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10th April 2025

Louise St John Howe,
Programme Officer,
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Dear Louise,

**SOUTH STAFFORDSHIRE LOCAL PLAN REVIEW (Revised Pre-Publication version)
Matters, Issues and Questions raised by the Inspectors.**

Representations on behalf of Hallam Land - Sandy Lane, Codsall – Site 222.

I submitted representations on behalf of Hallam Land on 29th May 2024 in response to the pre-publication (Reg 19) version of the South Staffordshire Local Plan issued in April 2024. Hallam Land has also made representations to all previous stages of the Local Plan Review including the first Pre-Publication Local Plan in 2022.

Most of the questions raised by the Inspectors (in Document SST/ED9) relate to the Council's vision, preparation and content of the plan and are directed specifically to them. We have therefore only responded to those questions which are relevant to participants rather than to the District Council.

However, the most important issue is the one raised under Matter 1. (Procedural & Legal Requirements) Issue 1. Question 1. about the appropriate policy context for the Local Plan since this will determine the route for the South Staffordshire Local Plan from here on in.

We therefore attach our responses to the Inspectors' Matters, Issues and Questions below.

Yours sincerely

John Acres
ACRES LAND & PLANNING Ltd

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Matter 1. Procedural & Legal Requirements. Issue 1.

Question 1. What is the relevant version of the NPPF and why?

Government planning policy stresses that to be effective, plans need to be kept up-to-date. The NPPF states policies in local plans and spatial development strategies, should be reviewed to assess whether they need updating at least once every 5 years, and should then be updated as necessary. Logically, the December 2024 version of the NPPF would seem to be the most appropriate 'starting point' to determine which version of the NPPF should be used to measure the 'soundness' of the submitted South Staffordshire Local Plan. However, pages 231-243 of the NPPF (Annex 1) cover the Transitional Arrangements for Local Plans which determine how Local Plans should be handled and this replaces the previous version of the NPPF, published in December 2023.

Paragraph 234 of the December 2024 NPPF explains the procedure for Implementation '**For the purposes of plan-making**' and states:

'234. For the purpose of preparing local plans, the policies in this version of the Framework will apply from 12 March 2025 other than where one or more of the following apply:

- a. the plan has reached Regulation 19⁸² (pre-submission stage) on or before 12 March 2025, and its draft housing requirement meets at least 80% of local housing need⁸³;*
- b. the plan has been submitted for examination under Regulation 22⁸⁴ on or before 12 March 2025;*
- c. the plan includes policies to deliver the level of housing and other development set out in a preceding local plan (such as a joint local plan containing strategic policies) adopted since 12 March 2020;*
- d. the local plan is for an area where there is an operative Spatial Development Strategy and the local plan has reached Regulation 19 (pre-submission stage) on or before 12 March 2025; or*
- e. the plan deals only with minerals and/or waste matters and has reached Regulation 19 on or before 12 March 2025; or has been submitted for examination under Regulation 22 on or before 12 March 2025'.*

The key scenarios here are **Categories a & b which both apply**. Since the Pre-publication Local Plan was published in April 2024 and submitted in December 2024, in both cases, clearly, they occurred before 12th March 2025. (None of the other categories apply).

The main criterion of **category a** is that the housing requirement for the draft plan should be **at least 80% of local housing need**. (Footnote 83 makes it clear that this refers to the Standard Method figure in the 2024 NPPG). **Category b** does not contain any such criterion.

The Local Housing Target for South Staffordshire from the new 2024 NPPG (ignoring any additions or amendments for cross-boundary shortfalls) is **651 dwellings per year** which compares with a previous Standard Method figure for SSDC of **223 per year**.

The revised pre-publication Local Plan (published in April 2024 and submitted in December 2024) calculates the Local Housing Need as **227 dwellings per annum** (down from 243 per annum in the previous 2022 Pre-publication version) which is little more than 1/3 of the current figure. The 2024 Pre-Publication Plan also abandons the previous one-off 4,000 dwelling contribution for cross boundary movement to cater for Black Country housing and reinstates a nominal 640 total figure.

This results in **4726 dwellings** over the 2023-2041 plan period (**or 262 per annum in total**). **Clearly this does not meet the 80% requirement figure specified in the Transitional Arrangements within Annex 1 (NPPF) for Local Plans within Category a.**

Question 2. Has the Plan been prepared in accordance with the latest adopted LDS?

The latest SSDC Local Development Scheme (LDS) was Issued in September 2023, after the Council decided to re-submit the Pre-publication Local Plan, in advance of the new NPPF 2023 (which was signalled by the proposed draft 2023 NPPF).

The LDS proposed the submission of the Local Plan by Winter 2024/2025, which was achieved. Appendix 2 of the LDS predicts that the Local Plan will be adopted in February 2026. This could also theoretically be achieved.

Question 6. Does the Plan distinguish between strategic and non-strategic policies?

Yes, we are satisfied that the plan does distinguish between strategic and non-strategic policies. Part A of the Plan deals with the Vision, the Objectives and the Strategy and sets out the overall policies. Part B addresses the site allocations and Parts C, D and E go on to handle the policies for specific topic areas with Part F addressing Monitoring.

Questions 9 and 10. Is the Sustainability Appraisal sound? What are its implications?

The Council has undertaken a Sustainability Appraisal partly as a vehicle for choosing sites. Whilst this is a sound and logical exercise carried out by independent consultants, in some cases we consider that the interpretation of their conclusions appear to be counter-intuitive and this has led to some curious results. For example:

- a. the Council's Landscape Assessment was undertaken in 2015 and is (in some respects) out of date. Nevertheless, it continues to provide an input to the Sustainability Appraisal. This has prejudiced my client's site at Sandy Lane, Codsall in that the Landscape Assessment pre-dates the completion of the Taylor Wimpey site at Watery Lane, Codsall. This now means that my client's site, the Sandy Lane site is enclosed by development on three sides and the landscape character has changed from the time when the Landscape Assessment was carried out. This has been repeatedly pointed out to the Council in representations.
- b. The green belt which surrounds most South Staffordshire settlements has, in our view, not necessarily been assessed in a consistent way. For example, the draft allocation of 'East of Bilbrook' (Policy SA1 & Site 519) clearly conflicts with the 5 main purposes of green belts, avoiding coalescence between settlements. In that case the site will result in the coalescence of Codsall/Bilbrook and Wolverhampton. On the contrary, Site 222, the Sandy Lane, Codsall site, was recommended for proportional growth by the GBBC Strategic Sites Study in 2018. Furthermore, the site

would not have a similar impact on the main green belt purposes of resisting urban sprawl, avoiding coalescence and protecting historic towns. We are concerned that in addition, we feel the Council has previously mis-interpreted an important green belt test by applying 'the protection to historic towns' criterion, to villages (not historic towns).

- c. We feel that too much emphasis has been given in the selection of sites to the willingness of landowner/developers to contribute strategic infrastructure rather than judging the quality of sites and their genuine sustainability. The Sustainability Assessment should judge the merits of sites in terms of their genuine impact on 5 key green belt purposes. Examples such as the offer of a Primary School in the case of East of Bilbrook site (519) and the offer of a Station Car Park in the case of the Station Road, Codsall site (Site 224) have resulted in sites being allocated which we feel are more sensitive in green belt terms than the Sandy Lane site – as we have illustrated in our comparative assessment.
- d. Finally, we feel that the stronger emphasis given to Tier 1 settlements, (which my client supports) is not fully reflected in the spread of allocations in the pre-publication Local Plan.

Matter 2. Duty to Co-operate.

Questions 1 to 8: The operation of Duty to Co-operate.

Since all the issues in questions 1-8 tend to overlap, it is probably helpful for me to address these questions altogether. Some of the questions are targeted directly at SSDC, others more generally at participants, but the handling of the Duty to Co-operate is a key matter of 'soundness' and therefore it is an important topic for debate.

Under the previous version of the NPPF (December 2023 South Staffordshire Council withdrew their 4000 dwelling contribution to the Black Country expressed within previous Pre-publication Local Plan (2022) and re-issue the Local Plan in April 2024 with a token contribution of 640 dwellings. It has never been clear how this new number has been derived, nor where the remaining 3,360 households are going to live. This is not fully explained within the Statements of Common Ground.

The Council's 'Duty to Co-operate Paper 2024' explored in some detail the relationships between South Staffordshire and the rest of the West Midlands Conurbation and explained the major shortfalls in housing amongst many of the other nearby local authorities.

- The 2017 Birmingham Development Plan (BDP) established a substantial unmet need of 37,900 dwellings from Birmingham by 2031.
- The Black Country Plan reached Regulation 18 stage before being abandoned. At that time, it identified a significant shortfall of 28,234 homes between 2020-2039.
- Wolverhampton, Dudley, Sandwell and Walsall have each identified shortfalls in their own housing land availability – since the Black Country Plan was abandoned.
- The Strategic Growth Study 2018, concluded that there was a 60,000 dwelling shortfall up to 2036 generated both by Birmingham and the Black Country.

However, none of these key pointers are reflected in the revised 2024 Pre-publication South Staffordshire Local Plan. Paragraph 5.15 of the GBBCHMA Development Needs Group '*Draft Statement of Common Ground dated August 2022*' (which is contained within the Council's Duty to Co-operate statement 2022, states that '***The Council's (SSDC) position was that if all the authorities within the GBBCHMA delivered the locations proposed by the GBAHMA SGS then shortfall (including up to 2036) would be met, in line with para 1.102 of the study***'.

Authorities were said to be working together to agree an update to the 2018 position but this has never materialised. Strangely, SSDC now indicates that it regards the 2018 Strategic Sites study as 'out of date', but there is nothing to replace it. Yet South Staffordshire DC indicated both within its Duty to Co-operate Topic Papers and also its earlier letter dated 6th June 2022 to the Association of Black Country Authorities (ABCA) that it supported and upheld the recommendations of the GBHMA Strategic Growth Study 2018 which addressed both the scale of housing needed and the direction of growth.

Even if an updated figure is produced for the sub-region, this will not replace the important site-specific work included within the 2018 Strategic Sites Study. In our view, evidence cannot be relegated in importance simply because it does not conform to the current policies now favoured by the Council, either in terms of the scale of housing or its possible

location. **This approach seems to be contrary to both the ‘positively prepared’ and ‘justified’ tests of soundness and runs counter to the ‘Duty to Co-operate’ – in that it leaves the cross-boundary issues hanging in the air like a loose thread.**

Para 4.15 of the August 2022 ‘Statement of Common Ground’ also indicates that the scale of development requirements beyond 2031 will continue. The shortfalls are therefore rising. Private sector consultants, specifically planning consultants, Turley, acting for clients (including Hallam Land) produced a report entitled “Falling Short” in 2020 in response to the Local authorities’ assessment of the West Midlands sub-regional housing shortfall at that time. Turley’s have more recently produced a follow-up report entitled “Falling even Shorter” which looked at the published material for housing provision and delivery in the West Midlands Metropolitan area to reassess the West Midlands Metropolitan picture. The ‘Falling Even Shorter’ report estimated a GBBCHMA shortfall figure of 62,373 up to 2036 with an estimated shortfall figure of 79,737 up to 2041. The loss of the 4,000 homes for the West Midlands from South Staffordshire would clearly increase this shortfall even further.

In re-issuing the Pre- Publication Local Plan in 2024, SSDC decided to re-define the Council’s strategy to ‘downplay’ the role of South Staffordshire in meeting the wider needs of Birmingham and the Black Country. However, this ‘functional’ relationship between South Staffs and its neighbours cannot simply be ‘wished away’ by changing the strategy. Similarly, the reverse relationship whereby South Staffordshire’s residents rely on Wolverhampton and the Black Country (and indeed Birmingham) for their higher order employment and retail needs cannot be ignored either.

The two-way relationship between South Staffordshire and its urban neighbours will obviously continue. Indeed, since South Staffordshire has no main towns or urban areas within it, without the mutual support between the two areas arguably (against a background of local Government Reorganisation) there would be no purpose in the existence of the area of South Staffordshire DC at all!

Matter 3. Vision and Strategic Objectives.

Issue 1. Whether the Vision and Strategic Objective for South Staffordshire are justified effective, consistent with national policy and positively prepared.

Question 1. Is the Vision for South Staffordshire ambitious and yet realistic in terms of scope and deliverability.

SSDC has a clear 'vision' which is set out in Chapter 4 of the Local Plan (Reg 19) which states:

'South Staffordshire will strive to protect & enhance its distinctive rural character, communities, and landscape, whilst playing its part in addressing the climate emergency and creating beautiful and thriving new places in which people can live, work, and enjoy leisure activities'. It is supported by strategic objectives which spell out the direction of strategy.

We believe that the Local Plan does not give sufficient emphasis to 'meeting housing needs'. This is illustrated by their decision to reduce their housing provision from the 2022 Pre-publication Local Plan. One suspects that this is not a major part of their Council's genuine vision or objectives. However, in view of the nature of South Staffordshire which has no main towns – merely smaller settlements and villages grouped around the western arc of the West Midlands sub region - this may be understandable. From our standpoint, we would argue that the Local Plan is **not sufficiently positively prepared**.

The previous pre-publication Local Plan published in 2022, did have a much stronger vision in wanting to play its part in supporting the Black Country in helping to deliver their housing needs. This disappeared with the publication of the 2024 pre-publication version of the Plan which reduced the contribution to the Black Country's housing needs from 4,000 dwellings to just 640. **This confirms the criticism that the Plan is not positively prepared.**

However, whilst the Local Plan has become less **ambitious**, it may have become more **realistic** in terms of its deliverability. Some of the previous strategic growth areas and the proposed new settlement were arguably over-ambitious and in our view the Council should have identified more sites around their Tier 1 settlements to help deliver more accessible sites close to existing facilities. We consider that by sharply reducing its **ambitions** it is now failing to meet Government policy objectives in meeting a greater amount of housing need, including that for affordable housing.

The earlier Preferred Options stage tried to define the strategy of the Local Plan according to simple themes. The original strategy was defined as being 'Infrastructure led'. (This was Option G). However, at the 2024 Pre-publication stage the Council's simply shifted their strategy from Option G (Infrastructure-led growth) to Option I (Capacity led growth). This change was not adequately justified nor explained other than arising from a consequence of 'opportunism' presented by the revised (2023 version) of the NPPF. Put simply, the shift in strategy was simply applied as a form of reverse logic which was designed to support the Council's decision to remove 3,500 – 4,000 dwellings from the 2022 Publication Plan. **In our view, the decision to apply a Capacity-Led approach instead of the former 'Infrastructure led' approach therefore fails the 'justified' and 'positively prepared' tests of soundness.**

Questions 2: Plan period.

Yes. 2041 provides a suitable time horizon which links with the Census timescale.

Matter 4: Development needs and requirement.

Issue 1. Whether identified future housing development needs are justified, effective and consistent with national policy.

Question 1. What is the minimum number of new homes needed over the plan period using the Standard Method? Has the correct method been used?

The method of assessing housing need has become much more simplified in recent years which has reduced the scope for debate at Local Plan Inquiries. The 2023 SM figure for SSDC provided for 223 dwellings per year. The Local Plan provides for 227 dwellings per year.

However, the new NPPF (2024) issued on the 12th December 2024 proposes **651 dwellings per year**. This means that, subject to the inspector's interpretation of the Transitional Arrangements, if the Local Plan continues through to Adoption, the Council will need to immediately review the Local Plan and increase the level of housing to meet the 651/year requirement in the 2024 Standard Method. Our client's site at Sandy Lane, Codsall, (within a Tier 1 settlement) will clearly be available to assist the Council in meeting the shortfall.

Question 2. Are there circumstances where it is justified to set a housing figure that is higher than the SM figure?

Yes. The Council has long accepted that (as part of the wider West Midlands housing market) it should contribute to meeting the Black Country's housing needs. The previous Pre-publication Local Plan made a 4,000 dwelling contribution to meeting the Black Country's housing shortfall. The current plan reduces this to 640 dwellings. We feel that this contribution to meet the Black Country's needs should be an integral part of the Local Plan.

Question 3. Is the figure of 4726 justified? If not, what should it be? IS a further 10% justified to ensure plan delivery.

The Local Plan figure of 4726 dwellings has been justified through applying the 2023 SM figure of 223 dwellings per annum (which pre-dated the 651 per annum figure from the 2024 Standard Method) to which the Council has added a figure of 640 dwellings to serve the needs of the Black Country. Paragraph 5.8 of the Deposit Local Plan quotes an annual requirement of 227 dwellings. Paragraph 5.21 of the plan shows the very simple equation:

1. South Staffordshire's own housing need using the government's standard method (2023-2041) **4086 (based on 227/year x 18 years)**
2. Housing to contribute towards the unmet needs of the GBBCHMA (2023-2041) **640**
3. Total number of dwellings to be planned for **4726. (2023-2041)**

There is no additional allowance for economic growth or other factors.

Question 4. Is the 10% allowance for delivery of homes justified?

The Council has allowed a modest 10% additional allocation figure against the supply to reflect the shortfall in delivery rate, which is, if anything, is a very conservative figure.

Question 5. Is the additional 640 dwelling allowance to cater for the needs of the Black Country justified? If not, what should the figure and why?

This is an extremely difficult question since without an up to date comprehensive assessment of the Birmingham and Black Country's housing needs (and shortfalls) and without full knowledge of the contributions made by neighbouring authorities, it is difficult to define an appropriate additional housing figure.

However, the work undertaken by Turley does give a clearer indication of the measure of the shortfall. The shortfalls are therefore rising. The 'Falling Even Shorter' report estimated a GBBCHMA shortfall figure of 62,373 up to 2036 with an estimated shortfall figure of 79,737 up to 2041. The loss of the 4,000 homes for the West Midlands from South Staffordshire would clearly increase this shortfall even further.

More work and co-operation between the West Midlands authorities is needed to determine the appropriate allowance required to meet the wider West Midlands sub-region's housing shortfall.

Question 6. Is the approach to calculating minimum capacity for each allocation sound?

The figures for the individual allocations show that the capacity levels are broadly 20 dwellings per hectare (gross). This may seem a little low, but this is a largely rural district and each site will now have to accommodate services, highway access, internal circulation, public open space and a reasonable allowance for gardens. In addition, at least 10% Biodiversity Net Gain will need to be accommodated. We would broadly support this average 20 dwellings per hectare allowance.

Matter 5 Spatial Strategy.

Issue 1: Whether there is a clear Spatial Strategy which is justified, effective and consistent with national policy.

Questions 1 to 3. The assessment of the Settlement strategy.

Most of the questions on the nature of the spatial strategy are directed to the LPA. Consequently, we are simply focusing on the general 'soundness' of the settlement policy.

Hallam Land warmly support the strategy of focusing development on Tier 1 settlements where the Local Plan argues that there is a concentration of local services, better public transport and a greater critical mass. It is logical that the scale of growth is proportional to the delivery of services and facilities and above all, the accessibility of settlements by public transport. Codsall/Bilbrook has two railway stations, a good rail service and is well connected by local bus services. It also has a good range of shops, schools and services and is the administrative centre for South Staffordshire.

The Sandy Lane, Codsall site is well placed on the edge of Codsall adjacent to a recently allocated site at Watery Lane which was withdrawn from the green belt some 10 years ago and treated as safeguarded land before being allocated for housing. The site is well connected to the village centre and accessible to local schools and shops. There are frequent rail and bus services within easy walking distance.

We have sometimes queried why other sites which seem more obtrusive and in conflict with green belt policy have been allocated for housing. The major allocated site 'East of Bilbrook' (Site 519) is a case in point. Whilst we did not object to the smaller allocation in earlier plans, the current proposal extends the site almost to the Wolverhampton boundary and is clearly contrary to the concept of coalescence which is one of the key purposes of green belt land. We therefore lodged an objection to the site accordingly. We also note that the willingness to offer infrastructure, such as a new Primary School on the 'East of Bilbrook' site appears to have played a key part in the choice of the site for development.

We supported the District Council in reducing allocations in the Tier 2, 3 and 4 settlements when reducing the housing provision from the initial Pre-publication Local Plan in 2022 to the revised Pre-publication plan in 2024. But in future, the Council will need to sharply increase the number of housing allocations (mainly in Tier 1 settlements) to meet the increased Standard Method housing figure.

Question 5. Have the social, economic and environmental impacts of the Spatial Strategy on neighbouring areas been identified and assessed?

The 2022 Pre-publication Local Plan reflected the housing needs of the Black Country with several large housing allocations and strategic extensions being located on the edge of the West Midlands conurbation, for example at Great Wyrley and Essington. However, some of these sites have been deleted in the 2024 pre-publication version, together with the proposed new settlement off the A449. There does not seem to be any evidence of co-operation between neighbouring authorities in the current 2024 Pre-publication Local Plan to support this. Nor is there any obvious evidence of the likely impact of proposed development in South Staffordshire on neighbouring authorities.

Matter 6. Green Belt.

Issue: Whether the plan's approach to green belt is positively prepared, justified, effective and consistent with national policy.

Question 1. What proportion of the District is green belt. How would this change?

Paragraph 2.1 of the Pre-publication plan indicates that 32,113 hectares of South Staffordshire is designated as green belt. This represents 80% of the Plan area. Apart from the area north of Penkridge, all of the South Staffordshire villages are surrounded by green belt – hence the choices of sites for development outside the green belt are very limited. Most of the allocated sites are currently designated green belt land.

The SSDC publicity leaflet which accompanied the issue of the pre-publication plan states that less than 0.2% of the District's green belt will be lost as a result of the new Local Plan.

Question 2. Has SSDC examined other options, including brownfield land, before releasing Green Belt land or deflecting growth to other areas.

These are questions for the LPA to answer. We are satisfied that the Council will have scoured the District for brownfield land before sacrificing green belt land. However, the Green belt Topic paper indicates that the Council takes the view that the 'Exceptional Circumstances' required to justify releasing green belt sites have already been demonstrated in Tier 1 settlements which will enable suitable sites to come forward. Hallam Land regard this as a logical step if the District is to make progress in finding suitable sites. However, that said, we consider that the process of green belt review in the Tier 1 settlements has not always led to the release of the most suitable and sustainable sites.

Question 3. How has the Assessment of GB land informed the Local Plan and specifically proposals to alter GB boundaries to accommodate development needs?

The Council will need to answer this question. However, as part of our representations to both the 2022 and 2024 Pre-publication Plans, we prepared a comparative assessment of sites in Codsall, looking at the 5 green belt purposes and their relevance to the three key housing sites – East of Bilbrook, (site 519), Station Road, Codsall (site 224) and our own site at Sandy Lane, Codsall (Site 222). We concluded that the latter site (Sandy Lane) performs better than the other two in terms of the key green belt purposes. The site lies in a sustainable location on the northern edge of Codsall within a location which was identified in the West Midlands Strategic Sites Report 2018 as suitable for proportionate development.

Question 5. Are there exceptional circumstances to alter green belt boundaries and could housing and employment sites be met in other ways?

We believe there are exceptional circumstances and this is something which is tackled in the Council's Green belt Topic Paper issued in April 2024. The paper considers the concept as a whole and the steps which have been taken to find suitable sites outside the green belt, and then addresses each site individually.

Brownfield sites have already been sourced, meaning that in a District where only 16% of developable land is outside the green belt, the options for finding land which is suitable for development is very limited. Whilst it would be possible to locate more housing north of

Penkridge, outside the green belt, this potential has already been exploited and indeed most of the sites beyond Penkridge are in the open countryside and therefore less sustainable.

Now that the Government has issued draft guidance on green belt review, the policy of focusing more housing on Tier 1 settlements offers the opportunity to explore potential 'grey belt' sites – of which the Sandy Lane site could well be one.

Question 6. Could exceptional circumstances be justified in Tier 2, 3 and 4 settlements?

It is difficult to see how Tier 2, 3 and 4 settlements with fewer facilities and less sustainable sites would easily qualify for release under 'exceptional circumstances', although where there are brownfield sites in more accessible locations this could be possible on a site-specific basis.

Question 7. Do the strategic policies set out the scale and need for the release of GB land?

No. not explicitly. It would seem that the allocations have emerged notwithstanding their green belt designations through the Site Selection process. Sometimes the logic for allocating rather than rejecting specific sites is not sufficiently clear. This is evident from the decisions made and the remarks made in the Sustainability Assessment and Site Selection Documents. Site 519 (Land east of Bilbrook) is not consistent with green belt policy nor was it recommended in the Strategic Sites Assessment in 2018 as the Council suggest it was.

Question 10. Should the Local Plan identify safeguarded land?

We believe they should. This is a suitable mechanism for taking suitable land out of the green belt for use when it is required. The site at Watery Lane, Codsall, previously developed by Taylor Wimpey, and immediately adjacent to the Sandy Lane site (Site 222) at Codsall, was allocated as a safeguarded site and then brought forward at a later stage. The Council should now allocate the Sandy Lane site as Safeguarded land.

Question 11. Are any amendments required to Policy DS1 for reasons of soundness?

Yes. Under the new policy guidance in NPPF 2024. The policy needs to have a positive angle as well as a negative and protective slant. The approach taken in the policy is to assume that all the sites removed from the green belt are justified, without explaining and advising how other sites might come forward in future. Since the new national guidance will apply (whether or not this Local Plan is considered under the 2023 NPPF or the 2024 NPPF) the policy needs to reflect the new world – rather than simply ignoring it.

Matter 7. Site Allocations.

Issue 1: Site Allocations – whether the preferred site allocations are positively prepared. Justified effective and consistent with national policy.

Questions.

Hallam Land does not wish to mount a comprehensive case against competing site-specific allocations, but has already highlighted the fact, both in our representations and in this paper, that the East of Bilbrook site does not meet the criteria and purpose of green belt policy insofar as the extension eastwards from Bilbrook conflicts with the concept of avoiding coalescence with Wolverhampton. We have also commented on the influence of the contribution of a Primary School in driving the site allocation – which is clearly not a green belt consideration.

We have also undertaken a comparative assessment of the 3 key sites proposed in Codsall – the East of Bilbrook Site, (Site 519), the site at Station Road Codsall (site 224) and our own site at Sandy Lane, Codsall (Site 222). This is available for reference in our previous representations.

We would therefore prefer to avoid further criticism of the site and simply request that we be invited to the Housing Allocations session to offer any assistance and comments.

Matter 8. Delivering the Right Homes.

Issue 1. Whether the Plan has been positively prepared and whether it is justified, based on up to date and reliable evidence, effective, consistent and national policy in relation to housing needs.

Question 1. Whether the type and tenure of housing needed for different groups in the community is reflected in the plan.

It is extraordinarily difficult to devise a planning strategy to cater for everyone who needs housing, can afford housing and might be looking for housing from their current home elsewhere – including meeting the needs of specialist groups. The myriad of questions raised in the inspectors' notes cannot be addressed fully in this response so we propose to focus on specific topic areas which relate to our representations.

As a general rule, housebuilders and developers are anxious to provide a broad range of new homes to meet the market demand - appropriate to their specific site and in sizes, tenures and types in a proportion which they can readily sell.

Developers fully recognise that they have a responsibility to help meeting affordable housing requirements and they accept that this may necessitate a subsidy which is effectively cross subsidised by the market housing. Emerging policy will likely focus developers on delivering a greater quantity of affordable housing subject to viability constraints, but these pressures need to be balanced against other obligations, for example in providing infrastructure, access, biodiversity and Public open space – together with site specific contributions dependent upon circumstances.

The key criterion is therefore that there should be broad guidance within the local plan – supported where necessary by Supplementary Planning Guidance to plug the gaps, but with sufficient flexibility in the implementation of policy to ensure that schemes are not thwarted through practical or financial constraints.

Question 2. Policy HC1 Housing Mix.

We support the need for a broad housing mix to create a variety of housing tenures, types and styles, but it is not necessarily appropriate for each site to display variety and choice or for there to be a specific requirement for 70% of properties to be 3 bedrooms or less. Generalist policies do not translate well to specific proposals.

Indeed, whilst there is a growing trend for smaller household units and for people to live longer, this doesn't necessarily mean they will always want smaller homes. Most elderly people are reluctant to move out of the family home and tend to want spare rooms for family and visitors. Furthermore, now that fewer people travel regularly to work, there is a growing trend for people to try to have offices at home so that they can enjoy more flexible lifestyles. This is entirely sensible and sustainable and something the District Council should encourage for other sustainability and societal reasons.

We suggest that Policy HC1 removes the requirement for 70% of properties to have 3 bedrooms or less. Moreover, sites of less than 10 dwellings should not be required to provide a mixture of property sizes.

Question 3. Policy HC2 Density.

We recognise that planning policy might wish to make best use of development land, but we are not convinced that a blanket 'minimum net density of 35 dwellings per hectare' is either feasible or desirable. Indeed, in a rural District such as South Staffordshire, the aim for a minimum net density of 35 dwellings per hectare would be completely unrealistic and would create an alien development form which would be contrary to the character of the area.

According to paragraph 7.4 of the Local Plan this proposal for a broad density of 35d/ha arises out of the GBBCHMA Strategic Growth Study 2018 (the very study the Council now says is out of date and wishes to ignore!) and is meant to apply to the West Midlands conurbation not the communities outside it. It is therefore wholly inappropriate to apply this density guidance to South Staffordshire.

However, it is also contrary to the assumptions for the allocations in the Local Plan itself. The 'East of Bilbrook' site for example allocates 750 dwellings on a site of 39.6ha resulting in a gross density of only 19 dwellings per hectare. Others are around 20 dwellings per hectare (gross) which doesn't easily translate to 35 dpa net. To do so would mean that sites would be high density but have copious amounts of public open space (with high costs of maintenance and management) whilst individual homes will be cramped and lacking in adequate living and garden space.

Since the Covid pandemic, people are now looking for more rather than less living space. Britain tends to have very small dwelling sizes compared with other western countries and new houses now suffer from inadequate garden sizes in order to achieve arbitrary local authority density standards. Added to this, developers are now expected to identify at least 10% additional biodiversity, preferably on site.

This policy should undergo a simple 'common-sense check' to decide whether the Council are creating better living conditions or are driving housing standards downwards for the future by creating cramped high-density housing which will be unpopular with the public.

Question 4. Policy HC3 Affordable housing.

The Inspectors have raised a whole list of specific questions for the Council. From our viewpoint, we fully recognise the need for the provision of affordable housing through cross subsidy from market sites, in what had become the orthodox means of providing affordable housing in the absence of sufficient Government funding. We therefore broadly accept the requirement for 30% affordable housing as a general target, although this cannot be a fixed figure since sites will need to be considered against wider viability criteria. Each site needs to be judged on its own merits and individual circumstances in terms of the spread of affordable housing type and tenure – the fixed figures are inappropriate.

The Viability Study 2022 by Dixon Searle identified that some sites may find the 30% requirement a challenge. This may be a particular issue if the Council is seeking a distribution of affordable housing based on 25% First Homes, 50% social rent and 25% shared ownership. In practice, Registered Housing Providers tend to be looking for 'affordable rent' to match the subsidies available to them and social rent is likely to be unachievable at that level. Shared ownership may also be less popular as the interest rates change, and so developers should be given the choice to vary the share of the type of affordable housing 'offer' to respond to the local demand, viability factors and possible grant funding.

Matter 9 Housing Land Supply.

Issue 1: On the premise that the housing requirement is sound, whether the Local Plan is justified, effective, and consistent with national policy in delivering housing land throughout the plan period.

Questions.

These questions are primarily directed to the Local Authority. They are based on the assumption that the housing requirement is sound.

I have seen the Council's response to the questions on housing land supply and the statement of 5 year supply SST/ED7A and SST/ED7C which indicates that there would be a comfortable land supply of 9.04 years with a 5% buffer. This requires further investigation and therefore I don't propose to comment on this Matter at the current stage.

John Acres
ACRES LAND & PLANNING LTD

10th April 2025

Company Number 9395504

