

**Green Belt**  
**Exceptional Circumstances**  
**Topic Paper**  
**November 2022**

EVIDENCE BASE DOCUMENT  
DRAFT LOCAL PLAN REVIEW 2018-2039  
(Regulation 19)

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## **1. Introduction**

- 1.1. This Topic Paper forms part of the evidence base for South Staffordshire District Council's new Local Plan for the period 2018 – 2039. It has been produced to support the Plan process and seeks to justify and outline the exceptional circumstances for the release of Green Belt land for housing, as well as for the West Midlands Interchange which has been approved through the Development Consent Order (DCO) process.
- 1.2. In South Staffordshire around 80% of the district is designated as Green Belt, which has broadly prevented the outward spread of the West Midlands conurbation to the northwest. The 20% of the district's countryside which is not designated as Green Belt is concentrated in the north of the district.
- 1.3. Due to this, the district has previously removed and allocated sites within the Green Belt through the Local Plan process to meet its housing needs. This included through the 1996 Local Plan and more recently through the 2018 Site Allocations DPD, several which are being carried forward to this Plan. It is therefore unsurprising that a similar approach is required as part of this review of the Local Plan and that additional sites within the Green Belt are required to meet the districts housing need (and contributions to other authorities' unmet needs) up until 2039.
- 1.4. Section 2 of this Topic Paper sets out the policy background. Section 3 sets out the overall exceptional circumstances case for Green Belt release in the district with section 4 focusing on the specific sites proposed for allocation. Section 5 then provides details of the West Midlands Interchange proposal which has been granted through the Development Consent Order (DCO) process.
- 1.5. This Topic Paper should be read alongside other evidence base documents such as the Housing Site Assessment Topic Paper (2022), Economic Strategy and Employment Sites Topic Paper (2022), Duty to Cooperate Topic Paper (2022) Strategic Housing and Economic Land Availability Assessment (2022) and the South Staffordshire Green Belt Study (2019). In addition, the Issues and Options consultation 2018, Spatial Housing Strategy and Infrastructure Delivery consultation 2019 and the Preferred Options consultation 2021 are all relevant and provide background to the Council's exceptional circumstances case.

## **2. Policy Background**

- 2.1. National planning policy, including Green Belt policy, is primarily set out in the National Planning Policy Framework 2021 (NPPF), the Planning Policy for Traveller Sites 2015 and the national Planning Practice Guidance.
- 2.2. At the heart of the NPPF is a presumption in favour of sustainable development (paragraph 11). There are three pillars of sustainable development: economic, social and environmental matters. Paragraph 11 states that for plan-making this means that:

*a) plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change*

*b) strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas<sup>1</sup>, unless:*

*i the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area<sup>2</sup>; or*

*ii any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

- 2.3. The NPPF also makes clear the importance attached to the Green Belt. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, and its essential characteristics are its openness and permanence (paragraph 137). National policy makes provision for alterations to the Green Belt and its boundary, be it by releasing land or by inseting settlements as detailed in paragraphs 140 to 144 of the NPPF. It is only through the preparation or review of Local Plans that boundaries of the Green Belt can be changed and this can only be done in exceptional circumstances.

- 2.4. Paragraph 140 of the NPPF sets out that:

*“Once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified, through the preparation or updating of plans. 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. Where a need for changes to Green Belt boundaries has been established through strategic policies, detailed amendments to those boundaries may be made through non-strategic policies, including neighbourhood plans.”*

- 2.5. The 2021 NPPF (paragraph 141) sets out the process that should occur before determining that exceptional circumstances exist:

*“Before concluding that exceptional circumstances exist to justify changes to Green Belt boundaries, the strategic policy-making authority should be able to demonstrate that it has examined fully all other reasonable options for meeting its identified need for development. This will be assessed through the examination of its strategic policies, which will take into account the preceding paragraph, and whether the strategy:*

*a) makes as much use as possible of suitable brownfield sites and underutilised land;*

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<sup>1</sup> As established through statements of common ground

<sup>2</sup> The policies referred to are those in this Framework (rather than those in development plans) relating to: habitats sites (and those sites listed in paragraph 181) and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, a National Park (or within the Broads Authority) or defined as Heritage Coast; irreplaceable habitats; designated heritage assets (and other heritage assets of archaeological interest referred to in footnote 63); and areas at risk of flooding or coastal change

*b) optimises the density of development in line with the policies in chapter 11 of this Framework, including whether policies promote a significant uplift in minimum density standards in town and city centres and other locations well served by public transport; and*

*c) has been informed by discussions with neighbouring authorities about whether they could accommodate some of the identified need for development, as demonstrated through the statement of common ground". (NPPF paragraph 141).*

2.6. Paragraph 142 of the NPPF states:

*'When drawing up or reviewing Green Belt boundaries, the need to promote sustainable patterns of development should be taken into account. Strategic policymaking authorities should consider the consequences for sustainable development of channelling development towards urban areas inside the Green Belt boundary, towards towns and villages inset within the Green Belt or towards locations beyond the outer Green Belt boundary. Where it has been concluded that it is necessary to release Green Belt land for development, plans should give first consideration to land which has been previously-developed and/or is well-served by public transport. They should also set out ways in which the impact of removing land from the Green Belt can be offset through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land'.*

2.7. Whilst neither the NPPF nor NPPG provide guidance on how to undertake Green Belt reviews, the Planning Advisory Service (PAS) has published an advice note that discusses some of the key issues associated with assessing Green Belt.

2.8. The PAS Guidance<sup>3</sup> considers the way in which the five purposes of Green Belt should be addressed, as follows:

- *Purpose 1: To Check the Unrestricted Sprawl of large built-up areas – this should consider the meaning of the term 'sprawl' and how this has changed from the 1930s when Green Belt was conceived.*
- *Purpose 2: To Prevent Neighbouring Towns from merging into one another – assessment of this purpose will be different in each case and a 'scale rule' approach should be avoided. The identity of a settlement is not determined just by the distance to another settlement; instead the character of the place and the land between settlements must be acknowledged.*
- *Purpose 3: To assist in safeguarding the countryside from encroachment – the most useful approach for this purpose is to look at the difference between the urban fringe and open countryside. As all Green Belt has a role in achieving this purpose, it is difficult to apply this purpose and distinguish the contribution of different areas.*
- *Purpose 4: Preserving the Setting and Special Character of Historic Towns – this applies to very few places within the country and very few settlements in practice. In most towns, there is already more recent development between the historic core and the countryside.*

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<sup>3</sup> <https://www.local.gov.uk/sites/default/files/documents/green-belt-244.pdf>

- *Purpose 5: To assist in urban regeneration by encouraging the recycling of derelict and other urban land – the amount of land within urban areas that could be developed will already have been factored in before identifying Green Belt land. The value of various land parcels is unlikely to be distinguished by the application of this purpose.*

2.9. Further relevant guidance and case law can be found within Section 2 of the South Staffordshire Green Belt Study<sup>4</sup> dated July 2019.

### **3. Exceptional Circumstances – Strategic Considerations**

#### ***Housing Need***

- 3.1. As set out within the emerging Local Plan, the Plan seeks to promote the minimum delivery of 9,089 homes over the period 2018-2039 to meet the district's housing target, whilst providing approximately 13% additional homes to ensure plan flexibility.
- 3.2. The district's future housing need is calculated at 5,089 dwellings across the plan period using the government's standard method. Taking into account the 992 dwellings already delivered in the district between 2018-2022, this currently requires the district to deliver a minimum annual average of 241 dwellings per annum, starting from the current year (2022) and running to the end of the plan period (2039).
- 3.3. In addition to the district's own housing needs, there is emerging evidence of unmet needs from the wider Great Birmingham and Black Country Housing Market Area (GBBCHMA), within which South Staffordshire sits. The two most significant sources of potential unmet needs are currently Birmingham City and the Black Country authorities. The adopted Birmingham Development Plan and emerging urban capacity evidence from Birmingham and the Black Country suggests that a significant unmet need is arising across the GBBCHMA, driven by limited housing land in these urban areas.
- 3.4. Recognising the existing and emerging shortfalls, the GBBCHMA local authorities<sup>5</sup> jointly prepared the GBBCHMA Strategic Growth Study in 2018. This drew together existing evidence on housing supply and need across the entire housing market area, estimating that at that time the unmet needs of the GBBCHMA sat at around 28,000 dwellings up to 2031, rising to nearly 61,000 dwellings by 2036.
- 3.5. In light of these unmet needs, the study recommended a series of strategic growth locations across the housing market area, including a number of locations in South Staffordshire, many of which were within the Green Belt. Using this evidence, it was proposed to test a contribution of 4,000 dwellings to the unmet housing needs of the GBBCHMA in the council's Local Plan review. This amount was based on the scale of growth implied in the district by the

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<sup>4</sup> <https://www.sstaffs.gov.uk/planning/local-plan-review-3.cfm>

<sup>5</sup> Cannock Chase District Council, Wolverhampton City Council, Dudley Metropolitan Borough Council, Sandwell Metropolitan Borough Council, Walsall Metropolitan Borough Council, Tamworth Borough Council, Birmingham City Council, South Staffordshire District Council, North Warwickshire District Council, Redditch Borough Council, Lichfield District Council, Bromsgrove District Council, Solihull Metropolitan Borough Council and Stratford on Avon District Council.

four strategic locations identified in South Staffordshire within the GBBCHMA Strategic Growth Study, three of which were in Green Belt locations. The GBBCHMA Strategic Growth Study concluded that if the recommended locations (in South Staffordshire and elsewhere within the GBBCHMA) were taken forward the GBBCHMA's shortfall could theoretically be met<sup>6</sup>. Alternative levels of growth have also been tested through the Sustainability Appraisal process. The district's proposed contribution to wider unmet housing needs was initially proposed in the previous 2018 Issues and Options consultation. This was done to ensure that the level of growth capable of being accommodated in South Staffordshire was based on a consistent HMA evidence base that consistently considered the sustainability, deliverability and infrastructure of strategic locations across the GBBCHMA (i.e. the GBBCHMA Strategic Growth Study). It also ensured that the issue of unmet housing needs was considered from the earliest stage possible in the plan's preparation and to provide Duty to Cooperate partners with the chance to comment on the approach from the earliest stage of the plan-making process.

- 3.6. Since it was proposed to accommodate this level of growth in 2018, updated land supply statements produced by the GBBCHMA local authorities have indicated the extent of the housing shortfall up to 2031 appears to have fallen significantly, primarily due to additional urban capacity being identified within Birmingham's local authority area, whilst also indicating that the Black Country's urban capacity evidence shows a significant level of housing need arising into the later 2030s<sup>7</sup>. However, in October 2022 Birmingham City Council started the process of agreeing an Issues and Options consultation for their new Local Plan which includes an early indication of a 78,415 home and 73.6ha employment land shortfall. These figures are based on current land availability before considering potential Green Belt release in Birmingham, but even if additional land supply can be identified, it is still likely that a significant shortfall from Birmingham will remain. At this point, the GBBCHMA Strategic Growth Study has not been updated to reflect these changing and emerging shortfalls, though South Staffordshire has led on a Statement of Common Ground across the GBBCHMA and related authorities to agree a broad work programme and governance structure to update to this piece of work and implement any new recommendations.
- 3.7. Reflecting these issues, South Staffordshire is proposing to plan for a housing target of 9,089 dwellings between 2018 and 2039. This will allow the district to meet its own housing needs over the plan period, whilst also making a proportionate and justified contribution to the unmet needs of the GBBCHMA. There is clearly some uncertainty around the exact extent of housing shortfalls within the GBBCHMA at this point in time, given the dated nature of the last examined plan to establish a shortfall<sup>8</sup>. However, the most recent urban capacity evidence from Birmingham and the Black Country suggests that it is highly unlikely that shortfalls will fall significantly below the levels set out in the 2018 Strategic Growth Study, particularly in the period beyond 2031. Therefore, the District has proposed to continue with its housing target of 9,089 dwellings between 2018 and 2039, which includes the 4,000 dwelling contribution to HMA unmet needs. As this 4,000 dwelling contribution is based upon the recommendations

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<sup>6</sup> Paragraph 10.48 of the GBBCHMA Strategic Growth Study 2018

<sup>7</sup> Greater Birmingham and Black Country Housing Market Area (GBBCHMA) Housing Need and Housing Land Supply Position Statement (July 2020)

<sup>8</sup> 2017 Birmingham Development Plan

for Green Belt release in the 2018 Strategic Growth Study, it is highly likely to require Green Belt release to be met.

### **Spatial Strategy for Housing**

3.8. To consider how this level of housing growth could be accommodated, the district previously consulted on a Spatial Housing Strategy and Infrastructure Delivery (SHSID) consultation in October 2019. This looked at how the proposed housing target (i.e. the district's own needs + 4,000 to HMA unmet needs) could be distributed between different settlements and other broad locations within the district. It set out 7 Spatial Housing Options being considered by the Council as reasonable alternatives for the distribution of new housing growth in the Local Plan review. In forming and assessing these spatial strategy options the Council considered a number of factors<sup>9</sup> including:

- The level of Green Belt harm of land options to address each strategy, as set out in the Green Belt Study 2019
- Conformity with the GBBCHMA Strategic Growth Study findings
- Access to employment centres and jobs
- Local housing need indicators
- Flood risk, natural and historic environment constraints
- Conformity with spatial options tested in the Sustainability Appraisal – Issues and Options 2018

3.9. Spatial Housing Strategy Option A: 'Maximise Open Countryside release' considered a strategy of meeting the districts housing need through directing development away from the Green Belt. In summary, this option involved significant growth on all potential Open Countryside sites around Wheaton Aston; very large urban extensions north of Penkridge and south of Stafford; and a new garden village around Dunston. In other settlements surrounded by Green Belt, additional land is only released in non-Green Belt locations (i.e. safeguarded land and suitable sites within the development boundary).

3.10. Under Option A, even if all non-Green Belt land supply options could be maximised and had no deliverability issues the district would only deliver approximately 7,876 dwellings within the plan period, falling short of the preferred housing target. This strategy would also include significant development at relatively unsustainable tier 3 (Wheaton Aston) and tier 4 (Dunston) settlements. There were also a number of other disadvantages associated with this spatial strategy as set out in the document and the Sustainability Appraisal recognised that all of the best performing spatial strategies (Options D-G) involved growth in locations which required Green Belt release.

3.11. The report concluded that Spatial Housing Strategy Option G 'Infrastructure-led development with a garden village area of search beyond the plan period' would be the most appropriate for South Staffordshire. This strategy prioritises growth on strategic sites in locations where it could help to meet local infrastructure needs and opportunities, with smaller allocations being

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<sup>9</sup> See South Staffordshire Council Local Plan Review - Spatial Housing Strategy & Infrastructure Delivery October 2019 - Appendix 5: Policy and Physical Constraints Paper



made in other broad locations having regard to their local environmental constraints. Larger urban extensions are focused to the north of the Black Country conurbation, recognising the availability of larger sites in this location and the opportunities to deliver strategic infrastructure needs around the ROF strategic employment site. It was acknowledged that Option G would require Green Belt release to deliver the strategy but it still remained the favoured option.

- 3.12. On the matter of Green Belt release, it was considered highly likely that some degree of Green Belt release within the district would be required, with Option A failing to deliver sufficient dwellings to meet the Council's own needs and to contribute up to 4,000 dwellings towards the GBBCHMA's unmet needs, and involving some development in relatively less sustainable locations. All other options assessed in the SHSID (Option B-G) involved some Green Belt release. The Council has also ensured that all growth options assume that safeguarded land is released at an average density of 35 dwellings per hectare<sup>10</sup>, thereby ensuring the need for further Green Belt release is kept to a minimum.
- 3.13. The Council has therefore concluded that further Green Belt release will likely be required in the district in order to ensure the District provides enough homes for both its own needs and a proportionate contribution to the unmet needs of the GBBCHMA. This still remains the case.
- 3.14. Despite this, the Council has sort to maximise suitable and sustainable non-Green Belt options. Green Belt sites were only allocated after these options were exhausted, including land within village boundaries, previously developed land and suitable sites within the Open Countryside (while still conforming to the spatial strategy). Previously developed land within the Green Belt was also prioritised over greenfield options in the site selection process<sup>11</sup>.
- 3.15. With only 20% of the district's countryside not designated as Green Belt and concentrated in the north of the District, the District is at risk from development 'leapfrogging' to sites immediately beyond the Green Belt boundary. This can result in unsustainable patterns of housing, public services or employment land. As stated in section 2 of this Topic Paper, NPPF paragraph 142 recognises this challenge. Parts of the settlements of Penkridge and Wheaton Aston lie just outside the northern boundary of the Green Belt, which makes them vulnerable to development pressures. A strategic site is planned to the north of Penkridge outside of the Green Belt, with Penkridge currently planned to take the highest proportion of growth of any village (17.8%). Amongst other factors this recognises the district's role as a Tier 1 settlement, recognising it has some of the best services and public transport provision available to the District's rural settlements, and the recommendation for strategic growth in this location in the GBBCHMA Strategic Growth Study 2018. Wheaton Aston is identified as third tier village in the spatial strategy and therefore suitable for limited growth. Other settlements outside of the Green Belt are identified as Tier 4 or 5 and therefore only suitable for limited windfall housing growth in line with the spatial strategy. Development locations outside of the Green Belt have therefore been maximised in a manner consistent with the spatial strategy and sustainable patterns of development.

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<sup>10</sup> The density recommended in the GBBCHMA Strategic Growth Study 2018 to make efficient use of land prior to Green Belt release. For further information on the district's emerging density policy approach see the Housing Density Topic Paper 2022

<sup>11</sup> For further information see the Housing Site Selection Topic Paper 2022

3.16. The Council also consider that it has followed the process set out in paragraph 141 of the NPPF before concluding that exceptional circumstances exist. It has done this through prioritising suitable brownfield sites and underutilised land where possible, optimising the density of development and undertaking discussions with partner authorities through the Duty to Cooperate. This included writing to HMA and neighbouring authorities to understand if supply on non-Green Belt land would allow the District to reduce its housing target to avoid Green Belt release. The letter sent to other local authorities is set out in Appendix 1, but this did not elicit any responses which suggested the District would be able to reduce its housing target. Therefore, it was still clear that the Council was required to assess Green Belt site options in the 2021 Preferred Options and 2022 Publication Plan consultations in order to address a housing target which both met its own needs and delivered a proportionate contribution to the unmet needs of the GBBCHMA.

#### 4. Exceptional Circumstances – Site Specific Considerations

- 4.1. Having concluded that exceptional circumstances exist to justify consideration of the realisation of Green Belt land to meet housing need at a strategic level, each site allocated within the Plan which is proposed to be removed from the Green Belt must be considered in turn.
- 4.2. A Green Belt Review dated 2019 was carried out to assess the sensitivities of Green Belt parcels within the district and the contribution they make towards the key aims of the Green Belt. This Study has been used as part of the site assessment work when selecting sites for development. This site should also be read alongside the site assessment topic paper<sup>12</sup> which considers issues other than Green Belt in more detail.
- 4.3. Whilst the contribution and harm rating of land within the Green Belt is an important factor when considering allocation, it is one of several factors which must be taken into account. It is also important to note that as shown in table 7.4 (provided below) of the 2019 Green Belt Study, the vast majority of land promoted had a harm rating of 'moderate – high' or above. Only 7.8% of land put forward had a harm rating of 'moderate' or below. This resulted in some settlements having very few Green Belt release options which had low harm ratings.

**Table 7.4: Total area of land within promoted sites assessed at each harm rating (excluding absolute constraints)**

Harm Rating	Total Area of Land within Promoted Sites (ha) <sup>52</sup>	Percentage of land <sup>52</sup>
Very High	985.30	27.2
High	1,571.40	43.4
Moderate - High	779.00	21.5
Moderate	197.10	5.4
Low - Moderate	81.00	2.2
Low	7.00	0.2
Very Low	0.60	0.0

<sup>12</sup> Housing Site Selection Topic Paper 2022

*Source: South Staffordshire Green Belt Study 2019*

**Sites being removed from the Green Belt**

- 4.4. Set out below are the sites proposed for removal from the Green Belt, alongside a summary of their site-specific exceptional circumstances. Factors behind choosing each site are only summarised in brief, for further details on the justification for the selection of each site please see the Housing Site Selection Topic Paper 2022 and its appendices.

**Strategic Site: Land North of Linthouse Lane (Policy SA3)**

- 4.5. In line with the spatial strategy, this proposed strategic allocation has been identified adjacent to the Black Country's urban area north of Linthouse Lane. The site benefits from the area's proximity to public transport links towards employment opportunities and the Black Country urban area and the potential for land parcels to accommodate a large mixed-use development in this location.
- 4.6. The site has the potential to deliver a minimum of 1200 homes by the end of the plan period with an estimated total capacity of 1,976 homes running beyond the plan period.
- 4.7. The site is within parcel 'S20Fs1' within the 2019 Green Belt Study. This parcel is classed as having a high level of sensitivity.
- 4.8. There are insufficient non green belt sites within close proximity to the Black Country combination to meet the spatial strategy requirements, especially taking into account the contribution of 4000 homes the plan is seeking to make towards the unmet housing needs of the GBBCHMA. There are no non-Green Belt land options in this broad location that could accommodate a similar level of development and the site is in an area of lesser Green Belt harm and landscape sensitivity than other large site options in this broad location, whilst many other smaller site options are affected by significant constraints. Therefore, the release of Green Belt land on the northern edge of the Black Country is required. Land North of Linthouse Lane has been demonstrated to be the most appropriate site option through the site assessment process.

**Strategic Site: Land at Cross Green (Policy SA2)**

- 4.9. In line with the spatial strategy Land at Cross Green has been identified as an employment-led growth opportunity and strategic housing site to deliver a minimum of 1,200 homes. The site benefits from the area's proximity to strategic employment sites (ROF Featherstone and i54) and the potential for land parcels to accommodate a large mixed-use development in this location.
- 4.10. The site is within parcels 'S44As1' and 'S20Ds1' within the 2019 Green Belt Study. These parcels have high and very high harm ratings.
- 4.11. There are insufficient non green belt site within close proximity to the Black Country combination to meet the spatial strategy requirements, especially taking into account the contribution of 4000 homes the plan is seeking to make towards the unmet housing needs of the GBBCHMA. Whilst the site has some areas of higher Green Belt harm and landscape sensitivity than other land on the northern edge of the Black Country, it offers a unique

opportunity to align housing growth with the strategic employment sites at i54 and ROF Featherstone and can accommodate safeguarded land for a potential rail-based park and ride site. Therefore, the release of Green Belt land on the northern edge of the Black Country is required. Land at Cross Green has been demonstrated to be the most appropriate site option through the site assessment process.

**Strategic Site: Land East of Bilbrook (Policy SA1)**

- 4.12. Land East of Bilbrook has been identified as a strategic housing site and is proposed for allocation to deliver a minimum of 848 new homes. Bilbrook / Codsall is identified as a Tier 1 village and therefore one of the most sustainable locations for development within the district. It is also one of the strategic areas recommended for growth in the GBBCHMA Strategic Growth Study and requires new development to deliver a new first school and station car parking identified in the IDP. Because of these factors, Bilbrook / Codsall was identified for a significant proportion of the district's housing growth.
- 4.13. The majority of the site is within parcel 'S46Cs2' within the 2019 Green Belt Study. This parcel is identified as having a high level of harm rating. A small proportion is within 'S46Cs1' which has a very high harm rating, but is not proposed for a housing allocation.
- 4.14. There are insufficient non green belt sites within close proximity Bilbrook to meet the spatial strategy requirements. The site is in an area of high Green Belt harm, similar to the majority of land around Codsall/Bilbrook, and is in an area of lesser landscape sensitivity. The site is able to accommodate the required first school for the villages and also has better active travel links to a nearby strategic employment site (i54). Therefore, the release of Green Belt land on the edge Bilbrook required. Land East of Bilbrook has been demonstrated to be the most appropriate site option through the site assessment process.

**Site 582: Land north of Langley Road**

- 4.15. Land north of Langley Road is a proposed housing allocation to deliver a minimum of 390 new homes. Being located on the western edge of the Black Country the site benefits from the area's proximity to services and facilities in the adjacent Black Country urban area
- 4.16. The site is within parcels 'S59Bs1' and 'S59Bs2' within the 2019 Green Belt Study. These parcels are identified as 'high' and 'medium – high' harm respectively, with the site being primarily contained to the 'medium-high' part of the parcel.
- 4.17. There are insufficient non green belt sites within close proximity to the Black Country combination to meet the spatial strategy requirements, especially taking into account the contribution of 4000 homes the plan is seeking to make towards the unmet housing needs of the GBBCHMA. The site is in an area of lower Green Belt harm than the majority of other site options on the western edge of the Black Country. It also scores well in the Sustainability Appraisal due to its proximity to local education facilities. Therefore, the release of Green Belt land on the western edge of the Black Country is required. Land north of Langley Road has been demonstrated to be the most appropriate site option through the site assessment process.

**Site 079: Land south of Kiddemore Green Road, Brewood**

- 4.18. Land south of Kiddemore Green Road is a proposed housing allocation to deliver a minimum of 43 new homes. Brewood is identified as a Tier 2 village and is therefore a sustainable location to accommodate a proportionate scale of housing growth.
- 4.19. The vast majority of the site is within parcel 'S36As1' within the 2019 Green Belt Study. The parcel has a moderate harm rating.
- 4.20. There are insufficient non green belt sites within close proximity to Brewood to meet the spatial strategy requirements. The site is of similar landscape sensitivity to other land around Brewood but is of lesser Green Belt harm and also lies closer to the village's centre than most other options. It also offers an opportunity to deliver specialist elderly retirement living in a location close to village centre and local health facilities. Therefore, the release of Green Belt land on the edge Brewood required. Land south of Kiddemore Green Road has been demonstrated to be the most appropriate site option through the site assessment process.

**Site 704: Land off Norton Lane, Great Wyrley**

- 4.21. Land off Norton Lane, Great Wyrley is a proposed housing allocation to deliver a minimum of 31 new homes. Whilst the settlements are not identified as recommended strategic locations for growth in the GBBCHMA Strategic Growth Study 2018, Cheslyn Hay/Great Wyrley are still identified as Tier 1 settlements and therefore 'some of the more sustainable locations for development within the district. In line with this classification, Tier 1 villages including Cheslyn Hay/Great Wyrley were identified for a significant proportion of the district's housing growth.
- 4.22. The site is within parcels 'S11A' and 'S12A' within the 2019 Green Belt Study. Both parcels have a moderate harm rating.
- 4.23. There are insufficient non green belt sites within close proximity to Great Wyrley to meet the spatial strategy requirements. The site is in an area of low Green Belt harm, scores well in terms of its proximity to education and is on previously developed land within the Green Belt. Therefore, the release of Green Belt land on the edge Great Wyrley is required. Land off Norton Lane has been demonstrated to be one of the most appropriate site options through the site assessment process.

**Site 730: Fishers Farm, Great Wyrley**

- 4.24. Fishers Farm, Great Wyrley is a proposed housing allocation to deliver a minimum of 10 new homes. Whilst the settlements are not identified as recommended strategic locations for growth in the GBBCHMA Strategic Growth Study 2018, Cheslyn Hay/Great Wyrley are still identified as Tier 1 settlements and therefore 'some of the more sustainable locations for development within the district. In line with this classification, Tier 1 villages including Cheslyn Hay/Great Wyrley were identified for a significant proportion of the district's housing growth.
- 4.25. The site is within parcel 'S21A' within the 2019 Green Belt Study. The parcel identified the site as having a moderate harm rating.
- 4.26. There are insufficient non green belt sites within close proximity to Great Wyrley to meet the spatial strategy requirements. It is in an area of lesser Green Belt harm than most land in the area and scores well in terms of its proximity to schools in the Sustainability Appraisal. It is also on previously developed land in the Green Belt. Therefore, the release of Green Belt land

on the edge Great Wyrley is required. Fishers Farm has been demonstrated to be the most appropriate site option through the site assessment process.

**Site 536a: Land off Holly Lane, Cheslyn Hay**

- 4.27. Land off Holly Lane, Cheslyn Hay is a proposed housing allocation to deliver a minimum of 84 new homes. Whilst the settlements are not identified as recommended strategic locations for growth in the GBBCHMA Strategic Growth Study 2018, Cheslyn Hay/Great Wyrley are still identified as Tier 1 settlements and therefore some of the more sustainable locations for development within the district. In line with this classification, Tier 1 villages including Cheslyn Hay/Great Wyrley were identified for a significant proportion of the district's housing growth.
- 4.28. The site is within parcel 'S16D' within the 2019 Green Belt Study. The parcel identified the site as having a high harm rating.
- 4.29. There are insufficient non green belt sites within close proximity to Cheslyn Hay to meet the spatial strategy requirements. The site is on land which is of similar Green Belt harm to the majority of other Green Belt land around the village and offers an opportunity to provide drop off parking for the adjacent school. Its size and proximity to local shops and public transport means it may also be a suitable opportunity to address the acute need for specialist elderly housing in Cheslyn Hay/Great Wyrley. Therefore, the release of Green Belt land on the edge Cheslyn Hay is required. Land off Holly Lane has been demonstrated to be the most appropriate site option through the site assessment process.

**Site 224: Land adjacent to 44 Station Road, Codsall**

- 4.30. Land adjacent to 44 Station Road, Codsall is a proposed housing allocation to deliver a minimum of 85 new homes. Bilbrook / Codsall is identified as a Tier 1 village and therefore one of the most sustainable locations for development within the district. Codsall also requires new development to deliver station car parking identified in the IDP. Bilbrook / Codsall was identified for a significant proportion of the district's housing growth along with the other two Tier 1 villages.
- 4.31. The site is within parcel 'S53Hs2' within the 2019 Green Belt Study. The parcel identified the site as having a moderate - high harm rating.
- 4.32. There are insufficient non green belt sites within close proximity to Codsall to meet the spatial strategy requirements. Whilst the site is in an area of higher landscape sensitivity than some other sites around the settlement, it is in an area of lower Green Belt harm than other site options. It is also in very close proximity to Codsall rail station and is a very short distance from a Large Village Centre, whilst also offering a unique opportunity to deliver additional car parking for users of Codsall station. Therefore, the release of Green Belt land on the edge Codsall is required. Land adjacent to 44 Station Road has been demonstrated to be the most appropriate site option through the site assessment process.

**Site 463 & 284: Land off Billy Buns Lane & Gilbert Lane, Wombourne**

- 4.33. Land off Billy Buns Lane & Gilbert Lane, Wombourne is a proposed housing allocation to deliver a minimum of 223 new homes. Wombourne is identified as a Tier 2 village although it

is the largest of the five Tier 2 villages, containing the only Large Village Centre in this tier of the settlement hierarchy, as well as the largest settlement in the south of the district. Wombourne is therefore a sustainable location to accommodate a proportionate scale of housing growth.

- 4.34. The majority of the site is within parcels 'S72Bs3' within the 2019 Green Belt Study. The parcel identified the site as having a low - moderate harm rating.
- 4.35. There are insufficient non green belt sites within close proximity to Wombourne to meet the spatial strategy requirements and the large area of previously developed land to the south-west of the village (Sites 310a & 310b) is in active employment use and currently unavailable. Land off Billy Buns Lane & Gilbert Lane has a far lower harm rating than most land around both Wombourne and most other villages in South Staffordshire. It also scores well in the Sustainability Appraisal due to its access to education, is close to a regular bus route into the Black Country and sits within a short walk of one of the district's three Large Village Centres. Therefore, the release of Green Belt land on the edge Wombourne is required. Land off Billy Buns Lane (463) & Gilbert Lane (284), Wombourne has been demonstrated to be the most appropriate site option through the site assessment process.

**Site 416a: Land off Orton Lane, Wombourne**

- 4.36. Land off Orton Lane, Wombourne is a proposed housing allocation to deliver a minimum of 79 new homes. However, a large proportion of the site has already been removed from the Green Belt through the 2012 Core Strategy and 2018 Site Allocations Document. Only the northeast section of the site is currently within the Green Belt and is being proposed for release. Wombourne is identified as a Tier 2 village although it is the largest of the five Tier 2 villages, containing the only Large Village Centre in this tier of the settlement hierarchy, as well as the largest settlement in the south of the district. Wombourne is therefore a sustainable location to accommodate a proportionate scale of housing growth.
- 4.37. The site falls within parcel 'S53Cs1' within the 2019 Green Belt Study. The parcel identified the site as having a moderate – high harm rating.
- 4.38. There are insufficient non green belt sites within close proximity to Wombourne to meet the spatial strategy requirements and the large area of previously developed land to the south-west of the village (Sites 310a & 310b) is in active employment use and currently unavailable. The removal of the northeast section of the site from the Greenbelt and allocation for housing represents a logical extension to the existing allocation / Safeguarded Land and will ensure that the land is delivered comprehensively as a single site.

**Site 576: Land off Hyde Lane, Kinver**

- 4.39. Land off Hyde Lane, Kinver is a proposed housing allocation to deliver a minimum of 44 new homes. Kinver is identified as a Tier 2 village in the spatial strategy and is therefore a sustainable location to accommodate a proportionate scale of housing growth.
- 4.40. The site is within parcel 'S64Gs2' within the 2019 Green Belt Study. The parcel identified the site as having a moderate harm rating.

- 4.41. There are insufficient non green belt sites within close proximity to Kinver to meet the spatial strategy requirements and Land off Hyde Lane has a lesser Green Belt harm rating than other alternative sites in this area Therefore, the release of Green Belt land on the edge Kinver is required. Land off Hyde Lane, Kinver has been demonstrated to be the most appropriate site option through the site assessment process.

**Site 006: Land at Boscomoor Lane, Penkridge**

- 4.42. Land at Boscomoor Lane, Penkridge is a proposed housing allocation to deliver a minimum of 80 new homes. Penkridge is identified as a Tier 1 village and therefore one of the most sustainable locations for development within the District. In line with this classification, Tier 1 villages including Penkridge were identified for a significant proportion of the district's housing growth.
- 4.43. The site is within parcel 'S32Fs3' within the 2019 Green Belt Study. The parcel identified the site as having a low-moderate harm rating.
- 4.44. Although land is being allocated to the north of Penkridge outside of the Green Belt, this site has also been selected for allocation reflecting its lower Green Belt harm and sustainable location. The site is within walking distance of a rail station and has good access to a nearby local centre, whilst also being on land of significantly less Green Belt harm than most other sites in both Penkridge and other Tier 1 and 2 villages. Therefore, given the need to release Green Belt at a strategic level and the merits of the site in relation to other Green Belt options in the district, the release of this Green Belt site is required to meet the housing target.

**Site 313: Land off Himley Lane, Swindon**

- 4.45. Land off Himley Lane, Swindon is a proposed housing allocation to deliver a minimum of 22 new homes. Swindon is identified as a Tier 3 village within the spatial strategy. The village is therefore suitable for limited planned growth due to its smaller range of services and facilities than Tier 1 and 2 settlements.
- 4.46. The site is within parcel 'S72As2' within the 2019 Green Belt Study. The parcel identified the site as having a moderate harm rating.
- 4.47. There are insufficient non green belt sites within close proximity to Swindon to meet the spatial strategy requirements. It is also unlikely that the adjacent safeguarded land and development boundary allocation can accommodate sufficient growth to deliver affordable housing (10+ dwellings) without additional land to create a regular site layout. Therefore, the release of Green Belt land on the edge Swindon is required. Land off Himley Lane has been demonstrated to be the most appropriate site option through the site assessment process.

**5. West Midlands Interchange**

- 5.1. The West Midlands Interchange (WMI) is a proposed Strategic Rail Freight Interchange (SRFI) on land west of Junction 12 of the M6, which was granted approval via the Development Consent Order (DCO) process on 4 May 2020. This consent provides for a significant amount of new B8 employment land to be provided within the district's Green Belt. The DCO allows for



an intermodal freight terminal, up to 743,200sqm of warehousing and ancillary buildings, new road infrastructure and landscaping into a large tract of land south of the A5 and east of the A449, essentially urbanising a large area of isolated Green Belt.

- 5.2. The DCO was granted by the Planning Inspectorate recognising the strategic benefits it would bring to an expanded network of SRFIs, facilitating the model shift of freight from road to rail. The examination also recognised<sup>13</sup> that the emerging unmet employment land need from the Black Country formed part of the justification for permitting this scheme, based upon the findings of the Black Country EDNA at that time. Since the examination's conclusion, work undertaken by Stantec for the Black Country authorities<sup>14</sup> has identified that 67ha of land from WMI is directly attributable to the Black Country authorities' employment land shortfalls, which stood at 210ha as of the 2021 Black Country Draft Plan (Reg 18) consultation. The latest available evidence therefore suggests there is still a substantial need for WMI to contribute towards the unmet needs of the Black Country authorities, which are a significant cross-boundary matter for the local plan to address.
- 5.3. The 2022 Employment Site Selection Topic Paper recommends the WMI site for allocation. This recognised the site scores significantly better than other sites in the EDNA2, that it could make a contribution to unmet needs within the FEMA in a more sustainable manner than other sites (due to the proposed rail link) and that the principle of B8 development on the site has already been established by the DCO. To provide assurance to Duty to Cooperate partners regarding the site's delivery and to reflect the largely urbanising effect of the DCO on the developable area of the site, it is proposed that the developable area of WMI (232.5ha) be removed from the Green Belt, with the areas identified for green infrastructure on the consented plans to be retained within the Green Belt.

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<sup>13</sup> Para 5.3.69. of the WEST MIDLANDS RAIL FREIGHT INTERCHANGE Examining Authority's Report of Findings and Conclusions and Recommendation to the Secretary of State for Transport

<sup>14</sup> West Midlands Strategic Rail Freight Interchange Employment Issues Response Paper – Whose need will the SRFI serve? February 2021

## **Appendix 1: Duty to Cooperate exceptional circumstances letter**



Please ask for: [REDACTED]

Direct Dial: [REDACTED]

Email: [REDACTED]

8<sup>th</sup> January 2021

Sent via email

Dear Sir/Madam,

## **South Staffordshire Council Local Plan Review – Review of Green Belt**

As you will be aware South Staffordshire is currently undertaking a review of its Local Plan. One of the key reasons for this is an existing Local Plan Review policy (Policy SAD1) which was adopted by the Council in its Site Allocations Document 2018. This requires the District to review housing supply options to meet both the District's own housing needs and potentially unmet cross-boundary needs from the Greater Birmingham Housing Market Area (GBHMA), including from the Black Country.

As a result of these pressures, the District is currently considering meeting ambitious housing targets through its emerging Local Plan Review, proposing to accommodate approximately 8,845 dwellings in the 2018 to 2037 period as set out in the 2019 Spatial Housing Strategy and Infrastructure Delivery consultation. This level of growth includes what the District believes to be a proportionate contribution of 4,000 dwellings to the unmet needs of the GBHMA, based on the current evidence of unmet needs in the GBHMA up to 2038<sup>1</sup> and the GBHMA-wide evidence base provided by the GBHMA Strategic Growth Study 2018. However, even if South Staffordshire delivered all current housing allocations, permissions and safeguarded sites for housing land, the District's most recent consultation suggests that only around 3,800 dwellings would be delivered in the District between 2018 – 2037. This is evidently well short of the level of growth the District is seeking to achieve in the Local Plan Review.

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<sup>1</sup> As set out in the 'Greater Birmingham and Black Country Housing Market Area (GBBCHMA) Housing Need and Housing Land Supply Position Statement (July 2020)' and the 'Black Country Urban Capacity Review December 2019'





The Council will continue to review its housing land supply to inform its 2020 Preferred Options consultation. However, due to the District's rural nature and the lack of any towns or cities in South Staffordshire, it is unlikely that achievable density uplifts to existing suitable land supply will significantly alter the capacity on existing sites. Whilst there are some areas of land beyond the Green Belt in the District, the Council's 2019 Spatial Housing Strategy and Infrastructure Delivery consultation and the GBHMA Strategic Growth Study both suggest that it is unlikely to be sustainable or deliverable to focus all new housing allocations in the District on the limited area of Open Countryside in South Staffordshire. The District therefore considers that evidence to date suggests it is highly likely that South Staffordshire will need to release further Green Belt land through the Local Plan Review in order to meet its own needs and to make a proportionate contribution to the GBHMA's unmet housing needs.

Given the above, and in order to ensure the District meets its duties under paragraph 137 of the NPPF, would welcome your Council's latest position on the following matters, acknowledging that this may be subject to change through emerging national changes to strategic housing matters (the Planning for the Future White Paper);

- Whether or not your authority is able to assist with the unmet housing needs of the GBHMA, in particular those arising from the Black Country
- Whether or not your authority is able to provide sufficient additional housing supply to enable South Staffordshire District Council to reduce its proposed Local Plan Review housing target
- What your authority would be prepared to agree with South Staffordshire District Council in a statement of common ground covering strategic housing needs in the District and GBHMA

To ensure we can progress these discussions in a timely manner, we would welcome a response from yourselves on the above by no later than 26<sup>th</sup> February 2021. If you would like to meet the Council's officers to discuss this further before this date, then please get in touch.

We look forward to hearing from you on this matter.

Yours faithfully,



Lead Planning Manager

