



**South Staffordshire Local Plan Examination  
Response to Matter 8: Delivering the Right Homes**

**Wain Estates**

**April 2025**

# Introduction

This statement Matter 8 (Delivering the Right Homes) of the examination of the South Staffordshire Local Plan Review (SSLPR) is submitted by Wain Estates (Land) Ltd ('Wain Estates'). Separate representations have been submitted in respect of the following Matters:

- Matter 2: Duty to Co-operate
- Matter 3: Vision and Strategic Objectives
- Matter 4: Development Needs and Requirement
- Matter 5: Spatial Strategy
- Matter 7: Site Allocations
- Matter 9: Housing Land Supply
- Matter 12: Building a Strong Local Economy
- Matter 14: Protecting and Enhancing the Natural Environment
- Matter 16: Enhancing the Historic Environment

It follows representations submitted on behalf of Wain Estates (by Emery Planning) to the (Regulation 19) Pre-submission Draft of the South Staffordshire Local Plan Review in May 2024 in respect of our land interests at Penkridge Road, Acton Trussell which we are promoting for residential development. For reference, the representations comprised those identified under the following Representation IDs by the Council: AGT24-016-02-01 to AGT24-016-02-14.

The National Planning Policy Framework [NPPF] outlines that during the examination process, a Local Plan must demonstrate that it has been positively prepared, is justified, is effective and is consistent with national policy. Outlined below are responses to a select number of the Inspector's questions which set out why Wain Estates considers changes to the are necessary to ensure the soundness of the plan.

The Plan was submitted on the 11<sup>th</sup> December 2024 and thus the December 2023 NPPF is wholly applicable for the purposes of assessing this plan, in accordance with paragraph 234 to 236 of the revised December 2024 NPPF. Reference is therefore made to the December 2023 NPPF in response to the Inspector's questions, unless otherwise stated.

This Statement has been prepared in line with the Guidance Note for the Examination (SST/ED8).

## 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 with national policy in relation to local housing needs.

[Focus: Policies HC1, HC2, HC3, HC4, HC5, HC6, HC7, HC8, HC9]

Questions:

1. Is the size, type and tenure of housing needed for different groups in the community assessed and reflected in the Plan, including the groups of society set out in the Framework?

No comment.

2. In terms of Policy HC1:

No comment.

3. In terms of Policy HC2:

No comment.

4. In terms of Policy HC3:

No comment.

5. In terms of Policy HC4:

No comment.

6. In terms of Policy HC5:

No comment.

7. In terms of Policy HC6:

a. What is the basis of this policy approach?

No comment.

b. Are the policy requirements justified, effective and consistent with national policy?

No. Please see our response to Question 7d.

c. What evidence is there on the viability of rural exception sites for housing?

No comment.

#### d. Is the permitted maximum 10% market housing justified to enable the delivery of rural exception housing?

The policy sets a maximum cap of 10% on the amount of market housing required for cross-subsidy. There is no justification for this cap. There should be flexibility in relation to the proportion of market housing to be allowed, to deliver affordable housing in areas of significant need. Providing greater flexibility may also allow development to deliver other community infrastructure which may benefit rural communities.

We do not therefore consider that it is appropriate to specify a set upper limit of the amount of market housing that can be included in a scheme. The amount of market housing that can be considered acceptable will depend on the circumstances of each case, including the specific scheme (which may deliver other infrastructure or wider benefits) and its viability. We note that the current Local Plan policy does not specify an upper limit to market housing. The same is the case with the recent Solihull Local Plan Review.

By way of comparison with plans where upper limits have been set, the Cornwall Local Plan: Strategic Policies (Policy 9) includes a rural exception policy with an allowance of up to 50% market housing. If an upper limit is to be specified, in our view this is a more appropriate balance where the mix can be justified by viability evidence.

Policy HC6 therefore does not meet the soundness test outlined at paragraph 35 b) of the NPPF due to the lack of justification for a maximum cap of 10% on the amount of market housing required for cross-subsidy.

#### e. Are any modifications necessary in the interests of policy soundness?

Please see our response to Question 7d.

### 8. In terms of Policy HC7:

#### a. What is the basis of this policy approach?

No comment.

#### b. Is Policy HC7 consistent with national policy?

The requirement within the policy for there to be *“an evidenced need for First Homes exists within the district which is not already being met within the local authority area”* is unduly restrictive and is not consistent with national policy. The Written Ministerial Statement (Affordable Homes Update, 24 May 2021) states:

*“...the Government is replacing this policy with a ‘First Homes exception sites’ policy, in order to encourage First Homes-led developments on land that is not currently allocated for housing. Local authorities should support the development of these First Homes exception sites, suitable for first-time buyers, unless the need for such homes is already being met within the local authority’s area.”*

The analysis of the need for first homes in the 2024 Strategic Housing Market Assessment (SHMA) update is rudimentary at best. There is then no meaningful analysis to demonstrate that the need for such accommodation will be satisfied purely through the application of Policy HC3. Furthermore, any assertion that the need would be addressed through the application of Policy HC3 is undermined by the fact that Policy HC7 is being introduced.

In the above context, we would also have concerns in relation to how an applicant evidences a need which is not already being met within the local authority area. First homes exception sites are not intended to be village or parish specific. Therefore, the suggestion would be that the applicant needs to undertake a district-wide analysis of need and supply. That would be an impossible task given that the Council's own evidence to the Local Plan is inconclusive on the issue.

#### c. Are the policy requirements justified and effective?

We do not consider the policy to be sound as insufficient evidence has been provided to justify its requirements and it is not consistent with national policy.

#### d. What evidence is there on the viability of First Homes exception sites? Is the permitted maximum 10% market housing justified to enable the delivery of First Homes Exception Sites?

We object to the proposed maximum cap of 10% on the amount of market housing required for cross-subsidy. As with affordable housing exception sites (see our response to Question 7) there is no limit set within national policy, and greater flexibility should be provided within the policy so that site specific circumstances can be taken into account, and the delivery of first homes can be maximised.

#### e. Are any modifications necessary in the interests of soundness?

Please see our responses to Question 8 above.

#### 9. In terms of Policy HC8:

No comment.

#### 10. In terms of addressing the needs of Gypsies, Travellers and Travelling Showpeople in Policy HC9:

No comment.

#### 11. Taking each site in turn, are the proposed site allocations for Gypsies, Travellers and Travelling Showpeople justified? What evidence exists to demonstrate their deliverability?

No comment.