development has previously been considered and consented on our client's promoted sites.

In relation to **Number 7** Housing, we consider that our client's promoted sites have the potential to significantly boost the housing supply in an area close to the Greater Birmingham Housing Market Area, where there is considerable need arising. The overall potential capacity at our client's promoted sites is over 500 dwellings and we consider this to be a 'major positive' (++) impact in regard to housing provision, which should be recorded.

In relation to **Number 8** Health & Well-Being, we believe that Cheslyn Hay/Great Wyrley, including our client's sites, should be recognised as having easy access to medical facilities, including GPs and hospitals. Sites in Cheslyn Hay/Great Wyrley have been identified as having a 'minor negative' impact on Health aspects. We consider it should be positive (+) based on the Council's own evidence.

This assessment as it stands is incorrect as Figure 3.6 of the Sustainability Appraisal clearly shows that Cheslyn Hay/Great Wyrley, Tier 1 settlements, are the best provided for settlements in South Staffordshire in terms of number of GP surgeries, of which there are two, as follows:

- High Street Surgery, High Street, Cheslyn Hay, WS6 7AB
- The Nile Practice, High Street, Cheslyn Hay, WS6 7AE

The Tier 1 settlements of Cheslyn Hay/Great Wyrley, with access to the Chase Line, a key rail corridor are also in close proximity to a number of NHS Hospitals using public transport (Appendix 6).

Walsall Manor Hospital with an A&E Department (less than 1km from Walsall railway station) is a short 13-minute train journey from Landywood Station. Cannock Chase Hospital also has a minor injuries unit (1km from Cannock railway station) which is just a 3-minute train journey from Landywood Station. Furthermore, no mention is made of Birmingham Children's Hospital, the UK's leading paediatric centre, which is a 35-minute train journey from Landywood Station to Birmingham New Street, which is less than a 1km walk to the Children's Hospital.

All of these hospitals (Appendix 6) are accessible by people of all ages and mobilities from Landywood Station on the Chase Line, which was upgraded as part of the £110m electrification scheme to facilitate wheelchair access, and which is within walking distance of our client's sites.

Appendix 6 demonstrates the accessibility of the promoted sites to Hospitals with the shortest journey time by bus or by rail of any Tier 1 settlement, referable to the Council's Issues and Options consultation document.

For this reason, a positive (+) assessment is considered justified in relation to this point.

In relation to **Number 9** Cultural Heritage, our client's sites are not located in close proximity to any heritage asset/listed building. The sites should therefore be viewed positively (+) in terms of their lack of impact on the historic environment.

In relation to **Number 10** Transport and Accessibility, including the most sustainable form of travel Active Travel (walking/cycling). We consider the already existing Green Infrastructure and walking/cycling routes linking Landywood Railway Station and the Tier 1 settlement of Cheslyn Hay/Great Wyrley to be compliant with national policy, including an existing Green Infrastructure route from Landywood Station to the promoted sites (refs: 116 and 131), see Appendices 1-2.

Appendices 1-8 of this submission demonstrates our client's promoted sites are highly accessible, adjacent to Tier 1 settlement and are connected (Appendices 3-4) and are well-served by public transport (Appendices 5-7) and also have a number of major roads (M6/M56/M6 Toll/A5) in close proximity which lead to nearby towns/cities including the GBHMA and employment opportunities for those unable or unwilling to use public transport (Appendix 8) including for all age groups and mobilities, and for those who cannot drive.

For these cumulative reasons, the promoted sites (ref: 116 and 131) should be viewed positively (+).

In relation to **Number 11** Education, as reflected by their Tier 1 status Cheslyn Hay/Great Wyrley are well-served by a number of schools:

- Cheslyn Hay Academy
- Great Wyrley Academy
- Saint Thomas More Catholic Primary School
- Moat Hill Primary School
- Cheslyn Hay Primary School
- Landywood Primary School

Cheslyn Hay Academy and Cheslyn Hay Primary School are the closest to our client's promoted sites; they can be reached in less than 10 minutes on foot, within 1km (Appendices 3-4).

The number of schools in the vicinity of the promoted sites should be viewed positively (+).

In relation to **Number 12** Economy and Employment, the West Midlands Strategic Employment Study (2015) identified 2 regional employment sites within 5km of our client's promoted sites - i54 is



accessible from the M54 motorway Junction 2 and Hilton Cross is accessible from the M54 Junction 1. Both employment sites are accessible within a short 5-10 minute journey from site refs: 116 and 131 “aligning growth with infrastructure” (see Appendix 8).

In relation to Economy & Employment the Sustainability Appraisal supporting text for each site notes the following:

(Page B73) ...Sites 116 and 131 are located in areas with ‘poor’ sustainable access to employment opportunities, and therefore, the proposed development at these sites would be expected to have a minor negative impact on site end users’ access to employment.

(Page B101) ...Site 486c is located in an area with ‘reasonable’ sustainable access to employment opportunities, and therefore, the proposed development at this site would be expected to have a minor positive impact on site end users’ access to employment opportunities.

(Page B112) ...Sites 646 a&b are located in areas with ‘reasonable’ sustainable access to employment opportunities, and therefore, the proposed development at these sites would be expected to have a minor positive impact on site end users’ access to employment opportunities.

By definition, sites 116 and 131, adjacent to a Tier 1 settlement cannot have ‘poor’ sustainable access to employment as they “have access to key rail corridors into the adjacent towns and cities upon which the district relies for its higher order services and employment”. It must be the case that sites 116 and 131 are viewed positively (+).

The Sustainability Appraisal explains how Economy & Employment has been assessed. Two factors are applicable: firstly, an assessment of how accessible locations are to ‘employment opportunities’, and secondly, whether there is a net increase or decrease in employment floorspace proposed.

Our client’s sites are within the Tier 1 Cheslyn Hay/Great Wyrley area, which includes the Chase Line, a key rail corridor, as well as the Cannock Town Centre catchment area, well served by a bus station and bus network, for leisure, shopping and employment.

Sites 486c and 646 a&b are in Tier 3-5 locations and are not within the catchment area of any Town Centre and poorly-served by public transport. By definition they cannot be considered for this reason to be better in terms of economy & employment, and the scorings in the Sustainability Appraisal should reflect this.

Para 3.12 of the Sustainability Appraisal explains that ‘key employment areas’ are defined as locations which would provide a range of employment opportunities from a variety of employment sectors, including retail parks, industrial estates and major local employers, all characteristics found within the catchment area of Cannock Town Centre.

It goes on to recognise that the South Staffordshire Economic Development Needs Assessment identified that approximately 21% of the District’s working population live and work in South Staffordshire, with the majority (79%) of the working population commuting outside the District and for this reason Tier 1 settlements and our proposed sites adjacent to Tier 1 Cheslyn Hay/Great Wyrley accessing the Chase Line, a key rail corridor to towns and cities including the GBHMA will perform positively (+).



The Sustainability Appraisal relies on the Rural Services and Facilities Audit 2021 which assessed access to employment centres via rail and bus from areas within the District. Cheslyn Hay is identified as a Tier 1 Settlement in the Rural Services and Facilities Audit 2021, along with four other settlements: Bilbrook, Codsall, Great Wyrley and Penkridge. These five locations are considered to be the locations with the *“greatest access to services and facilities”* typically having *“food stores, a wider range of services and facilities than other villages, a range of education establishments, access to a train station and good access to employment and wider facilities outside the village via public transport”* (Rural Services and Facilities Audit, pg 11).

Hansen Scores for public transport access to employment opportunities have been used in the Sustainability Appraisal, based on out-of-date 2017 timetables, which measured the number of destinations which could be accessed within 60 minutes journey time.

Hansen Score mapping for South Staffordshire is based on public transport access to ‘employment centres’ (by bus and rail) for a single weekday journey (Wednesday) across a two-hour time frame (7:30 to 9:30am). It is not clear what the reason is for just focusing on a single day and a short time frame, given that people travel to work over the entire week and also return home in an evening. In addition, the Rural Services and Facilities Audit does not define what it means by ‘employment centre’ so it is not known where journeys indicated are being made to. The Hansen Map key itself then conflictingly refers to ‘Employment Sites’.

The above raises a number of questions.

The phrases ‘employment opportunities’, ‘key employment areas’, ‘employment centres’ and ‘employment sites’ are all referred to in the context of assessing the accessibility to employment. It is not clear how these terms are related, which areas they encompass, or why those areas have been selected. Based on the Hansen mapping, most of i54 appears to have been excluded, and there is only a single ‘Employment Site’ identified in both Walsall and Wolverhampton. This is at odds with the West Midlands Strategic Employment Study (2015) which identified 2 regional employment sites within 5km of our client’s promoted sites - i54 is accessible from the M54 motorway Junction 2 and Hilton Cross is accessible from the M54 Junction 1. Both employment sites are accessible within a short 5-10 minute journey from site refs: 116 and 131 (see Appendix 8).

The Hansen Score mapping underpinning the Rural Services and Facilities Audit shows site refs 116 and 131 falling into the same category (yellow) as site refs 486c and 646 a&b, but this similarity is not reflected in the Sustainability Appraisal; site refs 161 and 131 are shown to have ‘minor negative’ effects, with site refs 486c and 646 a&b having ‘minor positive’ effects. There needs to be consistency.

There has been no consideration given to the presence of Landywood Station and the electrification upgrades to the Chase Line via Landywood, between Rugeley Trent Valley and Walsall stations, increasing passenger capacity in 2019. The electrification upgrade has reduced journey times, improving accessibility to employment and other services in Cannock, Bloxwich, Rugeley, Walsall and Birmingham.

The Hansen mapping is based on railway timetables from May 2017 and bus timetables from September 2017; these timetables are now over four years old and do not reflect the public transport services in operation today. They do not reflect the £110m electrification of the Chase Line (2019) and the enhanced rail services now available within the 60-minute journey time. The September 2017 baseline position is unsound as it is not based on the most up-to-date infrastructure and service data.

From Landywood Railway Station, Cannock can be reached in 3 minutes, Bloxwich in 7 minutes, Walsall in 13 minutes, Rugeley in 14 minutes and Birmingham New Street in 34 minutes. These are all significant centres for residents to satisfy their employment, retail and leisure needs, and as we have previously evidenced, for residents to access hospitals.

This excellent accessibility from the Chase Line equally applies to accessing significant employment opportunities from Landywood Station, which is approximately 2km from our client's sites via Active Travel means (see Appendix 1 for detail of footpath connections).

In relation to the Sustainability Appraisal, we request the following changes:

- The Sustainability Appraisal must recognise that Tier 1 settlements are more sustainable than Tier 3-5 settlements.
- The use of a consistent term in the Sustainability Appraisal to refer to areas of employment, and a clear definition given for how these areas have been selected. It is currently unclear which employment opportunities have been considered as part of the appraisal.
- The assessment of Sites 116 and 131 to be upgraded in line with our comments in relation to each element (Numbers 1-12) above. Notably the sites should have a 'positive' rating in terms of Economy & Employment, bringing them at least in line with Sites 486c and 646 a&b as currently stated but we believe the reasons given that 486c and 646 a&b in the lower Tier 3-5 locations by definition should have a 'negative' rating.
- Hansen mapping/scoring to be undertaken using the most up-to-date bus and railway timetables. 2017 timetables do not capture the increase in frequency, reduced journey times and longer trains with significantly increased passenger capacity on the Chase Line following electrification in 2019.
- Cheslyn Hay/Great Wryley sites, including site refs: 116 and 131, to be upgraded to have a 'positive' rating in terms of Health aspects. The accessibility of GP surgeries and NHS hospitals is excellent, owing to proximity and the breadth of public transport options available (Appendices 6-8).
- **Strategic Housing and Employment Land Availability Appraisal (SHELAA)**

In relation to our client's promoted sites, the SHELAA indicates that there are ongoing discussions with Staffordshire County Council (SCC) as the mineral planning authority surrounding the quarry operation and its lifespan at Site ref: 116. In 2006, there was a housing planning appeal (ref: APP/C3430/A/06/2019854) for development of the quarry, the mineral planning authority did not object.

In relation to site ref: 131, the SHELAA notes that if the site is considered in isolation (i.e. without site ref: 116), it is "*disassociated from the existing settlement by virtue of the distance from the host settlement and the nature of walking links between the site and the village*". The SHELAA acknowledges that representations to date note that the site could be brought forward with site ref: 116 to the north, and on this basis, the site could be 'potentially suitable'. The assessment further emphasises the ongoing dialogue with SCC surrounding mineral matters at site ref: 116.

Even if site ref: 116 does not come forward at this moment in time, we consider that site ref: 131 can still come forward on its own merits. We do not consider it to be disassociated from the host settlement. There are a variety of publicly accessible footpaths leading from our client's promoted sites towards Cheslyn Hay, with the host settlement being able to be reached by pedestrians within a

matter of minutes. The presence of the quarry to the north means that the site is not isolated or detached from Cheslyn Hay, and would form a logical extension to the settlement (Appendices 1-4).

Footnote 4 on page 14 of the SHELAA confirms that on a case-by-case basis, it may be appropriate to consider a site not directly adjoining a development boundary as a 'potentially suitable' extension to a village/urban area where the site is a short distance from the host settlement and a legible pedestrian route and means of access to the host settlement can be demonstrated. We consider this can be demonstrated, as evidenced in our previous representations to the Council (Appendix 1-4).

The SHELAA assessment concerning site refs: 646 a&b highlight the presence of Flood Zone 3. By comparison, our client's promoted sites are wholly located within Flood Zone 1.

Section 14 of the NPPF places great emphasis on meeting the challenge of climate change, flooding and coastal change.

Para 153 of the NPPF emphasises "*plans should take a proactive approach to mitigating and adapting to climate change, taking into account the long-term implications for flood risk...*".

Para 159 goes on to state, "*inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere*".

There is a clear requirement in national policy, and ever-increasing public and political pressure owing to climate change concerns, for development to be directed to available land that is of lowest flood risk. A flood risk Sequential Test should be carried out by the Council to steer new development to areas with the lowest risk of flooding from any source.

Paragraph 162 of the NPPF is clear that, "*Development should not be allocated or permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding*".

Turning to the SHELAA, it is of serious concern the assessment comments in relation to site refs: 486c and 646 a&b are exceptionally brief; they do not assess the sites suitabilities fully, in relation to flood risk or otherwise, predominantly stating what uses the sites are being promoted for:

486c – *Site is adjacent to the Black Country urban area. Promoted as a potential urban extension in the review of the Local Plan for residential scheme included neighbourhood centre, primary school and public open space. PRoW bisects site and site includes areas of pylons and slightly undulating topography. Site promoters indicate potential for a country park on land to the north-east towards Essington. Urban edge site modelled at 35 dwellings per hectare*

646 a&b - *Site promoter indicates two parcels west of train line could be brought forward as a comprehensive housing scheme with associated services*

The strengths and weaknesses of each site in the SHELAA should be stated to allow sites' availability and suitability to be considered. In terms of releasing land from the Green Belt, NPPF para 142 needs to be considered and sites proposed for release from the Green Belt justified by the Council.

In addition, although the developers' statements indicate that new housing could be supported by new services and facilities (schools, neighbourhood centres etc), these statements need to be considered objectively in terms of whether there is adequate funding in place to deliver the aspirations, and how long they will take to build. Furthermore, Tier 3-5 settlements only have a limited number of existing services and facilities. Coven and Essington are therefore inappropriate for large-scale growth as they lack the breadth and variety of services offered by settlements higher up the hierarchy.

Tier 1 Cheslyn Hay/Great Wyrley already has the required services and facilities in place, therefore there is not a lengthy lead-in time for development envisaged. The housing need can be met in the short-term in an appropriate location at our client's sites, close to the Greater Birmingham Housing Market Area linked by the Chase Line, a key commuter rail corridor.

On the above basis, in relation to the SHELAA, we request the following changes:

- The potential to be acknowledged for site ref: 131 to come forward in its own right. Based on the assessment criteria set out in the SHELAA, we do not consider the site to be "disassociated" from the host settlement owing to the existence of a quarry and pedestrian links and owing to existing well-defined pedestrian links, including using existing walking/cycling green infrastructure and proximity to existing services and facilities (Appendices 1-4).
 - The wording included in the 2018 SHELAA to be reinstated, which acknowledged that site: 116 was "*suggested for open space and safeguarded land for recreational use*"
 - The Flood Zone 1 (low risk) designation of site refs: 116 and 131 to be stated.
 - A consistent level of assessment detail to be stated in the assessment in relation to each site. The comments relating to site refs: 486c and 646 a&b do not assess the sites in any meaningful way. There is nothing in the SHELAA assessment which explains and justifies why the sites are considered to be 'potentially suitable'.
 - The higher sustainability merits of Tier 1 settlements to be recognised as performing positively (+). These are the most sustainable locations in the district, and their services can be utilised without significant investments or long lead-in times. The Council need to justify and evidence their approach.
- **Green Belt Study**

The Green Belt Study has not been updated since the previous round of consultation which means that references to national policy throughout are outdated (a revised version of the NPPF was published in July 2021), and sites submitted to the Council since 2019 for consideration as part of the Call for Sites/SHELAA process, have not been identified and considered.

We do not repeat verbatim our comments made during previous consultation submissions, but emphasise to the Council that it is key to satisfy paragraph 142 of the NPPF.

As per our previous representations, we remain concerned that the Council's strategy will lead to the 'leapfrogging' of the Green Belt. Paragraphs 2.27 and 2.28 of the Green Belt Study confirm that 80% of the South Staffordshire District is Green Belt and there is a clear risk of 'leapfrogging' to sites



immediately beyond the Green Belt boundary. This can result in unsustainable patterns of housing, public services or employment land.

Parts of the settlements of Penkridge and Wheaton Aston lie just outside the northern boundary of the Green Belt, making them vulnerable to development pressures. This would result in housing development to satisfy the Greater Birmingham Housing Market Area Need being a considerable distance away from where the need is derived.

Development in these areas would also be a considerable distance from the significant employment areas (West Midlands Strategic Growth Study 2015) accessed from the M54 motorway junctions 1 and 2, and would therefore require an increased use of the private motor vehicle, increasing CO₂ emissions.

The proposed M54/M6 link road (opening 2025; in final stages of consent being granted) is in close proximity of our client's promoted sites (within 750m) thereby aligning growth with infrastructure, NPPF para 11(a), and will provide easy, quick access to the major employment zones of i54 and Hilton Cross within a short 5-10 minute journey limiting the need to travel. This enhanced access will supplement the employment offer already available in close proximity to our client's sites which fall within the catchment of Cannock Town Centre with its shopping, retail, leisure, facilities and services and employment opportunities, itself a significant employment area, served by bus services and a railway line.

Furthermore, the Green Belt Study assesses the District's Historic Environment incorrectly. Paragraph 3.37 of the Study outlines that the South Staffordshire Historic Environment Character Assessment (SSHECA) identifies the settlements of Penkridge, Kinver and Brewood as historic towns which were established during the medieval period, but the Green Belt Study does not go on to identify any historic towns within South Staffordshire for the Purpose 4 assessment. This approach is deficient and flawed as the study fails to assess the impacts of new development on the setting and special character of these identified historic towns.

This approach puts the Council in conflict with national policy, legislation and case law, which seeks to protect Heritage Assets and Core Strategy Policy 2 which seeks to protect and enhance the natural and historic environment.

Earlier this year, York City Council fell short of satisfying Green Belt policy adequately, and were advised at examination by the Inspector to "*give serious consideration*" to withdrawing the Local Plan and restarting the process again as the Plan was fundamentally flawed and could not be overcome without a comprehensively revised approach. This outcome emphasises the importance of ensuring adequate evidence and justification is incorporated throughout.

- **Housing Site Selection Topic Paper**

The Housing Site Selection Topic Paper highlights the criteria which the Council use to assess each site for potential allocation. One element considered is 'conformity with infrastructure led strategy and opportunities for infrastructure delivery'.

We say an infrastructure-led strategy must include the electrification of the Chase Line (2019) and the M54/M6 link road opening 2025.

In relation to this, we set out as follows the comparison stated for our client's sites, and in relation to site refs: 486c and 646 a&b:

Site ref: 116: "...The centre of the site is roughly 430m to the nearest bus stop, 2.56km to the nearest train station, 1.15km to the nearest village/neighbourhood centre and 930m to the nearest educational facility..."

Site ref: 131: "...The centre of the site is roughly 600m to the nearest bus stop, 2.72km to the nearest train station, 1.35km to the nearest village/neighbourhood centre and 1.1km to the nearest educational facility..."

Site ref: 486c: "...The centre of the site is roughly 420m to the nearest bus stop, 4.9km to the nearest train station, 720m to the nearest local convenience store and 1.2km to the nearest educational facility..."

Site ref 646 a&b: "...The centre of the site is roughly 600m to the nearest bus stop, 6.6km to the nearest train station, 1.4km to the nearest local convenience store and 2.6km to the nearest educational facility..."

Whilst we dispute some of the precise distances stated, we believe the comparison highlights our client's sites sustainability credentials, and demonstrates it is well-served by public transport, to which para 142 of the NPPF requires "first consideration" to be given. With reference to site ref: 116 and 131, whilst the distances to train stations are considerably closer than site refs 486c and 464a&b, we consider the logical pedestrian route to Landywood Station is that as described in Appendix 1 using the existing traffic-free pedestrian/cycling infrastructure.

We think the Council have instead measured the longer distance along public (vehicular) roads.

We believe 2.72km to the nearest railway station (Landywood) to be an over-estimated distance travelling by car.

Utilising Cheslyn Hay's existing green infrastructure footpath/cycling network (Appendix 1) we believe it is around 2km) but it is still significantly closer than the distances attributed from the sites at Essington and Coven – 4.9km and 6.6km respectively.

Staffordshire County Council's Local Transport Plan 2011 states the preferred maximum walking commuting distance is 2km and this is achievable from the promoted sites.

From the evidence above that we reproduce it is clear that there is no sustainable basis for bringing forward the allocations at Coven and Essington which are in conflict with Strategic Objective 2. It is not justifiable that our client's sites have been excluded, which are fully compliant with this Objective.

In relation to site refs 116 and 131, 'key positives and negatives' are stated to be as follows:

- Similar Green Belt harm to the majority of land around the village (sites are 'high')
- Major negative impacts predicted against the landscape criteria in the Sustainability Appraisal, but failing to consider such areas for development may result in an unsustainable pattern of development and would run contrary to the Association of Black Country Authorities' proposed use of the Green Belt/landscape evidence base as set out in Duty to Co-operate correspondence.
- Sites are within mineral safeguarding area for brick clay

Specifically in relation to site ref 116, additional 'key positives and negatives' are said to be:

- Lesser landscape sensitivity than the majority of land around the village (site is 'low-moderate')
- Site is in active use as a quarry

Specifically in relation to site ref 131, additional 'key positives and negatives' are said to be:

- Contains significant areas of tree planting that may be lost if redeveloped
- Would require delivery of quarry to the north (Site 116)
- Highways authority raise initial concerns with impact on surrounding junctions

We consider that many of the issues raised above are not fundamental, and can be overcome, either at allocation or application stage. We ask the Council to give weight to the following points:

- Development consents already exist on our client's sites and these consented activities/uses do not appear to have been taken into account.
Site ref 116 comprises Campions Wood Quarry.
Site ref: 131 incorporates the whole of planning consent 89/00885 (Change of use to golf driving range), 90/00341 (clubhouse, tennis courts and additional parking for driving range) and 94/00507 (9-hole golf course putting green and mounding) approved in 1989 and 1994. The development did commence but the developer failed. An entrance from Wolverhampton Road (B4156) was constructed and exists into the golf course development.
- We consider site ref: 131 can come forward in conjunction with site ref: 116 or on its own. We do not consider the site to be disassociated from the host settlement. It is adjacent to Campions Wood Quarry (ref: 116), directly adjacent to the host settlement. There are a variety of publicly accessible footpaths including existing green infrastructure for walking/cycling (Appendix 1) leading from our client's promoted sites towards Cheslyn Hay, with the host settlement being able to be reached by pedestrians within a matter of minutes. The presence of the quarry to the north means that the site is not isolated or detached from Cheslyn Hay, and would form a logical extension to the settlement (Appendices 1-4).
- A Country Park can be located on part of our client's sites carrying forward the requirements of the 1996 Local Plan Policy R6, "*The restoration proposals for the site will create an amenity /nature conservation area of great value to the community*", as offered in the 2006 housing appeal (ref: APP/C3430/ A/06/2019854) and as set out in the 2018 SHELAA: "*site also suggested for open space and safeguarded land for recreational use*", as set out in Appendices 1-2. The existing green infrastructure can be utilised and enhanced now as part of delivery of a housing allocation. The Mineral Planning Authority (SCC) did not object to the 2006 proposals.
- In terms of Highways, our client has commissioned and submitted a Technical Transport Note to the Council in 2019 as part of previous Local Plan representations which did not generate a response from the Council. We do not believe that the Highway's Authority's initial concerns are relevant. We would welcome sight of the full Highways comments, and feedback on the work commissioned to date.

The Council acknowledges in the Housing Site Selection Topic Paper that an 'opportunity' at site ref 131 exists owing to its large scale to provide biodiversity offsetting or Green Belt "*compensatory improvements*", thereby satisfying para 142 of the NPPF.



We consider that on this basis, compensatory tree planting could also be incorporated, overcoming several ‘negatives’ highlighted above by the Council.

This opportunity and willingness to incorporate and use the existing green infrastructure walking/cycling link from site refs: 116 and 131 to Landywood Station as a traffic-free route, and willingness to provide green infrastructure enhancements is offered and described in Appendix 1-2.

Site ref 486c is stated to have a Green Belt harm as ‘high’ (the same as site refs: 116 and 131), with part of site ref 646 a&b having a ‘very high’ impact on Green Belt harm (i.e. greater harm than site refs: 116 and 131).

It is not therefore possible to discount D Morgan PLC’s promoted sites on Green Belt impact basis, as site refs 116 and 131 perform at least the same, and often better, than green field site ref: 486c and 644a&b proposed for allocation.

QUESTION 2: a) Do you agree that the correct infrastructure to be delivered alongside proposed allocations has been identified in the IDP? Yes/No. b) Is there any other infrastructure not covered in this consultation document or the IDP that the Local Plan should seek to deliver? Yes/No.

a) **No.**

b) **Yes.**

The Chase Line is a major asset to the District in terms of accessibility to surrounding settlements, towns and cities, including the GBHMA however the emerging Local Plan does not emphasise its presence.

In the Rural Services and Facilities Audit 2021, a baseline position of 2017 is still being used when assessing the accessibility of sites/settlements. A baseline from this date does not take into account the opening of the £110m Chase Line electrification upgrade which led to many benefits since the project was completed in 2019, including: speed increases; reduced journey times; increased passenger capacity owing to longer trains being accommodated; and reduction in CO₂ emissions. Despite these benefits now being in place for over two years, the Rural Services and Facilities Audit 2021 continues to rely on data available in 2017.

The baseline position is significantly outdated and results in an unsound and flawed assessment.

Throughout the POLP and supporting IDP, we consider more emphasis is required throughout on the presence and benefits (passenger capacity, frequency and speed) of the Chase Line, a key rail corridor into the GBHMA, providing good access to employment and wider facilities given only 21% of the working population work within the District and 79% of the working population use some form of travel out of the district.

Landywood is the only railway station on the Chase Line in South Staffordshire.

Landywood serves Cheslyn Hay/Great Wyrley and is easily accessible from our client’s promoted sites by Active Travel means (walking/cycling) (Appendix 1).

Providing growth with the allocation of housing on our client’s promoted sites will “*align growth with infrastructure*”.

The Chase Line between Walsall and Rugeley Trent Valley (via Landywood) has recently been electrified, with electric trains commencing service in May 2019. The electrification of the line, at a

cost of £110m, has led to many benefits, including: speed increases; more frequent trains; reduced journey times; increased passenger capacity owing to longer trains being accommodated by the improved rail infrastructure; and reduction in CO₂ emissions.

As well as climate change benefits, there has been a significant increase in passenger capacity to facilitate future growth aligned with infrastructure including for housing allocations in the Local Plan. This passenger capacity is available now and should be utilised.

The proposed housing allocations at Coven and Essington, owing to their location, do not and cannot access such benefits. Site refs 116 and 131 which do access this rail network and its benefits have not been allocated.

The Chase Line provides fast and frequent connections from Landywood station to Cannock (3 minutes journey time), Bloxwich (7 minutes), Walsall (13 minutes), Rugeley (14 minutes) and Birmingham New Street (34 minutes). These are all significant centres for residents to satisfy their employment, retail and leisure needs, and as we have previously evidenced, for residents to access hospitals.

Para 3.12 of the Sustainability Appraisal recognises that approximately 21% of the District's working population live and work in South Staffordshire, with the majority commuting outside the District. On this basis, significant weight must be placed on focusing growth at/near public transport locations in order to allow commuting to take place with a reduction in private car use. This, in turn, would lead to wider sustainability benefits including lower CO₂ emissions.

The benefits of commuting via public transport is recognised in the Council's definition of Tier 1 settlements, to which Cheslyn Hay is one, noting that Tier 1 settlements are locations with the *"greatest access to services and facilities"* typically having *"food stores, a wider range of services and facilities than other villages, a range of education establishments, access to a train station and good access to employment and wider facilities outside the village via public transport"* (Rural Services and Facilities Audit, pg 11).

Landywood station is referenced once in the IDP, on page 7, simply noting that, *"all rail stations and local services in South Staffordshire are managed and provided by West Midlands Railway. Stations are located at Codsall, Bilbrook, Landywood and Penkridge, with lines running to Shrewsbury, Birmingham, Stafford and Wolverhampton"*.

Page 21 of the POLP refers to the *"Walsall to Rugeley line with station at Landywood (Great Wyrley)"* in the context of ensuring there is suitable provision of suitable public transport services with appropriate facilities at transport hubs. There is no other reference to Landywood station or the Chase Line in the POLP document.

The Chase Line is a key travel and commuter link to Cannock, Bloxwich, Walsall, Rugeley and Birmingham, connecting also to HS2 and Birmingham Airport. Its significance should be recognised throughout the IDP and POLP in the key role it plays in connecting residents to these important centres, including for onward travel, especially when it is acknowledged that the majority of the population commutes outside the District.

The importance of the Chase Line as a key rail corridor is understated in the POLP and the IDP. Despite £110m being spent on electrifying the line, in turn improving journey times and increasing capacity, the potential for it to support and facilitate development in the Local Plan is not referred to. As we

have discussed, the proposed sites for allocation at Coven and Essington do not have access to the Chase Line and as Tier 3-5 settlements, do not have access to many services and facilities.

QUESTION 3: a) Have the correct vision and strategic objectives been identified? Yes/No. b) Do you agree that the draft policies (Chapters 4 and 5) and the policy directions (Chapter 6) will deliver these objectives? Yes/No.

a) **No**

b) **No.** Whilst the Council have identified the correct policies (see pages 1-20) we do not consider the Council's implementation of them will result in the vision being achieved, owing to conflict with the proposed strategic objectives.

D Morgan PLC does not agree with the vision and strategic objectives as currently worded. We consider that the vision and strategic objectives could give rise to isolated communities, highly reliant on the private car for travel and creating a conflict with the settlement hierarchy (Policy DS3).

Paragraph 110 of the NPPF does not promote development of this nature, stating:

In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that inter alia:

- *appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location...*

Whilst Strategic Objective 2 states that new development will be located within 'sustainable locations', emphasis should be placed on accessibility to public transport / sustainable transport modes. These, as it stands, are not currently referred to.

We request that the wording of Strategic Objective 2 is revised to read as follows [NB. underlined words are proposed additions, **bold** is writer's emphasis]:

Strategic Objective 2

*Meet the housing needs of the District whilst making a proportionate contribution towards the unmet needs of Greater Birmingham Housing Market Area. New development **will be** focused on sustainable locations within the District, well-served by public transport, either **within or adjacent** to the District's key villages or through urban extensions adjacent to neighbouring towns and cities.*

Strategic Objective 2 reinforces the findings of the Rural Services Audit, noting that the most sustainable Tier 1 locations have a range of services and public transport opportunities. Our clients' sites meet this sustainability criteria, being located in a Tier 1 settlement, well-served by public transport, and the sustainability merits are further enhanced when you also consider they lie in the catchment of Cannock Town Centre.

We consider that Strategic Objective 2 has not been applied fairly to the proposed sites at Essington and Coven (site refs: 486c and 646a&b). These sites are located on the periphery of Tier 3-5

settlements and by definition cannot satisfy Strategic Objective 2 as they are not sustainable locations, not well-served by public transport and not within the catchment of any town centre, Cannock or otherwise.

With the amended wording shown above, we consider it would assist the Council to demonstrate that it is committed to encouraging sustainable development to take place, and reducing reliance on the private motorcar, therefore satisfying paras 105 and 142 of the NPPF which place great emphasis on the benefits of utilising sites that are well-served by public transport or have the opportunities to promote sustainable transport modes.

QUESTION 4: Do you support the policy approach in Policy DS1 – Green Belt and Policy DS2 – Open Countryside? Yes/No. If no, please explain how these policies should be amended.

D Morgan PLC have no comments to make in relation to Policy DS1 or Policy DS2. These policies reflect the requirements of national policy in only permitting a limited range of development types in such locations.

QUESTION 5: Do you support the policy approach in Policy DS3 – The Spatial Strategy to 2038? Yes/No. If no, please explain how these policies should be amended.

No. D Morgan PLC supports locating growth in the most sustainable locations, and although Policy DS3 appears to agree with this approach, the strategy has not been implemented in the manner stated; many proposed allocations are in locations that are not sustainable. Policy DS3 informs the location of allocations. It is imperative it is implemented in the manner indicated by its wording.

Cheslyn Hay is identified as a Tier 1 Settlement in the Rural Services and Facilities Audit 2021, along with four other settlements: Bilbrook, Codsall, Great Wyrley and Penkridge. These five locations are considered to be the locations with the “*greatest access to services and facilities*” typically having “*food stores, a wider range of services and facilities than other villages, a range of education establishments, access to a train station and good access to employment and wider facilities outside the village via public transport*” (Rural Services and Facilities Audit, pg 11).

In Policy DS3, the Council have identified a suitable approach in terms of locating development in the most sustainable of locations, but have disregarded this strategy when proposing allocations.

Policy DS3 sets out the Spatial Strategy to 2038, recognising that in addition to its own housing need of 4,881 dwellings, it will also contribute a further 4,000 dwellings towards meeting the Greater Birmingham Housing Market Area shortfall.

The policy goes on to reaffirm that an infrastructure-led approach will be followed...

*“with growth located at the most accessible and sustainable locations in accordance with the settlement hierarchy... An **integral** part of the Strategy will be to **ensure** that growth is distributed to the district’s most sustainable locations, avoiding a disproportionate level of growth in the district’s less sustainable settlements”.*

The key phrase – “*in accordance with the settlement hierarchy*” – is prescriptive.



Key words in Policy DS3 are “*integral*” and “*ensure*”; these words mean no change and no compromise.

Tier 1 settlements in the District are identified as being Penkridge, Codsall, Bilbrook and Cheslyn Hay/Great Wyrley. These settlements are said to hold a wide range of services and facilities and have access to key rail corridors into adjacent towns and cities upon which the District relies for its higher order services and employment. Tier 1 settlements can, because of this, be considered to be the most sustainable locations to locate growth.

Cheslyn Hay/Great Wyrley only have 5.8% of the Council’s housing requirement allocated to them, significantly less than all other Tier 1 settlements, despite being well-served by public transport, including frequent bus services and Landywood station on the Chase Line, and being in the catchment area of Cannock Town Centre, with its significant range of shops, facilities and employment opportunities.

Coven and Essington are identified as being Tier 3-5 settlements as they “*hold a smaller range of services and facilities than Tier 1 and 2 settlements*”.

It therefore makes no sense as to why large-scale Green Belt release is then proposed on the periphery of these settlements when the Council acknowledge that these are not the most sustainable locations for development and do not meet the aims of Strategic Objective 2.

Neither Coven or Essington are served by railway stations. The nearest railway station to Coven is at Codsall, approximately 6km away, with the nearest railway station to Essington being at Bloxwich/Bloxwich North, also circa. 6km away. The distances from these settlements to railway stations (and other facilities, such as foodstores and schools) is confirmed in the Site Proformas forming part of the Housing Site Selection Topic Paper.

Bus services are equally limited. Coven is served by services 877 and 878, where there is a bus approximately every two hours. Services start at 7am, and finish at 5:30pm. Essington benefits from an hourly service (bus service 71), running between 6:45am and shortly after 7pm.

Locating significant growth around Coven and Essington will result in heavy reliance on the private motor car due to the rural nature of these settlements, poor accessibility to public transport, and the very limited services and facilities available at each.

By contrast, Cheslyn Hay/Great Wyrley which are Tier 1 settlements within Cannock Town Centre catchment area, do not have significant growth directed towards them. This is despite the recent £110m investment to electrify and upgrade the Chase Line, a key rail corridor, between Walsall and Rugeley Trent Valley (via Landywood). This investment has led to many benefits, including: speed increases; more frequent trains; reduced journey times; increased passenger capacity owing to longer trains being accommodated; and reduction in CO₂ emissions. As well as climate change benefits, there has been a significant increase in passenger capacity for future growth.

Para 3.12 of the Sustainability Appraisal acknowledges that approximately 21% of the District’s working population live and work in South Staffordshire, with the majority commuting outside the District. To facilitate movement outside of the District of such a large percentage of the working population (79%), existing transport services, where there is capacity, should be prioritised and utilised.



The Chase Line provides fast and frequent connections from Landywood station to Cannock (3 minutes journey time), Bloxwich (7 minutes), Walsall (13 minutes), Rugeley (14 minutes) and Birmingham New Street (34 minutes), connecting with the HS2 and with Birmingham Airport. These are all significant centres and connections for residents to satisfy their employment, retail and leisure needs, together with onward journeys. At Birmingham New Street it is also possible to interchange onto the tram network (West Midlands Metro), which has stops across Birmingham City Centre, ultimately terminating in Wolverhampton.

We request that the Council implements its strategy as it sets out in Strategic Objective 2 and Policy DS3, with growth being located in the most sustainable Tier 1 settlements.

Failure to direct growth to these most sustainable locations will inevitably result in unsustainable development and isolated communities, something which Strategic Objective 2 and Policy DS3 and national policy seeks to avoid.

QUESTION 6: Do you support the policy approach in Policy DS4 – Longer Term Growth Aspirations for a New Settlement? Yes/No. If no, please explain how these policies should be amended.

No. D Morgan PLC considers that the Council's attempt to identify a new settlement is contrary to national policy which seeks to ensure that the planning system contributes towards sustainable development.

The Council's plan period runs from 1 April 2018 to 31 March 2038; there is therefore no requirement for the Council to consider planning beyond this date. The commitment to longer-term growth aspirations for a new settlement pre-empts any future changes to national policy, demographic projections, and any findings arising from future evidence base studies.

Even the Council acknowledge that a new settlement falls outside the parameters for this Local Plan. Policy DS4 states that, "*it is not anticipated that a new settlement will contribute to housing growth during the current plan period*". Even Policy DS4 confirms this is not relevant to the currently housing need.

For the reasons explained in Appendix 9 it is considered that the strategy of exploring options for a new settlement should be abandoned.

QUESTION 7: a) Do you support the proposed strategic housing allocations in policies SA1-SA4? Yes/No. If no, please explain your reasons for this. b) Do you agree that given the scale of the 4 sites detailed in policies SA1-SA4, these warrant their own policy to set the vision for the site, alongside a requirement for a detailed masterplan and design code? Yes/No.

a) No.

D Morgan PLC have considered the following following policies:

- **Policy SA1** – Strategic development location: Land at Bilbrook
- **Policy SA2** – Strategic development location: Land at Cross Green, Coven
- **Policy SA3** – Strategic development location: Land North of Linthouse Lane, Essington
- **Policy SA4** – Strategic development location: Land North of Penkridge

D Morgan PLC do not support strategic housing allocations **Policy SA2-SA4** and do not believe the Council's evidence is adequate in justifying their inclusion for the reasons set out in this submission which evidences that these proposed allocations are in conflict with Local Plan and national policy. Appendices 1-8 evidence the sustainability credentials in terms of Active Travel, services, facilities, public transport (bus and rail) and road accessibility at Tier 1 settlement Cheslyn Hay.

Coven and Essington as Tier 3-5 settlements by definition do not have a comparable offer. Tier 3-5 settlements are less sustainable than Tier 1 settlements.

Policy SA1

D Morgan have no comments to make in relation to this allocation located at Tier 1 settlement Bilbrook.

Policy SA2 and Policy SA3

We consider the allocations proposed by **Policy SA2** and **Policy SA3** to be contrary to national policy and at odds with the strategy which the Council is promoting in Policy DS3 and in conflict with Strategic Objective 2.

Paragraph 11 of the NPPF requires plan-making and decision making to be undertaken with a presumption in favour of sustainable development. For plan-making, this means:

11a) all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects...

Policy DS3, as set out previously, aims to address this aspect of national policy, including to: "*align growth and infrastructure*", stating:

*"with growth located at the most accessible and sustainable locations in accordance with the settlement hierarchy... an **integral** part of the Strategy will be to **ensure** that growth is distributed to the district's most sustainable locations, avoiding a disproportionate level of growth in the district's less sustainable settlements..."*

The key phrase – "*in accordance with the settlement hierarchy*" – is prescriptive.

Key words in Policy DS3 are "**integral**" and "**ensure**"; these words mean no change and no compromise.

Tier 1 settlements in the District are identified as being Penkridge, Codsall, Bilbrook and Cheslyn Hay/Great Wyrley. These settlements are said to hold a wide range of services and facilities and have access to key rail corridors into adjacent towns and cities upon which the District relies for its higher order services and employment.

Tier 1 settlements can, because of this, be considered to be "*the district's most sustainable locations*" to "*align growth and infrastructure*".

Para 2.3 of the Rural Services and Facilities Audit further notes

"...it is clear that the NPPF 2021 emphasises the importance of the following matters: [inter alia]

- **Maximising the opportunities to use existing and proposed transport infrastructure;**

- **Limiting the need to travel, offering a genuine choice of transport modes and maximising sustainable transport solutions**

Coven and Essington are identified as being Tier 3-5 settlements as they “*hold a smaller range of services and facilities than Tier 1 and 2 settlements*”.

Despite their limited services/facilities and poor sustainability credentials, these settlements have large-scale Green Belt releases proposed on their peripheries for 2,400 homes.

The Council acknowledge that these are not the most sustainable locations for development owing to their Tier 3 status.

There is therefore a clear disparity between Policy DS3 – “*growth is distributed to the district’s most sustainable locations*” – and where allocations are proposed, in settlements performing poorly in terms of sustainability.

Cheslyn Hay/Great Wyrley only have 5.8% of the Council’s housing requirement allocated to them, significantly less than all other Tier 1 settlements. There is no significant urban extension proposed. This is despite Cheslyn Hay/Great Wyrley being a Tier 1 settlement with Policy DS3 requiring “*that growth is located to the District’s most sustainable locations*”.

This Tier 1 location is exceptionally well-served by public transport, including frequent bus services and Landywood station on the Chase Line, a key rail corridor into the GBHMA, linking to the Metrolink tram system, HS2 and Birmingham Airport, and being in the catchment area of Cannock Town Centre with its bus station, accessible within 10 minutes, facilitating onward journeys, and significant range of shops, facilities and employment opportunities.

Recent electrification of the Chase Line, at a cost of £110m, has led to many benefits, including: speed increases; reduced journey times; increased passenger capacity owing to longer trains being accommodated; and reduction in CO₂ emissions. As there is demonstrable capacity available, we consider it should be utilised to avoid development elsewhere, in less sustainable locations, which would result in high dependency on the private motorcar.

The Chase Line provides significant passenger capacity with fast and frequent connections from Landywood station to Cannock (3 minutes journey time), Bloxwich (7 minutes), Walsall (13 minutes), Rugeley (14 minutes) and Birmingham New Street (34 minutes). These are all significant centres for residents to satisfy their employment, retail and leisure needs. The Chase Line also connects with the Metrolink tram system at Birmingham New Street, HS2 and with Birmingham Airport, providing onward journeys. Approximately 21% of the District’s working population live and work in South Staffordshire, with the majority commuting outside the District. 79% of the working population commuting outside of the District underlines the importance of public transport with a genuine choice of transport modes and connectivity.

Cheslyn Hay/Great Wyrley are not solely reliant on trains connecting with the Metrolink tram system, HS2 and Birmingham Airport, they are also well-served by a bus station within a short journey time of 10-15 minutes, and well-served by an extensive bus network, offering a variety of services at frequent intervals from a range of stops (see Appendix 7 for the full range of services available in the vicinity).

Cannock Bus Station is a short 10-15 minute bus journey from our client’s promoted sites, where it is possible to interchange onto further services, including services to Lichfield (Service 60, half-hourly); Rugeley (Service 63, hourly); Penkridge (Service 875, hourly).



The full list of services out of Cannock Bus Station are as follows (see Appendix 7 for route network):

Bus Service Number	Destination
1	Walsall
3	Brownhills
23	Hednesford
25	Pye Green
26	Pye Green
60	Lichfield
62	Lichfield
67	Wolverhampton (via Shareshill)
70	Wolverhampton (via Cheslyn Hay)
71	Wolverhampton (via Cheslyn Hay)
74	Stafford
875	Stafford
X14	Telford
X51	Birmingham
817	Rodbaston

On the above basis, site refs 116 and 131 can be considered to be Green Belt sites well-served by public transport, complying paragraph 142 of the NPPF.

For those wishing to use the private car, Cheslyn Hay/Great Wyrley, and particularly the location of our client's promoted sites, are exceptionally well-located to a number of major roads, including Junction 11 of the M6 (less than 1km from site ref: 131); the M54 proposed link road (due to open in 2025); A34, and A460. This therefore means that even if the car is used, short journeys can be undertaken to key service centres and employment areas, resulting in convenient access and minimal CO₂ emissions (Appendix 8).

There are a number of nearby significant employment areas which can be easily reached by public transport or by private vehicle; offering a range of employment opportunities to prospective residents and keeping journey times short (Appendix 8). Their proximity to Cheslyn Hay/Great Wyrley and our client's sites is a significant benefit.

The West Midlands Strategic Employment Study (2015) identified 2 regional employment sites within 5km of our client's promoted sites - i54 is accessible from the M54 motorway Junction 2 and Hilton Cross is accessible from the M54 Junction 1. Both employment sites are accessible within a short 5-10 minute journey from site refs: 116 and 131.

Since the publication of the West Midlands Strategic Employment Study, the West Midlands Rail Freight interchange has also been approved at Four Ashes, which upon completion will create 8,500 direct, full-time jobs, 40% of which will be higher-skilled. The Rail Freight Interchange site is 8km from our client's promoted sites, and can be reached in a short journey time of less than 10 minutes, utilising the M6 J11/12 and the A5.

The proposed M54/M6 link road (opening 2025; in final stages of consent being granted) is also in close proximity of our client's promoted sites (within 750m) and will provide easy, quick access within



a short 5-10 minute journey time to the major employment zones of i54 and Hilton Cross. This enhanced access will supplement the employment offer already available in close proximity to our client's sites which fall within the catchment of Cannock Town Centre, itself a significant employment area, served by bus services and a railway line.

Whilst Coven and Essington and their associated allocations may be similar distances from significant employment areas (Rail Freight Interchange; Hilton Cross; i54) neither can claim to be well-served by public transport or have such a variety of major road corridors and junctions nearby. This results in a poor means of access into and out of these settlements, and therefore a direct conflict with paragraph 142 which requires first consideration to be given to Green Belt sites that are previously developed and/or well-served by public transport.

Neither Coven or Essington are served by railway stations requiring heavily reliance on the private motorcar. The nearest railway station to Coven is at Codsall, approximately 6km away, with the nearest railway station to Essington being at Bloxwich/Bloxwich North, also circa. 6km away. The distances from these settlements to railway stations (and other facilities, such as foodstores and schools) is confirmed in the Site Proformas forming part of the Housing Site Selection Topic Paper.

Bus services are equally limited. Coven is served by services 877 and 878, where there is a bus approximately every two hours. Services start at 7am, and finish at 5:30pm. Essington benefits from an hourly service (bus service 71), running between 6:45am and shortly after 7pm.

D Morgan PLC therefore maintain that the proposed allocation of Land north of Linthouse Lane, Essington (Site ref: 486c) and Land at Cross Green, Coven (Site ref: 646 a&b) are unsound. Locating significant growth around these areas will result in heavy reliance on the private motor car due to the rural nature of these settlements, poor accessibility to public transport, and the very limited services and facilities available at each.

In addition to the above, the evidence which the Council have prepared to support the proposed allocations is inadequate, most notably that within the Sustainability Appraisal and Strategic Housing and Employment Land Availability Assessment (SHELAA), which we consider in detail in response to Question 1.

The methodology underpinning the Sustainability Appraisal has not been applied consistently across each site. We have highlighted particular concerns with how 'Employment & Economy' has been assessed. We consider that our client's sites refs: 116 and 131 have excellent access to employment, owing to the proximity of employment sites, and the range of public transport (bus and rail) and strategic road network travel options to access them. There is no justification which explains why our client's sites rank poorly than site refs 486c and 646 a&b.

The Sustainability Appraisal relies on the Rural Services and Facilities Audit which assessed access to employment centres via rail and bus from areas within the District. Hansen Scores for public transport access to employment opportunities were used, based on outdated 2017 timetables, which measured the number of destinations which could be accessed within 60 minutes journey time.

The Hansen Score mapping shows site refs 116 and 131 falling into the same category (yellow) as site refs 486c and 646 a&b, but this similarity is not reflected in the Sustainability Appraisal; site refs 161 and 131 are shown to have 'minor negative' effects, with site refs 486c and 646 a&b having 'minor positive' effects. There needs to be consistency.

There has been no consideration given to the presence of Landywood Station and the electrification upgrades in 2019 increasing passenger capacity with longer trains and increased frequency on the Chase Line via Landywood, between Rugeley Trent Valley and Walsall stations. The electrification upgrade has reduced journey times, improving accessibility to employment and other services in Cannock, Bloxwich, Rugeley, Walsall and Birmingham, connecting with the Metrolink tram system, HS2 and Birmingham Airport.

The Hansen mapping is based on railway timetables from May 2017 and bus timetables from September 2017; these timetables are now over four years old and do not reflect the public transport services in place today. The evidence is unsound and cannot be relied upon if not based on the most up-to-date data.

Turning to the SHELAA, the assessment comments in relation to site refs: 486c and 646 a&b are exceptionally brief; they do not assess the sites suitability fully, predominantly stating what uses the sites are being promoted for:

486c – Site is adjacent to the Black Country urban area. Promoted as a potential urban extension in the review of the Local Plan for residential scheme included neighbourhood centre, primary school and public open space. PRoW bisects site and site includes areas of pylons and slightly undulating topography. Site promoters indicate potential for a country park on land to the north-east towards Essington. Urban edge site modelled at 35 dwellings per hectare

646 a&b - Site promoter indicates two parcels west of train line could be brought forward as a comprehensive housing scheme with associated services

The strengths and weaknesses of each site in the SHELAA should be stated to allow sites' availability and suitability to be considered. The assessment included in the current SHELAA does not do this, and does not explain and justify why sites have been proposed for allocation over others when in conflict with national and local policies.

D Morgan PLC considers that there are significant question marks over the proposed Green Belt release sites and allocations included in the POLP Policies SA2 and Policy SA3. It is considered that the sites are remote from employment, services and facilities, giving rise to heavy reliance on the private motorcar and isolated, unsustainable communities, in conflict with Strategic Objective 2 and Policy DS3. The Council has not published adequate evidence which provides justification for the approach being taken; the Sustainability Assessment, and SHELAA are flawed in their considerations.

As an alternative to the unsustainable sites proposed for allocation, we propose the inclusion of our client's sites (refs: 116 and 131) at Cheslyn Hay/Great Wyrley which utilise Landywood Station on the Chase Line. The Chase Line has been recently electrified in 2019 which has led to many benefits, including: speed increases; reduced journey times; increased passenger capacity owing to longer trains being accommodated; and reduction in CO₂ emissions. The sites are also well-served by a bus station within a short 10 minute journey time and by frequent bus services, and fall within the catchment of Cannock Town Centre which has a bus station, host of additional shops, services and facilities which are easily accessible and in close proximity. Our client's sites have easy access to existing services and infrastructure, where there is capacity, which can be utilised now.



Policy SA4

In relation to **Policy SA4** - Strategic development location: Land North of Penkrige, please see our comments in relation to Question 1 concerning the Green Belt Study and how the Council's strategy will lead to 'leapfrogging' of the Green Belt. The Council at this stage has not yet provided adequate evidence that alleviates this concern.

With South Staffordshire agreeing to accommodate an additional 4,000 dwellings to assist meeting housing need arising in the wider GBHMA, it is imperative that homes are located as close as possible to Greater Birmingham authorities to ensure residents have access to the housing they need.

Penkrige is 16.1km from Wolverhampton, 20.9km from Walsall and 37km from central Birmingham. In comparison, Cheslyn Hay is 12.8km from Wolverhampton, 10.4km from Walsall and 30km from central Birmingham.

There therefore appears to be an unjustified, disproportionate amount of growth to the northern periphery of the District. This is at odds with the Green Belt Study which at paragraphs 2.27 and 2.28 confirms there is a clear risk of 'leapfrogging' to sites immediately beyond the Green Belt boundary. This can result in unsustainable patterns of housing, public services or employment land. It is specifically noted that, "*parts of the settlements of Penkrige and Wheaton Aston lie just outside the northern boundary of the Green Belt, which makes them vulnerable to development pressures*".

The Council appear to have ignored their commissioned evidence which raised clear concerns with such an approach being taken. Continuing with such a large percentage of growth being directed towards Penkrige would result in housing development to satisfy the Greater Birmingham Housing Market Area (GBHMA) need being a considerable distance away from where the need is derived, creating long journeys and therefore resulting in an unsound allocation and strategy.

b) No.

We consider that strategic allocations SA2, SA3 and SA4 to be unsound so therefore a masterplanning exercise is premature and unnecessary at these sites, and would be in conflict with NPPF para 11:

11a) all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects...

It would also be in conflict Policy DS3 which reaffirms that an infrastructure-led approach will be followed:

*"with growth located at the most accessible and sustainable locations in accordance with the settlement hierarchy... An **integral** part of the Strategy will be to **ensure** that growth is distributed to the district's most sustainable locations, avoiding a disproportionate level of growth in the district's less sustainable settlements".*

The key phrase – "*in accordance with the settlement hierarchy*" – is prescriptive.

Key words in Policy DS3 are "**integral**" and "**ensure**"; these words mean no change and no compromise.



Paragraph 110 of the NPPF is also relevant:

In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that inter alia:

- *appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location...*

Paragraph 142 of the NPPF is also relevant:

“Where it has been concluded that it is necessary to release Green Belt land for development, plans should give first consideration to land which has been previously-developed and/or is well-served by public transport”.

We do not consider that first consideration as required by para 142 should be delivered to release of Green Belt sites covered by Policies SA2-SA4.

Masterplans should only be required on sound, compliant and justified allocations.

For the reasons outlined in section a) of this question, and for all of the reasons explained in our submitted representations (including pages 1-20), we consider the Council’s approach to date to be flawed and unsound, and not meeting the requirements of NPPF paras 11, 16, 105, 110 and 142 and in conflict with its own policies.

The Council’s proposals are flawed and unsound and masterplans should not be invited.

If the Council proceeds with its current approach, without ensuring adequate evidence and justification have been prepared, it is likely to encounter difficulties at examination, reflecting a similar situation to that experienced by the City of York Council with their Local Plan whereby the Inspector found the plan was so fundamentally flawed it was recommended the process be restarted.

QUESTION 8: a) Do you support the proposed strategic housing allocations in Policy SA5? Yes/No. Please reference the site reference number for the site you are commenting on in your response.

D Morgan PLC have no comments to make in relation to the modest allocations forming part of Policy SA5.

QUESTION 9: a) Do you support the proposed pitch allocations in Policy SA6? Yes/No. Please reference the site reference number for the site you are commenting on in your response. b) Is there another option for meeting our gypsy and traveller needs, including any alternative site suggestions that could be considered? Yes/No.

D Morgan PLC have no comments to make in relation to Policy SA6/Gypsy and Traveller pitch provision.



QUESTION 10: a) Do you support the proposed allocation in Policy SA7? Yes/No.

D Morgan PLC have no comments to make in relation to Policy SA7, the employment allocation for the West Midlands Interchange, which was granted a Development Consent Order in May 2020.

QUESTION 11: Do you agree with the proposed policy approaches set out in Chapter 6? Yes/No. If no, then please provide details setting out what changes are needed, referencing the Policy Reference number.

D Morgan PLC have no comments to make in relation to detailed Development Management policies at this time.

QUESTION 12: a) It is proposed that the fully drafted policies in this document (Policies DS1-DS4 and SA1-SA7) are all strategic policies required by paragraph 21 of the NPPF. Do you agree these are strategic policies? Yes/No. b) Are there any other proposed policies in Chapter 6 that you consider should be identified as strategic policies? Yes/No. If yes, please provide details including the Policy Reference.

D Morgan PLC have no comments to make in relation to in relation to this question.

APPENDIX 1 (2 PAGES)

**FOOTPATH CONNECTIONS FROM SITE REFS 116 + 131 WELL-CONNECTED TO TIER 1
CHESLYN HAY/GREAT WYRLEY AND LANDYWOOD RAILWAY STATION
EXTRACT FROM PREVIOUS SITE PROMOTION DOCUMENT (2019)**

EXISTING PROW 11/18 LINK WITH PROPOSED HOUSING SITE



Above image, using Cheslyn Hay 18 view towards Mary Rose pub and restaurant half way along the existing high quality, traffic free, community green infrastructure for walking/cycling. There is network access to another interconnected green infrastructure route at this pedestrian/cycling cross roads, in the middle of the host settlement of Cheslyn Hay.

This community green infrastructure includes public footpath PRoW 11/18 accessing the proposed Housing site. Using PRoW 11/18 from the proposed Housing site, it will be possible to walk/cycle to Landywood Station using the existing community green infrastructure community connections linking with the allocated SAD 136 green infrastructure providing extended links for the community.



This network does connect with the proposed Housing site using PRoW 11/18. Above image from the Mary Rose pub and restaurant continuation of Cheslyn Hay 18 through the host settlement Cheslyn Hay to the disused Wyrley Branch canal Forest of Mercia Way. From this point the proposed Housing site is 300m continuing to use public footpath Cheslyn Hay 18 which will be improved/enhanced where necessary connecting into the Housing site layout.

APPENDIX 1 (2 PAGES)

FOOTPATH CONNECTIONS FROM SITE REFS 116 + 131 WELL-CONNECTED TO TIER 1 CHESLYN HAY/GREAT WYRLEY AND LANDYWOOD RAILWAY STATION EXTRACT FROM PREVIOUS SITE PROMOTION DOCUMENT (2019)

From the Forest of Mercia Way there are also existing walking/cycling connections to *Lapwing Close public open space* and Dundalk Lane within the host settlement of Cheslyn Hay.

South Staffordshire District Council proposes to link the Forest of Mercia Way with Campians Wood as part of the Campians Woodland & Quarry restoration scheme 2018 SHELAA ref: site116 – *site also suggested for open space and safeguarded land for recreational use* – refer to Core Strategy para 11.20. Refer also to Local Plan 1996 Policy R6: *The restoration proposals for the site will create an amenity /nature conservation area of great value to the community.*

2021 COMMENT: 1996 Local Plan Policy R6 states that the land can be of great value to the community. It can provide community green space linking with the *“existing public open space at Lapwing Close”*, linking with the Forest of Mercia Way network.

In 2006, the housing appeal (ref: APP/C3430/A/06/2019854) offered to the Council 7.7ha of woodland to facilitate the Council’s 1996 policy and vision for this site.

The Council in 2018 acknowledged the opportunity to provide a Country Park, Open Space, Safeguarded Land for Recreational use and links to the Forest of Mercia Way and Campians Wood as part of a quarry restoration scheme.

Our client is committed to delivering a Country Park, Open Space, Safeguarded Land for Recreational use and links to the Forest of Mercia Way and Campians Wood as part of housing development on sites 116 and 131.

In the most recent version of the SHELAA 2021, the sites potential to deliver this green infrastructure has not been included within the Council’s Assessment of sites 116 and 131. We invite the Council to remedy this oversight. We request that it is reinstated as per the 2018 wording.

Our client’s proposals satisfy para 142 of the NPPF which requires it to set out *“ways in which the impact of removing land from the Green Belt can be offset through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land”*. This is detailed and dealt with comprehensively in our site promotion document from 2019, see pages 24-26.



The navigable ‘Curly Wyrley’ Wyrley and Essington canal with safe traffic free high quality blue infrastructure is an attractive recreational route for able bodied and less mobile people of all ages because it is a contour canal. Contour canals avoid the use of any locks, there is no change in water level.

It is popular with walkers, cyclists, runners and anglers. It is free and something the whole family can enjoy regardless of age or mobility and is accessible for everyone from the proposed Housing site, creating a better place to live, improving quality of life.

APPENDIX 2 (2 PAGES)

GREEN INFRASTRUCTURE POTENTIAL OF PROMOTED SITE REFS 116 + 131 INCLUDING REFERENCE TO SHELAA 2018, SITE ALSO SUGGESTED FOR OPEN SPACE AND SAFEGUARDED LAND FOR RECREATIONAL USE

Site ref: 116 is currently occupied by Champions Wood Quarry. It is considered an area suitable to accommodate additional housing in Cheslyn Hay/Great Wyrley as part of a quarry restoration scheme.

A plan associated with the ROMP Environmental Statement shows how the quarry is to be worked. Notably a significant tree area of Champions Wood is excluded from workings in order to protect and safeguard the Public Rights of Way which run through this area. These footpaths today form part of the Forest of Mercia Way (refer to Appendix 1).

Site ref: 131 incorporates the following planning consents:

- 89/00885 (Change of use to golf driving range)
- 90/00341 (clubhouse, tennis courts and additional parking for driving range)
- 94/00507 (9-hole golf course putting green and mounding) approved in 1989 and 1994.

Development commenced in relation to the above but the developer failed.

An entrance from Wolverhampton Road (B4156) was constructed and exists into the golf course development.

Site ref: 131 is considered an area suitable to accommodate additional housing in Cheslyn Hay/Great Wyrley.

Both sites are well-served by public transport and within the catchment area of Cannock Town Centre.

Woodland and ecological enhancements have been considered at sites 116 and 131 for a considerable amount of time. As part of the ROMP conditions, site 116 is required to submit a restoration scheme for the approval of the Mineral Planning Authority. The ROMP Environmental Statement notes that:

“the quarrying proposals will result in the provision of a substantial amount of recreational open space after restoration”.

Separate from the ROMP, 7.7ha of woodland has previously been offered to the Council as part of a 2006 housing appeal (ref: APP/C3430/A/06/2019854). This option remains something which can be explored and pursued as part of the site selection and allocation process for housing (refer to Appendix 1).

Opportunity therefore clearly exists for our client’s promoted sites to access and utilise the Forest of Mercia Way and extend these links into a possible Country Park, yet to be explored by South Staffordshire Council. There is a clear willingness from the land owner to bring this forward for discussion as part of the site selection and allocation process for housing. D Morgan PLC is willing to engage with the Council to achieve this, pursuant to NPPF para 16(c).

The Country Park would encompass parts of site ref: 116 and 131, with links through to Pinfold Lane / Lapwing Close / Kestrel Way, part of the Tier 1 of Cheslyn Hay/Great Wyrley. With connections to these roads, there would be convenient footpath access through to Cheslyn Hay library, Cheslyn Hay’s two GP surgeries, Cheslyn Hay Academy with Leisure Centre and the full range of Tier 1 services and facilities including Landywood Railway Station on the Chase Line.

Site refs 116 and 131 are identified within 1.15km and 1.35km respectively to the nearest village/neighbourhood centre, Tier 1 Cheslyn Hay/Great Wyrley (see Appendix 3).

The result would be a well-connected development to services, facilities and public transport, including Active Travel into the Birmingham conurbation described in detail in the site promotion document from 2019 (pages

APPENDIX 2 (2 PAGES)

GREEN INFRASTRUCTURE POTENTIAL OF PROMOTED SITE REFS 116 + 131 INCLUDING REFERENCE TO SHELAA 2018, SITE ALSO SUGGESTED FOR OPEN SPACE AND SAFEGUARDED LAND FOR RECREATIONAL USE

23-25), with minimal reliance on the private motorcar and good access to the green infrastructure network for Active Travel purposes.

Cheslyn Hay is 6.1km from Bloxwich, 10.4km from Walsall, 12.8km from Wolverhampton, and 30km from central Birmingham, therefore well-placed to meet the housing need arising from the Greater Birmingham Housing Market Area. By comparison, the allocation at Penkrige forming Policy SA4 is 16.7km from Bloxwich, 20.9km from Walsall, 16.1km from Wolverhampton, and 37km from central Birmingham, a considerable distance from where the housing need has arisen.

We would be happy to discuss any of the points we have raised in this document with Officers, and can be available for an in-person meeting or via Zoom/Teams. We consider our promoted sites to be policy-compliant, and well-fitting with the Council's proposed development strategy.

**APPENDIX 3
RURAL SERVICES AND FACILITIES (2021) AUDIT IN TIER 1 CHESLYN HAY**

Settlement	Convenience shops/supermarket	Non-convenience shops	Other community facilities and services present (list)	Primary / First schools present	Secondary schools/ sixth form colleges present	1 mile of village boundary on routes of sufficient quality to encourage walking notes	Comments on facilities outside of village	Retail centres (2021 Retail Centres Study)	Employment access via public transport (Hansen)	PT access to Main Centres (weekend)	PT access to Main Centres (weekday)	PT access to Hospitals (weekday)	PT access to Supermarket (weekday)	PT access to Supermarket (weekend)
Cheslyn Hay	1 convenience store & 1 supermarket	At least 30	1 leisure centre 4 pubs 2 GP surgeries takeaways cafes resteraunts boutique shops 1 hall 1 community centre 1 dentist 2 newsagents 1 club boutique shops Specialist Shops 1 library 2 churches	1 primary school	1 High School	Facilities accessible within 1 mile of village boundary on routes of sufficient quality to encourage walking notes	2 Community Halls 2 Community Centres 1 Pharmacy 1 Bakery Health and Beauty Flower shops Cafes Resteraunts 1 GP Surgery 1 Health Centre Charity Shops Estate Agents 1 dentist 1 cemetery 4 churches 2 Car valating services Boutique Shops 1 train station 5 pubs 2 sports grounds Betting shops specialist shops 1 library 2 clubs 1 day nursery	Facilities available via A5 islands on the other side of the M6. Also in adjacent Great Wyrley .	Very Low, Low, Medium, Good	10, 20 minutes	10, 20, 30 minutes	30 minutes	10, 20 mins	10, 20 mins

Cheslyn Hay is served by a wide range of services and facilities, and can access others via Active Travel/public transport within 10-minutes, as set out in the table extract above.

NOTE: Great Wyrley is assessed separately in the Rural Services and Audit. Cheslyn Hay is inherently linked to Great Wyrley, owing to their close proximity, adjoining nature, and the connectivity offered by the range of Active Travel and public transport options.

APPENDIX 4 (4 PAGES)

2019 SITE PROMOTION DOCUMENT EXTRACT EVIDENCING SERVICES AND FACILITIES AVAILABLE IN TIER 1 CHESLYN HAY WITH DISTANCES

4.33 Parcels 116 and 131 (and adjoining land) – the proposed Housing site in Cheslyn Hay will be accessed by vehicles from Warstone Road (A462), Plan page 50, opposite the approved access to the Weinerberger Quarry close to the Go Direct Distribution Centre, avoiding vehicles going through Cheslyn Hay to access the M6 Junction 11, M54 New Link Road & Employment Sites. The Housing site connects with the host settlement Cheslyn Hay using short distance legible pedestrian links, Wolverhampton Road (B4156) pavement and public footpath PRoW 11/18.

- 0.1km from Cemetery Street bus stop "*Highly accessible by public bus services*" Cannock to Wolverhampton City Core Bus Route connecting with the Metro Tram GBHMA.
- 0.25km from Pinfold Community Allotments recreational provision.
- 0.25km from Hollybush Garden Centre, aquaria, including 12 retail franchises, one of the largest independent Garden Centres in the UK.
- 0.6km from the Mary Rose pub and restaurant (Moon's Lane)
- 0.6km from Community hub, Cheslyn Hay Leisure Centre for sport and physical activity – a significant recreational facility, important for the health and wellbeing of communities, Cheslyn Hay Academy and Cheslyn Hay Primary School, sharing a site.
- 0.9km from Community hub for communal wellbeing, Cheslyn Hay Community Centre, Library and other community facilities supporting people sharing a site.
- 1.1km from Low Street/High Street, shops and services para 4.49. Cheslyn Hay is a Main Service Village with 6 other bus stops and two Core Bus Routes, connecting with Cannock a Sub-Regional Shopping Centre and McArthur Glenn Designer Outlet. From Cannock Town Centre, Chasewater Country Park is accessible by Bus. Refer to Bus Map page 16.
- 1.6km from Landywood train Station on the Chase Line a Strategic rail corridor within the GBHMA with Landywood Station accessing 3 international airports and HS2 in Crewe or Birmingham. SAD 136 provides extended Green Space Infrastructure to Landywood Station. There is a community network of Green Space Infrastructure from the proposed Housing site to the Station.
- 0.0km from public footpath Cheslyn Hay 18 and Saredon11 community green infrastructure linking Cheslyn Hay using the footpath to access Warstone Road (A462)
- 0.0km from Warstone Road (A462) – 0.75km M6 Junction 11/1km M6 Toll (T8)
- 0.0km from Warstone Road (A462) – 0.75km M6 Junction 11/Highways England two lane dual carriageway new Northern Motorway Link Road preferred option providing the highest benefit to the local economy with the best journey times, reducing travel.
- 0.0km from Warstone Road (A462) – 0.75km M6 Junction 11/ 3km to M54 Junction 1, Hilton Park Strategic Employment Site/5km to M54 Junction 2 i54 Strategic Employment Site and ROF Featherstone future Strategic Employment Site for more growth in jobs in '*this broad location*' as a Regionally Significant and attractive location for National and

APPENDIX 4 (4 PAGES)

2019 SITE PROMOTION DOCUMENT EXTRACT EVIDENCING SERVICES AND FACILITIES AVAILABLE IN TIER 1 CHESLYN HAY WITH DISTANCES

International investment to sustain and develop the local economy, supported by Local Authority Chief executives across the West Midlands.

- 0.0km from Warstone Road (A462) - 0.75km M6 Junction 11/5km to proposed West Midlands Strategic Rail Freight Interchange - M6 Junction 12 and new link road to Four Ashes Strategic Employment Site.
- 0.15km from the Campians Woodland & Quarry proposed restoration scheme suggested safeguarded land public open space, protected woodland and recreation area ROMP planning condition 56 (Site 116 SHELAA 2018) and Environmental Statement (paras 4.5 - 4.8 above) and 1996 Local Plan Policy R6 '*of great value to the community*'. Community green space linking with the *existing public open space Lapwing Close* linking, with the Forest of Mercia Way network the proposed Housing site linking with Cheslyn Hay high quality green infrastructure, walking and cycling links providing a great place to live. NPPF 2019 para 98 '*adding links to existing Rights of Way*
- 0.3km from disused Wyrley Branch canal existing Forest of Mercia Way with connections to a wider network of National Trails. The Forest of Mercia Way also connects with Cheslyn Hay and will connect with SAD 136 to Landywood train Station and will connect with the proposed Housing site PRoW 18.
- 0.45km using public footpath Cheslyn Hay 18 connecting the proposed Housing site with Dundalk Lane/ '*Lapwing Close public open space*' and with the protected Campians Wood safeguarded woodland extending the Forest of Mercia Way. Cheslyn Hay 18 also connects with the Mary Rose pub and restaurant Moon's Lane, and with Upper Landywood/Landywood Lane and Landywood train Station using the public highway pavement or SAD 136
- 4.4km from the navigable Wyrley & Essington canal blue infrastructure using the disused Wyrley Branch canal Forest of Mercia Way community green infrastructure recreational route, for walking, jogging or running and or cycling, linking with the wider network.
- 7.0km from the prestigious Green Flag Awarded Roughwood Country Park LNR covering 61 hectares (151 acres) accessing Monarch's Way using the Forest of Mercia Way disused Wyrley Branch canal community green infrastructure and navigable Wyrley & Essington canal blue infrastructure
- 7.0km to 20km accessing the wider network of longer distance recreational routes and National Trails including Monarch's Way, Staffordshire Way, Forest of Mercia Timberlands Trail, Beacons Way, the Heart of England Way and the National Cycle Network all interlinked with the navigable Wyrley & Essington canal blue infrastructure.
- 20km from Chasewater Country Park using the Forest of Mercia Way disused Wyrley Branch canal green infrastructure and using the navigable Wyrley & Essington canal blue

APPENDIX 4 (4 PAGES)

2019 SITE PROMOTION DOCUMENT EXTRACT EVIDENCING SERVICES AND FACILITIES AVAILABLE IN TIER 1 CHESLYN HAY WITH DISTANCES

infrastructure linking with the short Anglesey Branch canal, accessing Chasewater Country Park, a Regional recreational facility covering 360 hectares (889 acres). (CS para 11.20)

4.34 Landywood train Station is unique, it is the only Station in South Staffordshire with access to the Chase Line, a Strategic public transport corridor in the GBHMA. Staffordshire County Council's Transport Plan confirms that the preferred maximum walking commuting distance is 2km.



Walking Distance (SAD 2018) to Landywood Station



- Cheslyn Hay, Parcel 119 - 1.84km refer to para 4.36
- Great Wyrley, Parcel 141 - 1.4km
- Great Wyrley, Parcel 139 - 3.0km refer to para 4.36
- Great Wyrley, Parcel 136 - 0.2km

*Cheslyn Hay, Parcels 116/131 and adjoining land, (proposed Housing site) - 1.6km



4.35 With the exception only of parcel 139, the above parcels are within Staffordshire County Council's 2km walking commuting distance to Landywood Station.

Parcel 139 is not, it is 3km.


Parcel 119 - at 1.84km is beyond 1.6km refer to para 4.36

4.36 The Chartered Institution of Highways and Transportation (CIHT) 'Guidelines for Providing for Journeys on Foot' (2000) notes that walking accounts for over a quarter of all journeys and 4/5 of journeys less than 1 mile (1.6km).



4.37 Therefore, 4/5 of all journeys to the facilities which are described below, referable to the proposed Housing site which are no more than 1 mile (1.6km) from the proposed Housing site are easily accessible by foot and are highly likely to take place by walking.



4.38  Such facilities, which are easily accessible by foot over a short distance include:

- Proposed Public Open Space & Green Infrastructure Forest of Mercia Way footpath link through Campians Woodland to Pinfold Lane Community Centre. Refer to Plan page 50.
- 100m to the Cemetery Street bus stop Core Bus Route connecting with the Metro Tram.
- 250m to the Pinfold Community Allotments recreational provision + Garden Centre.
- 600m to Community hub, Leisure Centre a significant recreational facility for sport and physical activity promoting healthier lifestyles important for the health and wellbeing of communities, Academy and Primary School sharing a site.
- 900m to Community hub for support, wellbeing, Community Centre, Library sharing site.
- 1.1km to the High Street one way traffic system, shops, services and 2 Core Bus Routes.
- 1.6km to Landywood train Station (Staffordshire County Council's Transport Plan confirms that the preferred maximum walking commuting distance is 2km

APPENDIX 4 (4 PAGES)

2019 SITE PROMOTION DOCUMENT EXTRACT EVIDENCING SERVICES AND FACILITIES AVAILABLE IN TIER 1 CHESLYN HAY WITH DISTANCES

- 4.39 NPPF 2019 paras 96 & 98 are relevant, refer to the Plan on page 35, it shows short distance legible pedestrian and cycling links providing a great place to live including Wolverhampton Road (B4156) pavement/footpath and footpath PRoW 11/18.

Core Strategy 11.20 'Green Space Networks connecting residential areas with recreational sites (including allotments & Leisure Centres) and open countryside can help promote healthier lifestyles and greater recreational activity'

NPPF 2019 Para 96 States: 'Access to a network of high quality open spaces and opportunities for sport and physical activity (Cheslyn Hay Leisure Centre) is important for the health and wellbeing of communities'

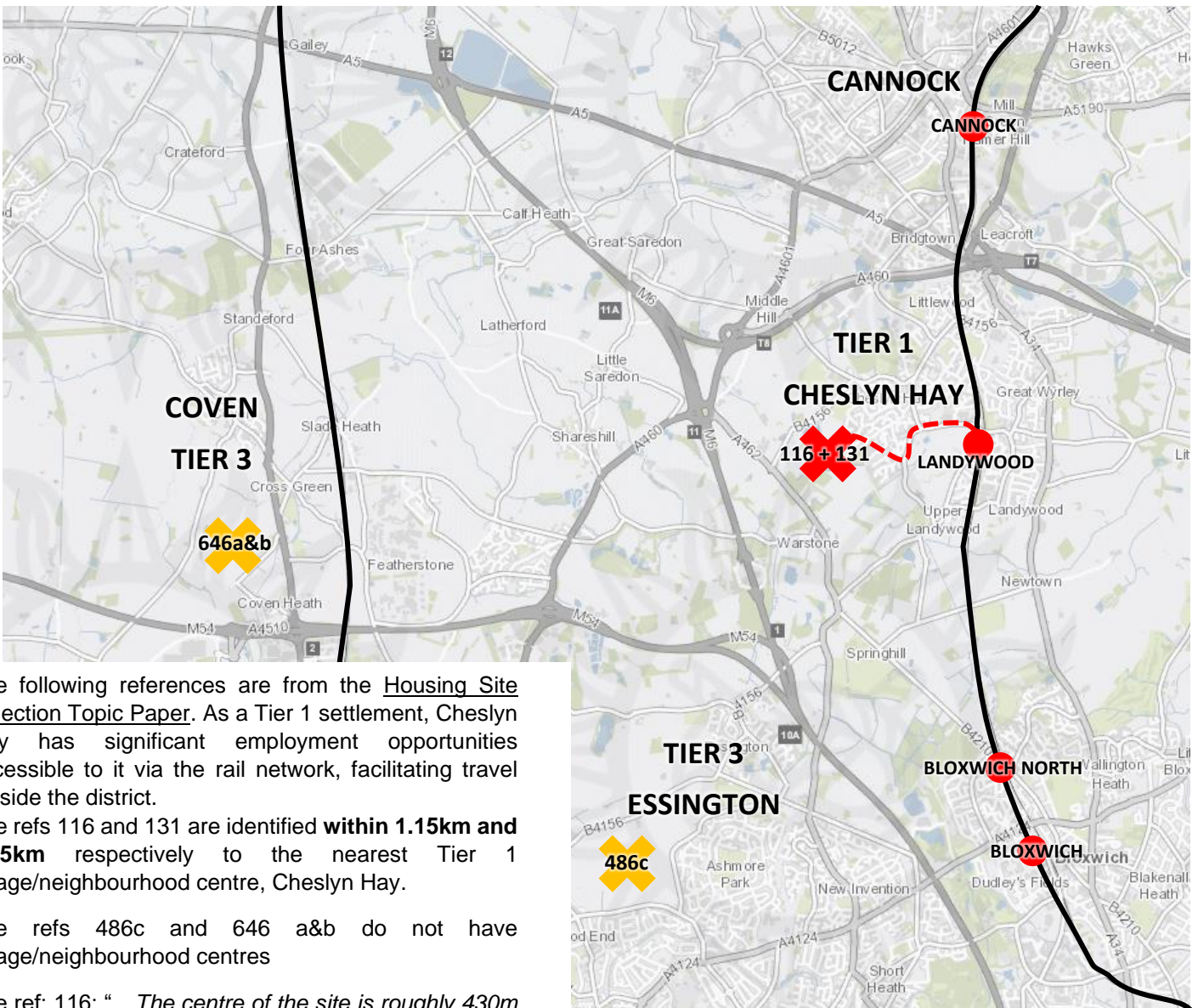
For these reasons the proposed Housing site providing new homes for the growth in jobs is in a highly accessible and exceptionally sustainable location within a short walking distance to all the above Green Space Networks, Community and wellbeing facilities and transport services. It accesses Cannock a Sub-Regional Shopping Centre by a short 3 minute train journey or by using 2 Core Bus Routes making good use of the exceptional public transport infrastructure with excellent intermodal public transport services using the Metro Tram, including accessing 3 international airports by rail and HS2 at Crewe or Birmingham.

APPENDIX 5

RAIL ACCESSIBILITY & DISTANCES FROM THE HOUSING SITES SELECTION TOPIC PAPER TO NEAREST TRAIN STATIONS

LOCATION OF TIER 1 PROMOTED SITES (REFS: 116 + 131)

PROPOSED ALLOCATIONS AT TIER 3 ESSINGTON (REF: 486c) AND TIER 3 COVEN (REF: 646a&b)



The following references are from the Housing Site Selection Topic Paper. As a Tier 1 settlement, Cheslyn Hay has significant employment opportunities accessible to it via the rail network, facilitating travel outside the district.

Site refs 116 and 131 are identified **within 1.15km and 1.35km** respectively to the nearest Tier 1 village/neighbourhood centre, Cheslyn Hay.

Site refs 486c and 646 a&b do not have village/neighbourhood centres

Site ref: 116: "... The centre of the site is roughly 430m to the nearest bus stop, **2.56km to the nearest train station, 1.15km to the nearest village/neighbourhood centre** and 930m to the nearest educational facility..." (Tier 1)

Site ref: 131: "... The centre of the site is roughly 600m to the nearest bus stop, **2.72km to the nearest train station, 1.35km to the nearest village/neighbourhood centre** and 1.1km to the nearest educational facility..." (Tier 1)

Site ref: 486c: "... The centre of the site is roughly 420m to the nearest bus stop, **4.9km to the nearest train station, 720m to the nearest local convenience store** and 1.2km to the nearest educational facility..." (Tier 3)

Site ref 646 a&b: "... The centre of the site is roughly 600m to the nearest bus stop, **6.6km to the nearest train station, 1.4km to the nearest local convenience store** and 2.6km to the nearest educational facility..." (Tier 3)

Key

— Railway Lines

● Railway Stations

--- Existing Car Free pedestrian/cycle Green Infrastructure link (Appendix 1) from Landywood Station to D Morgan PLC Promoted Sites less than 2km (the Topic Paper appears to use longer distances following vehicular traffic routes, overlooking the existing Green Infrastructure route)

✘ Tier 1 D Morgan PLC Promoted Sites within catchment area of Cannock Town Centre

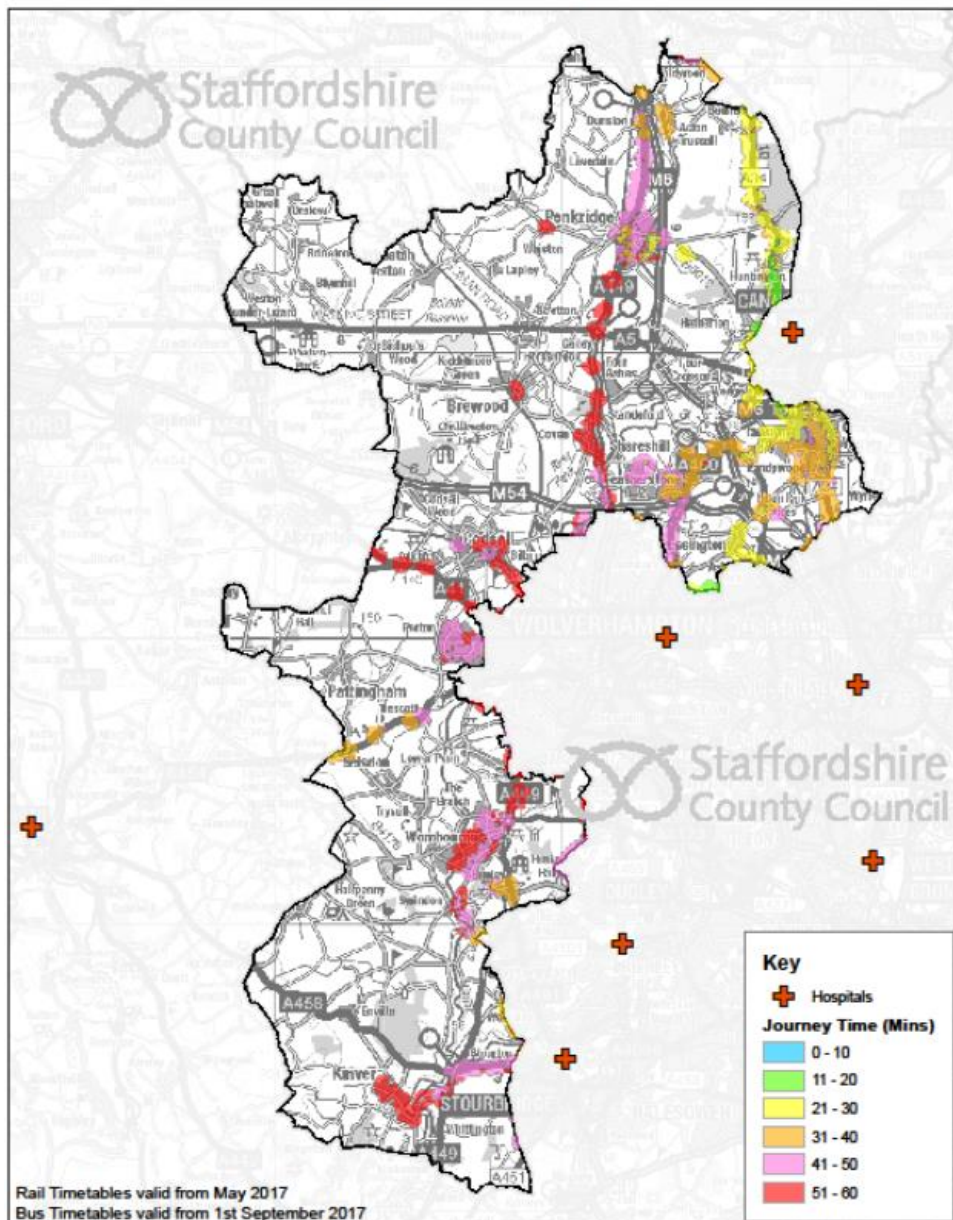
✘ Tier 3 Proposed Green Belt allocations

APPENDIX 6 (2 PAGES)

ACCESSIBILITY TO HOSPITALS

EXTRACT FROM ISSUES + OPTIONS CONSULTATION RESPONSE (DECEMBER 2019)

Public Transport Access to Hospitals (Bus and Rail) Wednesday 08:00 to 10:00 hours



In terms of Tier 1 settlements, Cheslyn Hay has the shortest journey time by bus and rail to a Hospital, taking 21-30 minutes compared to Codsall/ Bilbrook taking 41-60 minutes and Penkridge taking 51-60 minutes.

These other Tier 1 settlements are in a less accessible and less sustainable location, with significantly longer journey times to a Hospital (double), refer to Council's colour coded key above.

By Train on the Chase Line

Landywood Railway Station is located on the Chase Line, and is just 1 mile from the promoted site. It takes 3 minutes to reach Cannock Railway Station from Landywood; Cannock Chase Hospital is 0.7 miles from Cannock train Station. Manor Hospital at Walsall is 0.6m from Walsall train Station and can be accessed via Landywood in just 13 minutes.

Also using the Chase Line to Birmingham New Street a journey which takes 35 minutes, Birmingham Children's Hospital the UK's leading specialist paediatric centre is 0.6m from the train Station.

APPENDIX 6 (2 PAGES)

ACCESSIBILITY TO HOSPITALS

EXTRACT FROM ISSUES + OPTIONS CONSULTATION RESPONSE (DECEMBER 2019)

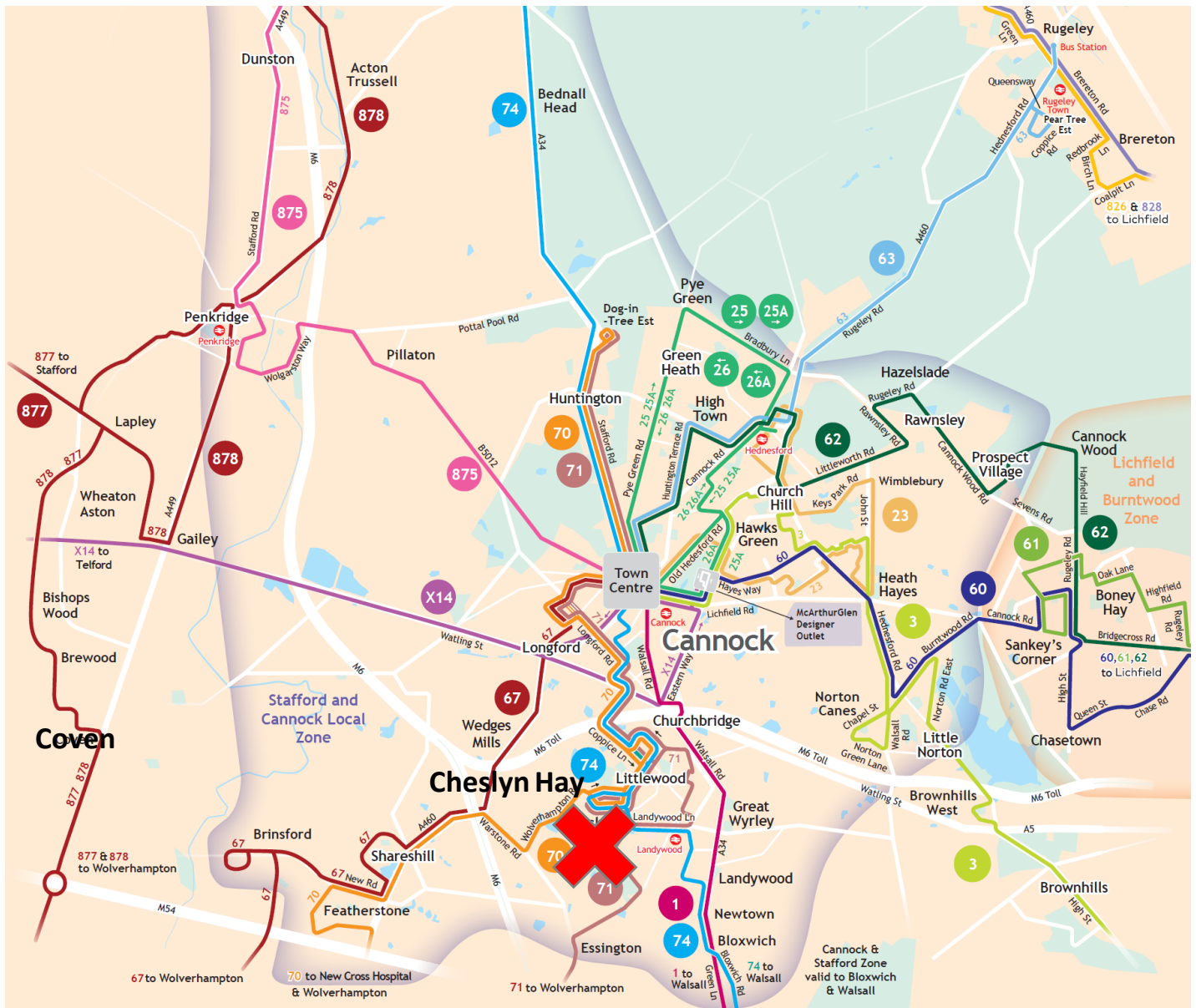
By Bus

Cannock Chase Hospital is close to Cannock Bus Station and Railway Station (3 minutes by train from Landywood). From the promoted site through Cheslyn Hay, the Cannock Bus Station can be accessed via the half-hourly 70 bus service which runs via the Hospital, and terminates at the other end of this bus journey at Wolverhampton. The NHS additionally run a free 15-minute mini-bus service between Cannock Chase Hospital and New Cross Hospital, Wolverhampton. Manor Hospital, Walsall is accessible by bus; the 2-bus service terminates at Walsall Bus Station, 0.6 miles from the Hospital.

Birmingham Children's Hospital the UK's leading specialist paediatric centre can also be reached from Cheslyn Hay via the X51 bus service.

APPENDIX 7

**CANNOCK TOWN CENTRE BUS NETWORK & CONNECTIVITY FROM BUS STATION
CHESLYN HAY AND THE PROMOTED SITES (REFS 116 + 131) WITHIN TOWN CENTRE
CATCHMENT AREA WELL-SERVED BY THE BUS NETWORK**



Key

D Morgan PLC Promoted Sites are within the catchment area of Cannock Town Centre which has a well-established bus network. The promoted sites are within 10-15 minutes of Cannock Bus Station, and Cannock's employment opportunities, leisure facilities and retail parks, including the recently opened McArthur Glen Retail Outlet, cinemas, restaurants, food superstores and many other town centre uses. There is excellent bus and rail connectivity, with low-emission trains and short journeys, increasing the viability of these public transport services.

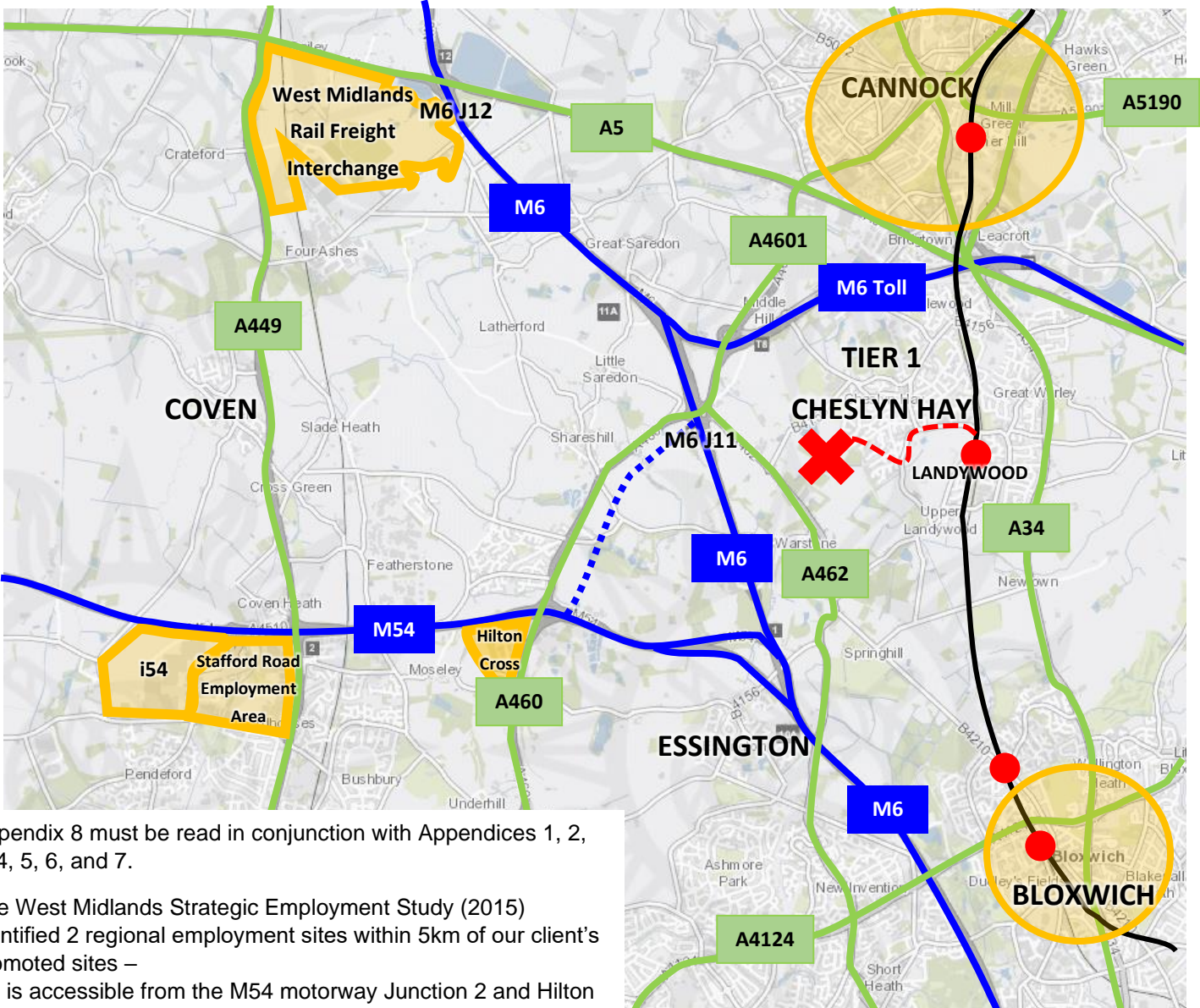


From Cheslyn Hay, employment opportunities can be easily reached using the bus network shown above.

Para 3.12 of the Sustainability Appraisal states that 'key employment areas' are defined as locations which would provide a range of employment opportunities from a variety of employment sectors, including retail parks, industrial estates and major local employers. Cannock Town Centre is one example of such a location. Cheslyn Hay is in the catchment area of this.

Coven, location of ref 646 a&b, is shown to the west on the above plan – the difference can be clearly seen between the level of bus service provision in Coven vs. Cheslyn Hay/Cannock.

**APPENDIX 8
ACCESS TO MAJOR EMPLOYMENT SITES WITH ROAD AND RAIL ACCESS FROM TIER 1
CHESLYN HAY**



Appendix 8 must be read in conjunction with Appendices 1, 2, 3, 4, 5, 6, and 7.

The West Midlands Strategic Employment Study (2015) identified 2 regional employment sites within 5km of our client’s promoted sites – i54 is accessible from the M54 motorway Junction 2 and Hilton Cross is accessible from the M54 Junction 1. Both employment sites are accessible within a short 5-10 minute journey from site refs: 116 and 131.








The proposed M54/M6 link road (opening 2025; in final stages of consent being granted) is in close proximity of our client’s promoted sites (within 750m) and will provide easy, quick access to the major employment zones of i54 and Hilton Cross.

The recently consented Rail Freight Interchange can be reached in a matter of minutes from Cheslyn Hay (M6 J11 to M6 J12). This will create 8,500 new jobs, in addition to the 7,500 which exist at i54 and Hilton Cross.

Sites 116 and 131 are exceptionally well-connected to the rail and bus network both well-served by trains and buses, accessing the major employment area of Cannock Town Centre and its retail parks, Bloxwich and other employment areas on the rail corridor into the conurbation.

Our client’s sites are best placed to access a number of large employment areas, with the major road network offering the option of short, efficient journeys, when residents cannot or do not wish to use public transport.

Key

-  Motorways
-  M54 Proposed Link (opening 2025)
-  A-Roads
-  Major Employment Sites
-  D Morgan PLC Promoted Sites in proximity to employment and major transport routes
-  Existing car-free pedestrian/cycle (Green Infrastructure) link from Landywood Station, refer to Appendix 5 key
-  Railway Stations on the Chase Line for accessing employment, shopping and leisure

APPENDIX 9 (2 PAGES)
LONG-TERM NEW SETTLEMENT PROPOSAL (POST 2038)

Paragraph 16 of the NPPF states Councils' plans should, *inter alia*:

- a) be prepared with the objective of contributing to the achievement of sustainable development;*
- b) be prepared positively, in a way that is aspirational but deliverable;*
- c) be shaped by early, proportionate and effective engagement between planmakers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees;*
- d) contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals...*

The proposal for a new settlement beyond the 2038 plan period is unnecessary and should be abandoned. It also conflicts with a number of the policy points set out below.

- a) be prepared with the objective of contributing to the achievement of sustainable development;*

To seek to identify a new settlement at this early stage looking two decades ahead pre-empts any changes to national policy, demographic projections and any future evidence base findings. It is therefore inconceivable that such an option could meet the objective of contributing towards sustainable development. This is not a sound and robust approach.

- b) be prepared positively, in a way that is aspirational but deliverable;*

The 'unknown' infrastructure impact/demand/cost/viability/deliverability, leads to uncertainty; the proposal cannot be considered feasible and deliverable without the infrastructure required being identified 20+ years ahead, and costed with appropriate funding arranged, timescales for infrastructure delivery being factored in and crucially such infrastructure actually being included in the plan of the infrastructure providers.

There are also significant concerns over whether land in the area being sought is available for development. An 'Area of Search' has been identified in the POLP in Appendix 5, described as being "*a key transport corridor (A449/ West Coast Mainline corridor)*", however not all land within this area has been submitted to the Council for consideration in the SHELAA. There is no evidence to suggest that land is available and could be brought forward in line with the Council's intended timescale.

- c) be shaped by early, proportionate and effective engagement between plan makers and communities, local organisations, businesses, infrastructure providers and operators and statutory consultees;*

To attempt to plan so far in advance, ahead of knowing what national policy may be, what the baseline position is and what the needs of the District are means that it is impossible to undertake proportionate and effective engagement at this stage.

Without transparency, clarity on points a), b) and c) cannot be satisfied, as this requires early engagement with infrastructure providers and landowners. Without knowing where development will be located, the infrastructure demands and impacts cannot be quantified and understood; nor can the availability of the land be established.

- d) contain policies that are clearly written and unambiguous, so it is evident how a decision maker should react to development proposals;*

APPENDIX 9 (2 PAGES)

LONG-TERM NEW SETTLEMENT PROPOSAL (POST 2038)

The precise location for any new settlement in the Area of Search is not clear, and it is ambiguous as to why the Council are pursuing this option when it falls outside of the plan period.

The Area of Search proposed is focused away from any existing Tier 1 settlement(s), away from the Cannock Town Centre catchment area, away from any existing railway station or public transport hub and away from hospitals. Any settlement in this area would be remote from sustainable public transport, and be heavily reliant on the private car as means of transport; it is therefore not a sustainable option when the Council already acknowledges that the majority of residents commute out of the District to meet their employment needs. Policy DS3 acknowledges that the District's Tier 1 settlements hold a wide range of services and facilities, with these settlements also having *"access to key rail corridors into the adjacent towns and cities upon which the district relies for its higher order services and employment"*. The Area of Search is in conflict with this.

Prospective residents would have no option but to drive long distances out of the District to work. Such an outcome is wholly contrary to the government's requirement for sustainable transport modes to be promoted through Local Plan preparation (para 110 of the NPPF), and in promoting healthy and safe communities (Section 8 of the NPPF).

The Council's preferred strategy is an infrastructure-led approach with a garden village area of search beyond the plan period with the POLP confirming within Policy DS3 that growth on strategic sites is prioritised in locations where it could help meet local infrastructure needs, and located at the most accessible and sustainable locations.

Tier 1 settlements, as defined in Policy DS3, where there is existing infrastructure with existing capacity, should utilise the available capacity and be the preferred location for growth as opposed to aspirational locations for infrastructure in 'an Area of Search' still with a high dependency on the private motor car.