SOUTH STAFFORDSHIRE SITE ALLOCATIONS DOCUMENT- EXAMINATION HEARING STATEMENT

On behalf of landowners Jenks, Cox, Howse, Smith, Mr W Yeomans, Mr J Law, Mr R Law

MATTER 2: LOCAL PLAN STRATEGY & STRATEGIC POLICIES (GENERAL)

Key issue: Is the approach to the Local Plan Strategy, including the review of the Local Plan, housing and employment land provision, Green Belt, Safeguarded Land, Open Countryside and Gypsies & Travellers, consistent with national policy and with the policies in the adopted Core Strategy, and is it justified, positively prepared, effective, deliverable, viable and soundly based?

2.1 Local Plan Review (Policy SAD1)

a. *Is the approach to reviewing the Local Plan Strategy, including its scope, timescale and terms of reference, consistent with national policy in the NPPF & PPGs and with the adopted Core Strategy, and is it positively prepared in terms of meeting objectively assessed needs, including the flexibility to address identified cross boundary development needs?*

It is our view that the approach to the Local Plan review set out in Policy SAD1 is not consistent with national policy as it is not positively prepared or justified as it does not represent the most appropriate strategy.

A full replacement Local Plan is required as a priority. The SAD has been prepared to be in general conformity with the adopted Core Strategy including the Core Strategy's housing requirement. As explained in our response to Question 2.1b below, the Core Strategy and its housing requirement are out of date and inconsistent with national planning policy. Therefore, the housing requirement in the emerging SAD is equally out of date.

In the context of the fact that the SAD is already an out of date document a Local Plan review is required as soon as possible. Development opportunities in South Staffordshire are constrained by the Green Belt. A Local Plan review is required to remove land from the Green Belt and to allocate it for development. The Green Belt status of the land surrounding settlements prevents the use of paragraph 14 of the Framework to progress planning application ahead of the Local Plan review even a five-year housing land supply shortfall exists. A lengthy Local Plan review process will prevent much needed housing delivery in the short term. This could cause affordability problems as it will delay the delivery of the houses that South Staffordshire requires to meet its growing number of households.
It is, therefore, our view that it is inappropriate for Policy SAD1 to suggest that it will take up to 5 years to put a new replacement Local Plan in place. Policy SAD1 should refer to the preparation of a new Local Plan within a 3 year, as opposed to a 5-year period.

It is also our view that changes are required to the SAD to allow for the release of additional housing land in the short term whilst a new Local Plan is being prepared, as detailed below.

b. How will the proposed review of the Local Plan enable emerging evidence relating to the review of the Black Country Core Strategy and the wider Greater Birmingham Housing Market Area to be effectively addressed in a timely manner?

It is appreciated that South Staffordshire will have a key role to play in helping to meet the growth requirements of the Black Country and it is the intention for the new South Staffordshire Local Plan and Black Country Core Strategy 2 to be prepared in parallel. This must not, however, unnecessarily delay the preparation of a replacement Local Plan for South Staffordshire.

Work has already been undertaken on the preparation of evidenced based documents to inform both the Black Country Core Strategy and the revised South Staffordshire Local Plan. The Black Country Core Strategy 2 will need to address many complex issues that need to be agreed between the four Black Country authorities. This could slow down its preparation. We see no reason why the preparation of the South Staffordshire Local Plan cannot be prioritised based upon the shared evidence base and run ahead of the preparation of the Black Country Core Strategy to allow its prompt adoption.

In addition, the safeguarding of additional land in the replacement South Staffordshire Local Plan can add flexibility to the Plan to ensure that it can accommodate the growth of the Black Country by identifying sites that can be called upon to meet the growth of the Black Country in due course. This would add flexibly to the emerging Plan in accordance with the requirements of paragraph 14 of the Framework. We will comment on this matter further in our response to question 2.3.

c. Does the approach to reviewing the Local Plan include all relevant matters and sufficient detail, including future housing and employment land provision, gypsy and traveller provision and other district-wide and cross-boundary development needs and strategic priorities?

No comment.

2.2 Housing Provision (Policy SAD2) - General
a. **Is the approach to housing provision consistent with national policy in the NPPF & PPGs and policies in the adopted Core Strategy, including positively seeking opportunities to meet identified housing needs with sufficient flexibility to adapt to change?**

The emerging Site Allocations Document (SAD) has been prepared to deliver the development objectives of the South Staffordshire Core Strategy which was adopted in 2012. As a consequence, the housing allocations in the SAD are designed to deliver the Core Strategy’s “minimum” housing requirement of 3,850 dwellings for the period 2006 – 2028. Whilst it is appreciated that the SAD is designed to be a Core Strategy delivery document there are a number of shortcomings with this approach:

- The housing requirement within the Core Strategy is based upon the requirements of the former West Midlands Regional Spatial Strategy Phase 2 Review. This document has now been revoked in its entirety. As a consequence, the housing requirement within the Core Strategy and the housing allocations within the SAD are based upon outdated information.

- The former RSS was based upon an urban renaissance strategy. It deliberately restricted development in the shire districts to support the regeneration of the urban areas. The housing requirement for South Staffordshire was deliberately restrained and this is reflected by the Core Strategy.

- The National Planning Policy Framework requires each local authority to establish its own objectively assessed housing needs figure and put in place the policies to deliver it. The Core Strategy is not based upon an objectively assessed housing needs figure and consequently neither the Core Strategy or SAD are Framework compliant.

- The latest 2014 Household Projection suggest that the number of households in South Staffordshire will increase from 43,244 to 49,393 by 2028, an increase of 5,149 households. That being the case the Core Strategy and South Staffordshire SAD do not plan for enough growth to meet the household growth of South Staffordshire. The Core Strategy advises that 3,850 dwellings should be delivered during this period resulting in a shortfall of 1,299 dwellings compared to the household projections.

- The South Staffordshire SHMA advises that the objectively assessed housing needs figure for South Staffordshire for the period 2014 to 2034 is 5,933 dwellings (270 dpa), significantly more than the housing requirement in the adopted Core Strategy and emerging SAD.

- The emerging SAD acknowledges at paragraphs 6.9 and 6.10 that the district will have a role to play in helping to meet the growth requirements of Birmingham City. The information set out in paragraphs 6.9 and 6.10 is, however, out-of-date. The adoption of the Birmingham Development Plan has clarified the extent of Birmingham City Council’s housing shortfall and introduces a more up-to-date position than that which is set out in the Strategic Housing Needs Study referred to by the SAD. The adopted Birmingham Development Plan confirms that the City’s objectively assessed housing need is 89,000 dwellings. The City can deliver 51,100 dwellings within its own...
administrative area. This leaves a residual shortfall of 37,900 dwellings that will need to be met in the other authorities in the HMA, including South Staffordshire. No allowance is made for meeting the City’s growth requirements within the SAD. It is appreciated that the SAD commits to a Local Plan Review, however, the Framework requires Local Plans to be able to be “sufficiently flexible to adapt to rapid change” (paragraph 14). There is no flexibility within the emerging SAD to properly meet the growth of requirements of Birmingham, when they could have been planned for through increase the SAD housing requirement or safeguarding additional sites.

- The Black Country Authorities have now also concluded that they are unable to meet their emerging housing requirement within their administrative area. The Black Country and South Staffordshire SHMA advises that the objectively assessed housing needs figure for the Black Country Core Strategy 2 is 78,000 dwellings. Capacity has been identified for the delivery of 56,000 dwellings. The remaining 22,000 dwellings need to be provided on Green Belt land outside of the urban area. South Staffordshire will have a role to play in helping to meet this requirement.

The Core Strategy confirms that the housing target is a “minimum” target and it can be exceeded. For the reasons set out above it is our clear view that the housing requirement should be increased, and further land safeguarded in line with the most update evidence of housing need in the SHMA 2017 and the Household Projection. Increasing the housing requirement and safeguarding additional sites would ensure that the SAD is flexible and able to respond to rapid change as required by paragraph 14 of the Framework. It will also help ‘boost significantly’ the supply of houses and reduce the pressure for a prompt Local Plan review.

b. Is the proposed spatial distribution of proposed housing land provision, including the amounts of new housing allocated to each settlement, consistent with the adopted Core Strategy (Policies CP1 & CP6), the sequential approach to development and the availability of sites and capacity of each settlement?

The distribution of development is consistent with the requirements of the Core Strategy. The distribution of development is also Framework compliant, in so far that it seeks to direct development to the most sustainable settlements. However, as referred to in our response to Question 2.2a above the distribution of development is based upon a housing requirement that is not Framework compliant. As the housing requirement in the Core Strategy is a minimum, there is no reason why the SAD should not be used to increase the amount of development directed towards sustainable locations reflecting the information in the SHMA 2017 and the most recent household projections.

Increasing the amount of development directed towards each Locality Area could be achieved by using the distribution of development set out in Core Strategy Policy Core Policy 6 – Housing Delivery as a starting point. Core Policy 6 requires the following distribution of development:
Locality Area 1 – Northern Area – 370 dwellings – 23%
Locality Area 2 – North Western Area -129 dwellings – 8%
Locality Area 3 – North Eastern Area – 226 dwellings – 14%
Locality Area 4 – Central Area - 515 dwellings – 32%
Locality Area 5 – Southern Area – 370 dwellings – 23%

The Core Strategy requires the provision of 175 dpa. The Household Projections suggest that 234 dpa are required during the same period to meet the projected growth in households. The SHMA 2017 advises that the emerging South Staffordshire Local Plan requires the provision 270 dpa. Table 1, below, identifies the increase in the housing requirement for each Locality Area based upon the more up to date information in the Household Projections and SHMA. The housing requirement for each Locality Area has been adjusted on a pro rata bases reflecting the increase in the demand for houses identified by the Household Projects and SHMA.

**Table 1 – Proportional Adjustment to Housing Requirement**

<table>
<thead>
<tr>
<th>Locality Area</th>
<th>Core Strategy Requirement</th>
<th>Household Projections</th>
<th>SHMA 2017</th>
</tr>
</thead>
<tbody>
<tr>
<td>Locality Area 1</td>
<td>370</td>
<td>494</td>
<td>569</td>
</tr>
<tr>
<td>Locality Area 2</td>
<td>129</td>
<td>172</td>
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<td>Locality Area 4</td>
<td>515</td>
<td>688</td>
<td>793</td>
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<tr>
<td>Locality Area 5</td>
<td>370</td>
<td>494</td>
<td>569</td>
</tr>
</tbody>
</table>

It is our view that it would be entirely appropriate for the SAD to increase the amount of development directed towards each Locality Area on the basis of either the Housing projection figures or SHMA figures in table 1 above, given that that these figures are a more accurate reflection of the amount of housing required. This matter can then be revisited through the Local Plan review.

c. **Is the overall amount and spatial distribution of proposed housing land deliverable and developable within the current plan period, will it ensure that there is a 5-year supply of housing land throughout the plan period, and does it provide sufficient choice and flexibility of sites to meet current and future housing needs?**

We have no comment regarding the ability of the proposed allocations to ensure the 5 year supply of deliverable sites is available other than to advise that the land in our client’s control, identified as in our response to Matter 4, is deliverable within the 5 year period.
d. Does the SAD take sufficient account of previously developed/brownfield land, windfall sites, completions and commitments in its proposed housing provision, and has it fully assessed and maximised the use of all reasonable and realistic non-Green Belt land?

No Comment

e. The latest evidence on housing land supply [SD102] confirms that, at present, the Council can demonstrate a housing supply of only 4.39 years, based on the most recent objective assessment of housing need for South Staffordshire (270dw/year) [SD080]. What implications does this have for the SAD, and will the Council be able to demonstrate a 5-year supply of housing land when the SAD is adopted?

South Staffordshire is unable to demonstrate a five year housing land supply despite a relatively modest housing requirement. It is our view that the principal reasons that the Council cannot demonstrate a five year housing land supply is due to a lack of sites and insufficient a range of site to encourage choice and competition of the market for land. This can be addressed though the allocation of additional sites in the SAD. The SAD should also refer to the Safeguarded land being brought forward for development where a five year housing land supply shortfall is demonstrable.

2.3 Safeguarded Land (Policy SAD3) - General

a. The adopted Core Strategy (Policy GB2) commits to identifying Safeguarded Land equivalent to 10 years’ housing supply. Is the approach to Safeguarded Land in the SAD consistent with national policy in the NPPF and the adopted Core Strategy, including the amount, location and spatial distribution of Safeguarded Land?

The approach of the SAD to identifying safeguarded land is flawed. Whilst it is appreciated that the SAD needs to be based on the Core Strategy it also needs to have regard to wider planning considerations including the requirements of the Framework and the Duty to Cooperate. Addressing these matters cannot be delayed until the Local Plan Review, they should be properly reflected in the SAD.

The Core Strategy advises that safeguarded land will be identified by the SAD that is capable of providing an additional 10 year supply of housing. Based on an annual housing requirement of 175 dpa identified by the Core Strategy safeguarded land is required to deliver 1,750 dwellings during the course of the Plan period. There are a number of problems with this approach.
As referred to in our response to questions 2.2a the housing requirement in the Core Strategy and SAD is based on outdated information. It is not, therefore, a robust starting point for identifying the quantum of safeguarded land. Both the SHMA 2017 and the Household Projections suggest that there will need to be a significant increase in the amount of houses in South Staffordshire in the next review of the Plan.

Furthermore, both Birmingham City and the Black Country authorities have advised that they are unable to meet their housing growth requirements within their own administrative area. South Staffordshire forms part of the Birmingham and Black Country HMA. As such it will have a role to play in meeting the housing requirements of these areas. This will increase the requirement for safeguarded land further.

It is also noteworthy that the housing requirement in the Core Strategy is a minimum requirement. As a consequence, the safeguarded land requirement should also be considered to be a minimum requirement and there is no reason why it cannot be exceeded.

We suggest that the quantum of safeguarded land is increased by 50%.

b. Does the SAD identify sufficient Safeguarded Land for at least 1,750 dwellings to ensure that longer-term development needs can be met and Green Belt boundaries will endure beyond the current plan period, bearing in mind the latest assessment of the amount of Safeguarded Land, the likely density of development [SD098] and the possible need to meet cross-boundary development needs in the future?

No, as referred to above the amount of safeguarded land is insufficient to meet the future growth requirements of South Staffordshire and the unmet housing requirements of Birmingham and the Black Country.

The Framework provides guidance on establishing Green Belt boundaries at paragraphs 82 to 85. It is advised that when Green Belt boundaries are reviewed boundaries should be put in place having regard to their permanence in the long term so that they should be capable of enduring beyond the Plan period. The Framework advises at paragraph 157 that the preferable plan period should be 15 years.

South Staffordshire already proposed the removal of land from the Green Belt in the SAD to meet development requirements. The housing requirement will inevitably increase given the findings of the SHMA 2017, the household projection, and the need to assist in meeting the growth of the conurbation. There will be significant reliance on Green Belt land coming forward for development in the subsequent version of the Local Plan. 10 years of safeguarded land based upon a constrained housing requirement will be insufficient to deliver this requirement; it does not go far enough to identify future Green Belt boundaries. Another Green Belt review
will be required. The Green Belt boundaries in the SAD will not endure, failing the requirements of the Framework. As such further land should be released from the Green Belt in the SAD.

c. **Should some Safeguarded Land be released now for development or identified as “reserve” sites?**

The SAD identifies a number of sites that are ‘safeguarded’ for development to meet longer term development needs. As part of the process of safeguarding these sites they have been assessed to establish how they perform against the purposes of Green Belt designation and their general suitability for consideration as housing sites. Their sustainability credentials have been assessed though this process of identifying safeguarded for development to meet longer term housing needs.

For reasons which we have identified in these representations, we are concerned that the SAD falls short on meeting the district’s actual housing requirement; some sites in addition to the allocated sites in Policy SAD2 may therefore be needed now to meet the objectively assessed housing needs figures in the SHMA 2017 and to deliver the number of houses required to meet the demand for housing identified by the household projections.

We consider therefore that it may be appropriate to promote some of the identified Safeguarded sites into allocations or identify sites which can be held in reserve and brought forward for planning permission in advance of the next Local Plan review.