

Strategic Planning Team  
South Staffordshire Council  
Council offices  
Wolverhampton Road  
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Our Ref: CCB/4203

1<sup>st</sup> December 2021

Dear Sirs

**4203: SOUTH STAFFORDSHIRE COUNCIL LOCAL PLAN REVIEW PREFERRED  
OPTIONS CONSULTATION NOVEMBER 2021**

We have reviewed all the Preferred Options consultation document and the supporting evidence base and we welcome the opportunity to submit comments to the above consultation on behalf of our client L&Q Estates and focus on site 260 Land off Bridgnorth Road, Wightwick.

We set out our responses to the questions posed below.

**Question 1:**

**Do you agree that the evidence base set out in Appendix A is appropriate to inform the new Local Plan? Yes/No**  
**Please provide comments on the content or use of the evidence base set out in Appendix A, referencing the document you are referring to.**

In regards to the topics covered in the list of documents in Appendix A, we do not consider that the evidence base used to inform the new Local Plan is appropriate.

There are concerns which we will set out in our answers to other questions below.

**Question 2:**

**(a) Do you agree that the correct infrastructure to be delivered alongside proposed site allocations been identified in the IDP? Yes/No**  
**(b) Is there any other infrastructure not covered in this consultation document or the IDP that the Local Plan should seek to deliver? Yes/No**

We have reviewed the IDP and note there is very little mention of the Wightwick/ Perton part of the district in connection to future infrastructure plans.

**Question 3:**

**a) Have the correct vision and strategic objectives been identified? Yes/No**  
**b) Do you agree that the draft policies (Chapters 4 and 5) and the policy directions (Chapter 6) will deliver these objectives? Yes/No**

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We do not object to the strategic objectives set out in Table 6 of the plan. It is important to note, not all of the proposed allocations will be able to meet all of the strategic objectives.

In regards to the Land at Cherringham, Wightwick, we consider the site would fulfil many of the Strategic objectives set out in Table 6 including objective 1,2,3,4, 5,8,9,10,11 and 12. Further commentary about the specifics of site 260: Land at Cherringham, Wightwick can be found under question 8.

**Question 4:**

**Do you support the policy approach in Policy DS1 – Green Belt and Policy DS2 – Open Countryside? Yes/No**

**If no, please explain how these policies should be amended?**

Policy DS1 – Green Belt is of a similar direction as both National and the current planning policy for Green Belt.

We welcome the proposal for a separate GB SPD to be prepared which will take into consideration the latest updates in the NPPF published in July 2021.

In both the Green Belt and open countryside again, it is necessary to be in accordance with National Policy however it is also necessary to acknowledge sustainability should be factored into the suitability of sites for future development. A site located on the edge of a built-up area should be considered more favourably than a site located in a more rural location.

In regards to the alterations of both Green Belt and Open Space boundaries our comments will be submitted and discussed in response to Question 7. However, we are disappointed the land at Cherringham, Wightwick has not been selected as a proposed allocation in the Local Plan Review and remains in the Green Belt.

We consider the site should be allocated for residential development in the emerging plan or as a minimum released from the Green Belt and identified as safeguarded land for future development in the next Local Plan.

This would be in accordance with the NPPF paragraph 143c) which advises areas of safeguarded land should be identified in order to meet longer-term development needs beyond the plan period.

It has been extensively publicised that there is a lack of housing land within the wider Greater Birmingham Housing Market Area (GBMHA). This is the case beyond the Local Plan review period.

The Council have acknowledged a lack of land within the settlement boundaries and other brownfield sites that would be suitable to accommodate the Districts own needs much less taking into consideration the needs of the wider Housing Market Area.

Further commentary about the specifics of site 260: Land at Cherringham, Wightwick can be found under question 8.

**Question 5:**

**Do you support the policy approach in Policy DS3 – The Spatial Strategy to 2038? Yes/No**

**If no, please explain how this policy should be amended?**

We consider the District has the ability to accommodate its own needs and the ability to make a positive contribution to the wider GBHMA.

The policy identifies that the *“principal 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 identified within the district. Throughout the district, growth will be located at the most accessible and sustainable locations in accordance with the settlement hierarchy “*

We consider the land at Cherringham has the ability to fulfil the above principal aim. The site is located within a sustainable location on the edge of the built-up area with minimal constraints that could not be mitigated for as part of the overall scheme for the site.

We consider the above site should be allocated as part of the *Growth adjacent to the neighbouring towns and cities in the Black Country* similar to the three other sites that have been selected.

The above site would offer an additional site different to the others selected and could be delivered in the next 5 years therefore offering a diverse range of sites and an element of flexibility to cater to the differing needs of the population. This would include offering homes in the most desirable locations so the allocated locations would meet not only the needs but also the desires of the population in which the housing is to cater for.

**Question 6:**

**Do you support the policy approach in and Policy DS4 – Longer Term Growth Aspirations for a New Settlement? Yes/No**

**If no, please explain how this policy should be amended?**

We consider there should be increased emphasis on the safeguarding of sites on the edge of the built-up areas to cater for future development needs.

The proposed new settlement will require a significant level of investment, infrastructure and collaboration between a high number of key players/ stakeholders including land owners, where there is also the potential for there to be more than one; housebuilders; the provision of infrastructure, services and facilities, including employment, education, medical needs and meeting the everyday needs of the new community of the settlement. The creation of a new settlement is a momentous task and despite the new settlement being planned for beyond the Local Plan Review period (beyond 2038), it is important to be realistic in the timeframes in which it will take to

deliver a new settlement and therefore there should be the allocation of safeguarded land to cater for future development needs beyond the plan period that can be delivered at a quicker rate and offer an alternative strategy.

**Question 8:**

**Do you support the proposed housing allocations in Policy SA5? Yes/No  
Please reference the site reference number (e.g site 582) for the site you are commenting on in your response.**

No. We are disappointed to see site 260: Land at Cherringham, Wightwick has not been allocated as a residential site in the Local Plan Review.

We have reviewed the Housing Site Selection Topic Paper Appendix 3 -Site Proformas in connection to site 260 and note the known constraints are listed as:

- *The site has access to pedestrian footways into the wider urban area, subject to tree constraints*
- *Development would result in loss of an area of agricultural land*
- *The site is separated from the adjacent highway by a mature and dense tree belt which is covered by tree preservation order, which sits atop a stone wall that marks a change in level between the site and the highway*
- *The southern end of the site is within a mineral safeguarding area*

We consider the above require a little further explanation.

We agree the site has access to pedestrian footways into the wider urban area and therefore should not be seen as a constraint of the site. The access points, as shown on the layout previously submitted to the Council as part of preceding representations to the Local Plan review consultation stages and submitted again herewith, have been designed to avoid any significant trees and a high number of trees as possible.

The site has not been used in the past and is currently not used as agricultural land so we do not feel this should be a consideration and listed as a constraint of the site.

The majority of greenfield and Green Belt sites, especially those located on the edge of settlements has the potential to be used for an alternative use than that which is has been promoted for, and therefore this would have to be a consideration and constraint of all sites or of none.

There are a number of trees along the boundary of the site which are covered by a TPO however, the proposed access point to the site has been designed to create the least amount of impact to the vegetation along the southern boundary of the site. Additional planting would be incorporated into the development to mitigate for any loss. We do not consider the proposed access arrangements would result in the loss of more than a maximum of 3 trees (including for the visibility splays) and therefore a significant number of the trees will remain on site and in situ with enhancements in the form of new planting.

Again, similar to my comments above the majority of this region is identified as a mineral safeguarding area and therefore should not be seen as a constraint of the site. It would also not be viable to extract such small deposits so close to existing properties.

The Housing Site Selection Topic Paper then proceeds to state the key positives and negatives in the summary conclusions, which states:

- *Similar Green Belt harm to the majority of land in this broad location (site is 'high')*
- *Similar landscape sensitivity to the majority of land in this broad location (site is 'moderate')*
- *Major negative impacts predicted against the landscape criteria in the Sustainability Appraisal, but failing to consider such areas for development may result in an unsustainable pattern of development and would run contrary to the Association of Black Country Authorities' proposed use of the Green Belt/landscape evidence base as set out in Duty to Co-operate correspondence.*
- *Site is separated from the adjacent highway by dense tree belt which is subject to tree preservation orders*

#### *Conclusion*

*Having regard to all site assessment factors set out in the proforma, the site is not considered to perform so well compared to other site options that it should be allocated instead of, or in addition to, Site 582.*

We consider the Council's own summary fails to indicate any significant constraints of the site that cannot be mitigated for. The summary identifies a "major negative" but then proceeds to contradict its previous statement and not considering development in this area which acknowledged, would be contrary to the evidence base and Duty to Co-operate correspondence.

In regards to landscaping, the *Sustainability Appraisal, Preferred Option Plan Regulation 18 (III) SA Report, August 2021, Appendix B, Reasonable Alternative Site Assessments. Part B.18 Perton*, states the following:

**B.18.4.4 Landscape Sensitivity:** *Sites 246a and 407 are considered by the Landscape Sensitivity Study to be within areas of 'moderate' and/or 'moderate-high' landscape sensitivity. Development of these two sites have been assessed as having a potentially major negative impact.*

**B.18.4.5 Sites 238, 241, 243, 245, 260, 402, 454, 504, 505, 506 and 705** *are assessed as being within an area of 'moderate' landscape sensitivity. Therefore, development of these eleven sites have been assessed as having a potentially minor negative impact.*

**B.18.4.7 Landscape Character:** *Sites 238, 239, 241, 243, 245, 246a, 260, 402, 407, 454, 504, 506 and 705 are located within the RCA 'Mid Severn Sandstone Plateau' and the LCT 'Sandstone Estate lands'. The characteristic landscape features of this LCT are "estate plantations; heathy ridge woodlands; hedgerow oaks; well treed stream valleys; smooth rolling landform with scarp slopes; red brick farmsteads and estate cottages; mixed intensive arable and pasture farming; large hedged fields; halls and associated parkland; [and] canal".*

B.18.4 ....The proposed residential development at Sites 238, 239, 241, 243, 246a, **260**, 402, 407, 454, 504, 506 and 705 could potentially be discordant with the key characteristics of the associated LCT. Therefore, a minor negative impact on the local landscape character would be expected at these 12 sites.

Based on the above conclusion, we do not consider there is sufficient negatives highlighted to warrant Site 260 being considered unsuitable for future development.

Minor negatives in regards to both landscape sensitivity and character, which we consider are not to be wholly unexpected with a greenfield site, can be mitigated for as part of the overall development. They should not be seen as a negative of the proposed development or would result in an unpleasant end environment or landscape for future residents.

With the above being considered the site should have received a score of *Minor negative* not *Major negative* against Landscape in the below matrix. This would also ensure the Sustainability Appraisal and the evidence base align. The comments set out for site SL29s1 in the Landscape Sensitivity Assessment, Landscape Study Appendix 1, July 2019 gives the site the rating of *moderate sensitivity*.

The summary continues and concludes with reference to site 582: Land at Langley Road, (which has been allocated for development *in policy DS3 - the spatial strategy to 2038*, growth adjacent to the neighbouring towns and cities in the Black Country, for a minimum of 390 dwellings), is seen as a preferable site and used as the benchmark for comparison for all other sites to the west of Wolverhampton.

However, *Table 4.4: Impact matrix of site assessments pre-mitigation*, on page 82 of the Sustainability Appraisal states the below criterion in which sites are assessed. As can be seen from the extract below, sites 582 and 260 have the same ratings against nearly every criterion except for two. Climate change adaptability and Education.

Site Reference	1	2	3	4	5	6	7	8	9	10	11	12
	Climate Change Mitigation	Climate Change Adaptation	Biodiversity & Geodiversity	Landscape & Townscape	Pollution & Waste	Natural Resources	Housing	Health & Wellbeing	Cultural Heritage	Transport & Accessibility	Education	Economy & Employment
Penn and Lower Penn												
582	+/-	-	+/-	-	-	-	+	-	-	-	++	-
Perton												
260	+/-	+	+/-	-	-	-	+	-	-	-	-	-

Key

Major Negative	Minor Negative	Negligible	Uncertain	Minor Positive	Major Positive
--	-	0	+/-	+	++

In connection to Education, site 582 is considered to perform better. Paragraph B.18.11.3 states, “The proposed development at Sites 238, 239, 245, 246a, **260**, 407 and 705 would place new residents outside the target distances for primary and secondary schools and would be expected to have a major negative impact on new residents’ access to education”.

However, we consider there are 13 educational institutes within easy access of the site including primary; secondary; higher education; and special needs schools. Wightwick Hall School is located immediately to the east of the site. Perton Primary Academy and Christ Church Infant and Nursery are located approximately 1.5 miles from the site offering Primary education and Smestow School is approximately 0.7 miles from the site which offers secondary education. We therefore consider the site is within an appropriate distance of education facilities and therefore should not have received a rating of *Major Negative*.

*Site 582 has been given a major positive rating in regards to Education. The analysis in the Sustainability Assessment for the site states the following:*

#### *B.17.11 SA Objective 11 – Education*

*B.17.11.1 Primary School: Penn and Lower Penn are served by several primary schools, including Bhylls Acre School, Castlecroft Primary School and Springdale Infant and Junior Schools. Site **582** is located within the target distance to Bhylls Acre School. The proposed development at this site would be expected to situate new residents in locations with good access to primary education, and therefore, a minor positive impact would be expected...*

*B.17.11.2 Secondary School: Penn and Lower Penn are served by Highfields School. Sites 350c, 494a, 494b, 561, 579, **582** and 710 are located within the target distance to one or both of these secondary schools. The proposed development at these seven sites would be expected to situate new residents in locations with good access to secondary education, and therefore, a minor positive impact would be expected...*

*B.17.11.3 The proposed development at Sites 350d, 559 and 573 would be expected to have a major negative impact on new residents’ access to both primary and secondary education. The proposed development at Site **582** would be expected to have a major positive impact on new residents’ access to both primary and secondary education.*

*The definition for the degrees of score set out in Table 2.3 of the Sustainability Assessment states the following:*

Table 2.3: Guide to scoring significant effects

Significance	Definition (not necessarily exhaustive)
Major Negative --	The size, nature and location of a development proposal would be likely to: <ul style="list-style-type: none"> <li>Permanently degrade, diminish or destroy the integrity of a quality receptor, such as a feature of international, national or regional importance;</li> <li>Cause a very high-quality receptor to be permanently diminished;</li> <li>Be unable to be entirely mitigated;</li> <li>Be discordant with the existing setting; and/or</li> <li>Contribute to a cumulative significant effect.</li> </ul>
Minor Negative -	The size, nature and location of development proposals would be likely to: <ul style="list-style-type: none"> <li>Not quite fit into the existing location or with existing receptor qualities; and/or</li> <li>Affect undesignated yet recognised local receptors.</li> </ul>
Negligible 0	Either no impacts are anticipated, or any impacts are anticipated to be negligible.
Uncertain +/-	It is entirely uncertain whether impacts would be positive or adverse.
Minor Positive +	The size, nature and location of a development proposal would be likely to: <ul style="list-style-type: none"> <li>Improve undesignated yet recognised receptor qualities at the local scale;</li> <li>Fit into, or with, the existing location and existing receptor qualities; and/or</li> <li>Enable the restoration of valued characteristic features.</li> </ul>
Major Positive ++	The size, nature and location of a development proposal would be likely to: <ul style="list-style-type: none"> <li>Enhance and redefine the location in a positive manner, making a contribution at a national or international scale;</li> <li>Restore valued receptors which were degraded through previous uses; and/or</li> <li>Improve one or more key elements/features/characteristics of a receptor with recognised quality such as a specific international, national or regional designation.</li> </ul>

Site 582 is located within close proximity to Bhylls Acre Primary School which is adjacent to the site. However, to use existing access routes available to the public the school would be 0.2 miles or 0.4 miles from the site (via Orchard Court or Bellencroft Gardens).

Castlecroft Primary School and Springdale Infant and Junior Schools are located approximately 0.6 and 1.6 miles respectively from the site. This is no significant better distances for this site, especially Springdale Infant and Junior Schools, than the distances for site 260 set out above.

In regards to Secondary schools, Highfields School is approximately 0.8 miles from the most southernly point of site 582. The northern section of site 582 is approximately 1 mile from Highfields school thus no improvement on the distances to secondary education compared to site 260.



Based on the above we do not consider site 582 should be awarded a score of *Major Positive* and 260 a rating of *Major Negative*. We consider the two sites are fairly similar and should both be scored as *Negligible, Uncertain* or *Minor Positive*.

It is important to note, in connection to climate change adaption, site 260 outperforms site 582. Considering climate change is such as pressing issue and one with ever increasing importance in policy and decision making, we consider this should have been given greater weight in the consideration of the site.

In connection to surface water flooding paragraph B.17.2.2 of the Sustainability Appraisal states; "A proportion of Sites 350c, 350d, 579 and **582** coincide with areas determined to be at low, medium and high risk of surface water flooding. The proposed development at these four sites would be expected to have a major negative impact on pluvial flood risk, as development could potentially locate some site end users in areas at high risk of surface water flooding, as well as exacerbate pluvial flood risk in surrounding locations".

Were site 260 given the correct rating in connection to Landscape, we consider the site would have performed very well, if not better against other sites in the western edge of Wolverhampton.

There are a plethora of positives connected to the site which have been set out in representations to previous consultations and our promotional document flyer is attached again herewith which highlights the many benefits that would arise from site 260 Land at Cherringham being allocated for future development.

Site 260 has been identified as part of the Perton area of the district, due to its close proximity to the settlement, we consider this site would be a suitable site selection for this part of the District.

One of these many benefits beyond the ability to accommodate a significant number of dwellings on the edge of the urban area, is the involvement of L&Q Estates.

L&Q Estates are renowned as one of the countries largest master developers with a proven track record for the delivery of homes and infrastructure. This again, is an important part of what should be considered in the allocation of sites in the Local Plan Review and to be confident that the housing needed would be delivered in a timely manner. This site is available now has the ability to be delivered within the first 5 years of the plan period.

With the above taken into consideration we consider site 260 Land at Cherringham should be allocated for residential development alongside or instead of site 582 to provide two allocations along the western edge of the Black Country/ Wolverhampton or in the very least site 260 should be allocated as safeguarded land for future development for the next Local Plan Review.

#### **Question 11:**

**Do you agree with the proposed policy approaches set out in Chapter 6? Yes/No**  
**If no, then please provide details setting out what changes are needed, referencing the Policy Reference number (e.g HC1 - Housing Mix).**

We understand that the policies set out in chapter 6 are a combination of the adopted Core Strategy and Site Allocation DPD policies as a starting point and as a result of responses received to the 2018 issues and options consultation.

In regards to policy HC1: Housing mix, we understand the need to provide a greater number of 2 and 3-bedroom properties, however, it is also important to note that each development should be accessed on a case by case basis with the merits of each proposal taken into consideration. Also, there is the requirement for the key considerations and characteristics of the site and the area/settlement in which the development is to take place should also be considered.

We therefore consider a level of flexibility should be applied to housing mix to ensure diversity and prevent all development looking the same and lacking any distinctiveness.

In connection to policy HC3: Affordable housing, we welcome the introduction of 30% affordable housing which we consider is an improvement on 40% as set out in the existing adopted Local Plan.

With the emphasis on the increase of 2 and 3 bedroomed properties on developments throughout the District in conjunction to the requirement for a contribution to meeting the needs of the District's ageing population in policy HC4- Homes for Older People, as previously stated, it is important to ensure that there is a level of flexibility and diversity on sites so there is individuality and uniqueness achieved.

Given that these policies directly relate to the delivery of new homes (particularly HC1 – HC3), in the context of NPPF Paragraph 68 the policies should be able to respond directly to local and up to date evidence such as housing need, which changes over time in line with market demand.

Policies on density should not be rigid, rather policies should be able to flexibly adapt and endure throughout the plan period. This will allow sites to come forward and ensure their attractiveness to house builders and home buyers.

**Question 12:**

**a) It is proposed that the fully drafted policies in this document (Policies DS1-DS4 and SA1-SA7) are all strategic policies required by paragraph 21 of the NPPF. Do you agree these are strategic policies? Yes/No**

**b) Are there any other proposed policies in Chapter 6 that you consider should be identified as strategic policies? Yes/No**

**If yes, then please provide details including the Policy Reference (e.g HC1 – Housing Mix)**

Policies DS1 – DS4 and SA1 – SA7 represent policies which are limited to those necessary to address the strategic priorities of the area providing a starting point for any non-strategic policies that are needed as defined by NPPF paragraph 21.

Paragraph 21 of the NPPF states, "Plans should make explicit which policies are strategic policies. These should be limited to those necessary to address the strategic

priorities of the area (and any relevant cross-boundary issues), to provide a clear starting point for any non-strategic policies that are needed. Strategic policies should not extend to detailed matters that are more appropriately dealt with through neighbourhood plans or other non-strategic policies”.

With the above taken into consideration, we do not consider policies SA1-SA4 should be included as strategic policies as they are fairly detailed policies which paragraph 21 states this should not include as that should be left to other non-strategic policies.

We would welcome the opportunity to further discuss the site and these representations with officers.

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