SOUTH STAFFORDSHIRE SITE ALLOCATIONS DOCUMENT

MATTER 2: LOCAL PLAN STRATEGY (SAD 1)

PEGASUS PLANNING GROUP ON BEHALF OF:
RICHBOROUGH ESTATES
BLOOR HOMES LTD
TOUCH COVEN/FOUR ASHES ROAD
1.1 **Introduction**

1.2 This statement has been prepared by Pegasus Group on behalf of Richborough Estates Limited, Bloor Homes Ltd and Touch Coven/Four Ashes Road Ltd who have land interests within South Staffordshire District. This statement provides a response to questions 2.1a, b and c and should be read in conjunction with representations submitted to the ‘publication’ Site Allocations Document [SD20].

1.3 **Is the approach to reviewing the Local Plan Strategy, including its scope, timescale and terms of reference, consistent with national policy in the NPPF and 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?**

1.4 Proposed Policy SAD 1 provides a commitment to undertake an early review of the Local Plan. This review is to be informed by the consideration of the objectively assessed housing needs and the distribution of any housing shortfall across the wider Housing Market Area. This approach is supported, however, representations submitted through the publication consultation sought further clarity in respect of:

- The date for when the FOAN is to be established; and
- The date for adoption of an updated Local Plan.

1.5 It is recognised that subsequent to the drafting of Policy SAD1 and the publication consultation, the Black Country and South Staffordshire Housing Market Assessment [SD80] has been published. This provides an up-to-date consideration of housing needs within the District and identifies an untested objectively assessed housing need for South Staffordshire District of 270 dpa over the period 2014 to 2036, which represents a significant uplift on the Core Strategy housing requirement of 175 dpa. In addition, the SHMA identifies an, again untested, objectively assessed housing need of 3,551 dpa across the Black Country; again, reflecting a significant uplift on the Black Country Core Strategy which establishes a constrained housing requirement of 3,150 dpa.

1.6 Whilst it is recognised that neither the adopted South Staffordshire Core Strategy or the Black Country Core Strategy identify a housing requirement based on an assessment of objectively assessed need, it is recognised that the Site Allocations Document is a daughter document to the Core Strategy and the Council is seeking to rely on the minimum housing requirement of 175 dpa identified through the adopted Core Strategy. Whilst there has been a significant criticism
levelled at the Council for not formulating a Local Plan based on an up-to-date SHMA, it is clear that land needs to be taken out of the Green Belt as soon as possible to boost and enable a continuous supply of housing to meet needs in the short term. In addition, the recent *Cooper Estates and Royal Tunbridge Wells judgment [2017] EWHC 224 (Admin)* supports the Council’s approach. This judgment, handed down on 14th February 2017, reiterates the point previously established that a Site Allocations Document needs only to be in conformity with the Core Strategy, and that evidence of additional needs and a requirement for the Core Strategy to be reviewed should not prevent a Site Allocations Document proceeding. Whilst the SAD is not intending to deliver homes in line with the objectively assessed housing need, it nevertheless provides the most expeditious route and sound approach to significantly boosting housing land supply in the short term in line with Government policy.

1.7 However, the recently published SHMA, in highlighting the scale of the increase in housing supply required to meet needs within South Staffordshire District and the neighbouring Black Country, underlines the importance of commencing a Local Plan Review without delay.

1.8 In respect of the timescales for the Local Plan Review it is noted that South Staffordshire District Council has suggested a number of amendments to Policy SAD1. This includes a specific commitment for a reviewed Local Plan to be in place by 2022 [SD04/MM003]. An explicit reference to a date by which a new Local Plan should be in place is supported, however, it is contended that this commitment should instead be aligned to the evidence that exists of unmet needs across the Greater Birmingham and Black Country Housing Market Area (including South Staffordshire) and the adopted Birmingham Development Plan (BDP).

1.9 The Birmingham Development Plan (BDP) was adopted on 10th January 2017. Its adoption has given very significant weight to a housing deficit in terms of un-met need of 37,900 dwellings over the period 2011-2031. The BDP also commits Birmingham City Council to working actively with neighbouring Councils through the Duty to Cooperate to ensure that appropriate provision is made elsewhere within the HMA to meet the shortfall of 37,900 dwellings.

1.10 The BDP also places detailed and significant requirements on the City Council, in Policy TP48, setting out how this active involvement in the provision and delivery of the 37,900 should be satisfied. It states:
The Council will also play an active role in promoting, and monitor progress in, the provision and delivery of the 37,900 homes required elsewhere in the Greater Birmingham Housing Market Area to meet the shortfall in the city. This will focus on:

- The progress of neighbouring Councils in undertaking Local Plan reviews to deliver housing growth to meet Birmingham’s needs.
- The progress of neighbouring Councils in delivering the housing targets set out in their plans.
- The extent to which a 5 year housing land supply is maintained in neighbouring areas.

1.11 Policy TP48 from the BDP then spells out the consequences of the failure of neighbouring Councils to plan for this unmet need, in terms of the potential implications for the City itself:

If it becomes clear that progress is falling short of the level required, the Council will undertake a review of the reasons for this, and if this indicates that it is necessary to reassess the capacity for housing provision in Birmingham, a full or partial review of this Plan will be undertaken.

1.12 Finally, Policy TP48 sets out key indicators which would trigger this, including:

Failure of a relevant Council to submit a replacement or revised Local Plan, providing an appropriate contribution towards Birmingham’s housing needs, for examination within 3 years of the adoption of this Plan.

1.13 In addition, Policy SAD1 fails to provide sufficient clarity and certainty as to the nature and timing of the process that will be followed by South Staffordshire District Council, as one of the fourteen constituent authorities within the Greater Birmingham and Black Country Housing Market Area, to address the housing shortfall in order to achieve the necessary policy outcome. The Site Allocations Document should provide commitment to a Memorandum of Understanding or other appropriate mechanism for agreeing the Council’s role in addressing this important issue.
1.14 It also fails to identify any contingency measures that would be implemented to maintain an adequate housing land supply should delays occur with the review of the Plan.

1.15 Therefore, it is fundamentally important that Policy SAD1 be redrafted to explicitly commit the Council to **submit a replacement or revised Local Plan for examination by January 2020** and to incorporate an appropriate contribution towards Birmingham’s housing needs. This is required to ensure consistency in approach across the HMA. Policy SAD1 should set out a contingency in the event of a delay in putting a new Local Plan in place.

1.16 **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?**

1.17 It is recognised that South Staffordshire District Council has actively engaged with other local planning authorities to consider cross boundary issues currently not within the scope of the Site Allocations Document. This includes participation in the preparation of evidence to consider housing needs within the Greater Birmingham and Black Country Housing Market Area. Within this context, it is recognised that this strategic housing evidence base is nearing completion, following publication of the joint Black Country and South Staffordshire District Strategic Housing Market Assessment, and the joint commissioning of the Greater Birmingham & Black Country HMA Strategic Locations Study to consider:

- Housing Need
- Land Supply
- Green Belt Review
- Market Capacity and Deliverability

1.18 It is understood that this Strategic Locations Study is due to be published towards the end of 2017 which should assist in providing a shared platform to inform future plan-making within both South Staffordshire District and the other constituent LPAs with the wider housing market. Publication of this evidence by the end of the year would support the progress of the Local Plan Review without delay, to ensure a new Local Plan can be submitted for examination by January 2020 in line with the timescales established through the Birmingham Development Plan.
1.19 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?

1.20 It is considered that the approach to reviewing the Local Plan set out in Policy SAD1 contains all relevant matters, but excludes a level of detail that is required to provide certainty. This includes:

- Commitment to submit a replacement Local Plan for examination by January 2020; and

- Commitment to undertaking a detailed Green Belt assessment as an essential element of the evidence base required to inform the Local Plan Review.