

# Local Plan Representations

For Wolverhampton Airport Ltd | 23-129

South Staffordshire Council Local Plan Review Regulation 19 Consultation

**Project:** 23-129  
**Site Address:** Land at Wolverhampton Halfpenny Green Airport, Bobbington,  
Stourbridge  
**Client:** Wolverhampton Airport Ltd  
**Date:** 31 May 2024  
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# Appendices

**EP1.** Site location plan



# 1. Introduction

- 1.1 Emery Planning is instructed by our client, Wolverhampton Airport Ltd, to submit representations to the South Staffordshire Council Local Plan Review, Regulation 19 Consultation.
- 1.2 These representations relate to our client's land interests in respect of Land at Wolverhampton Halfpenny Green Airport, Bobbington the extent of which is shown on the enclosed site location plan provided at Appendix EP1.
- 1.3 Our client has only recently purchased the site and therefore has not made representations to earlier stages of consultation in relation to the South Staffordshire Council Local Plan Review. However, our client is also supportive of the potential for delivering a business and masterplan for the future development of the site, alongside relevant stakeholders, to ensure a vibrant and viable future for the airport, recognising the important and positive role it can play in the economy of South Staffordshire. We are willing to look at the options for incorporating this collaborative approach through policy going forward.



## 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 needs<sup>1</sup>; 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;

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<sup>1</sup> 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.

2.4 Paragraph 110 relates to the promotion of sustainable transport and states planning policies should:

“recognise the importance of maintaining a national network of general aviation airfields, and their need to adapt and change over time – taking into account their economic value in serving business, leisure, training and emergency service needs, and the Government’s General Aviation Strategy<sup>47</sup>.”

2.5 Section 13 of the Framework relates to protecting Green Belt Land. Paragraph 152 states inappropriate development is by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 153 continues to state Very Special Circumstances will not exist unless the potential harm by reason of inappropriateness and any other harm arising from the proposals, is clearly outweighed by other considerations.

2.6 Paragraph 154 states local planning authorities should regard the construction of new buildings in the Green Belt as inappropriate in the Green Belt, except in a limited number of circumstances including:

“limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:

- not have a greater impact on the openness of the Green Belt than the existing development; or
- not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority”

## National Planning Practice Guidance (PPG)

2.7 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. Response to Policies

### Policy EC1: Sustainable economic growth

- 3.1 Policy EC1 relates to sustainable economic growth within the district. The Policy sets out support for the development of the local economy and states:

“measures to sustain and develop the local economy of South Staffordshire and encourage opportunities for inward investment and further economic development of the district. Inward investment that accords with the spatial strategy in potential growth sectors such as advanced manufacturing will be supported.”

- 3.2 Paragraph 10.3 of the policy supporting text states that the council will support and encourage growth and inward investment in key sectors such as Auto-Aero technology and engineering as identified through the Stoke-on-Trent and Staffordshire Enterprise Partnership Strategic Economic Plan (April 2018). The policy and the general support for investment into the aerospace engineering sector are supported.
- 3.3 It is considered that our client’s land interests at Halfpenny Green Airport are unique within the borough and provide potential and opportunity to attract significant future investment in the aerospace sector, and the Policy should recognise the role of Halfpenny Green Airport can play in developing this potential growth sector within the authority area.

### Policy EC4: Rural economy

- 3.4 Policy EC4 relates to the rural economy. In relation to rural employment outside development boundaries, the policy states development will only be supported where **all of** the following criteria area satisfied:

a) It is small in scale.

b) It comprises the conversion and reuse of rural buildings.

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.

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. Additional guidance on the nature of the business case requirements will be provided through a Rural Development SPD.

e) The development is accessible by a choice of means of transport including walking, cycling and public transport.



f) The local highway network is capable of accommodating the traffic generated by the proposed development.”

3.5 It is considered that the policy should recognise the role of existing commercial uses outside of development boundaries and the need for existing businesses in the rural area to develop beyond the conversion and reuse of existing buildings, especially on sites which are recognised as being previously developed land and where it’s re-use would also then be contributing to sustainability objectives. The Policy should recognise the role of existing rural business hubs such as Halfpenny Green Airport and the contribution and role they play in supporting and sustaining rural employment opportunities.

3.6 As currently prepared it is considered that the Policy is inconsistent with paragraphs 88 and 89 of the Framework and their support for a prosperous rural economy.

3.7 The Policy currently states employment development outside settlement boundaries will only be supported where all of the criteria set out at paragraph 3.4 above are satisfied, including that development should comprise the conversion and reuse of rural buildings. However, this is inconsistent with paragraph 88a of the Framework which states planning policies and decisions should enable:

“the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed, beautiful new buildings;”

3.8 The Policy is also inconsistent with and should also reflect paragraph 89 of the Framework in that it should recognise that sites to meet local community and business needs in rural areas may be located beyond existing settlements and in locations not well served by public transport.

3.9 The Policy should also be amended to reflect paragraph 89 of the Framework and the support for the use of previously developed land and sites which are physically well related to existing settlements within the rural area for economic purposes.

### Policy EC10: Wolverhampton Halfpenny Green Business Airport

3.10 Policy EC10 relates specifically to our client’s land interests at Halfpenny Green Airport. The full extent of our client's land interests, and full extent of the airport’s operational area can be seen at appendix EP1.

3.11 The Policy as prepared largely reflects the current adopted Core Strategy DPD (September 2012) Policy EV13 and generally remains positive in its support for the development of the airport’s general aviation role.

3.12 However, it is considered that in its current form, the Policy is overly restrictive and does not build on the aspirations for developing the aero industry as expressed through Policy EC1. Policy EV13 of the adopted Core Strategy refers to the ability to carry out development outside of the identified developed area under





permitted development or development which is required for the safe and efficient operation of the Airport.

- 3.13 It is considered that this reference should be carried forward in to emerging Policy EC10 in recognition of the range of permitted development rights associated with the site's operations for general aviation purposes.
- 3.14 The Local Plan, Inset Plan 43 relates to Wolverhampton Halfpenny Green Airport and identifies the extent of what the council consider to be the existing development area. An extract of this plan is provided below:

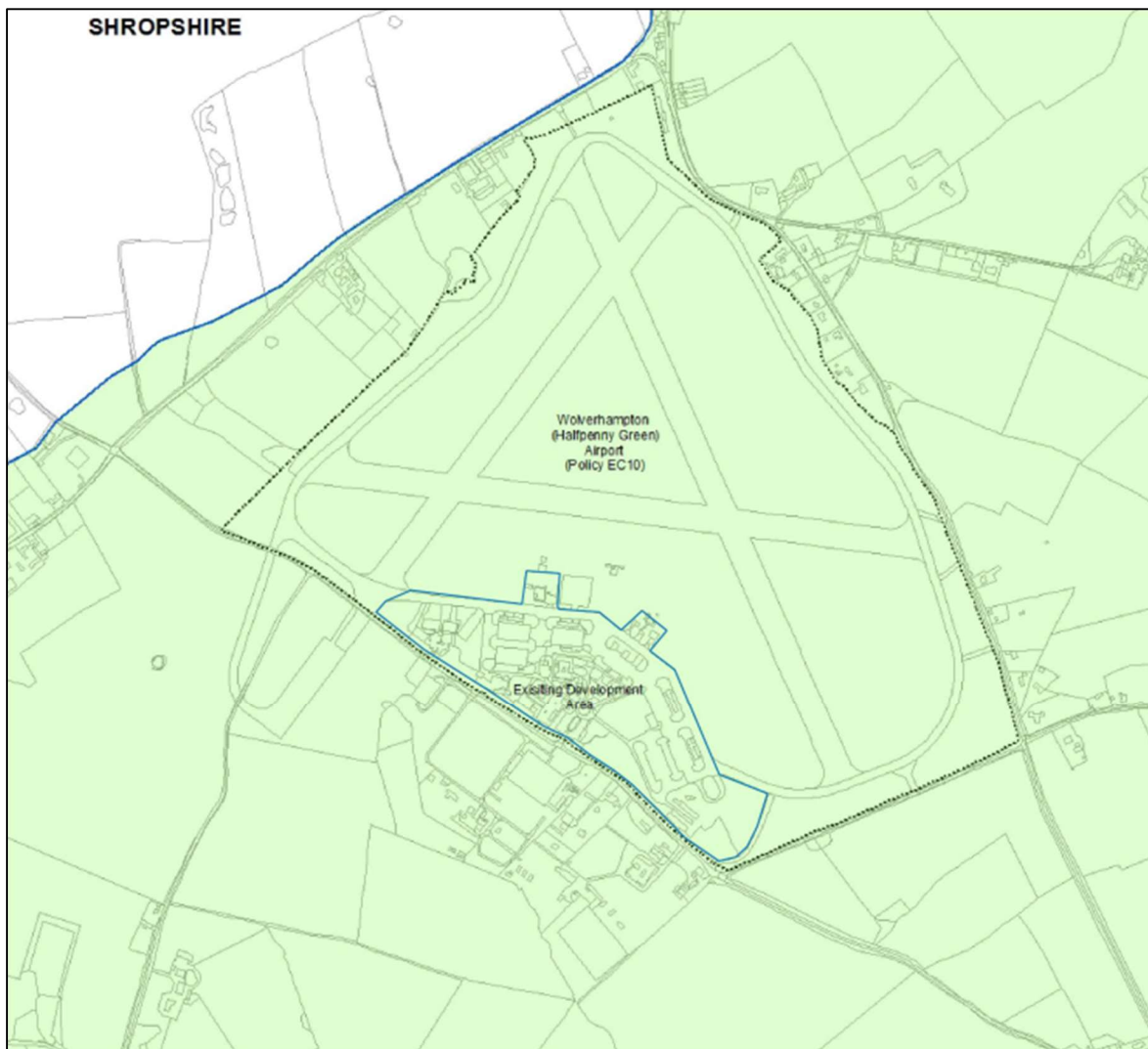


Figure 1. Inset Plan 43 extract.

- 3.15 As drafted the Policy states:



“Development proposals, including the replacement of existing outdated buildings and high-quality infill development directly related to the General Aviation role of the airport and situated within the developed area of the site (as defined on the policies map) will be supported.”

3.16 However, it should be noted that the extent of the existing developed area as shown on Inset Plan 43 is restricted to the extent of the existing buildings on site and the Policy should reflect that the inclusion of the existing developed area as identified on the proposals map, is not determinative of the full extent of the area of previously developed land at Halfpenny Green Airport.

3.17 Whether the full extent of the site should be considered previously developed land (PDL) capable of accommodating further development is a matter of fact and degree based on the circumstances of the site and the particular application. The area of land considered previously developed land plainly extends beyond the existing developed area identified on Inset Plan 43 and should encompass the entirety of the operational area of the airport.

3.18 The definition of previously developed land as provided within the Framework is as follows:

“Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape.”

3.19 The definition of PDL as provided within the Glossary of the Local Plan review reflects the definition of provided within the Framework at Annexe 2.

3.20 The extent of the existing developed area of the site as identified on Inset Plan 43 clearly meets the definition of PDL comprising a mix of existing buildings and hard surface infrastructure. However, the runways and access roads which intersect the wider site and any associated drainage infrastructure necessary for the runway operation also all clearly comprise fixed surface infrastructure, with the full extent of the airport site, including its curtilage, meeting the definition of PDL as provided within the Framework and the submission plan.

3.21 Currently the policy supports infill development directly related to the general aviation role of the airport and states new development not related to this role will not be supported. However, this is considered to be overly restrictive and not in accordance with the Framework.



3.22 The policy should seek to support the role of Halfpenny Green Airport as a light aircraft airfield for private, business, tourism, recreational and relevant commercial purposes in addition to supporting the site's role as an existing local business hub. This would be consistent with paragraph 110(f) of the Framework which states planning policies should:

*“recognise the importance of maintaining a national network of general aviation airfields, and their need to adapt and change over time – taking into account their economic value in serving business, leisure, training and emergency service needs, and the Government's General Aviation Strategy<sup>47</sup>.” (our emphasis)*

3.23 It is welcomed that the Policy acknowledges the important role that the existing non-aviation businesses present at the site play in securing the future viability of the airport. However, as currently prepared the policy only supports development proposals for infill development and replacement of existing buildings directly related to the General Aviation role of the airport. Again, this is considered to be overly restrictive and without opportunities for improvement and growth within the site, risks the loss of existing non-aviation tenants and businesses present on site which the LPA themselves, recognise as playing a key role in the continued viability of the site and the local community.

3.24 The existing infrastructure at the site, and its physical constraints, mitigate against a commercial aviation role for use by larger aircraft. In light of that we consider that the policies should be supportive of consolidation and expansion of the aviation role set out earlier in this submission, including business and tourism aviation, as well as being supportive of the role the airport can play in the local and regional aspiration to further develop the aero design, development and manufacturing sector, as well as the role the airport site has always played in supporting local business development.



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