

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

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

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

This form has two parts –

Part A – Personal Details: need only be completed once.

Part B – Your representation(s). Please fill in a separate sheet for each representation you wish to make.

## Part A

### 1. Personal Details\*

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

### 2. Agent's Details (if applicable)

Title	<input type="text"/>	Miss
First Name	<input type="text"/>	Jessica
Last Name	<input type="text"/>	Graham
Job Title (where relevant)	<input type="text"/>	Associate Director
Organisation (where relevant)	Taylor Wimpey UK Limited	Savills (UK) Limited
Address Line 1	<input type="text"/>	55 Colmore Row
Line 2	<input type="text"/>	Birmingham
Line 3	<input type="text"/>	<input type="text"/>
Line 4	<input type="text"/>	<input type="text"/>
Post Code	<input type="text"/>	B3 2AA
Telephone Number	<input type="text"/>	0121 634 8494
E-mail Address (where relevant)	<input type="text"/>	jgraham@savills.com



# Part B – Please use a separate sheet for each representation

Name or Organisation:

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

Paragraph  Policy  Policies Map

4. Do you consider the Local Plan is :

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

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.

We **object** to Draft Policy DS5.

### Spatial Strategy for Housing

Draft Policy DS5 states that “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, whilst also recognising that very limited growth in less sustainable areas may be appropriate in limited circumstances” [Savills emphasis]. Paragraph 5.13 of the draft plan states that as a result of the changes to the National Planning Policy Framework (‘NPPF’) (discussed further in our separate response to Draft Policy DS4), South Staffordshire District Council (‘SSDC’) has tested further spatial strategy options for the distribution of housing growth across the district. The chosen strategy is Option I which is “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”.

Option I is a new growth option which was not previously consulted on or identified as a preferred option in the 2022 Publication Plan. The 2022 plan proposed a strategy based on Option G which is described in paragraph 5.4.16 of the Sustainability Appraisal (2024) as “Infrastructure-led development with a garden village area of search beyond the Plan period”. The Planning Practice Guidance requires a Sustainability Appraisal to “provide conclusions on the reasons the rejected options are not being taken forward and the reasons for selecting the preferred approach in light of alternatives” (Reference ID: 11-018-20140306). We do not consider that sufficient justification has been provided for not pursuing Option G (or a hybrid of Option G and I) when it was previously assessed by SSDC in 2022 as being the most suitable option (Sustainability Appraisal 2022). From our review, it appears that Option I has been ‘created’ by the Council in order to achieve their interpretation of the amended NPPF 2023 and



support the reduction in housing to meet local and wider housing market area needs, which we have objected to in our separate response to Draft Policy DS4.

Table 5.7 of the Sustainability Appraisal (2024) compares all of the spatial options assessed. Despite Options G and I scoring the same overall, SSDC have now decided to pursue Option I as it proposes a significantly lower quantum of growth. The Sustainability Appraisal (2024) does not state why Option G is no longer the preferred spatial strategy and the only justification provided to support Option I is that it delivers less housing growth. The NPPF requires plans to be prepared positively (paragraph 16) supported by evidence (paragraph 31). SSDC has produced evidence in order to support their unjustified desire to deliver less housing in the 2024 plan, rather than the evidence informing the strategy and approach to growth as they did for the 2022 plan. The approach to the spatial strategy is not justified and is therefore unsound (NPPF paragraph 35b).

### Capacity-led approach

As discussed in our response to Draft Policy DS4, the housing requirement of the draft plan has been reduced from the 2022 plan and the number of homes proposed to contribute towards the needs of the Greater Birmingham and Black Country Housing Market Area ('GBBCHMA') has gone from 4,000 homes to 640 homes which we consider is unjustified.

Paragraph 2.7 of the Spatial Housing Strategy Topic Paper (2024) states that a 'capacity-led' approach has been taken to the spatial strategy and "the overall level of growth is determined by the capacity of the suitable sites that align with the strategic approaches outlined". This is in reference to Spatial Options H and I which have been added to the draft plan and were not previously considered or consulted on in 2022.

SSDC claim that the chosen Spatial Strategy (Option I) directs growth towards sustainable non-Green Belt development sites and limited Green Belt development in Tier 1 settlements that are well-served by public transport. The 640 dwellings proposed towards the HMA shortfall seems to have been calculated by the number of dwellings SSDC considers are deliverable on sites around Tier 1 settlements but the Council has not provided justification on the reasonable alternatives assessed around these settlements and why the proposed capacity is limited to 640 dwellings.

There are dismissed sites which perform comparatively to the sites proposed to be allocated Tier 1 settlements which have not been allocated for residential development. For example, site reference 222 (Land north of Sandy Lane) which is adjacent to the north of Codsall, a Tier 1 settlement. This site is in the Green Belt and assessed as having moderate-high harm to the Green Belt but performs equally as well when compared against site reference 224 (Land adjacent to Station Road), which is proposed to be allocated (Policy SA3), in Table H.4.1. of the Sustainability Appraisal.

Furthermore there are sites allocated for residential development which are in the Green Belt and not in Tier 1 settlements including site reference number 617 (Land off Four Ashes Road) which is allocated in Brewood a Tier 2 settlement, and 082 (Land between A449 Stafford Road and School Lane) in Coven a Tier 3 settlement.

There is therefore an inconsistency with how the Spatial Strategy Option I has been applied to Green Belt sites, and a lack of justification of how the figure of a 640 home contribution to the unmet needs of the GBBCHMA has been derived. The plan is therefore not justified or effective (NPPF paragraph 35).

### Infrastructure Opportunities

Draft Policy DS5 states that "the aim will be to meet needs in a manner which builds on the district's existing infrastructure and environmental capacity, whilst recognising opportunities to deliver local infrastructure opportunities within the district"[Savills emphasis]. We do not consider that SSDC are achieving this objective. As set out in our responses to Draft Policies DS4, SA3 and SA5, the Land at Cross Green (site references 646a and 646b) previously



allocated in the 2022 Plan (Draft Policy SA2) was proposed to deliver safeguarded land to facilitate future delivery of a rail-based park and ride, comprising of a 2-platform station and 500 car parking spaces as well as the access road to deliver the strategic employment site, ROF Featherstone. These are significant infrastructure projects and the removal of the Land at Cross Green Allocation fails to recognise the opportunity to deliver these key projects is therefore not justified or positively prepared as required by paragraph 35 of the NPPF.

We have set out in further detail in our responses to Draft Policies DS4 and SA5 the implications of removing the Cross Green allocation on the delivery of the strategically important, ROF Featherstone site. The Council's evidence base does not assess the impact of the removal of the Cross Green allocation on the delivery of the access road which the ROF Featherstone site is dependent on and is therefore not sound (NPPF paragraph 35).

The Duty to Cooperate Topic Paper (2024) Appendix D provides draft Statements of Common Ground with individual adjoining and HMA local authorities. Paragraph 20 of the draft Statement of Common Ground between SSDC and City of Wolverhampton Council (CWC) states that "*SSDC and CWC are committed to continue working together in partnership, with the aim of ensuring the necessary infrastructure improvements are delivered to support sustainable growth across both administrative areas... Both parties have also worked together closely to establish the feasibility of the rail-based park and ride scheme at Brinsford and will continue to work together to facilitate the next stages of the project's delivery should this be taken forward.*" [Savills emphasis added].

A report<sup>1</sup> was taken to the Joint Cabinet and Cabinet (Resources) Panel of CWC on 22<sup>nd</sup> May 2024 setting out CWC's response to the SSDC Local Plan Consultation on the Pre-Submission Plan (April 2024). The report sets out that CWC find it "*disappointing that the SSLP (2024) does not safeguard land for a rail-based park and ride north of the M54*" and request the inclusion of the intention to continue to promote this station within the plan (paragraph 3.9). CWC also acknowledge that the delivery of this station would be dependent on safeguarded land and funding from the development of Land at Cross Green (paragraph 2.8).

Brinsford Park and Ride is also listed in Appendix A of the Infrastructure Delivery Plan (2024) as an infrastructure project and it states the feasibility of a new rail station at Brinsford is currently being investigated. This is a longstanding ambition of the Council (and wider economic area) and Core Policy 11 of the Adopted Local Plan references the delivery of Brinsford Strategic Park and Ride. Without the allocation of Land at Cross Green, the land will not be safeguarded to facilitate the future delivery of a park and ride station at Brinsford. The Council's 2024 evidence has not justified how this important infrastructure will be delivered without the Cross Green allocation. As written the plan is unsound.

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.

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<sup>1</sup> Wolverhampton City Council Joint Cabinet and Cabinet (Resources) Panel 22<sup>nd</sup> May 2024 Report <https://wolverhampton.moderngov.co.uk/documents/s271370/South%20Staffordshire%20Local%20Plan%20Consultation%20Response.pdf>



The Spatial Strategy should be amended to reflect a strategy which is positively prepared and fully justified. The Council needs to provide evidence to demonstrate that the proposed strategy is truly 'capacity-led' despite other sites being assessed as performing similarly to those allocated.

Land at Cross Green (site references 646a and 646b) should be re-allocated in order to deliver the access road for ROF Featherstone and safeguard land to deliver the Brinsford Park and Ride which is still an ambition highlighted in the SSDC evidence documents and wider responses from the Housing Market Area.

(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:

To provide oral evidence and engage in the Examination discussions on this matter.

**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](mailto:localplans@sstaffs.gov.uk) or by post to South Staffordshire Council, Community Hub, Wolverhampton Road, Codsall, South Staffordshire WV8 1PX