



**South Staffordshire Local Plan Examination
Response to Matter 9: Housing Land Supply**

Wain Estates

April 2025

Introduction

This statement Matter 9 (Housing Land Supply) 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 8: Delivering the Right Homes
- 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 11th 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 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 relation to demonstrating the housing land supply position throughout the plan period.

Questions:

1. What is the relevant 5-year period on adoption and what is the 5-year housing land requirement?

The Practice Guidance advises that in plan-making, strategic policies should identify a 5 year housing land supply from the intended date of adoption of the plan (Paragraph: 004 Reference ID: 68-004-20240205). Based on the Council's current anticipated adoption date this would be 2025/26 to 2029/30. However, this position may change if the actual adoption date is beyond March 2026.

2. Does the trajectory identify the components of housing land supply across the plan period with sufficient clarity? Is it based on up-to-date evidence?

The Council response to the Inspector's Questions on Housing Land Supply (SST/ED7A) does not provide sufficient information to justify the claimed delivery identified in the Council's Trajectory (SST/ED7C).

For example, no explanation has been provided as to how the timing, lead in times, and annual rates of delivery have been identified on sites where construction has yet to commence. In some instances, these appear to have been taken from high level delivery estimates provided in statements of common ground with the Council, but this is not confirmed and it is not clear whether they have been tested by the Council in any way. In terms of timing and lead in, this is a particular issue for larger sites where delivery can be dependent on a range of matters including the time required to secure planning permission, to secure reserved matters (where applicable), and to deliver initial infrastructure required to serve the development. Similarly, delivery rates can vary significantly based on site size, the number of developers anticipated to be on site etc.

With regard to the housing allocations without planning permission, the 1,729 units identified in the Council's Trajectory for the five year period 2025/26 to 2029/30 make up a considerable proportion (72%) of the Council's claimed 5YHLS of 2,405 dwellings. It is therefore essential that sufficient evidence is provided to demonstrate the deliverability of these sites, in addition to the high level delivery estimates provided in statements of common ground with the Council. The Practice Guidance (Paragraph: 007 Reference ID: 68-007-20190722) states that evidence to demonstrate deliverability may include:

- firm progress being made towards the submission of an application – for example, a written agreement between the local planning authority and the site developer(s) which confirms the developers' delivery intentions and anticipated start and build-out rates;
- firm progress with site assessment work; or

- clear relevant information about site viability, ownership constraints or infrastructure provision, such as successful participation in bids for large-scale infrastructure funding or other similar projects.

As the information identified above has not been provided by the Council, there is no clear evidence that housing completions will begin on sites within five years.

In addition to the above, the Council response to the Inspector's Questions on Housing Land Supply (SST/ED7A) does not provide any confirmation as to how the windfall allowance in the Council's trajectory has been derived. It is not therefore possible to determine whether the allowance applied is justified. Further evidence on this matter is required.

We also note that the windfall provision in the Local Plan Trajectory appears to cover 3 years (120 dwellings) for the period 2025/26 to 2029/30 whilst the 5YHLS calculation for the same period appears to cover 2 years (80 dwellings). Clarification is therefore required on what windfall allowance is being applied over this period.

3. For each of the following sources of housing land supply for the whole plan period in turn, what are the assumptions about the overall scale, lead in times, lapse rates, timing and annual rates of delivery? What is the basis for these assumptions, are they realistic and justified and supported by evidence:

a. Sites with planning permission and under construction;

Please see our response to Question 2.

b. Sites with planning permission and not started (split by outline and full permissions);

Please see our response to Question 2.

c. Sites identified in land availability assessments;

Please see our response to Question 2.

d. Sites identified in the brownfield register and with Permission in Principle;

Please see our response to Question 2.

e. Adopted development plan housing allocations without planning permission; and

Please see our response to Question 2.

f. Windfall sites.

Please see our response to Question 2.

4. Based on the housing trajectory, how many dwellings are expected to be delivered in the first 5 years following adoption of the Local Plan? How many dwellings would come from each source of supply?

As noted in our response to Question 2, further evidence is required in order to demonstrate whether a 5YHLS can be achieved.

5. Are the assumptions about deliverability realistic, including where there is a reliance on significant strategic infrastructure?

Please see our response to Question 2.

6. Does the evidence demonstrate that at least 10% of the housing requirement set out in the Plan would be delivered on smaller sites?

No comment.

7. What assessment has been made of any potential impacts on delivery of small sites in South Staffordshire?

No comment.

8. Where sites in the housing trajectory do not have planning permission is there clear evidence that housing completions will begin within 5 years?

Please see our response to Question 2.

9. What is the compelling evidence to show that windfall sites will provide a reliable source of supply as anticipated in the Plan?

As noted in our response to Question 2, the Council response to the Inspector's Questions on Housing Land Supply (SST/ED7A) does not provide any confirmation of how the windfall allowance in the Council's trajectory has been derived so it is not possible to confirm whether this is a reliable source of supply. Further evidence is therefore required.

10. Does the Plan provide appropriate contingency to ensure a sufficient pipeline supply of homes? What flexibility is there within the Local Plan should some of the housing allocations not come forward in line with the expected timescales?

The Council response to the Inspector's Questions on Housing Land Supply (SST/ED7A) states that the expected delivery of 5,234 dwellings represents a headroom of 28% above South Staffordshire's own housing need and 11% headroom above the overall local plan housing target.

We consider that this 11% headroom is too low. In our view a flexibility allowance of 20% would be appropriate in South Staffordshire. With regard to this matter, the Local Plans Expert Group report to the Communities Secretary and to the Minister of Housing and Planning (March 2016) recommended at paragraph 11.4 that the NPPF should make clear that local plans should be required to demonstrate a five year land supply but also focus on ensuring a more effective supply of developable land for the medium to long term, plus make provision for, and provide a mechanism for the release of, sites equivalent to 20% of their housing requirement, as far as is consistent with the policies set out in the NPPF.

In our Regulation 19 representations, we provide the example of the Guildford Local Plan, a Green Belt authority where a flexibility allowance of 37% was found to be appropriate. A flexibility allowance of 20% would be well below this figure and would help to deliver a positively prepared strategy.

The plan must provide sufficient flexibility in the housing land supply and ensure that a five-year housing land supply can be achieved. Even if there were to be a degree of over-provision, there would be wider benefits of providing a level of housing in excess of the minimum requirement, particularly in the context of the very significant level of unmet need across the GBBCHMA.

11. Does the evidence demonstrate that the Plan, taken together with completions, commitments and allocations in the existing development plan for the area, and windfall allowance will provide:

a. A 5 year supply of deliverable housing land on adoption of the Local Plan?

As set out in our response to Question 2, based on the evidence provided by the Council, it is not currently possible to determine whether a deliverable 5YHLS can be demonstrated on the adoption of the Local Plan.

b. A supply of specific, developable or broad locations for growth for years 6-10 and, wherever possible years 11-15 of the plan period?

As set out in our response to Question 2, based on the evidence provided by the Council, it is not currently possible to determine whether a developable housing supply can be demonstrated across the plan period.

12. Has a trajectory been produced to demonstrate a 5 year supply of Gypsy, Traveller and Travelling Showpeople been prepared?

No comment.

13. What is the implication of the proposed shortfall in supply of site provision for Gypsy, Traveller and Travelling Showpeople and how can this be addressed?

No comment.

14. Are any modifications required to either trajectory and, if so, would other modifications be necessary to the Plan?

As note in our response to Question 2, further evidence is needed to justify the claimed delivery identified in the Council's trajectory and its ability to demonstrate a 5YHLS. This includes evidence on deliverability as well as evidence as to how the windfall allowance has been derived.