

Local Plan Representations

For Wain Estates | 23-392

Proposed allocation - Land at Penkridge Road, Acton Trussell, ST17 0RJ



Project: 23-392
Site Address: Land at Penkridge Road, Acton Trussell, ST17 0RJ, ST17 0RJ
Client: Wain Estates
Date: 31 May 2024
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Appendices

EP1. Land at Penkrige Road, Acton Trussell - Development framework plan



1. Introduction

- 1.1 This report sets out the representations of Wain Estates (Land) Limited ('Wain Estates') to the Pre-submission Draft of the South Staffordshire Local Plan Review 2023 – 2041.
- 1.2 Wain Estates considers that the draft plan is unsound in a number of areas, particularly in relation to policies DS4 (development needs) and DS5 (the spatial strategy). In summary:
- The housing requirement is too low, principally because the proposed contribution towards addressing the unmet needs of the Greater Birmingham and Black Country Housing Market Area (GBBCHMA) is insufficient.
 - Insufficient flexibility is provided within the housing land supply to meet the proposed requirement.
 - The Council has failed to adduce any evidence to demonstrate a five year housing land supply on adoption of the plan.
 - Development should be provided within the Tier 4 and Tier 5 villages, to allow opportunities for villages to grow and thrive.
 - The plan should distribute additional housing to non-Green Belt areas such as Acton Trussell. Such development would meet local needs and can contribute to addressing unmet need within the GBBCHMA, whilst minimising the amount of Green Belt release.
- 1.3 Our client is promoting Land at Penkridge Road, Acton Trussell for residential development which can assist in addressing the above issues. This site was promoted through the previous Local Plan Review consultation stages by Terra Strategic but was acquired by Wain Estates in May 2023 who remain fully committed to the promotion of the site.
- 1.4 The site provides an opportunity to deliver thoughtfully designed homes, alongside extensive open space and a village shop, while supporting the sustainable growth of a rural settlement. These representations demonstrate that the site is suitable, achievable and available and would be deliverable in the short term. It would assist with delivering dwellings to meet South Staffordshire's housing needs and those of the wider GBBCHMA. We therefore respectfully request that it is considered as a new allocation through the Local Plan.



2. National Planning Policy and Guidance

National Planning Policy Framework

- 2.1 The Framework sets out the Government’s planning policies for England and how these are expected to be applied. The purpose of the planning system is to contribute to the achievement of sustainable development. The Framework, taken as a whole, constitutes the Government’s view of what sustainable development in England means in practice for the planning system.
- 2.2 Paragraph 11 requires plans and decisions to apply a presumption in favour of sustainable development. For plan-making this means that:
- a) 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;
 - b) strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 2.3 Paragraph 35 provides the following in relation to soundness:

“35. Local plans and spatial development strategies are examined to assess whether they have been prepared in accordance with legal and procedural requirements, and whether they are sound. Plans are ‘sound’ if they are:

- a) Positively prepared – providing a strategy which, as a minimum, seeks to meet the area’s objectively assessed needs¹; and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- b) Justified – an appropriate strategy, taking into account the reasonable alternatives, and based on proportionate evidence;

¹ Where this relates to housing, such needs should be assessed using a clear and justified method, as set out in paragraph 61 of this Framework.



c) Effective – deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and

d) Consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant.”

National Planning Practice Guidance (PPG)

- 2.4 The PPG was launched in March 2014. It replaced a number of practice guidance documents that were deleted when the PPG was published. Local Plan making is addressed under Section 12. The relevant sections are referred to in our representations below.



3. Duty to Co-operate

- 3.1 The context to the preparation of this plan is the commitment made in the 2018 Site Allocations Document (Policy SAD1) to undertake an immediate review of the Local Plan to help address the emerging housing shortfall emanating from the GBBCHMA. Therefore, the specific purpose of this plan is to address the issue of unmet needs within the GBBCHMA head on. We do not consider that this has been achieved, nor has the Duty to Cooperate been complied with.
- 3.2 Section 33A of the Planning and Compulsory Purchase Act 2004 places a legal duty on local planning authorities to engage constructively, actively and on an ongoing basis to maximise the effectiveness of local plan preparation in the context of strategic cross boundary matters.
- 3.3 Schedule 7 of the Levelling Up and Regeneration Act 2023 includes a provision that will make changes to the plan making process in England, including the repeal of the duty to cooperate. The Government has indicated that it will introduce a new ‘flexible alignment policy’ instead. However, this is reliant upon secondary legislation which is yet to be enacted, or indeed published for consultation. Therefore, at present the duty to cooperate remains. Although it will be replaced, we cannot say what it will be replaced by, nor whether there will be any transitional arrangements.
- 3.4 The Council forms part of the GBBCHMA together with 13 other local authorities². There is a significant cross-boundary issue in relation to the unmet housing needs of Birmingham City and the four Black Country Authorities. This is recognised both through the existing plan (and the identified need for an early review), and also the proposed contribution in this plan of 640 dwellings over the period of 2023 to 2041 to meet the GBBCHMA’s needs. Therefore, the issue of housing and unmet needs of neighbouring authorities is key, and ought to be properly addressed through the Duty to Cooperate.
- 3.5 The Publication Local Plan acknowledges that significant unmet housing need was arising across the GBBCHMA. Paragraph 5.10 indeed states:

“Recognising the existing and emerging shortfalls, the fourteen GBBCHMA local authorities jointly prepared the GBBCHMA Strategic Growth Study in 2018. This drew together existing evidence on housing supply and need across the entire housing market area, estimating that at that time **the unmet needs of the GBBCHMA sat at around 28,000 dwellings up to 2031, rising to nearly 61,000 dwellings by 2036.**”

² Birmingham City Council, Bromsgrove District Council, Cannock Chase District Council, Dudley Borough Council, Lichfield District Council, Redditch Borough Council, Solihull Metropolitan Borough Council, Tamworth Borough Council, North Warwickshire District Council, Stratford-on-Avon District Council, Sandwell Borough Council, Walsall Borough Council, Wolverhampton City Council.



Subsequently consultation by the Black Country authorities in 2021 and Birmingham City Council in 2022 indicated a potential shortfall of 28,239 and 78,415 homes respectively, indicating that the shortfall is likely increasing.” (Our emphasis)

- 3.6 The South Staffordshire Publication Plan 2022 proposed a contribution of 4,000 dwellings between 2022-2039 to assist with addressing unmet needs, informed by the 2018 Strategic Growth Study. However, the 2024 Publication Plan now proposes a contribution of only 640 dwellings over the plan period up to 2041. The Council’s justification states that the Strategic Growth Study is no longer up to date and cannot underpin the basis of the proposed contribution to the GBBCHMA.
- 3.7 Whilst the Strategic Growth Study may require updating, the Council acknowledges that there is a very significant shortfall, and furthermore that the extent of the unmet need is only increasing. In that context it is totally illogical to arrive at a reduced contribution of 640 dwellings. Furthermore, if the Strategic Growth Study needs updating then the onus is on the Council to do that immediately, given the context of the Local Plan Review which is to grapple with this issue. Paragraph 35 of the Framework states that to be effective, plans must be based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground.
- 3.8 The Council’s reasoning for very significantly reducing the contribution made towards the unmet needs of the GBBCHMA also refers to the changes introduced in the 2023 NPPF, claiming that there is no requirement for Green Belt boundaries to be reviewed or changed when Local Plans are being prepared. Paragraph 5.9 of the Duty to Co-operate Topic Paper states that the Council considers it a ‘gift’ to choose to release Green Belt land ‘where they could demonstrate exceptional circumstances’. That is simply not the case, as the Duty to Co-operate remains in place, as does the Framework’s requirement to take into account unmet need from neighbouring areas. But in any event, in this case there are also non-Green Belt options available to the Council to meet the unmet needs. Our client is promoting an omission site that lies outside of the Green Belt (see Section 6 of these representations). These non-Green Belt options have not been maximised in the chosen strategy.
- 3.9 The Duty to Co-operate Topic Paper 2024 states at paragraph 5.7 that the GBBCHMA authorities, along with Shropshire Council, Telford & Wrekin and Wyre Forest, are progressing a Statement of Common Ground (SoCG) dated August 2022 to deliver a review of the 2018 Strategic growth Study. The Council states that they have played a leading role in drafting the document and will continue to be an active participant in any cross-boundary related evidence to address this issue. However, the SoCG has only been signed by 9 out of 17 parties despite being prepared almost two years ago and retains the reference to a contribution of 4,000 dwellings from the Council.
- 3.10 Furthermore, no signed SoCGs have been provided between the Council and any of the neighbouring authorities, only draft versions which are stated to have been agreed as ‘initial officer drafts’.



3.11 With the above context in mind, we do not consider that the Duty to Cooperate has been complied with. The onus is on the Council to adduce the evidence to demonstrate that the Duty to Cooperate has been complied with. Paragraph 26 of the Framework states:

“Effective and on-going joint working between strategic policy-making authorities and relevant bodies is integral to the production of a positively prepared and justified strategy. In particular, joint working should help to determine where additional infrastructure is necessary, and whether development needs that cannot be met wholly within a particular plan area could be met elsewhere.”

3.12 Paragraph 27 states:

“In order to demonstrate effective and on-going joint working, strategic policymaking authorities should prepare and maintain one or more statements of common ground, documenting the cross-boundary matters being addressed and progress in cooperating to address these. These should be produced using the approach set out in national planning guidance, and be made publicly available throughout the plan-making process to provide transparency”

3.13 However, the joint working has clearly not been effective. The plan’s proposed contribution to meet the GBBCHMA’s needs – just 640 dwellings to 2041 – does not come close to meeting the unmet needs in full, and is not part of any coherent or justified strategy towards meeting that objective.

3.14 The August 2022 SoCG remains signed by the Council despite still referencing a provision of 4,000 dwellings to meet the housing needs. The lack of updates to the document conflicts with paragraph 27 of the Framework, as it does not demonstrate effective on-going joint working between the authorities. Appendix E of the Duty to Co-operate Topic Paper shows that the Council did not propose updates to the SoCG until March 2024, with the current Regulation 19 consultation being published the following month. We consider that such updates and effective and constructive discussions should have taken place well in advance so that they could inform the draft plan.

3.15 Whilst the Duty to Cooperate is not a duty to always agree with one’s neighbours, in this case the issue of the HMA’s unmet needs has been well known for several years and is the primary reason for the Local Plan Review. However, aside from the unjustified contribution of only 640 dwellings (reduced from 4,000 dwellings with very limited justification and seemingly little to no discussion with neighbouring authorities), the plan simply seeks to defer the issue, contrary to paragraph 35 of the Framework. The next plan will be several years away, at which point the Council could well argue that once again the updated Strategic Growth Study needs to be updated again. In a national and local housing crisis, where it is acknowledged that the unmet needs continue to increase, the Council’s approach is the antithesis of good plan making and clearly contrary to the spirit of the Duty to Cooperate.



3.16 In summary, the Council has failed to engage constructively with neighbouring authorities to resolve significant cross-boundary issues relating to unmet housing needs. The proposed contribution towards meeting GBBCHMA's housing needs is wholly unjustified and does not demonstrate effective cooperation. We therefore do not consider that the Publication Local Plan complies with the Duty to Cooperate and further work must be undertaken to resolve this.



4. Plan period

4.1 Paragraph 20 of the Framework makes clear that strategic policies are those which make provision for housing, employment and other types of growth:

“Strategic policies should set out an overall strategy for the pattern, scale and quality of development, and make sufficient provision for:

- a) housing (including affordable housing), employment, retail, leisure and other commercial development;
- b) infrastructure for transport, telecommunications, security, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);
- c) community facilities (such as health, education and cultural infrastructure); and
- d) conservation and enhancement of the natural, built and historic environment, including landscapes and green infrastructure, and planning measures to address climate change mitigation and adaptation.”

4.2 Paragraph 22 of the Framework states:

“Strategic policies should look ahead over **a minimum 15 year period from adoption**, to anticipate and respond to long-term requirements and opportunities, such as those arising from major improvements in infrastructure. Where larger scale developments such as new settlements or significant extensions to existing villages and towns form part of the strategy for the area, policies should be set within a vision that looks further ahead (at least 30 years), to take into account the likely timescale for delivery.”

4.3 Paragraph 22 therefore has two very clear requirements:

- Strategic policies must cover at least a 15-year plan period from adoption.
- In instances where larger scale developments form part of the strategy, policies should be set within a vision that looks further ahead (at least 30 years).

4.4 The St Helens Inspectors Report (May 2022) states at paragraphs 47 & 48:

“47. The Framework indicates that strategic policies should look ahead over a minimum 15-year period from adoption. The Plan has a stated timeframe of 2020 to 2035. However, the LP has had a long gestation period and, if it is adopted in 2022, it would only have about a 13-year period post adoption.

48. Extending the Plan period to 2037 would ensure a 15-year period post adoption so that it can respond to long-term requirements and opportunities, including those



arising from improvements to infrastructure. The longer period would increase employment and housing land requirements but the Plan is able to accommodate these changes as demonstrated later in the report. Retail floorspace requirements would not need to change as they would be reviewed well before 2037 when changes in shopping behaviours, including the effects of the pandemic, would be taken into account.

49. A Plan period up to 2037 is required so that the Plan is positively prepared, justified, and consistent with national policy. MM001 would secure the relevant changes. There are other consequential changes throughout the Plan which are dealt with below.”

4.5 The recent Inspector’s report for the Greater Manchester Places for Everyone Joint DPD (February 2024) states at paragraph 59:

“The submitted Plan looks ahead to 2037 from a base date of 2021 using land supply information relating to 2020 and estimated completions for 2020-2021. However, to ensure consistency with national policy, relevant policies in the Plan need to look ahead to 2039 (at least 15 years from adoption).”

4.6 The proposed plan period for the South Staffordshire Local Plan is 2023 to 2041. The base date used for the monitoring of the housing and employment land supply, as referenced at numerous points within the plan, is April 2023. Therefore, the end date of the strategic policies relating to housing and employment land supply is 31 March 2041. This means for the strategic policies to cover at least 15-years from adoption, it must be adopted by 31 March 2026.

4.7 The Council’s current Local Development Scheme (dated September 2023) projects that the plan will be adopted in ‘winter 25/26’. That date is extremely close to the final possible adoption date of 31 March 2026 based on a plan period end date of 2041.

4.8 Local Plans examinations can last multiple years. Examples of protracted examinations include the Birmingham Development Plan and the Local Plans for Bath and North East Somerset, Cheshire East, Central Bedfordshire, Cambridge and South Cambridgeshire; all of which took much longer than 2 years between submission and adoption. A live current example of a plan that is also seeking to meet in part unmet needs for another area is Shropshire, where the plan was submitted for examination in September 2021. As of April 2024, further consultation is being undertaken, further examination is still required, and there will almost certainly still be a need for a further consultation on main modifications. The plan is now unlikely to be adopted until 2025.

4.9 Therefore, there is a significant risk that the South Staffordshire Local Plan Review will not be adopted by March 2026, and will not cover a 15-year plan period from adoption. If that is the case then the plan would be unsound, as it is inconsistent with national planning policy. To avoid this risk, the plan period should be



extended. We consider a plan period to 2042 or 2043 would be more appropriate to reduce the risk of the plan period having to be extended again during the examination process.



5. Response to Policies

Policy DS3: Open Countryside

5.1 The fourth paragraph of Policy DS3 states:

“All types of development in the Open Countryside which are not explicitly supported by Policy DS3 will be considered on a case-by-case basis. Such proposals will only be permitted where they are not located on best and most versatile agricultural land and are fully consistent with any other relevant policies set out elsewhere in the Local Plan.”
(our emphasis)

5.2 Whilst we support the overall emphasis of the policy approach to considering development proposals on a case-by-case basis having regard to the benefits of a scheme (appropriate in the context of paragraphs 82, 83, 88 & 89 of the Framework), we object to the proviso that such development cannot be located on best and most versatile (BMV) agricultural land.

5.3 Paragraph 180(b) of the Framework refers to “*recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland*”. Therefore, national policy requires consideration of the economic and other benefits of BMV land, but it does not rule out development on BMV land. Furthermore, it is also necessary to consider whether a proposal would have a significant effect on agriculture as a result of the loss of BMV land. This is reflected in the fact that Natural England are only consulted on non-agricultural applications (not in accordance with the adopted development plan) that result in the loss of more than 20 hectares (ha) of BMV land.

5.4 We therefore consider that the reference to BMV land should be deleted from the policy. If a reference to BMV land is to be retained, then it should properly reflect national policy, rather than restricting all development on BMV land.

5.5 In light of this, we do not consider that the policy meets the soundness test set out at paragraph 35(d) of the Framework, as it is not consistent with the Framework.

Policy DS4: Development Needs

Housing requirement

5.6 The use of the standard method (227 dpa) to establish the ‘minimum starting point’ accords with paragraph 2a-010 of the PPG. We also support the principle of a proposed contribution towards meeting



the unmet needs of the GBBCHMA. However, we consider that the proposed contribution towards meeting unmet needs within the GBBCHMA should be far higher. In the context of the Framework's requirement to 'plan positively' (paragraph 16) and the Government's stated objective of 'significantly boosting the supply of homes' (paragraph 60), it is disappointing that the Council has sought to amend the plan from the previous Regulation 19 version, before it is even submitted, to reduce the housing requirement substantially. This would appear to be indicative of a negative approach and the opposite of 'significantly boosting the supply of homes'.

5.7 Paragraph 11 requires plans and decisions to apply a presumption in favour of sustainable development. For plan-making this means that:

- c) 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;
- d) **strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas**, unless:
 - iii. the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or
 - iv. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.(our emphasis)

5.8 Footnote 6 clarifies that needs that cannot be met within neighbouring areas are to be established through statements of common ground.

5.9 Paragraph 26 of the Framework states:

“joint working should help to determine where additional infrastructure is necessary, and whether development needs that cannot be met wholly within a particular plan area could be met elsewhere”

5.10 Paragraph 35 of the Framework sets out the tests of soundness. To be 'positively prepared' plans are required to:

“[provide] a strategy which, as a minimum, seeks to meet the area's objectively assessed needs; **and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development**” (our emphasis)



5.11 To be effective plans are required to:

“[be] deliverable over the plan period, and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground” (our emphasis)

5.12 As we have set out in our submissions on the Duty to Cooperate, the plan’s proposed contribution to meeting the GBBCHMA’s unmet needs – just 640 dwellings in the proposed plan period to 2041 – does not come close to meeting the unmet needs in full and is not part of any coherent or justified strategy for meeting that objective. This is despite it being practical to do so and sustainable sites such as our client’s, which is suitable, available and deliverable, being omitted (see Section 6 of these representations).

5.13 The Council acknowledges that that the unmet needs from the GBBCHMA to 2036 are potentially 78,415 homes, and that the need is likely increasing (paragraph 5.10 of the draft plan). Even the unmet need figure of 78,415 homes by 2036 may be an under-estimate of need, given that:

- The need figure is based on the Government’s standard method for local housing need across the GBBCHMA. However, the standard method is the starting point for the assessment. There may well be an even greater need for housing given that the standard method makes no attempt to predict the impact of changing economic circumstances, and the existing evidence base for housing need across the GBBCHMA does not properly consider whether there will be sufficient labour to meet the economic growth ambitions of the sub-region.
- There is insufficient evidence to demonstrate that the housing land supply within the GBBCHMA is robust. In our view, the housing land supply has been over-stated, meaning that the actual level of shortfall across the GBBCHMA is even higher than the figures referred to at paragraph 5.10 of the draft plan.

5.14 In addition, this plan period extends to 2041, meaning that the shortfall to 2036 is not the end of the issue – unmet need is only likely to be higher by 2041 given the rate at which it is currently increasing, assuming that it is not addressed by authorities such as South Staffordshire making meaningful contributions to addressing the shortfall.

5.15 The previous version of the plan proposed a contribution of 4,000 homes to addressing unmet needs. However, the Council now proposes to only contribute 640 homes to meet those needs. The justification for this specific figure is not clear. Even if additional work needs to be undertaken to precisely establish the level of unmet need, it is very clear that the level of unmet need is only increasing. In that context, a reduction in the contribution from 4,000 dwellings to just 640 is extremely negative and wholly unjustified. The approach is also not effective in the context of paragraph 35 of the Framework, which requires plans to address cross-boundary strategic matters, rather than defer them.



5.16 We therefore consider that the Council should revert to the previously proposed contribution of 4,000 dwellings, and for this to be agreed through a Statement of Common Ground. Even if the precise extent of the shortfall cannot be established, the plan should seek to deliver thousands more homes based upon the acknowledged shortfall of at least 78,415 homes across the GBBCHMA.

Housing land supply / housing trajectory

5.17 Against a housing requirement of 4,726 dwellings over the plan period, a total housing land supply of just 5,118 dwellings is identified at Table 8 of the plan. Therefore, the supply provides a flexibility allowance of just 392 dwellings, or 8%. We consider that this level of flexibility is insufficient.

5.18 In our view a flexibility allowance of 20% would be appropriate in South Staffordshire. The Local Plans Expert Group report to the Communities Secretary and to the Minister of Housing and Planning (March 2016) recommended at paragraph 11.4 that the Framework should make clear that local plans should be required to demonstrate a five year land supply but also focus on ensuring a more effective supply of developable land for the medium to long term, plus make provision for, and provide a mechanism for the release of, sites equivalent to 20% of their housing requirement, as far as is consistent with the policies set out in the Framework.

5.19 The Guildford Local Plan is relevant given that Green Belt was released to provide flexibility in the housing land supply. A supply of 14,602 dwellings was provided against a housing requirement of 10,678 dwellings, equating to a flexibility allowance of 37%. Of the supply, some 6,742 dwellings were to be provided on sites to be released from the Green Belt. The plan was subject to an unsuccessful Challenge which specifically addressed this point. The Judgment draws the following conclusions under Issue 2: ‘Was the conclusion that there were exceptional circumstances justifying the allocations of housing land, released from the Green Belt, to provide headroom of over 4,000 dwellings above the 10,678 OAN lawful, and adequately reasoned?’:

- Once meeting the OAN is accepted as a strategic level factor contributing to “exceptional circumstances”, it follows that the provision of headroom against slippage and for flexibility to meet changes, “future-proofing” the plan, as the Inspector put it, would also contribute to such circumstances (paragraph 91).
- The headroom figure was a judgement based on the sites which were available to meet a requirement figure somewhat over 10,678, and to do so in such a way that, over the initial and subsequent years of the plan, the rolling five year housing supply would be maintained (paragraph 96).
- As part of the total supply, the Inspector was entitled to conclude that the plan should allocate additional sites, that may be sequentially less preferable than other sites, because they were



necessary allocations in order to provide the initial five year housing land supply (paragraph 101).

- The prospect that a level of housing in excess of the OAN might be achieved can contribute to exceptional circumstances if it would deliver benefits such as improving affordability or increasing the supply of affordable housing (paragraph 105).

5.20 Although we do not advocate that the specific circumstances of the plans are the same, we consider that the above key points are broadly applicable to South Staffordshire. The plan must provide sufficient flexibility in the housing land supply and there is a need to release additional deliverable sites to provide a five-year housing land supply. Even if there were to be a degree of over-provision, there would be wider benefits of providing a level of housing in excess of the minimum requirement, particularly in the context of the very significant level of unmet need across the GBBCHMA.

Five year housing land supply

5.21 To benefit from the protection afforded under paragraph 77 of the Framework, at least a five year supply of specific, deliverable sites must be identified at the time that the examination concludes.

5.22 The Council's current published five year housing land supply position statement has a base date of 1 April 2022. It is not clear whether this forms part of the evidence base for the plan, nor whether it is consistent with the housing trajectory set out within the plan, but in any event the supply position pre-dates the base date of the plan (2023). The Council will need to publish its latest position with a base date aligning with the adoption of the plan and clarify which evidence it wishes to rely upon for the examination. Once the Council has published its new position, we respectfully request the opportunity to review and comment.

Conclusion

5.23 Policy DS4 is not considered to be sound having regard to paragraph 35 of the Framework as it is not positively prepared, justified or effective in relation to meeting the development needs in South Staffordshire or neighbouring authorities.

Policy DS5: The Spatial Strategy to 2041

Tier 4 & 5 settlements: Policy approach and distribution of development

5.24 Policy DS5 states that the district's Tier 5 settlements are set out in the Rural Services and Facilities Audit 2021. It should be possible to interpret the plan and the policy without having to cross-refer to evidence base documents to identify which tier a settlement falls under. The policy should therefore be amended to name the settlements, either within the policy or a table in the supporting text.



5.25 The policy also states that the Tier 5 settlements are not intended to experience further housing or employment growth, owing to their poorer sustainability credentials, poorer public transport links and lack of services and facilities relative to other settlements within the district. It is proposed that development within these locations is limited to:

- the conversion and re-use of redundant rural buildings;
- on a case-by-case basis, the very limited redevelopment of previously developed land for housing may also be supported within these settlements where this would not increase unsustainable transport movements from the settlement in question; and,
- limited affordable housing to meet specified local needs.

5.26 Table 8 sets out the distribution of housing across the district. The Tier 4 villages are proposed to receive just 0.6% of housing growth (30 dwellings), with no sites allocated. The Tier 5 settlements are wrapped together with the remainder of the rural area, and are proposed to receive just 3.7% of housing growth (194 dwellings), with again no sites allocated and the distribution purely based on existing commitments. The actual percentage of development to go to these locations may actually be lower than the figures stated above, because the 11.5% (600 dwellings) to be delivered through windfall development on small sites may be primarily attributable to upper tier settlements.

5.27 We consider that the overall approach of the policy and the related housing distribution is contrary to national policy. Paragraph 78 of the Framework states:

“In rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs.”

5.28 Paragraph 79 states:

“To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby.” (our emphasis)

5.29 Paragraph 67-009 of the PPG states:

“How can planning policies support sustainable rural communities?”

People living in rural areas can face particular challenges in terms of housing supply and affordability, while the location of new housing can also be important for the broader sustainability of rural communities. Strategic policies will need to be informed by an understanding of these needs and opportunities, especially where authorities in



designated rural areas wish to demonstrate that it is appropriate to set lower thresholds for affordable housing than those which apply generally.

The nature of rural housing needs can be reflected in the spatial strategy set out in relevant policies, including in the housing requirement figures for any designated rural areas. A wide range of settlements can play a role in delivering sustainable development in rural areas, so blanket policies restricting housing development in some types of settlement will need to be supported by robust evidence of their appropriateness. A neighbourhood plan can allocate additional sites to those identified in an adopted plan so long as the neighbourhood plan meets the basic conditions.”

Local planning authorities can support opportunities to bring forward rural exception sites by working proactively with landowners and potential delivery partners such as parish councils and community land trusts.” (our emphasis)

- 5.30 The Framework’s policies on rural development link back to the findings of the Taylor Report (2008), the conclusions of which are still highly pertinent in developing a strategy for development in rural areas. The summary of Section 1 of the Taylor Report provides:

“Planning must not determine the future development of rural communities against a narrow tick-box approach to sustainable development, assessing communities as they are now and not what they could be. In too many places this approach writes off rural communities in a ‘sustainability trap’ where development can only occur in places already considered to be in narrow terms ‘sustainable’. The question planners must address is “how will development add to or diminish the sustainability of this community?” taking a better balance of social, economic, and environmental factors together to form a long term vision for all scales of communities. A mix of housing and employment opportunities are essential for the sustainability of rural communities.”

- 5.31 The approach set out in Policy DS5 is not consistent with the national planning policy objectives of enhancing the vitality of rural communities, or providing opportunities for villages to grow and thrive, especially where this will support local services. The council’s Rural Services and Facilities Audit (RSFA) only considers current service provision and as such it in no way provides a sound basis to justify the proposed distribution of development. The Council’s justification in the Spatial Housing Strategy Topic Paper is also predicated on existing service provision.
- 5.32 The Council’s justification is largely based upon reducing reliance upon journeys by private car. This fails to recognise that the Framework (page 76) defines sustainable transport as “*any efficient, safe and accessible means of transport with overall low impact on the environment, including walking and cycling, ultra low and zero emission vehicles, car sharing and public transport.*” The Council’s approach has no regard to the role that cycling, ultra low and zero emission vehicles, car sharing and public transport can play in Tier 4 and 5 settlements, including the opportunities brought about by new development, as well as other means to increase the sustainability such as the rollout of gigabit-capable broadband and satellite broadband in rural areas.



- 5.33 The Council’s proposed approach would serve to severely limit and constrain development within villages, such that housing supply and affordability issues in the rural areas would perpetuate or worsen, rather than be alleviated. Service provision within villages will only improve if there is a population sufficient to support such services. The Council’s approach would do absolutely nothing to support local services, and it certainly would not provide opportunities for villages to grow and thrive. Rather, the proposed approach would only lead to further stagnation.
- 5.34 We therefore consider that a level of development should be directed to the Tier 4 and 5 settlements, to accord with national planning policy and to achieve the objectives set out within the plan. A more fine-grained assessment is necessary which considers existing services and facilities in each village, whether further development would assist with their vitality and viability, and an assessment of local housing needs within the lower tier villages to understand where development can assist in meeting local needs for both market and affordable housing.

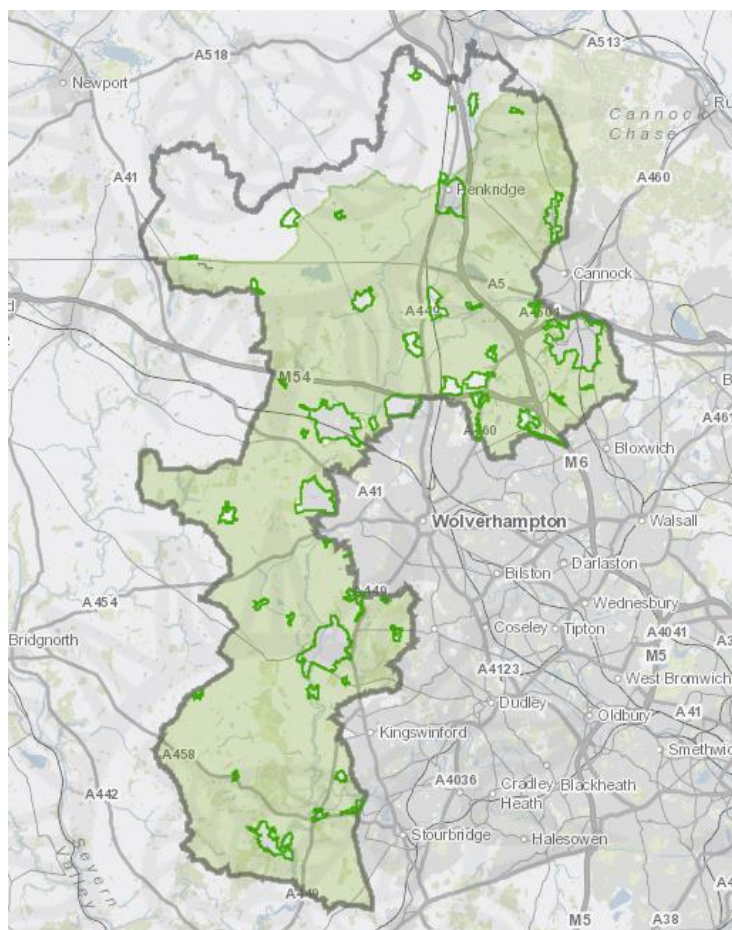
Acton Trussell

- 5.35 The identification of Acton Trussell as a Tier 5 settlement is based upon the assessment of existing service provision within the RSFA. Whilst we acknowledge that service provision within Acton Trussell is currently limited, we consider that the RSFA presents an inaccurate picture of Acton Trussell because it fails to look at the wider picture of sustainability. In particular, there is a major employment site located 1km walking or cycling distance from Acton Trussell (Acton Gate), there is a primary school located less than 1km walking distance at the neighbouring village of Dunston (a tier 4 settlement), and the settlement is located just 1.5km from the edge of Stafford.
- 5.36 Therefore, the identification of Acton Trussell as a Tier 5 settlement provides an inaccurate picture of its sustainability. Taking into account service provision at neighbouring Dunston and Acton Gate, the settlement could be considered as a Tier 3 settlement, or individually as a Tier 4 settlement based on existing service provision. However, we maintain our view that a more fine-grained assessment is necessary to defining the settlement hierarchy, considering needs and opportunities within settlements. The evidence on Acton Trussell further underlines this view. Through development there is an opportunity to make the settlement more sustainable and provide services such as a village shop, and our client is proposing an omission site which could achieve this. We provide further details on this in our site-specific representations in Section 6 of this statement.

Distribution of housing to non-Green Belt areas

- 5.37 South Staffordshire is heavily constrained by Green Belt (over 70% of the land is designated Green Belt), except for an area to the north of the Borough running from Acton Trussell to Weston-under-Lizard. An extract with the Green Belt shaded in green is shown below:





5.38 In its justification for reducing the housing requirement and the contribution to the unmet needs of the GBBCHMA in comparison to the previous Regulation 19 consultation, the Council refers to the 2023 changes to the Framework, interpreting these to mean that there is no requirement for Green Belt boundaries to be reviewed or changed when Local Plans are being prepared. Regardless of whether that interpretation is correct, within South Staffordshire there are also non-Green Belt options available to meet the housing requirement and any unmet needs from the GBBCHMA. Indeed, our client is promoting an omission site at Acton Trussell that lies outside of the Green Belt (see Section 6 of these representations).

5.39 Under the Council's site selection methodology any site within Acton Trussell was automatically discounted due to it being a Tier 5 settlement. However, given that the Borough is heavily constrained by Green Belt, the Council should be considering all other reasonable alternatives, with a view to minimising the amount of Green Belt release. Our client's site provides a key opportunity for this, and in our view should be allocated to assist in addressing the very significant levels of unmet need from the GBBCHMA. Such an allocation would also contribute to meeting needs within the rural areas and Acton Trussell itself, noting that Acton Trussell has far greater sustainability credentials than a typical Tier 4 or Tier 5 settlement owing to the proximity to Stafford and major employment development at Acton Gate. Furthermore, there



could have been consideration of expanding Acton Trussell as a new garden village / settlement, similar to the new settlement considered at Dunston under Option A of the spatial housing options (Spatial Housing Strategy Topic Paper, 2024).

Conclusion

5.40 Having regard to the above, Policy DS5 is unjustified and not consistent with national policy, therefore we do not consider that it meets the relevant soundness tests set out in the Framework.

Policy SA3: Housing Allocations

5.41 Our representations to policies DS4 and DS5 raise significant concerns in relation to the proposed housing requirement and the distribution of development. In summary:

- The housing requirement is too low, principally because the proposed contribution towards addressing the unmet needs of the GBBCHMA is insufficient.
- Insufficient flexibility is provided within the housing land supply to meet the proposed requirement.
- The Council has failed to adduce any evidence to demonstrate a five year housing land supply on adoption of the plan.
- Development should be provided within the Tier 4 and Tier 5 villages, to allow opportunities for villages to grow and thrive.
- The plan should distribute additional housing to non-Green Belt areas such as Acton Trussell. Such development would meet local needs and can contribute to addressing unmet need within the GBBCHMA, whilst minimising the amount of Green Belt release.

5.42 To address these issues, our client proposes an omission site for allocation (land at Penkridge Road, Acton Trussell). Full details of the site are provided at Section 6 of this statement.

5.43 The draft policy is considered to be unsound on the basis that it is not justified or positively prepared having regard to meeting the area's objectively assessed needs, thus failing to meet the requirements of paragraph 35 a) and b) of the Framework.

Policy HC6: Rural Exception Sites

5.44 The policy sets a maximum cap of 10% on the amount of market housing required for cross-subsidy. There is no justification for this cap. There should be flexibility in relation to the proportion of market housing to be allowed, to deliver affordable housing in areas of significant need. Providing greater flexibility may also



allow development to deliver other community infrastructure which may benefit rural communities. We therefore do not consider that it is appropriate to specify a set upper limit of the amount of market housing that can be included in a scheme. The amount of market housing that can be considered acceptable will depend on the circumstances of each case, including the specific scheme (which may deliver other infrastructure or wider benefits) and its viability. We note that the current Local Plan policy does not specify an upper limit to market housing. The same is the case with the recent Solihull Local Plan Review.

- 5.45 By way of comparison with plans where upper limits have been set, the Cornwall Local Plan: Strategic Policies (Policy 9) includes a rural exception policy with an allowance of up to 50% market housing. If an upper limit is to be specified, in our view this is a more appropriate balance where the mix can be justified by viability evidence.
- 5.46 Policy HC6 therefore does not meet the soundness test outlined at paragraph 35 b) due to the lack of justification for a maximum cap of 10% on the amount of market housing required for cross-subsidy.

Policy HC7: First Homes Exception Sites

- 5.47 The requirement within the policy for there to be *“an evidenced need for First Homes exists within the district which is not already being met within the local authority area”* is unduly restrictive and is not consistent with national policy. The Written Ministerial Statement (Affordable Homes Update, 24 May 2021) states:

“...the Government is replacing this policy with a ‘First Homes exception sites’ policy, in order to encourage First Homes-led developments on land that is not currently allocated for housing. Local authorities should support the development of these First Homes exception sites, suitable for first-time buyers, unless the need for such homes is already being met within the local authority’s area.”

- 5.48 The analysis of the need for first homes in the 2024 Strategic Housing Market Assessment (SHMA) update is rudimentary at best. There is then no meaningful analysis to demonstrate that the need for such accommodation will be satisfied purely through the application of Policy HC3. Furthermore, any assertion that the need would be addressed through the application of Policy HC3 is undermined by the fact that Policy HC7 is being introduced.
- 5.49 In the above context, we would also have concerns in relation to how an applicant evidences a need which is not already being met within the local authority area. First homes exception sites are not intended to be village or parish specific. Therefore, the suggestion would be that the applicant needs to undertake a district-wide analysis of need and supply. That would be an impossible task given that the Council’s own evidence to the Local Plan is inconclusive on the issue.



5.50 In addition, we also object to the proposed maximum cap of 10% on the amount of market housing required for cross-subsidy. As with affordable housing exception sites (see our response to Policy HC6) there is no limit set within national policy, and greater flexibility should be provided within the policy so that site specific circumstances can be taken into account, and the delivery of first homes can be maximised.

5.51 To conclude, we do not consider the policy to be sound as insufficient evidence has been provided to justify its requirements and it is not consistent with national policy.

Policy EC4: Rural Economy

5.52 Part 2 of the policy supports rural employment outside development boundaries, subject to a number of criteria. However, some of the criteria are conflicting. In particular, we object to criterion b, which requires development to comprise the conversion and reuse of rural buildings. If such development can satisfy criteria c (the development is not capable of being located within the development boundaries of a village, by reason of the nature of the operation or the absence of suitable sites) and d (it is supported by an appropriate business case which demonstrates that the proposal will support the local economy, which in turn would help sustain rural communities), then it is an unreasonable constraint for the policy to only apply to the conversion and reuse of rural buildings. We note that the conversion and re-use of rural agricultural buildings is also covered under part 3 of the policy.

5.53 The policy is therefore unsound on the basis that its criteria are not justified in context of each other. The plan therefore fails to comply with paragraph 35 b) of the Framework in this regard.

Policy NB4: Landscape Character

5.54 The policy states:

“Throughout the district, the design and location of new development should take account of the characteristics and sensitivity of the landscape and its surroundings, and not have a detrimental effect on the immediate environment and on any important medium and long-distance views.”

5.55 The policy could be interpreted in a way that is unnecessarily restrictive, as the development of any greenfield site (including the allocations) will inevitably result in some level of adverse visual effects on the immediate environment or in longer range views, in terms of a change of character from a greenfield site to developed. It is important to note that the Framework only refers to the protection and enhancement of valued landscape (paragraph 180(a)). Paragraph 135(c) of the Framework states that planning policies and decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging



appropriate innovation or change. Therefore, national policy does not advocate a no development / zero harm approach to landscape character; rather, development should be sympathetic to landscape character and seek to minimise and mitigate against significant impacts.

- 5.56 The policy also continues to state that all trees, woodland, and hedgerows should be protected and retained. Whilst we note that the policy goes on to explain the approach where the loss of such assets is necessary, the policy should express their retention as a preference rather than a strict policy requirement. The Framework does not advocate an approach that all trees, woodland and hedgerows must be retained, and it is well established that the loss of some features such as trees or sections of hedgerow to facilitate development can be mitigated. Indeed, such an approach will be required on many of the allocated sites. The policy should therefore be amended to make clear that the preference is to retain such features, subject to assessment of their value and consideration of any replacement provision and/or mitigation measures.
- 5.57 In light of the above, the policy is not considered to satisfy paragraph 35 d) of the Framework as it does not reflect paragraphs 135(c) and 180(a) of the Framework.

Policy NB8: Protection and enhancement of the historic environment and heritage assets

- 5.58 The first two paragraphs of the policy state:

“The historic environment will be conserved and enhanced, and heritage assets will be protected in a manner appropriate to their significance. Development proposals should demonstrate how they conserve or enhance the character, appearance and function of heritage assets and their settings and respect the significance of the historic environment.

Development proposals should seek to avoid, and then minimise harm to heritage assets in the first instance. Development proposals which would cause harm to the significance of a heritage asset, or its setting, will not be permitted without a clear justification in accordance with legislation and national policy.”

- 5.59 Whilst it appears that the Council has attempted to summarise national policy, we are concerned that the wording of the policy (particularly the second paragraph) misconstrues national policy in a way that the local policy could be interpreted differently from the Framework. For example, the reference to development proposals seeking to avoid, and then minimise harm to heritage assets in the first instance is presumably an interpretation of paragraph 201 of the Framework. But it is not clear from the policy as drafted that paragraph 201 of the Framework (read in conjunction with paragraph 18a-008-20190723 of the PPG) is concerned with whether the assessed level of harm to a heritage asset that would be caused by a proposed development could be reduced by alternative designs. The policy as drafted could lead to



avoidance being read in a wider context, i.e., one of to avoid development altogether, which would be inconsistent with caselaw on the issue (see *Newcastle upon Tyne City Council v Secretary of State for Levelling Up, Housing and Communities* [2022] EWHC 2752 (Admin) & *Newcastle upon Tyne City Council v Secretary of State for Levelling Up, Housing and Communities* [2023] EWCA Civ 359).

- 5.60 The policy also does not appear to distinguish between designated and non-designated heritage assets. Under national policy and the legislative requirements, a very different approach needs to be taken depending upon whether a heritage asset is designated or non-designated.
- 5.61 Therefore, we consider that the policy should simply defer to national policy in relation to proposals affecting heritage assets. We note that the policy does this in any event in relation to the second sentence of the second paragraph, which is presumably intended to be a reference to paragraphs 205 – 214 of the Framework.
- 5.62 On this basis, the policy as drafted is not consistent with national policy and is therefore considered to be unsound having regard to paragraph 35 d) of the Framework.



6. Proposed Allocation – Land at Penkridge Road, Acton Trussell

6.1 Our representations to policies DS4 and DS5 raise significant concerns in relation to the proposed housing requirement and the distribution of development. In summary:

- The housing requirement is too low, principally because the proposed contribution towards addressing the unmet needs of the GBBCHMA is insufficient.
- Insufficient flexibility is provided within the housing land supply to meet the proposed requirement.
- The Council has failed to adduce any evidence to demonstrate a five year housing land supply on adoption of the plan.
- Development should be provided within the Tier 4 and Tier 5 villages, to allow opportunities for villages to grow and thrive.
- The plan should distribute additional housing to non-Green Belt areas such as Acton Trussell. Such development would meet local needs and can contribute to addressing unmet need within the GBBCHMA, whilst minimising the amount of Green Belt release.

6.2 To address these issues, our client proposes the land at Penkridge Road, Acton Trussell for allocation for residential development. We provide details of the site and the proposed allocation below.

Site context

6.3 An aerial image identifying the initial phase of land promoted for development is shown in Figure 1 below.





Figure 1: Site location plan

6.4 However, our client controls further land which is also available for development, should the Council consider a wider allocation to be appropriate. This is shown in Figure 2 below.



Figure 2: Wider landholding



- 6.5 The wider site comprises open fields and is bound by Meadow Lane and existing dwellings to the north. To the west lies the Staffordshire and Worcestershire Canal. Penkridge Road runs through the centre of the site, along which St James' Church is located. The east and south boundary abuts Teddesley Road. A line of trees and hedgerow provide separation in the northern part of the site.
- 6.6 The site is located in the open countryside and borders the Green Belt to the southeast. A Green Corridor and Canal Conservation Area run along the western boundary.

Accessibility

- 6.7 As discussed in Section 5 of this statement, there is a major employment site located 1km walking or cycling distance from Acton Trussell (Acton Gate), there is a primary school located less than 1km walking distance at the neighbouring village of Dunston (a tier 4 settlement). The settlement is also located just 1.5km from the edge of Stafford.
- 6.8 In terms of public transport, bus stops are located approximately 180m to the north of the site, providing connections via the 878 bus between Wolverhampton and Stafford Town Centre with services 4 - 5 times a day Mon-Fri and 3 - 4 times on Saturdays. Penkridge Train Station is located approximately 4km to the south, a 7-minute drive.
- 6.9 As discussed below, a new village shop could be delivered as part of the development proposals, with its long-term future secured through Section 106 contributions. This would be a significant benefit for the sustainability and vitality of the village and its hinterland.

SHELAA 2023

- 6.10 The site was assessed as part of the 2023 Strategic Housing & Economic Land Availability Assessment (SHELAA) under reference 035 and was considered to be potentially suitable for development subject to policy constraints (open countryside and Core Policy 1). The assessment does not identify any technical or other constraints.

Site selection methodology

- 6.11 The Housing Site Selection Topic Paper 2024 states that the site was discounted due to being adjacent to Acton Trussell (a Tier 5 settlement). As a result, it was not carried forward for a full assessment. However, we consider that the site provides an opportunity to deliver high quality homes adjacent to Acton Trussell. We provide an assessment of the land at Penkridge Road below.



Criteria	Land at Penkridge Road
Sustainability Appraisal	A full sustainability appraisal of the site would need to be carried out; however it is highly unlikely that any negative impacts would arise which could not otherwise be addressed or mitigated. The benefits of development would be substantial.
Conformity with the preferred spatial strategy	The preferred spatial strategy does not allow for housing development adjacent to Tier 5 settlements due to poor access to facilities and services. However, we consider that the site would support sustainable rural growth and improve the services offer within Acton Trussel (refer to 'Proposed Allocation' section).
Sequential test	The site is located within the Open Countryside.
Green Belt harm	N/A
Landscape sensitivity	The site is not located in a Landscape Assessment Area but is in the general vicinity of Area SL90. The site is separated from the Landscape Area by Penkridge Road, open fields, trees and hedges as well as the Moat House Hotel, allowing little to no through views.
Impact on historic environment	A number of Grade II and one Grade II* listed buildings are located at St James' Church. The heritage assets are partially screened from the site by trees and hedgerow by trees and hedgerow. A Scheduled Monument is also located at The Moat House Hotel and is similarly sheltered by trees, hedgerow and separated by Penkridge Road.
Known site constraints	The site is located in Flood Zone 1 but some surface water flooding is present to the north, which can be appropriately addressed and mitigated.
Site opportunities	The site provides an opportunity to deliver a village shop, significant open space and a play area. Please refer to the 'Proposed Allocation' section below.

6.12 The site is not located in the Green Belt and is not subject to any constraints which could not be addressed or mitigated through future proposals. Whilst it does not conform with the preferred spatial strategy as it comprises an extension to a Tier 5 Settlement, we consider that such development would be beneficial to the village and would support the sustainable growth of a rural settlement. The site can deliver extensive benefits which are discussed below.



Proposed allocation

- 6.13 The site is located adjacent to the built up area of Acton Trussell and represents an opportunity to deliver high quality homes, including affordable housing, alongside benefits such as public open space and a local shop. The proposed development framework plan enclosed at Appendix **EP1** shows the potential site layout for parcel of land within the site that could provide an initial phase of development. A masterplan has not been prepared for the wider land under our client's control (as identified in Figure 2 above), but this could be prepared if the Council is minded to consider a wider allocation.
- 6.14 A new access would be taken from Penkrudge Road. The site frontage and area to the north would provide extensive public open space, including pedestrian walkways, cycleways, play spaces and biodiversity areas. These would provide a further green buffer from the existing properties to the north and the heritage assets to the south and west. Existing trees would be retained where possible and additional planting introduced where appropriate.
- 6.15 The proposed housing area would be offset from the site frontage and variety of high quality house types, including dual aspect and focal housing, would be provided throughout. The central area would be thoughtfully landscaped to create a welcoming environment.

Flood risk

- 6.16 The site is located in Flood Zone 1, however a small area of land in the northern part of the site is subject to surface water flooding. The indicative development framework incorporates measures such as SuDS in this area to reduce the risk of flooding and it is considered that any risk could be reasonably mitigated.

Heritage

- 6.17 The site is within the immediate vicinity of a number of heritage assets. The heritage assets are partially screened from the site by trees and hedgerow by trees and hedgerow. Nevertheless, careful consideration would be given to the design of the dwellings and appropriate green buffers would be provided where necessary to reduce any potential impact on the historic setting. Appropriate surveys would be carried out to assess the archaeological potential of the site prior to development.

Summary & Conclusions

- 6.18 The proposed allocation at Land off Penkrudge Road, Acton Trussell provides an opportunity to deliver thoughtfully designed homes, alongside extensive open space and a village shop, while supporting the sustainable growth of a rural settlement.



- 6.19 No technical constraints exist on the site which could not be adequately addressed or mitigated as part of the proposed development. The site is located in the open countryside, but is well contained by existing tree lines and hedgerow, with further potential to strengthen the boundaries through additional planting.
- 6.20 These representations demonstrate that the site is suitable, achievable and available and would be deliverable in the short term. It would assist with delivering dwellings to meet South Staffordshire's housing needs and those of the wider GBBCHMA. We therefore consider that the site should be allocated in the emerging Local Plan.



EP1



General notes
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KEY

- Header/focal housing position at the head of key vistas
- Dual aspect houses
- Proposed indicative landscaping
- Existing and enhanced green and blue infrastructure
- Proposed housing areas
- Primary movement route
- Secondary movement route
- Tertiary movement route
- Proposed & existing pedestrian/cycle links
- Existing Footpath
- Proposed / Existing Pedestrian access
- Proposed access
- Proposed Swales
- Retained access to fields
- Potential Village Shop

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