

Green Belt
Exceptional Circumstances
Topic Paper
April 2024

DRAFT LOCAL PLAN REVIEW 2023-2041

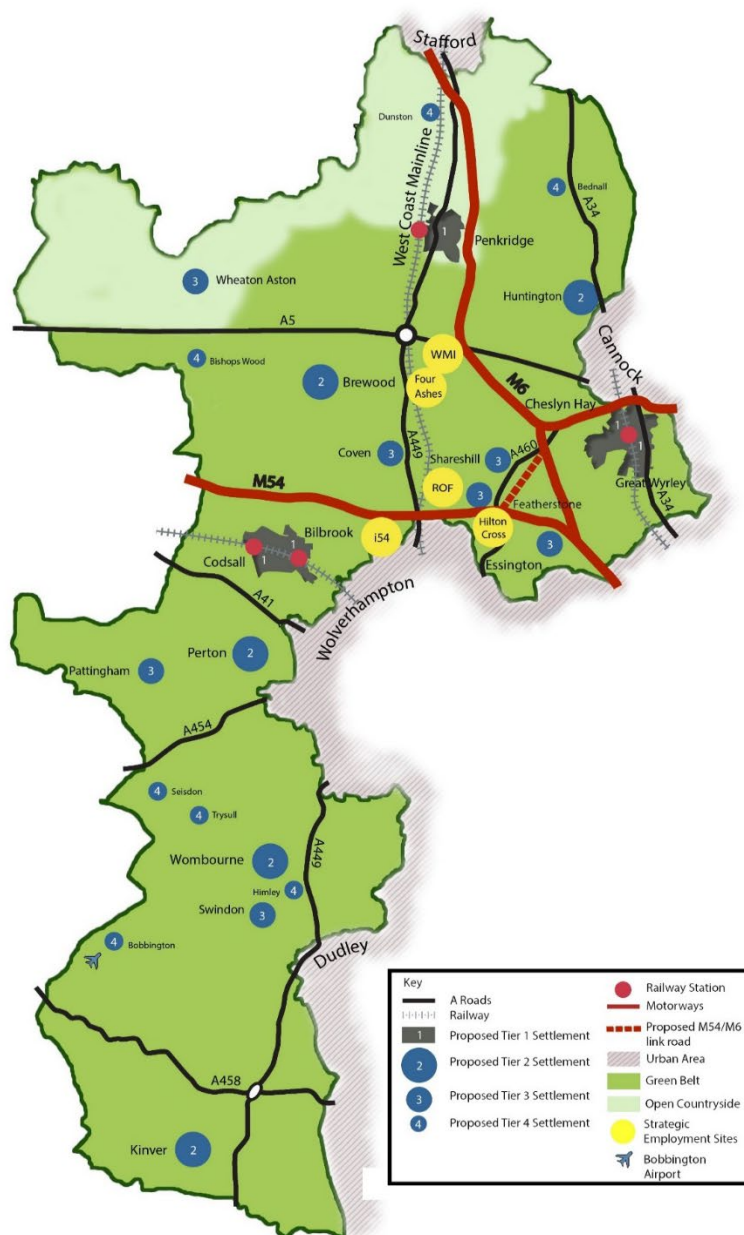
(Regulation 19)

Contents	Page number
1. Introduction	3
2. Policy background	5
3. Evolution of the council's spatial strategy	8
4. Exceptional circumstances – strategic considerations	11
5. Exceptional Circumstances – site specific considerations	16
6. Other development uses	21
7. Conclusions	22
Appendix 1: Duty to cooperate exceptional circumstances letter	24

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 2023 – 2041. 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.

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 high proportion of sites suggested to the Council through the call for sites process are in the Green Belt.
- 1.4. Section 2 of this Topic Paper sets out the policy background. Section 3 sets out how the Local Plan has evolved through plan preparation and including the Council's spatial strategy and approach to Green Belt. Section 4 sets out the strategic exceptional circumstances case for Green Belt release in the district with section 5 focusing on the specific sites proposed for allocation and the exceptional circumstances at the site-specific level.
- 1.5. This Topic Paper should be read alongside other evidence base documents which are relevant and provide background to the Council's exceptional circumstances case, such as the Housing Site Assessment Topic Paper (2024), Spatial Strategy Topic Paper (2024), Economic Strategy and Employment Sites Topic Paper (2024), Duty to Cooperate Topic Paper (2024) Strategic Housing and Economic Land Availability Assessment (2024) and the South Staffordshire Green Belt Study (2019).

2. Policy background

- 2.1. National planning policy, including Green Belt policy, is primarily set out in the National Planning Policy Framework 2023 (NPPF), the Planning Policy for Traveller Sites 2015 and the national Planning Practice Guidance (PPG).
- 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:

For plan-making this means that:

a) all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects;

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

⁶, 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 area⁷; 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 142). National policy makes provision for alterations to the Green Belt and its boundary, be it by releasing land or by insetting settlements as detailed in paragraphs 145 to 147 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. The NPPF now clarifies that there is no requirement for authorities to review or amend their Green Belt, and it is within authorities' gift to do so where they can

⁶ As established through statements of common ground (see paragraph 27).

⁷ 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 187) 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 72); and areas at risk of flooding or coastal change.

evidence and justify exceptional circumstances. This topic paper is a key part of that evidence that sets out the case for exceptional circumstances for limited Green Belt release in the district.

2.5. Paragraph 145 of the NPPF sets out that:

“Once established, there is no requirement for Green Belt boundaries to be reviewed or changed when plans are being prepared or updated. Authorities may choose to review and alter Green Belt boundaries where exceptional circumstances are fully evidenced and justified, in which case proposals for changes should be made only through the plan-making process. 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 nonstrategic policies, including neighbourhood plans”.

2.6. The NPPF (paragraph 146) 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;

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”.

2.7. Paragraph 147 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”.

2.8. Whilst neither the NPPF nor PPG 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.

2.9. The PAS Guidance⁸ 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.*
- *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.*

2.10. Further relevant guidance and case law can be found within Section 2 of the South Staffordshire Green Belt Study⁹ dated July 2019.

⁸ <https://www.local.gov.uk/sites/default/files/documents/green-belt-244.pdf>

⁹ <https://www.sstaffs.gov.uk/planning/local-plan-review-3.cfm>

3. Evolution of the council's spatial strategy

- 3.1. The Council began preparation of its Local Plan in 2018 and undertook an Issues and Options consultation in October 2018 that sought views on different high level options for where growth could be focused. In the Issues and Options document, the Council committed to testing through plan preparation a strategy that sought to meet the Council's own needs plus a 4,000 home contribution towards unmet needs of the Great Birmingham and Black Country Housing Market Area (GBBCHMA) within which South Staffordshire sits. This 4,000-home contribution to the HMA was directly informed by the 2018 GBBCHMA Strategic Growth Study (SGS) and reflected the minimum capacities studies identified areas of search within the district.
- 3.2. Subsequently, in 2019 the Council consulted on a Spatial Housing Strategy and Infrastructure Delivery (SHSID) consultation that refined spatial options. 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 factors¹⁰ 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
- 3.3. Spatial Housing Strategy Option A: 'Maximise Open Countryside release' considered a strategy of meeting the districts housing need through directing development away for 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).
- 3.4. 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 meeting the 4,000 home contribution. 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

¹⁰ See South Staffordshire Council Local Plan Review - Spatial Housing Strategy & Infrastructure Delivery October 2019 - Appendix 5: Policy and Physical Constraints Paper

other disadvantages associated with this spatial strategy as set out in the document and the Sustainability Appraisal (2019) recognised that all of the best performing spatial strategies (Options D-G) at the time involved growth in locations which required Green Belt release.

- 3.5. The 2019 SA 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 prioritised growth on strategic sites in locations where it could help to meet local infrastructure needs and opportunities, with smaller allocations being made in other broad locations across Tier 1-3 settlements, including Green Belt release in these locations.
- 3.6. A Preferred Options (Regulation 18) consultation was then undertaken in November 2021 that proposed allocations that were in conformity with Option G from the SHSID and performed best through the Council's site assessment process, as detailed through its Housing Site Assessment Topic Paper. In November 2022 the Council then consulted on a Publication Plan (Regulation 19) consultation that sought to take forward this strategy of releasing Green Belt at Tier 1-3 settlements and at strategic sites, including a self-contained settlement at Cross Green and an urban extension adjoining the Wolverhampton administrative boundary.
- 3.7. Following the Regulation 19 consultation the Council paused preparation of its Local Plan in January 2023 following the Government's consultation on proposed changes to the NPPF, specifically in relation to proposed changes to national Green Belt policy. The Council were previously of the view that the level of growth proposed (incorporating the 4000 home contribution to HMA unmet need) would be necessary in order to have a sound plan, however proposed changes to the NPPF cast doubt over that assertion. Following publication of the updated NPPF in December 2023 and confirmation that there was no requirement for Green Belt boundaries to be reviewed or changed, and it was within authorities gift to choose to do so where they could demonstrate exceptional circumstances, led the Council to review its strategic approach.
- 3.8. In addition, the Council was also mindful that the delay to plan preparation meant that the Strategic Growth Study (2018) on which the previous 4,000 home contribution was directly informed, was no longer up to date and therefore could not be relied to justify at the strategic level the previously proposed plan target and level of Green Belt release. Furthermore, the delay to plan preparation meant that it would not be possible to submit the previous 2022 version of the plan as that plans end date (2039) would be inconsistent with national policy requiring Local Plans to cover 15 years post adoption. It was therefore the Council's view that submitting the previous 2022 Publication Plan would be contrary to Section 20(2)(b) of the Planning and Compulsory Purchase Act 2004.
- 3.9. Given the change in circumstances, the Council committed to a further Regulation 19 consultation and to inform this tested further spatial strategy options considering the ways in which housing growth could be distributed across the district, as detailed in

the Council's Spatial Housing Strategy Topic Paper 2024. Unlike the majority of previous options tested that sought to deliver a 4000-home contribution derived from the 2018 Strategic Growth Study, the new options tested (Options H and I) considered different levels of growth based upon capacity led approaches that further limited Green Belt release compared to other options tested, and with a greater focus on the districts most sustainable locations. The scope of these two new options fall within the scope of options considered through previous Regulation 18 consultations (i.e in excess of meeting our own housing needs; a considerable proportion of the supply delivered through existing allocations/safeguarded land; Green Belt release at Tier 1 settlements under Option I).

- 3.10. The previously tested options (A-G) were reappraised in the Spatial Housing Strategy Topic Paper 2024 to align with the revised plan period (2023-2041) to ensure options were considered on an equal basis. These were then assessed through the Sustainability Appraisal (SA) which confirmed that in SA terms that the different spatial options did not perform vastly differently, however on the whole, Option I could be identified as the preferable option as it would seek to positively prepare the Plan by making a contribution towards the unmet requirements of the wider HMA, whilst proposing a significantly lower quantum of growth, and with lower potential for adverse environmental effects, than the other options.
- 3.11. Having considered all the different approaches and their relative merits in the round, the Council's preferred approach is Spatial Option I - **a capacity-led approach focusing growth to sustainable non-Green Belt sites and limited Green Belt development in Tier 1 settlements well served by public transport**. It is on this basis that the revised 2024 Publication Plan has been prepared, with the strategic case for Green Belt release set out in Chapter 4 and the site-specific case set out in Chapter 5.

4. Exceptional circumstances – strategic considerations

Housing need

- 4.1 As set out within the 2024 Regulation 19 Publication Plan, the Local Plan seeks to promote the minimum delivery of 4,726 homes over the plan period 2023-2041 to meet the district's housing target. This will meet the district's future housing need calculated at 4,086 dwellings across the plan period using the government's standard method. In addition, this will provide for 640 homes contribution towards unmet needs of the GBBCHMA, whilst providing approximately 10% additional homes to ensure plan flexibility.
- 4.2 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 is a part. 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 authorities suggests that a significant unmet need is arising across the GBBCHMA, driven by limited housing land in these urban areas.
- 4.3 Recognising the existing and emerging shortfalls, the GBBCHMA local authorities¹¹ 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.
- 4.4 Since the 2018 Strategic Growth Study, 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 authorities urban capacity evidence shows a significant level of housing need arising into the later 2030s¹². 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.

¹¹ 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.

¹² Greater Birmingham and Black Country Housing Market Area (GBBCHMA) Housing Need and Housing Land Supply Position Statement (July 2020)

- 4.5 In October 2022 the progress on the Black Country Plan ceased in favour of the authorities preparing four separate Local Plans. As the individual authorities progress their Local Plans the latest housing shortfall position at the current time is as follows:

Local Planning Authority	Latest published shortfall	Relevant document
Dudley	1,078 homes to 2041	Draft Dudley Local Plan (October 2023)
Sandwell	18,606 homes to 2041	Draft Sandwell Local Plan (November 2023)
Walsall	No published shortfall. Walsall committed to preparing a Walsall Borough Local Plan under new legislation set out in the Levelling Up and Regeneration Act 2023	
Wolverhampton	11,413 homes to 2042	Wolverhampton Local Plan Issues and Preferred Options consultation (February 2024)

- 4.6 At this point, the GBBCHMA Strategic Growth Study has not been updated to reflect these changing and emerging shortfalls. 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 shortfall¹³. However, recent Local Plan consultations by Birmingham, Dudley, Sandwell and Wolverhampton Council's and supported by urban capacity evidence suggests that, particularly in the period beyond 2031, that there is a significant housing shortfall across the HMA. This significant shortfall supports the exceptional circumstances case for releasing Green Belt at the districts most sustainable settlements with the best sustainable transport links to these authorities in the conurbation that are the source of the unmet needs.

Spatial Strategy for Housing

- 4.7 As set out in in section 3, the Council's preferred spatial strategy Option I does involve some Green Belt release however this is limited to the district's most sustainable Tier 1 settlements as evidenced by the Council's Rural Services and Facilities Audit (2021).
- 4.8 Option I does see the release of all suitable non-Green Belt land including suitable sites in the villages development boundaries, although these are very limited due to being acceptable in principle, and therefore can come forward without an allocation though the Development Management process. All existing safeguarded land is allocated under Option I as well as sites assessed as suitable beyond the Green Belt and designated as Open Countryside. Furthermore, under the preferred spatial

¹³ 2017 Birmingham Development Plan

strategy, land is released at an average density of 35 dwellings per hectare¹⁴, thereby ensuring the need for further Green Belt release is kept to a minimum.

Focus on most sustainable Tier 1 settlements.

- 4.9 The Rural Services and Facilities Audit 2021 identifies Penkridge, Codsall/Bilbrook and Cheslyn Hay/Great Wyrley as the districts Tier 1 settlements. This was determined following consideration of settlements relative access to services and facilities including access to wider employment beyond the settlement, via sustainable transport.
- 4.10 Codsall/Bilbrook include several education facilities within the settlement with one high school, two middle schools, and four first schools. Development at these villages is also needed to deliver a new first school as without the delivery of housing on Green Belt it is unlikely that there will be sufficient homes (and therefore pupils) to deliver and sustainability operate the new first school which is needed to mitigate the effects on education at the non-Green Belt safeguarded land sites at Codsall/Bilbrook. The settlements also include a range of services and facilities at Codsall, Birches Bridge and Bilbrook village centres, with Codsall centre identified as a top tier 'Large Village Centre' in the Council's retail study. Codsall and Bilbrook both have a railway stations on the Shrewsbury-Birmingham line with regular services to Wolverhampton and Birmingham city centres. Residents also have close access to the i54 strategic employment site and Balliol Business Park.
- 4.11 Penkridge includes a a number of education facilities within the settlement with one high school, one middle school, and three first schools. The settlement includes a services and facilities at Penkridge and Boscomoor centres with Penkridge centre identified as a top tier 'Large Village Centre' in the Council's retail study. Penkridge railway station is on the West Coast Mainline with regular services to Stafford, Wolverhampton and Birmingham centres.
- 4.12 Cheslyn Hay/Great Wyrley include a number of education facilities within the settlement with two secondary schools and five primary schools. The settlement includes a range of services and facilities primarily focused at Cheslyn Hay High Street and Quinton Court (Great Wyrley), but also at a further four smaller neighbourhood centres. There are also a number of notable industrial areas with the settlements including Hawkins Drive Industrial Estate, Coppice Lane industrial area and Landywood Lane industrial Estate. Landywood railway station is on the Chase Line with regular services to Cannock, Walsall and Birmingham centres.
- 4.13 The strategic approach of focusing housing growth at these locations therefore aligns with NPPF objective of achieving sustainable development. The NPPF is clear that where Green Belt release is considered appropriate then first consideration should be

¹⁴ 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 2024

given to land which has been previously developed and/or is well-served by public transport (NPPF Para 147). The proposed Green Belt allocations accord with this, by being in walking distance of rail services and in the cases two proposed Green Belt allocations in Cheslyn Hay and Great Wyrley, on previously developed land. Green Belt release at these Tier 1 settlements is therefore necessary to ensure a sustainable pattern of development across the district over the plan period and is a key part of the rationale for exceptional circumstances.

Maximising non-Green Belt options

- 4.14 In considering spatial strategy options and in determining the preferred approach, the Council has sought 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 process¹⁵.
- 4.15 With only 16% of the district's countryside not designated as Green Belt and concentrated in the north of the district (designated 'Open Countryside'), 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 147 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.
- 4.16 Wheaton Aston lies outside the Green Belt and is identified as a Tier 3 village in the spatial strategy and therefore has been identified as suitable for limited growth reflecting the villages very limited services and facilities. Concerns have been expressed by Natural England in relation to potential growth at Wheaton Aston and potential impact on air quality. A number of sites had other site-specific constraints that meant they were unsuitable, such as highways issues and lack of pedestrian connectivity. Having considered these site options at Wheaton Aston growth here is limited to an existing allocation, with other site options considered unsuitable through the Housing Site Assessment Topic Paper. This approach maximises suitable non-Green Belt options at the village.
- 4.17 An area designated Open Countryside also adjoins Stafford's administrative boundary and therefore consideration has been given to sites that could have sustainable access to services and facilities in the neighbouring area. A site is proposed for allocation for

¹⁵ For further information see the Housing Site Selection Topic Paper 2022

81 dwellings that reflects the land assessed as suitable in the Housing Site Assessment Topic Paper. Land beyond that was assessed as unsuitable, with significant heritage concerns on land beyond the proposed allocation as evidenced by our Historic Environment Site Assessment (2022).

- 4.18 Other settlements outside of the Green Belt are identified as Tier 4 or 5 have little or no services or facilities and therefore are only suitable for limited windfall housing growth in line with the spatial strategy. The preferred spatial strategy does not seek to identify standalone new settlements, however land in the Open Countryside near to Dunston that is of a scale of a new settlement was still assessed through the Housing Site Assessment Topic Paper and Sustainability Appraisal. Several significant issues were identified with this site including highways concerns, flood risk and that the site was not of a scale to provide infrastructure beyond the basic first school and local retail and therefore does not have strong sustainability credentials as a new settlement.
- 4.19 Development locations outside of the Green Belt have therefore been maximised in a manner consistent with the spatial strategy and sustainable patterns of development.
- 4.20 The Council also consider that it has followed the process set out in paragraph 146 of the NPPF before concluding that exceptional circumstances exist. It has done this through prioritising suitable brownfield sites and underutilised land where possible (through the Housing Site Assessment Topic Paper - 2024), 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 in their areas would allow the district to reduce its housing target. 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.

5. Exceptional Circumstances for housing sites to be removed from the Green Belt – site specific considerations

- 5.1. 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.
- 5.2. 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 paper¹⁶ which considers issues other than Green Belt in more detail.
- 5.3. 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) ⁵²	Percentage of land ⁵²
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

Source: South Staffordshire Green Belt Study 2019

Strategic Site (Site 519): Land East of Bilbrook (Policy SA1)

- 5.4. Land East of Bilbrook has been identified as a strategic housing site and is proposed for allocation to deliver a minimum of 750 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 one of the strategic areas recommended for growth in the

¹⁶ Housing Site Selection Topic Paper 2024

GBBCHMA Strategic Growth Study 2018 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.

- 5.5. 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.
- 5.6. There are insufficient non green belt sites within close proximity to Bilbrook/Codsall to meet the spatial strategy requirements and therefore a level growth for the village reflective of its relative sustainability. Equally the site can physically accommodate the new first school as well as the level of growth needed to generate pupil numbers to see its sustainable operation. In fact, not releasing the Green Belt element of the site compromises the delivery of the non-Green Belt existing safeguarded land in Bilbrook/Codsall. In summary, without the homes on the Green Belt part of the site, it is unlikely that a new school can be feasibly delivered and operated sustainably, which compromises the delivery of the safeguarded land as these sites need to mitigate their impact on education infrastructure.
- 5.7. 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). The site is in walking distance of Bilbrook railway station and therefore is relatively well served by public transport in line with NPPF paragraph 147. The site is contained by strong defensible boundaries with Lane Green Road to the west, Pendeford Mill Lane to the north, Barnhurst Lane to the east and roads to the north, west and east and a railway line and floodplain to the south and south-east beyond the site. In addition, on site Green Belt compensatory measures can be provided to the south of the site.
- 5.8. Therefore, the release of Green Belt land on the edge of Bilbrook is justified. Land East of Bilbrook has been demonstrated to be the most appropriate site option through the site assessment process.

Site 704: Land off Norton Lane, Great Wyrley

- 5.9. Land off Norton Lane, Great Wyrley is a proposed housing allocation to deliver a minimum of 31 new homes. Whilst the settlements were 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.

- 5.10. The site is within parcels 'S12A' within the 2019 Green Belt Study indicating a low harm rating. Only 0.2% of land in South Staffordshire assessed through the Green Belt Study 2019 was on land of low harm or less.
- 5.11. There are insufficient non green belt sites within close proximity to Great Wyrley to meet the spatial strategy requirements and therefore a level growth for the village reflective of its relative sustainability. 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 and therefore development could have lesser impact on openness than is currently the case. The site is in walking distance of Landywood railway station and therefore is relatively well served by public transport in line with NPPF paragraph 147. The site has strong defensible boundaries with existing residential development to the west, Norton Lane to the south and east and the A5 along the sites northern boundary.
- 5.12. Therefore, the release of Green Belt land on the edge Great Wyrley is justified. 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

- 5.13. Fishers Farm, Great Wyrley is a proposed housing allocation to deliver a minimum of 10 new homes. Whilst the settlements were 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.
- 5.14. The site is within parcel 'S21A' within the 2019 Green Belt Study. The parcel identified the site as having a moderate harm rating. Only 7.8% of land in South Staffordshire assessed through the Green Belt Study 2019 was on land of moderate harm or less.
- 5.15. There are insufficient non green belt sites within close proximity to Great Wyrley to meet the spatial strategy requirements and therefore a level growth for the village reflective of its relative sustainability. 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 and therefore development is likely to have lesser impact on openness than is currently the case. The site is in walking distance of Landywood railway station and therefore is relatively well served by public transport in line with NPPF paragraph 147. The site has strong defensible boundaries with planting on all sides.

5.16. 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

5.17. Land off Holly Lane, Cheslyn Hay is a proposed housing allocation to deliver a minimum of 84 new homes. Whilst the settlements were 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.

5.18. The site is within parcel 'S16D' within the 2019 Green Belt Study. The parcel identified the site as having a high harm rating and therefore is of similar Green Belt harm to the majority of other Green Belt land around the village.

5.19. There are insufficient non green belt sites within close proximity to Cheslyn Hay to meet the spatial strategy requirements and therefore a level growth for the village reflective of its relative sustainability. The site offers a unique opportunity to provide drop off parking for the adjacent school and is a priority in the IDP with strong community support. In addition, its size and proximity to local shops and public transport means it provides a suitable opportunity to address the acute need for specialist elderly housing in Cheslyn Hay/Great Wyrley. The site is in walking distance of Landywood railway station and therefore is relatively well served by public transport in line with NPPF paragraph 147.

5.20. 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

5.21. 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.

5.22. The site is within parcel 'S53Hs2' within the 2019 Green Belt Study. The parcel identified the site as having a moderate - high harm rating. Only 29.3% of land in South Staffordshire assessed through the Green Belt Study 2019 was on land of moderate-high harm or less.

5.23. There are insufficient non green belt sites within close proximity to Codsall to meet the spatial strategy requirements and therefore a level growth for the village reflective of its relative sustainability. 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. The sites proximity to the railway station means the site is well served by public transport in line with NPPF paragraph 147. The site has strong defensible boundaries with the railway line to the north, Station Road to the east, Oaken Drive to the south and an area of woodland to the west.

5.24. 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 006: Land at Boscomoor Lane, Penkridge

5.25. 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.

5.26. The site is within parcel 'S32Fs3' within the 2019 Green Belt Study. The parcel identified the site as having a low-moderate harm rating. Only 2.4% of land in South Staffordshire assessed through the Green Belt Study 2019 was on land of low harm or less.

5.27. Although land is being allocated to the north of Penkridge outside of the Green Belt, this site has also been selected for allocated reflecting its lower Green Belt harm and sustainable location. The site 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 villages. The site is in walking distance of Penkridge railway station and therefore is relatively well served by public transport in line with NPPF paragraph 147. The site has strong defensible boundaries with the canal to the east, Lyne Hill Lane to the south, Boscomoor Lane to the west and Wolgarston Way to the north.

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. Land at Boscomoor Lane, Penkridge has been demonstrated to be the most appropriate site option through the site assessment process.

6. Other development uses

Gypsy and Traveller pitches

- 6.1 The Local Plan proposes the allocation of 37 gypsy and traveller pitches either within or as extensions to existing sites, all within the Green Belt. It is proposed that these sites continue to be washed over by Green Belt and therefore will not result in an alternation to Green Belt boundaries in these locations. This will enable the council to minimise the impact of these developments in these rural locations by ensuring that only the specified number of pitches allocated (informed by site specific needs) are considered acceptable. Accordingly, Policy SA4 of the emerging plan confirms the following:

“As an exception to the planning policies relating to the location of Gypsy and Traveller pitch provision in the Green Belt, pitches identified in the Green Belt through the Local Plan will be acceptable in principle where planning applications are submitted for the specified number of additional pitches allocated in the Local Plan”.

- 6.2 The same approach was considered sound by the Inspector examining the Council’s 2018 Site Allocations Document (SAD) and subsequently has seen a number of the pitches allocated in the SAD come forward. Therefore, given that Green Belt boundaries are not required to be altered to facilitate the delivery of the proposed pitch allocations, it is not considered that exceptional circumstances exist for Green Belt release for gypsy and traveller pitch allocations.

Employment land

- 6.3 For employment allocations, with the exception of two sites, all sites proposed are within a development boundary. West Midlands Interchange is within the Green Belt, however, can come forward in line with its Development Consent Order and therefore it is not deemed necessary to amend Green Belt boundaries as this location. The Council can meet its own needs for employment land and make a proportionate contribution to unmet needs within our Functional Economic Market Area (FEMA) with a 112.2ha contribution to employment land shortfalls of the Black Country authorities (including a proportion of WMI) and a 10ha contribution to Cannock from WMI. Given this, it is not considered that exceptional circumstances exist for Green Belt release for the allocation of further employment land.

7. Conclusion

7.1 This topic paper has set out the exceptional circumstances for proposed amendments to Green Belt boundaries as proposed in the Council's Regulation 19 Publication Plan (April 2024). Amendments to Green Belt boundaries are proposed in order to deliver the following residential allocations:

- Site 519: Land East of Bilbrook
- Site 704: Land off Norton Lane, Great Wyrley
- Site 730: Fishers Farm, Great Wyrley
- Site 536a: Land off Holly Lane, Cheslyn Hay
- Site 224: Land adjacent to 44 Station Road, Codsall
- Site 006: Land at Boscomoor Lane, Penkridge

7.2 The Council considers there to be both strategic and site-specific factors that justify the exceptional circumstances for Green Belt release in these locations as summarised below:

- Green Belt release in these locations is part of a sustainable strategy that focuses development on the district's most sustainable Tier 1 settlements as evidenced by Rural Services Facilities Audit, with these locations within walking access to rail, primary and secondary education, local shops and services and facilities. The nature and scale of the proposed development is designed to maintain these villages role as Tier 1 settlements.
- The Sustainability Appraisal confirmed the proposed strategy is appropriate.
- The proposed sites are the best performing as evidenced through the Housing Site Assessment Topic Paper (2024). Proposed sites have strong site-specific credentials, including ability to facilitate key infrastructure delivery (i.e first school at Bilbrook) and include strong boundaries through use of physical features.
- The Council through the SHELAA and site assessment topic paper has sought to maximise non-Green Belt options, including identifying all suitable brownfield opportunities, allocating safeguarded land and suitable Open Countryside sites as part of the preferred strategy.
- The Council has ensured an efficient use of land through increased densities to ensure Green Belt isn't released unnecessarily.
- No neighbouring authority indicated a willingness to accommodate any of the development needs for South Staffordshire. This is mainly because they are Green Belt areas themselves or urban areas with unmet needs.
- The strategic decision for Green Belt release at these locations is supported by evidence of unmet housing needs across the Greater Birmingham and Black Country Housing Market Area (GBBCHMA).
- Green Belt release proposed (53ha) equates to a loss of just 0.16% of the districts Green Belt.
- Delivery of Green Belt compensatory measure through Policy NB2 and with a site-specific opportunity identified east of Bilbrook.

Appendix 1: Duty to cooperate exceptional circumstances letter



Please ask for: [REDACTED]

Direct Dial: [REDACTED]

Email: [REDACTED]

8th 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 2038¹ 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.

¹ 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 26th 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

