	<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)

<p>Title <input style="width: 90%;" type="text"/></p> <p>First Name <input style="width: 90%;" type="text"/></p> <p>Last Name <input style="width: 90%;" type="text"/></p> <p>Job Title (where relevant) <input style="width: 90%;" type="text"/></p> <p>Organisation (where relevant) <input style="width: 90%;" type="text" value="Lichfields c/o St Philips Land Limited"/></p> <p>Address Line 1 <input style="width: 90%;" type="text"/></p> <p>Line 2 <input style="width: 90%;" type="text"/></p> <p>Line 3 <input style="width: 90%;" type="text"/></p> <p>Line 4 <input style="width: 90%;" type="text"/></p> <p>Post Code <input style="width: 90%;" type="text"/></p> <p>Telephone Number <input style="width: 90%;" type="text"/></p> <p>E-mail Address (where relevant) <input style="width: 90%;" type="text"/></p>	<p><input style="width: 90%;" type="text" value="Mr"/></p> <p><input style="width: 90%;" type="text" value="Myles"/></p> <p><input style="width: 90%;" type="text" value="Wild-Smith"/></p> <p><input style="width: 90%;" type="text" value="Associate Director"/></p> <p><input style="width: 90%;" type="text" value="Lichfields"/></p> <p><input style="width: 90%;" type="text" value="Cornerblock"/></p> <p><input style="width: 90%;" type="text" value="2 Cornwall Street"/></p> <p><input style="width: 90%;" type="text" value="Birmingham"/></p> <p><input style="width: 90%;" type="text"/></p> <p><input style="width: 90%;" type="text" value="B3 2DX"/></p> <p><input style="width: 90%;" type="text" value="0121 713 1530"/></p> <p><input style="width: 90%;" type="text" value="myles.wild-smith@lichfields.uk"/></p>
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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" value="✓"/>
(2) Sound	Yes	<input type="text"/>	No	<input type="text" value="✓"/>
(3) Complies with the Duty to co-operate	Yes	<input type="text"/>	No	<input type="text" value="✓"/>

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.

Please refer to Section 2 of our detailed representations.

(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.



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

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Our representations have raised matters relating to the soundness of the Publication Plan. St Philips Land Limited wish to appear at the Examination to respond to any matters raised and clarifications required by the Inspector.


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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

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**South Staffordshire Publication
Plan (Pre-Submission) 2024**
**Representations on behalf of
Land at Wolverhampton Road**

Land at Wolverhampton Road, Wedges Mills, Cannock

St Philips Land Limited

29 May 2024

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1.0 Introduction

- 1.1 These representations to the South Staffordshire Publication Plan (Pre-Submission) 2024 (“the 2024 PP”) have been prepared by Lichfields on behalf of Land at Wolverhampton Road.
- 1.2 We focus on the strategic matters that are contained within the 2024 PP consultation document and relate specifically to St Philips’ site at Wolverhampton Road, Wedges Mills Cannock (“the Site”).
- 1.3 St Philips seeks to work constructively with South Staffordshire Council (“the Council”) as it progresses towards the adoption of the Local Plan Review [LPR] and trusts that the comments contained within this document will assist Officers in this regard.

Plan-making to date

- 1.4 To date, the Council has consulted on an ‘Issues and Options Consultation’ (“IOC”) between 8 October and 30 November 2018, followed by the South Staffordshire Spatial Housing Strategy & Infrastructure Delivery (“the SHSID”) and the Infrastructure Delivery Plan 2019 [IDP] between 17 October until 12 December 2019. These were followed by a Preferred Options [PO] consultation from November to December 2021 and a Publication Plan [PP] between 11 November and 23 December 2022. Following changes to the National Planning Policy Framework (2023) [NPPF] in December 2023, the Council is now undertaking a consultation on the 2024 PP, which asks for views on the legal soundness of the Council’s 2024 PP and the policies within it.

Structure

- 1.5 These representations are structured around the Vision and policies set out in the 2024 PP consultation, these being:
- Policy DS4: Development Needs; and
 - Policy DS5 – The Spatial Strategy to 2041.

2.0 Areas of Response

- 2.1 St Philips' response to the 2024 PP is set out below, using the draft policies contained in the 2024 PP document for continuity.

Policy DS4: Development Needs

- 2.2 Draft Policy DS4 (Development Needs) sets out the Council's proposed housing requirement for the plan period up to 2041, which includes a nominal contribution towards meeting the unmet housing needs of the Greater Birmingham and Black Country Housing Market Area [GBBCHMA]. St Philips has the below comments on draft Policy DS4, and the evidence base underpinning it, which it is considered would need to be addressed by the Council to ensure the policy is robust and sound:

1. Housing Need

- 2.3 Draft Policy DS4 states that the Council will deliver a minimum of 4,726 dwellings between 2023-2041 to meet the district's 4,086 dwelling local housing need [LHN] figure and a 640 dwelling contribution towards unmet housing needs of the GBBCHMA. The supporting text states that the Council's 227 dwellings per annum [dpa] LHN figure is based on the NPPF's Standard Method [SM] for the 2023 to 2041 period.
- 2.4 Broadly, St Philips supports the Council's approach to assessing its minimum LHN, which is underpinned by the South Staffordshire Housing Market Assessment Partial Update (2024) ("the SHMA Update"). The Council's LHN calculation set out in the SHMA Update appears to have correctly utilised the 2014-based household projections and 2022 median work-place-based affordability ratios – in line with the Planning Practice Guidance [PPG]¹. St Philips also welcome the Council's update to the LHN figure following on from the PP (c.241 dpa), which reflects the PPG's clear instructions to keep this number under review and revise it where appropriate.² In addition, St Philips welcomes the fact that the Council has reflected on the critical concerns raised in response to the previous PP, PO and SHSID consultations in respect of omitting completions from the housing requirement and – in line with the guidance in the PPG³ – applying the Council's LHN to the whole emerging plan period (2023-2041).
- 2.5 However, as set out in detail within St Philips' PP, PO and SHSID representations, both the NPPF⁴ and PPG⁵ are clear that the LHN figure generated by the SM is a minimum starting point and the PPG is clear that it would be appropriate for a higher figure to be adopted on the basis of employment, infrastructure, affordable housing or unmet housing needs⁶ (i.e. actual housing need may be higher than this figure). Despite St Philips' recommendation to the Council in their PP representations, the Council's SHMA Update still does not consider the above-mentioned uplifts in detail.

¹ PPG ID: 2a-004

² PPG ID: 2a-008

³ PPG ID: 2a-008 and 2a-012

⁴ Paragraph 61

⁵ PPG ID: 2a-002

⁶ PPG ID: 2a-010

- 2.6 Importantly, St Philips considers that neither the 2024 PP nor a SHMA Update has adequately considered whether uplifts are required to the minimum LHN figure as per St Philips' detailed recommendations within the previous responses and contrary to the PPG. As such, it is considered that the Council has still not considered whether:
- 1 An affordable housing need uplift would be required to account for the affordable housing needs of in-migrating households from the Black Country or Birmingham, resulting from the proposed 640 dwelling unmet housing needs contribution which is markedly lower than required – to demonstrate whether an uplift could help deliver the required number of affordable homes for different groups in the community (Para 63, NPPF); and
 - 2 Whilst the South Staffordshire Economic Development Needs Assessment Update (2024) suggests that the Council has a low self-containment of resident and workplace-based flows (i.e. more people commute into the District for work than are resident workers) and therefore an uplift in housing supply to align with job growth is not required (Para 7.44), this fundamentally ignores the requirements of the NPPF. In particular, the NPPF emphasises the implicit link between economic growth and housing need, and that economic growth should not be decoupled from housing growth (Para 86). In essence, the Council's current approach seeks to promote unsustainable patterns of commuting. As such the Council has not adequately addressed whether there would be a sufficient supply of housing to meet the indigenous employment needs identified, or the regional needs arising from the job growth associated with the West Midlands Interchange [WMI] within the plan period – to align with the NPPF.
- 2.7 As such, St Philips wishes to again reiterate to the Council that, to ensure a robust and sound approach, the Council should prepare a further SHMA update or Topic Paper which considers whether affordable housing or economic uplifts should be applied to the Council's 227 dpa minimum LHN figure.

2. Unmet Housing Needs

- 2.8 As noted above, draft Policy DS4 of the 2024 PP sets out the Council's commitment to contributing towards the unmet housing needs of the GBBCHMA. In this regard, as St Philips set out in their previous representations, St Philips welcomes the Council's commitment to addressing part of the GBBCHMA's unmet needs through the LPR. Given the acute housing shortages arising within the main conurbations in the Housing Market Area [HMA]. Indeed, despite the changes set out within the revised NPPF, it remains entirely appropriate and in accordance with the NPPF (Paras 11b and 35c) that the Council makes provision for these strategic and cross-boundary needs to be addressed within the LPR.
- 2.9 However, the 2024 now states that the Council's commitment has markedly reduced; from c.4,000 dwellings to 640 over the 2023 to 2041 plan period. The 2024 PP justifies this significant reduction on the basis that the revised NPPF enables authorities to elect – or not – to remove land from the Green Belt to meet their housing needs and the unmet needs of neighbouring authorities and that the Strategic Growth Study (2018) [SGS] on which the previous 4,000 home contribution was based is no longer up to date (Para 5.12). As a result of the above, the Council has tested further spatial strategy options and selected a strategy that takes 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 (Para 5.14). Consequently, a suite of previously allocated sites has been omitted from the 2024 PP and the Council's proposed contribution towards the GBBCHMA has been reduced to 640 dwellings. In this regard, St Philips has significant concerns regarding the proposed contribution towards the unmet housing needs of the GBBCHMA and the soundness of this approach.

- 2.10 With regards to the Council suggesting – albeit not explicitly – that the quantum of unmet needs has not been evidenced and therefore this uncertainty justifies deferring this matter until a future LPR, this is not the case. Whilst the Council now acknowledges that the SGS is now markedly out-of-date, as set out in St Philips' previous representations, this has always been the case and as the SGS had not been examined and therefore its findings carried little to no weight.
- 2.11 The Council points to ongoing work to quantify these needs in the form of updated evidence being prepared by the West Midlands Development Needs Group (Para 5.12). However, the Council has previously recognised that more up-to-date evidence of how to distribute this need sustainably has been prepared by Lichfields. In particular, Lichfields' Black Country's Next Top Model analysis, prepared on behalf of St Philips and submitted to the Council, was previously considered through Residential Growth Option (F) of the 'Sustainability Appraisal of the South Staffordshire Local Plan Review (2019-2039): Regulation 19 SA Report (October 2022)' ("the Reg 19 SA"), but now appears to have been disregarded. At the time, St Philips welcomed the Council's pragmatism in reflecting on this analysis – albeit, disagreed with the Reg 19 SA's conclusion on this option. Importantly, this evidence nevertheless provides the Council with an up-to-date assessment on which the LPR could be underpinned.
- 2.12 As the Council will be aware, despite the Black Country Authorities [BCAs] Black Country Plan Review [BCPR] no longer proceeding, the acute unmet housing needs still need to be addressed and each of the BCA authorities still requires assistance separately. Indeed, following the Stage 1 Hearings of the Examination in Public of the Shropshire Local Plan, the Inspector issued Interim Findings which (*inter alia*) reflected on Shropshire's proposed approach to addressing the BCAs unmet housing needs (i.e. c.1,500 dwellings). In particular, and in reflection on the breakdown of the BCPR, the Inspectors stated that despite "*this new plan making context, there is no reason before us to find that the identified unmet needs in the Black Country area will disappear*" (Para 14) and that "*it remains an important strategic cross boundary matter that should not be deferred*" (Para 15).
- 2.13 In this context, a review of the BCA's separate emerging LPRs suggests that the authorities' supplies have reduced, which suggests that the stated supply and unmet housing need conclusions out in the BCPR (i.e. c.28,000) has markedly increased to c.37,000 dwellings. Whilst the needs of the BCAs are already quite acute in and of themselves, Birmingham City Council's latest Issues and Options consultation also identified an emerging c.78,000 dwelling unmet need between 2022 and 2042 (Para 5.13).
- 2.14 Whilst the Council acknowledges that the shortfalls in the GBBCHMA are likely rising and broadly quantifies them per the above (Para 5.10) and is making a nominal contribution towards the BCAs, it does not propose to address Birmingham's needs at all, or meaningfully contribute towards the BCAs. Instead, the Council states that it will work with

the other GBBCHMA authorities to update the SGS and address this through a future LPR (Para 5.12). Whilst St Philips welcomes the Council’s continued commitment to addressing the housing needs of the GBBCHMA, St Philips considers that the Council is effectively seeking to defer rather than deal with this issue, contrary to paragraph 35c of the NPPF. In particular, the scale of the GBBCHMA’s unmet needs is clear and unavoidable, despite this, the Council has proposed a nominal ‘contribution’ underpinned by a contrived spatial strategy which runs contrary to the Council’s previous conclusion on sustainable development across the plan period (i.e. omitting a suite of sustainable Green Belt sites).

- 2.15 In this regard, St Philips has significant concerns regarding deferring addressing this matter until such time as an updated SGS has been prepared. This is because this process could take several years and still not result in an agreed spatial distribution. Indeed, few authorities have agreed to the distribution of growth set out in the 2018 SGS. Moreover, the adopted Birmingham shortfall was identified in 2017, with the SGS published in 2018, and still to date only one authority within the GBBCHMA has addressed these needs through an adopted plan (e.g., North Warwickshire) nearly 5 years later.
- 2.16 Even if the BCAs and Birmingham are able to make provision for further land within their Green Belt, the extent of the unmet housing needs arising up to 2042 is likely to remain acute and severe. Whilst it is accepted that the NPPF requires LPAs who are subject to the 35% urban centres uplift to accommodate their needs within their own area where possible (Para 62) (i.e. Birmingham and Wolverhampton’s share of the unmet housing needs), it is critical that the Council makes an appropriate contribution towards assisting in addressing this unmet housing need now, as these needs are so acute and unlikely to be met in full by the GBBCHMA authorities without conflicting with the wider policies in the NPPF (Para 62).
- 2.17 As such, and as was indicated in St Philips’ previous representations, the distribution of the unmet housing needs of the GBBCHMA should be addressed now, rather than through an updated SGS and suite of ‘future’ LPRs. Whilst St Philips maintains that a functional relationship-based approach⁷ should be utilised (which suggests a contribution in the order of c.8,650 dwellings) and could be sustainably be accommodated within the District, given that the Reg 19 SA concluded that a c.4,000 dwelling was the most sustainable Residential Growth Option, St Philips strongly contend that the Council should be making provision for a c.4,000 dwelling contribution as a minimum. However, as previously advised, St Philips considers that the Council’s assessment of higher growth set out in the Reg 19 SA and repeated in the recent ‘Sustainability Appraisal of the South Staffordshire Local Plan Review (2023-2041)’ (“2024 SA”) has improperly scored the reasonable alternative residential growth options, and it is likely that a higher contribution could sustainably be delivered within the District.
- 2.18 Moreover, despite changes to the NPPF in relation to the need for Green Belt release, it does not preclude an LPA from releasing Green Belt land, so long as an LPA has satisfied the sequential approach in utilising its supply of brownfield land, optimising densities and engaging with neighbouring authorities to assist in meeting needs. To this end, it is entirely reasonable and consistent with the NPPF for the Council to release further Green Belt land to assist in addressing the unmet housing needs of the GBBCHMA.

⁷ Per Lichfields’ Black Country’s Next Top Model and endorsed by Inspectors both the Coventry and Warwickshire HMA and the Leicester and Leicestershire HMA

2.19 In essence, St Philips strongly contend that the Council has chosen to defer, rather than meaningfully deal with this strategic cross-boundary issue now. Indeed, at present, the Council's proposed approach would only equate to a c.1.7% contribution towards addressing the unmet housing needs of the BCAs, or a c.0.6% contribution to the GBBCHMA's unmet needs as a whole. The Council's proposed approach to its housing requirement and unmet housing need is therefore unsound and further growth is required within the District to meet these needs. St Philips considers that it is likely that there are sites throughout the District that could sustainably contribute to addressing more of the GBBCHMA's unmet housing needs than currently proposed. It is evident that there are opportunities to allocate additional 'suitable, available and achievable' land and sites in sustainable locations across the District. Indeed, St Philips site at Wolverhampton Road, Wedges Mills (Site ref: 529) is one of these opportunities.

3. Buffer

2.20 As previously stated in St Philips's PP representations in 2022, it is critical that the LPR's housing trajectory has sufficient land supply across the plan period so that it can adjust and accommodate any unforeseen circumstances, such as a degree of flexibility in delivery rates and densities. This is because, if any single component of supply does not come forward or falls behind the timescales implied by the Council, which buffers are intended to address, this may result in the GBBCHMA's unmet housing needs not being delivered, rather than the Council.

2.21 It is noted that the 2024 PP highlights that against the Council's housing requirement of 4,086 dwellings and a 640 dwelling contribution towards the GBBCHMA over the 2023 to 2041 plan period, the LPR will make provision for a minimum of c.4,726 dwellings over this same period. Draft Policy DS4 indicates that this would equate to a c.10% oversupply, which the Council considers will ensure that *"this will help the plan to meet the national policy requirement to respond to changing circumstances in the plan period and demonstrate plan flexibility"* (Para 5.23).

2.22 In this regard, and notwithstanding St Philips' concerns with the Council's draft housing requirement – discussed above – St Philip's fundamentally supports the principle of the Council's approach of ensuring a sufficient headroom is built into the supply. St Philips also support the Council's approach to applying the buffer to both its housing need and the contribution towards addressing the unmet needs of the Black Country, as this will ensure – in principle – that both needs can be met flexibly should some components of supply fall through or be delayed in delivery.

2.23 However, St Philips has concerns regarding the Council's proposed reduction in buffer. As a part of the PP, the Council sought to make provision for a 13% buffer. As a part of the 2024 PP, this has now been reduced to 10%. Again, setting aside St Philips' concerns relating to the housing requirement and that St Philips supports the inclusion of a buffer, the proposed 10% buffer is well below the range identified by other Councils and found sound at the examination as well as being explicitly endorsed by Inspectors – as set out in their previous PP representations.

2.24 As such, St Philips recommends that a minimum of c.20% headroom should be incorporated into the LPR. Importantly, and as the Council has already recognised, this increased buffer in supply to ensure flexibility should be detached from the Council's

contribution to the GBBCHMA housing shortfall (i.e. 20% on top of its LHN figure and GBBCHMA unmet need contribution). The consequence of this is that it will be necessary for the Council to identify additional suitable land supply (i.e. more than needed to meet the total housing requirement) to facilitate an additional c.10% headroom to be built into the supply. In this regard, growth within the plan period at Wedges Mills would be an entirely logical source of supply to address this need – discussed further below.

4. Failure to Deliver on the Vision and Strategic Objectives

2.25 The NPPF sets out the Government’s framework within which locally prepared plans can provide for sufficient housing and other development in a sustainable manner (Para 1). It goes on to state that:

“The purpose of the planning system is to contribute to the achievement of sustainable development, including the provision of homes, commercial development, and supporting infrastructure in a sustainable manner. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs4...” (Para 7)

2.26 It is also clear that ‘sustainable development’ has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives) (Para 8), which include:

- Economic;
- Social; and
- Environmental.

2.27 In this regard, the 2024 PP sets out the Council’s Vision for the District over the plan period, alongside strategic objectives and how individual policies will contribute towards addressing the Vision. The 2024 PP goes on to set out the below strategic objectives:

Figure 2.1 Strategic Objectives

Development Strategy
Strategic Objective 1: Protect the Green Belt and Open Countryside, ensuring that where Green Belt release is proposed, mechanisms are in place to secure compensatory improvements to the environmental quality and accessibility of the remaining Green Belt.
Strategic Objective 2: Meet the housing and employment needs of the district whilst making a proportionate contribution towards the unmet needs of Greater Birmingham and Black Country Housing Market Area and wider Functional Economic Market Area. New housing will be focused on sustainable locations within the district, with a particular focus on the district’s most sustainable Tier 1 settlements.
Homes and Communities
Delivering the right homes
Strategic Objective 3: Provide housing to meet the needs of different groups in the community, including a good range of market and affordable housing of varying sizes and housing that meets the needs of an ageing population and people with specialist housing needs, as well as the needs of people wishing to build their own home and members of the gypsy and traveller community.
Design and space standards
Strategic Objective 4: Develop a built environment that is of high-quality design, respects the character of our existing settlements, reflects local vernacular and creates beautiful and sustainable places where people want to live, work and enjoy leisure activities.
Promoting successful and sustainable communities
Strategic Objective 5: Encourage healthy communities through the provision of good access to health and education infrastructure, open space, sport and leisure and children’s play and youth development facilities.
Economic Prosperity
Building a strong local economy
Strategic Objective 6: Develop an economic strategy that seeks to retain existing employment and fosters sustainable economic growth, encouraging inward investment and job creation in key sectors such as advanced manufacturing and providing the skills to enable residents to access these jobs.
Strategic Objective 7: Support the vitality of rural areas by enabling the sustainable growth and diversification of rural businesses, including supporting tourism and agriculture.
Community services, facilities and infrastructure
Strategic Objective 8: Protect and enhance sustainable village centres, retaining the existing retail offer and ensuring good access to community services and facilities.
Strategic Objective 9: Ensure that new development is served by appropriate infrastructure such as road improvements, health, recreation, and education facilities.
Strategic Objective 10: Support the development of sustainable transport networks including ensuring that where possible existing and new development is well served by various public transport modes and active travel options such as walking and cycling.
The Natural and Built Environment
Protecting and enhancing the natural environment
Strategic Objective 11: Protect and enhance the district’s natural environment including the district’s landscape character and key natural assets such as the Cannock Chase Special Area of Conservation, whilst ensuring that biodiversity net gain is delivered across the district.
Climate Change and sustainable development
Strategic Objective 12: Ensure that our communities are resilient and adaptable to the effects of climate change. Deliver appropriate climate change mitigation through renewable energy generation and ensure that developments are designed and located in a way that delivers greater energy conservation and reduces carbon emissions.
Enhancing the Historic Environment
Strategic Objective 13: Enhance the built environment, conserving and enhancing the district’s heritage assets including the district’s canal network.

Source: 2024 PP

2.28

The Council’s Vision and Priorities for the District over the plan period are far-reaching, but broadly align with the three tenets of sustainable development. Crucially, the provision of new housing generates many benefits not just in terms of economic growth, but also in terms of creating sustainable communities, improving affordability and expanding home ownership. St Philips strongly contends that a higher housing requirement reflecting the critical need for a larger contribution towards addressing the unmet housing needs of the GBBCHMA can more ably deliver on the Council’s Priorities. In the absence of this, the Council and its residents will lose out on the opportunity to benefit from the environment,

economic and social benefits associated with delivering additional housing growth within the District.

2.29

In this context, as a result of the Council reducing the housing requirement by c.4,363 dwellings between 2023 and 2041 in the 2024 PP, when compared to the PP, the Council and the residents of South Staffordshire will lose:

- 1 **Economic Growth:** Planning for housing beyond the Council's own housing needs brings with it significant economic benefits generated through increased housing delivery. Strong levels of housebuilding are a key element of a properly functioning economy, both in terms of the excellent employment opportunities construction brings to an area, but also the need to provide affordable, good-quality housing to encourage skilled workers to move to South Staffordshire. A failure to do so or to capitalise on the increased benefits associated with higher housing growth risks investment being directed elsewhere, or higher levels of net in-commuting into the District – neither of which are attractive sustainable outcomes. The role of housing in the economy is complex however; new housing delivery has the potential to generate a range of improved economic outcomes. However, as a result of the Council markedly reducing their housing requirement in the 2024 PP, the Council will fail to capitalise on:
 - a c.£133 million of (gross) direct, indirect and induced GVA per annum during the plan period;
 - b 631 Direct FTE and 375 indirect FTE supply chain jobs per annum during the plan period;
 - c c.£24m of first occupation expenditure (spending to make a house 'feel like a home') during the plan period;
 - d c.£6.4 million of resident expenditure (within local shops and services p.a.) during the plan period;
 - e c.84 FTE supported jobs within the local area (from increased expenditure) during the plan period;
 - f c.£8.6m of Council Tax revenues per annum during the plan period; and
 - g c.£9.2m of New Homes Bonus to boost the Council's revenues.
- 2 **Environmental Enhancements:** The NPPF, at paragraph 8, recognises the ability of sustainable development to perform an environmental role in contributing to protecting and enhancing the built environment. It highlights the need to improve biodiversity, minimise waste pollution and the use of resources, together with adaptation towards climate change. In this context, in 2019 the Council declared a climate emergency. Importantly, St Philips strongly contends that a higher level of housing growth can significantly contribute to the climate change emergency challenges. Indeed, decarbonising and adapting the UK's housing stock is critical for meeting emission reduction targets but notes that it is significantly cheaper and easier to install energy efficiency and low carbon heating measures when homes are built, rather than retrofitting them afterwards. However, as a result of the Council markedly reducing their housing requirement in the 2024 PP, the Council will fail to capitalise on:

- a The delivery of 10% Biodiversity Net Gain [BNG] on all housing developments, which would, through the ecosystem services it supports, also makes an important contribution to both climate change mitigation and adaptation;
 - b c.4,363 energy-efficient homes, which would play a significant role in facilitating improved energy and water efficiency, through renewable energy generation, such as solar panels, photo-voltaic panels, air source heat pumps and ground source heat pumps, energy-efficient lighting, and a fabric-first approach to construction;
 - c c.26.4 ha of Public Open Space [POS], which could have contributed towards improving the environmental quality of the District through improved air and water quality, noise absorption and reduced 'urban heat island' effects; and
 - d The enhancement, or provision of, service and facilities in Tier2-4 settlements that would serve the day-to-day needs of future residents and would reduce their reliance on the car where possible and promote active travel.
- 3 **Social Inclusion:** The NPPF is clear that planning should “*support strong, vibrant and healthy communities*”. This also requires development to ensure access to local services that reflect the community’s needs and support its health, social and cultural wellbeing. The NPPF also is clear that planning should achieve this “*by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations*” (Para 8b). St Philips consider that the proper, planned, provision of a larger housing requirement can more ably deliver the social and physical infrastructure needed to mitigate any impacts resulting from population increases. It would allow the creation of sustainable communities with homes built across a wide range of types, size and tenures, and they can create cohesive well-planned neighbourhoods with access to day-to-day services and facilities. In the absence of this, the Council will fail to deliver social and health benefits equitably across the District. As a result, the Council will:
- a Decrease the diversity of the types and size of homes delivered within the District, which will result in less of the needs of the population being addressed, such as self-build and family homes;
 - b Constrain the housing supply for those on lower incomes within the District, with the c.1,309 affordable homes no longer planned to be delivered across the plan period. Lower-paid employees, which may include key workers, could be forced to move further afield, thus reducing the labour supply in the local area and increasing unsustainable commuting patterns;
 - c Lose the economies of scale required to deliver necessary improvements to local services and infrastructure throughout the District, particularly given the Council has limited growth in Tier 2-4 settlements (i.e. the rural areas). The consequence of this being that residents in the rural areas of the District will need to travel further for day-to-day services and facilities, as existing rural services and facilities may not be enhanced through growth or decline in quality due to a lack of local population growth in the settlement; and
 - d Lose the health benefits associated with new and existing residents having access to swathes of new POS and green spaces throughout the District, which has been shown to improve health outcomes and reduce health inequalities in a cost-

effective way that promotes healthy and active lifestyles. These spaces provide important opportunities for exercise and recreation and assist in supporting a healthy lifestyle.

- 2.30 St Philips strongly contends that planning for greater levels of housing delivery to ensure a more appropriate contribution towards the GBBCHMA will inevitably augment the Council's ability to deliver on its Strategic Objectives across the plan period. Ultimately, if sufficient levels of housing are delivered in the right locations through engagement with local communities, significant benefits can be secured for the local economy and environment, as well as the health and social well-being of the population. Of course, whilst these benefits would be required to mitigate the delivery of this additional housing, it would nevertheless serve and benefit the wider residents of the District. Nevertheless, to ensure the delivery of the symbiotic economic, social and health benefits associated with housing delivery, it is critical that higher levels of housing delivery in District are proposed to ensure the GBBCHMA's unmet needs are addressed.
- 2.31 As such, St Philips considers that significantly reducing the number of homes delivered in the District – as set out in the 2024 PP – is not the long-term solution to addressing issues such as social infrastructure improvements, climate change and inclusive economic growth, nor will it enable the Council to meet its 2024 PP Vision and Strategic Objectives. In conclusion, at present, St Philips strongly contends that the Council's proposed Policies DS4 and DS5 will not enable the Council to address the proposed Strategic Objectives.

Local Plan Review Policy

- 2.32 Notwithstanding the above, as the Council has acknowledged that the scale of the unmet housing needs across the GBBCHMA is likely exceeding c.100,000 dwellings up to 2041 with further work being undertaken by the GBBCHMA to address these needs, which will likely be 'considered' through a future LPR. In essence, the Council is seeking to defer addressing the unmet housing needs of the GBBCHMA now until a future LPR and even then, does not explicitly confirm that they will meet these needs. However, despite Section 15 of the 2024 PP setting out how the Council would monitor the performance of the LPR, the Council does not commit to an LPR within the 2024 PP.
- 2.33 Given the above, St Philips considers that the Council's current position fails to provide any certainty of an outcome or clearly defined timescale. This would fail to deliver against identified housing and employment needs within the GBBCHMA leaving a vacuum in the period post 2031 and up to 2041. The failure to commit to a review of the plan would also be contrary to paragraph 33 of the NPPF which requires a review at "*least once every five years*".
- 2.34 Given the importance of these issues, St Philips considers that consideration should be given to an early review of the Local Plan. Such a position is not unique and has precedence within the HMA area, including for Bromsgrove and Lichfield Councils who both have policies within their current extant Local Plans requiring an early review of the plan.
- 2.35 The primary objective of an early review of the LPR should be to ensure alignment with other Local Plans within the GBBCHMA that are currently in the process of preparation. This should ensure that the review takes place alongside the confirmation of the quantum of unmet housing needs within the GBBCHMA to ensure that the Council plays its role in

accommodating these unmet needs under the requirements of the Duty to Cooperate [DtC] (Para 24, NPPF). As a result, St Philips consider that the effectiveness of the LPR could be significantly increased through the provision of an additional planning policy to require the plan to be reviewed within 12-24 months of adoption. Importantly, an early review mechanism secured by way of a policy requirement would prove far more effective than the statutory requirement of NPPF paragraph 33.

Why is the policy unsound?

- 2.36 St Philips is concerned that Policy DS4 (Development Needs) as it is drafted is unsound. The NPPF is clear that development plans “*must include strategic policies to address each local planning authority’s priorities for the development and use of land in its area*” (Para 17). The NPPF also requires plans to contain strategic policies which should, as a minimum, provide for objectively assessed needs for housing and other uses and those that cannot be met within neighbouring areas (Para 11b). It is also clear that plans should be prepared with the objective of contributing to the achievement of sustainable development (Para 16a) and positively (Para 16b).
- 2.37 As it is drafted, St Philips does not consider that the Council’s current approach to addressing its own needs, or the unmet needs of the GBBCHMA, is appropriate or justified by robust evidence. Nor is it positively prepared given the previous 2022 PP suggested that the Council could sustainably accommodate a far greater level of growth than the 2024 PP. As a result of the Council’s unambitious approach, the LPR is unlikely to deliver on its key Strategic Objectives.
- 2.38 Consequently, St Philips considers that there is a cogent argument for the Council to accommodate further growth within the District to address the acute and pressing unmet housing needs of the GBBCHMA now – rather than deferring them. It is therefore critical that the Council increases its contribution towards the GBBCHMA’s unmet needs now, alongside ensuring a supply of additional, well-located sites, which are capable of meeting these needs, are brought forward through the Council’s LPR. This is critical in order for the LPR to accord with paragraphs 11b, 16a, 16b, 24, 35a-d of the NPPF and the guidance within the PPG. Failing this, as a minimum, the Council should ensure that a review policy is included in the policy to ensure that these needs can be met shortly after the adoption of the LPR.

Policy DS5 – The Spatial Strategy to 2041

- 2.39 Draft Policy DS5 (The Spatial Strategy to 2041) sets out the Council’s proposed spatial strategy to address the plan’s housing requirement for the plan period up to 2041. The 2024 PP notes that the proposed spatial strategy has been revised since the PP, following (*inter alia*) changes to the NPPF in relation to the Green Belt release (Para 5.12). comments received during the consultation (Para 5.20). The draft policy notes that an integral part of the Strategy is “*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 set out in the settlement hierarchy below.*”
- 2.40 Paragraph 5.61 of the 2024 PP states that:

“The spatial strategy and distribution the growth outlined in Policy DS4 is based upon a capacity led approach that focuses the majority of growth on the district’s most sustainable settlements, with Green Belt release limited to these Tier 1 settlements.”

2.41 In contrast, the 2022 PP had previously set out the following Spatial Strategy for South Staffordshire:

“The spatial strategy and distribution of growth is based upon an infrastructure led approach. This can mean different things for different locations. For larger strategic sites, this may mean on site delivery of new infrastructure such as a new school or local centre. For smaller villages it may be about smaller scale infrastructure, such as delivering a local play space, or about planning for limited new development that will help sustain existing infrastructure (e.g. local school) over the longer term.” (Paragraph 5.65).

2.42 The revised spatial strategy (as set out within the 2024 PP) is identified as ‘Option I’ within the ‘Sustainability Appraisal of the South Staffordshire Local Plan Review (2023-2041)’ (March 2024) (“the 2024 SA”). The 2024 SA states that Option I comprise a limited contribution towards the GBBCHMA needs and limited Green Belt development in Tier 1 settlements.

2.43 Option I, alongside Option H (Limited Green Belt development only to meet existing critical infrastructure needs), were additional spatial strategy options which were identified by the Council in the context of the publication of the updated NPPF in December 2023. These two options were not appraised alongside spatial strategy options A, B, C, D, E, F and G within the previous SA, which was prepared to inform the 2022 PP (‘Sustainability Appraisal of the South Staffordshire Local Plan Review (October 2022)’) (“the 2022 SA”).

2.44 However, in both the 2022 PP and 2024 PP, St Philips Site has not been allocated for development, nor has any growth been directed towards the edge of Cannock. This is because the Council’s updated ‘Rural Services and Facilities Audit 2021’ [RSFA] identifies Wedges Mills as a Tier 5 settlement, and the 2024 PP therefore still does not propose any allocations within the settlement, or at all along the edge of Cannock. Indeed, the draft policy states that these *“settlements are not intended to experience further housing or employment growth, owing to their poorer public transport links and lack of services and facilities relative to other settlements within the district.”* Instead, on the basis of the above capacity-led approach, the Council is only releasing c.0.16% of the District’s Green Belt land, equating to c.1,040 dwellings across six sites in the Tier 1 settlements of Penkrige, Bilbrook, Great Wyrley, Codsall and Cheslyn Hay.

2.45 In this regard, St Philips has significant concerns in relation to the Council’s proposed approach. Whilst the Council has set out in great detail, through a suite of topic papers, the rationale and justification for its proposed spatial strategy, a key tenet of the Council’s approach is that the unmet needs of the GBBCHMA have not been quantified (i.e. the Council is unclear on how much unmet needs it should make provision for), and therefore a nominal contribution would be acceptable. However, as set out above in response to Policy DS4, this is not the case, and the unmet housing needs are clearly in excess of c.100,000 dwellings up to 2042. As required by the DtC, the Council should assist in meeting these needs now, rather than deferring them.

- 2.46 Despite changes to the NPPF in relation to the need for Green Belt release, it does not preclude an LPA from releasing Green Belt land, so long as an LPA has satisfied the sequential approach in utilising its supply of brownfield land, optimising densities and engaging with neighbouring authorities to assist in meeting needs and demonstrating that exceptional circumstances exist (Para 146, NPPF). To this end, it is entirely reasonable and consistent with the NPPF for the Council to release further Green Belt land to assist in addressing the unmet housing needs of the GBBCHMA. In this regard, the Council's 'Green Belt Exceptional Circumstances Topic Paper (April 2024)' ("the GBES Topic Paper") has already demonstrated that the sequential approach has been followed, and – crucially – that exceptional circumstances have been demonstrated. Moreover, the Council has chosen to release Green Belt – albeit only 0.16% of the District's Green Belt. As such, any further housing growth would require further Green Belt release.
- 2.47 The fact of the matter is that the Council has derived an overly contrived spatial strategy designed specifically to limit Green Belt release and lower the housing requirement, which is an approach which is neither positively prepared nor aspirational. The result of which, given the acuteness of the GBBCHMA's unmet needs, is that the Council's approach is fundamentally failing to accommodate, and is in fact explicitly seeking to defer meeting, the unmet needs of neighbouring authorities. It is self-evident that a lower housing requirement and contribution towards the GBBCHMA's unmet needs would be considered more sustainable in SA terms. However, the Council's previous spatial strategy was not in and of itself unsustainable. Indeed, the Council's evidence base supporting the 2022 PP was very clear that the proposed approach was sustainable, and hence, the preferred way forward for the LPR.
- 2.48 On the basis of the above, St Philips strongly contends that the Council should release further Green Belt through the LPR to address the unmet housing needs of the GBBCHMA now. As St Philips previously set out in the 2022 PP representations, St Philips consider that the Council should allocate growth on the edge of Cannock to capitalise on the role that Cannock's 'higher order' services have for the residents of settlements along its boundary, such as Wedges Mills. Indeed, Wedges Mills is sustainably located on the edge of Cannock, and residents utilise the variety of existing services, facilities, and employment opportunities in Cannock on a daily basis.
- 2.49 Whilst the evidence base supporting the 2022 PP identified that the Site did not perform well, St Philips provided detailed representations critiquing the Council's assessment and highlighting that the Site was sustainable and could compensate for its removal from the Green Belt. Moreover, these representations also emphasised that whilst it is justified to consider 'harm' in the balance when assessing exceptional circumstances for Green Belt release, it is not compliant with national policy to release only those sites which perform the worst against the Green Belt purposes (i.e. low Green Belt harm). All matters that the Council has not had regard to at all within the 2024 PP or supporting evidence base. St Philips remains of a view that it is an essential part of the exceptional circumstances test that logically exceptional circumstances must be capable of trumping the purposes of the Green Belt⁸. For example, it is conceptually possible for Green Belt land that fulfils strong Green Belt purposes to be released if it is consistent with the Local Plan strategy for

⁸ Paragraph 42, *Calverton Parish Council v Nottingham City Council* [2015] EWHC 1078

meeting requirements for sustainable development, for example, to secure more sustainable patterns of development.

- 2.50 The Site is located on the edge of Wedges Mills, which has high sustainability credentials in terms of proximity to the existing shops and services in Cannock, and access to existing transport routes and infrastructure. As a result, St Philips still contend that the Council has continued to ignore the strategic role of settlements on the edge of Cannock such as Wedges Mills, even though several services and facilities fall within 1 mile of the settlement's boundary.
- 2.51 Working in the knowledge that only part of the wider Site would be developed, it would be well-served by the existing transport infrastructure and wider mitigation benefits, such as the provision of new open space (Para 147, NPPF), the site should be removed from the Green Belt. St Philips, therefore, requests the Council to consider a modification to draft Policy DS5, which considers the issues raised within these representations. In particular, St Philips considers that the Council should allocate Land at Wolverhampton Road, Wedges Mills for residential development.

Safeguarding Land

- 2.52 Notwithstanding the above, given St Philips' response to Policy DS4 in respect of longer-term housing needs within the GBBCHMA and the need for a LPR policy requirement, should the Council consider it more prudent to address further housing growth to meet unmet housing needs through a future LPR – as alluded to in the 2024 PP (Para 5.12) – the NPPF notes that:

“...Strategic policies should establish the need for any changes to Green Belt boundaries, having regard to their intended permanence in the long term, so they can endure beyond the plan period.” (Para 145) (Emphasis added)

- 2.53 It goes on to state that when defining Green Belt boundaries, plans should, where necessary, identify areas of safeguarded land between the urban area and the Green Belt, in order to meet longer-term development needs stretching well beyond the plan period (Para 148c).
- 2.54 To this end, it is clear that through a future LPR, the Council will need to release further housing land, either to address GBBCHMA's needs or the District's. As shown in the GBES Topic Paper, there are limited options for meeting these long-term needs outside of the Green Belt. As such, the permanence of the Council's currently proposed Green Belt boundaries is in doubt, as it is very likely that the Council will again need to revisit releasing Green Belt land in due course. In this regard, the identification of additional safeguarded land will ensure that Green Belt boundaries will not need to be altered at the end of the plan period.
- 2.55 Indeed, this is an approach that the Council has previously adopted in the current Core Strategy (2012) (i.e. Policy GB2: Land Safeguarded for Longer Term Needs). Therefore, at the very least, St Philips considers that a reasonable alternative to allocating the Site in the current LPR would be to safeguard the land for future development. This approach would be entirely in accordance with the NPPF and will ensure that the Green Belt boundaries will not need to be reviewed again until the end of the next plan period (Para 148c, NPPF).

Why is the policy unsound?

- 2.56 St Philips is concerned that Policy DS5 (The Spatial Strategy to 2041) as it is drafted is unsound. The NPPF is clear that development plans “*must include strategic policies to address each local planning authority’s priorities for the development and use of land in its area*” (Para 17). The NPPF also requires plans to contain strategic policies which should, as a minimum, provide for objectively assessed needs for housing and other uses and those that cannot be met within neighbouring areas (Para 11b). It is also clear that plans should be prepared with the objective of contributing to the achievement of sustainable development (Para 16a) and positively (Para 16b).
- 2.57 As it is drafted, St Philips does not consider that the Council’s proposed spatial strategy would appropriately address the Council’s own needs and the unmet needs of the GBBCHMA and is not appropriate or justified by robust evidence. Nor is it positively prepared given the previous 2022 PP suggested that the Council could sustainably accommodate a far greater level of growth than the 2024 PP.
- 2.58 Consequently, St Philips considers that there is a cogent argument for the Council to direct growth to the edge of Cannock and allocate Land at Wolverhampton Road, Wedges Mills for residential development, to assist in meeting these housing needs now. This is critical in order for the LPR to accord with paragraphs 11b, 16a, 16b, 24, 35a-d of the NPPF and the guidance within the PPG. Failing this, as a minimum, the Council should ensure that a safeguard land is identified to ensure that these needs can be met shortly after the adoption of the LPR and to ensure the permanence of the Green Belt boundaries following the adoption of the LPR, as required by paragraph 148c and 148e of the NPF.

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