



Part B – Please use a separate sheet for each representation

Name or Organisation: JOHN DAVIES FARMS LIMITED

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

Paragraph Policy Policies Map

4. Do you consider the Local Plan is :

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

Please tick as appropriate

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

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

Policy DS4 details that the Council will promote the delivery of a minimum of 4,726 homes over the Plan period (2023-2041) and approximately 10% additional homes to ensure plan flexibility. The housing target is made up of the district's own housing requirement of 4,086 homes, plus a 640-home contribution towards unmet housing needs of the Greater Birmingham and Black Country Housing Market Area (GBBCHMA).

This is a significant reduction in housing provision compared to that detailed in policy DS4 of the November 2022 Publication plan, which identified a minimum target of 9,089 homes over the Plan period (2018-2039) and approximately 13% additional homes to ensure plan flexibility. The 2022 housing target was made up of the district's own housing requirement of 5,089 homes, plus a 4,000-home contribution towards unmet housing needs of the Greater Birmingham and Black Country Housing Market Area.

This decrease in housing provision in the area is a direct consequence of a change in strategy in the 2024 Plan to a capacity-led approach focusing growth to sustainable non-Green Belt sites and limited Green Belt development in Tier 1 settlements well served by public transport. This change is justified within the Spatial Housing Strategy Topic Paper (April 2024) which states that it is a consequence of:

- changes in the NPPF which detail that there is no requirement for Green Belt boundaries to be reviewed or changed, and it was within authorities'



gift to choose to do so where they could demonstrate exceptional circumstances; and

- the Strategic Growth Study (2018) on which the previous 4,000 home contribution to the GBBCHMA was directly informed, was no longer up to date and therefore could not be relied to justify at the strategic level the previously proposed plan target and level of Green Belt release; and
- the delay to plan preparation meant that it would not be possible to submit the previous 2022 version of the plan as that plans end date (2039) would be inconsistent with national policy requiring Local Plans to cover 15 years post adoption.

However, the reasoning provided for the change in strategy, and therefore for the significant reduction in housing provision, is considered inappropriate and unsound. The Plan's strategy also appears inconsistent, as housing provision has been significantly reduced whilst the overall provision of employment land has been bolstered from 99ha. in the 2022 Plan to 107.45ha. in the 2024 Plan, even though the needs of South Staffordshire has reduced (from 63.6ha. in the 2019 Plan to 62.4ha. in the 2024 Plan). The justification for the increase in employment land provision is the need to accommodate "the unmet employment land needs of the Black Country authorities".

It is recognised that there have been changes to the NPPF since publication of the 2022 Plan. Nonetheless, these changes are not considered sufficient to move away from the 2022 Plan's housing strategy. The NPPF details in respect of Green Belt that Green Belt boundaries can be changed in exceptional circumstances. Circumstances exceptional enough to justify the release of Green Belt land in the Plan includes the unmet need for development and, significantly, the Authority has accepted that there is an exceptional need to release land from the Green Belt by allocating sites within the Green Belt for housing purposes. Nonetheless, the release of Green Belt land is limited as it is based upon the housing provision contributing only 640 homes to the GBBCHMA. The Strategic Growth Strategy (2018), upon which the previous 4,000 home contribution was directly informed, may be dated. However, as detailed in paragraph 5.12 of the 2024 Plan "proposals for updated evidence considering the housing market area shortfalls and potential growth locations are currently in discussion across the West Midlands Development Needs Group and South Staffordshire is committed to participating in updating the evidence base and considering its findings through future plan-making". There is, therefore, a lack of more up to date evidence upon which to base the Plan's GBBCHMA contribution. In the interim, as stated in paragraph 5.10 of the 2024 Plan, "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". As indicated within paragraph 5.3 of Duty to Cooperate Topic Paper (April 2024), this evidence remains relevant to Authorities in the housing market area.

In addition, as stated in the representor's comments on the 2022 Plan, we are aware that the Association of Black Country Authorities (ABCA) wrote to Shropshire Council on the 24 February 2021 (in response to Shropshire Council's Regulation 19 consultation), to highlight that there will continue to be a shortfall of land to meet the Black Country's housing needs even in the light of Shropshire's proposed contribution in its Regulation 19 Plan and the proposed contributions in other emerging neighbouring Local Plans, including South Staffordshire, Lichfield and Cannock. ABCA anticipate that these contributions could accommodate in the region of up to 10,500-12,500 homes and, in the best-case scenario, would leave the Black Country with a significant shortfall.



Given the above, it is considered evident that to meet housing needs in the period up to 2041, and be consistent with National Planning Policy Framework's requirements (to be positively prepared, justified, significantly boost the supply of homes and accommodate unmet need from adjoining authorities), the contribution provided in the South Staffordshire Local Plan towards the unmet needs of the Greater Birmingham Housing Market Area should be increased. Whilst the 2022 Plan's proposed contribution of 4,000 dwellings to the GBHMA appears to be a somewhat arbitrary figure (brought forward from the 2018 Issues and Options consultation), this contribution was based upon the findings of a 2018 Strategic Growth Study and other evidence, as detailed above, indicates that the housing shortfall in the GBBCHMA is 'likely increasing'.

As detailed in the representor's objection to policy DS5, the release of additional land for housing development should be focused on Tier 4 settlements to recognise the sustainability of those settlements, protect and enhance their sustainable village centres / services and facilities and to meet housing needs including the requirement to provide 10% of housing growth on sites of less than 1 hectare.

The Plan is therefore considered to be unsound as it fails to meet housing development requirements.

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

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

Policy DS4 should be amended to increase the housing contribution made by the South Staffordshire Local Plan towards the unmet needs of the Greater Birmingham Housing Market Area.

As identified in the representor's objection to policy DS5, any increase in housing land supply should be focused in Tier 4 settlements to recognise the sustainability of those settlements, protect and enhance their sustainable village centres and meet housing needs during the Plan period, including the needs of the settlement and the requirement to provide 10% of housing growth on sites of less than 1 hectare.

The proposed modification to policy DS4 will therefore contribute to the soundness of the Plan by ensuring that housing development requirements are met and that the Plan is, as a consequence, consistent with the national policy.

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



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

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

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

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

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

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

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

In order to contribute to discussions on how the Plan may most appropriately contribute towards meeting the needs of the Greater Birmingham Housing Market Area.

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

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

Data Protection

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

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