

	<p>Local Plan Publication Stage Representation Form</p>	<p>Ref:</p> <p>(For official use only)</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"/>	<input type="text" value="Miss"/>
First Name	<input type="text"/>	<input type="text" value="Jessica"/>
Last Name	<input type="text"/>	<input type="text" value="Graham"/>
Job Title (where relevant)	<input type="text" value="Barratt West Midlands"/>	<input type="text" value="Associate Director"/>
Organisation (where relevant)	<input type="text"/>	<input type="text" value="Savills (UK) Limited"/>
Address Line 1	<input type="text"/>	<input type="text" value="55 Colmore Row"/>
Line 2	<input type="text"/>	<input type="text" value="Birmingham"/>
Line 3	<input type="text"/>	<input type="text"/>
Line 4	<input type="text"/>	<input type="text"/>
Post Code	<input type="text"/>	<input type="text" value="B3 2AA"/>
Telephone Number	<input type="text"/>	<input type="text" value="0121 634 8494"/>
E-mail Address (where relevant)	<input type="text"/>	<input type="text" value="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="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.

We **object** to draft Policy NB6A as it goes beyond national requirements.

This policy states that major developments must achieve a minimum 63% reduction in carbon emissions for each dwelling by on-site measures compared to UK Building Regulations through fabric and energy efficiency measures as well as on-site renewable energy regeneration. These requirements are considered to be over and above the requirements of PPG which states that Local Plans “can set energy performance standards for new housing or the adaptation of buildings to provide dwellings, that are higher than the building regulations, but only up to the equivalent of Level 4 of the Code for Sustainable Homes” (Reference ID: 6-012- 20190315).

The December 2023 Written Ministerial Statement¹ states that ‘a further change to energy efficiency building regulations is planned for 2025 meaning that homes built to that standard will be net zero ready and should need no significant work to ensure that they have zero carbon emissions as the grid continue to decarbonise. Compared to varied local standards, these nationally applied standards provide much-needed clarity and consistency for businesses, large and small, to invest and prepare to build net-zero ready homes’. It goes on to state that ‘the Government does not expect plan-makers to set local energy efficiency standards for buildings that go beyond current or planned buildings regulations’ [Savills Emphasis]. Therefore, it is considered that the plan should only require development to comply with current or planned building regulations.

The Sustainable Construction Policy NB6A Topic Paper (2024) makes assumptions (page 24) on whether standards above the Part L Building Regulations can be used and reference is made to other local authorities who have adopted policies above level 4 standards. Barratt does

¹ <https://questions-statements.parliament.uk/written-statements/detail/2023-12-13/hcws123>



not agree with the assumptions made by SSDC within the Topic Paper. In order to be “consistent with national policy” and sound, plans are required to accord with the NPPF and “other statements of national planning policy” (NPPF paragraph 35d). The PPGs is national guidance and therefore the inclusion of Reference ID: 6-012- 20190315, is relevant. Secondly, plans are examined on a case by case basis. Therefore, other plans may have been found sound with policies requiring energy performance above the Part L standards but this should not mean that every local plan can propose requirements which are contrary to national guidance.

The PPG also states that if a Council is “considering policies on local requirements for the sustainability of other buildings, local planning authorities will wish to consider if there are nationally described standards and the impact on viability of development” (Reference ID: 6-009-20150327). The Viability Study 2022 has assumed a +7% increase on build costs for houses and +4% build cost for flats to meet these targets. Given Policy NB6A is proposing requirements much greater than existing regulations, further clarity is sought on the assumptions made in the Viability Study and where the costs have been taken from. As presented we consider the evidence to be unjustified and inconsistent with national guidance.

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 NB6A should be amended to reflect current national requirements.

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 or by post to South Staffordshire Council, Community Hub, Wolverhampton Road, Codsall, South Staffordshire WV8 1PX