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SOUTH STAFFORDSHIRE LOCAL PLAN EXAMINATION HEARING STATEMENT

MATTER 2: DUTY TO COOPERATE

On Behalf Of:
Redrow Homes

Prepared By:
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Job Ref: P1631

Date: 11th April 2025

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Issued By

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A handwritten signature in black ink, appearing to read 'J Pearce', with a large, sweeping underline that extends to the right.

Print Name: John Pearce

Date: 11th April 2025

CONTENTS

1.0 INTRODUCTION

2.0 RESPONSE TO INSPECTOR'S MATTERS AND ISSUES

1.0 INTRODUCTION

- 1.1 We are instructed by Redrow Homes ("**RH**") to submit written responses to the Inspector's matters and issues identified in respect of Matter 2 of the South Staffordshire Local Plan examination.
- 1.2 RH are promoting land at Castlecroft Farm as a proposed residential led development to accommodate approximately 600 homes. The land at Castlecroft Farm is located in close proximity to the built up edge of Wolverhampton City and is being promoted on the basis of either meeting the needs arising within South Staffordshire or meeting unmet needs arising within the wider housing market area. Our response to the Inspector's matters and issues should be read with that objective in mind and we set out our detailed response to the questions below.

2.0 RESPONSE TO INSPECTOR'S MATTERS AND ISSUES

2.1 Question 1 – Have all the genuinely strategic matters requiring cross boundary co-operation been identified?

2.2 In our statement we are not proposing that any additional strategic matters should have been identified. The matters identified, including the delivery of housing and employment across the GBBCHMA, cover the strategic matters relevant to the plan.

2.3 However, we do not consider that the joint working has been effective nor on-going when it comes to the delivery of housing across the GBBCHMA and the significant unmet housing need which has been apparent for almost a decade. The unmet need has grown throughout this period and rather than the authorities coming up with a meaningful plan to address the housing need arising from the HMA, the authorities have ignored the fact that their evidence base was never fit for purpose and significantly out of date, and not taken any steps to rectify this so that the joint discussions can be based on a clear understanding of the current position.

2.4 Throughout the Council's evidence base, reference is made to the 2018 GBBCHMA Strategic Growth Study (SGS) and that this is now considered to be out of date (e.g. Paragraph 5.10 Duty to Cooperate Topic Paper April 2022, Paragraph 9/10 of the most recent Statements of Common Grounds with the neighbouring authorities, Paragraph 3.8 of the Green Belt Exceptional Circumstances Topic Paper April 2024, Paragraph 5.12 of the Publication Plan). Whilst we agree that the SGS is out of date, there are a number of significant points in relation to this that show that South Staffordshire, along with the other Greater Birmingham and Black Country Authorities, have never been working from a robust evidence base to understand the unmet housing need and that they have not taken the steps needed to update this evidence base as matters have progressed to ensure that the discussions between them have been informed by an understanding on what the current position at that time.

2.5 These points are as follows:

- The SGS was never fit for purpose. It only ever provided an estimate of the unmet need until 2031, which when the SGS was published was only 13 years away and would not have covered the whole plan period for the Greater Birmingham and Black Country Authorities publishing their plans at that time.
- It goes without saying that as the years have rolled on (it has now been 7 years since South Staffordshire did their Issues and Options consultation), the amount of the plan period that the SGS covered has reduced, to the point that it now does not cover the last 10 years of the emerging plan period.
- Since the publication of the SGS there have been multiple changes at a national and local level that have seen the housing need and the level of unmet need change (e.g. introduction of the Standard Method, changes to the Standard Method, introduction of the 35% urban uplift to Wolverhampton and Birmingham, reviews of brownfield capacity, etc).
- The GBBCHMA Development Needs Group Statement of Common Ground August 2022 (DC6) identifies an “urgent need” to update the SGS to consider unmet need beyond 2031 (see para 7.2). Paragraph 7.7 goes on to confirm that undertaking this review will be part of the ongoing engagement between these authorities, but this review has still not been done. We now have a sequence of plans coming forward (e.g. South Staffordshire, Wolverhampton, Dudley, Sandwell, Walsall etc.) in the absence of this key bit of information and we cannot see how duty to cooperate discussions can be effective when the extent of the unmet need is not known and when the authorities do not fulfil the terms of their own Statement of Common Ground.
- There is no evidence to suggest that South Staffordshire has pushed for this evidence base to be produced. Instead, their narrative is clear that the

level of unmet need is no longer relevant to them because it is in their “gift” to release Green Belt and they do not want to. This has impacted on their approach to the Duty to Cooperate and they have downed tools on effective engagement around this significant strategic matter, in favour of ploughing ahead to benefit from the policy arrangements in the December 2023 NPPF.

- 2.6 We consider that the absence of a core piece of evidence to inform discussions at this stage in the process (i.e. almost a decade after it was known this was a key strategic issue) is inexcusable. It undermines the ability to have informed discussions and undermines the transparent process that Statement of Common Ground are supposed to provide on the discussions around important strategic matters. The 2022 GBBCHMA clearly sets out that producing this evidence was a core part of the on-going work on the Duty to Cooperate. Not delivering this means that authorities have failed to deliver on their own commitments when it came to securing effective cooperation.
- 2.7 Consequently, for this and the reasons set out in our answers to the questions below, we consider South Staffordshire has not fulfilled the Duty to Cooperate and the plan should progress no further.
- 2.8 **Question 2 – Have the neighbouring authorities and prescribed bodies the Council is under a legal duty to co-operate with been correctly identified?**
- 2.9 We have no concerns with the neighbouring authorities identified. However, we do not consider that the co-operation with these authorities surrounding the unmet housing need has been effective, reflects the significance of this matter and has not been ongoing.
- 2.10 We come back to the reasons for this in our response to Q4.

- 2.11 **Question 3 – Has any neighbouring authority or prescribed body indicated that the duty to cooperate has not been complied with in relation to any strategic matter? If so, what was the Council’s response?**
- 2.12 It is difficult to say, because there the latest batch of Statements of Common Ground with neighbouring authorities does not include all the authorities in the HMA.
- 2.13 However, what we can say is that the latest Statements of Common Ground (DC7 – DC20) say very little of any substance when it comes to strategic housing matters and the unmet need. The lack of substance reflects the change of approach by South Staffordshire following the December 2023 NPPF. At this time, they decided they did not need to release Green Belt land and so they no longer needed meaningful engagement with adjoining authorities. Key pieces of evidence have not been produced and the outcome of this was no longer relevant to South Staffordshire as they had picked an arbitrary number of 640 dwellings to contribute to the unmet need without any engagement with the other authorities in the HMA on this matter.
- 2.14 South Staffordshire have been outcome driven ever since the draft version of the December 2023 NPPF was published, because they knew this was their best opportunity to reduce the level of Green Belt release to nothing more than a token gesture and avoid making a robust contribution.
- 2.15 **Question 4 – Who has the Council engaged with in terms of overall housing provision and what form has this taken?**
- 2.16 A review of the Duty to Cooperate Schedule in Appendix A of the Duty to Cooperate Topic Paper April 2024 reveals that most of the measures employed by the Council were prior to the pause in their plan production in 2022, with a lot of measures 4 – 7 years ago. A lot has changed in the intervening period which impacts on the meeting the unmet housing need within the GBBCHMA and yet meaningful discussions have not been ongoing and / or key actions have not be undertaken / ignored.

2.17 The unmet need is a significant strategic matter, with the latest estimate somewhere in the region of 76,000 homes. This is a massive number and represents 76,000 families that will go without appropriate accommodation if the number is not met. As such, it should be treated seriously and robust cross boundary discussions employed throughout. This has not been the case.

2.18 Since the Council paused their plan in 2022 and decided to take a different approach to the unmet housing need, their approach toward engagement has fallen well below what this important strategic matter requires:

- Key actions from the 2022 GBBCHMA Statement of Common Ground have been ignored.
- A letter was sent prematurely to neighbouring authorities on 24th October 2023 asking their views on South Staffordshire releasing no Green Belt land in line with what was emerging national policy at that time. Unsurprisingly, a number of Council's responded saying it would be premature to comment until the policy had been formally adopted.
- A couple of meetings have been held with Dudley MBC following the break up of the Black Country Core Strategy, but meetings have not been held with Sandwell, Walsall nor Wolverhampton.

2.19 There are clear holes in the engagement with other authorities and where engagement has happened it is not been at the level required for such an important strategic matter.

2.20 **Question 5 – In terms of migration, commuting, travel to work and housing markets:**

a. What are the inter-relationships with neighbouring authority areas?

b. How have these been taken into account in preparing the Local Plan?

- 2.21 This has been ignored when it comes to the contribution to the unmet housing need that South Staffordshire are making.
- 2.22 If we look at migration, commuting, travel to work and / or housing markets, all these factors would point to South Staffordshire taking a substantially larger proportion of the unmet housing need.
- 2.23 South Staffordshire wraps around the north west and western edge of the conurbation. It forms the boundary with the built-up area along this edge and includes the land that would allow the conurbation to expand. These are sustainable sites with good access to the services, facilities and employment opportunities that the conurbation has to offer.
- 2.24 **Question 6 – Who has the Council engaged with in terms of overall employment land provision and what form has this taken?**
- 2.25 We are not seeking to comment on this matter. However, there is a stark contrast with the proactive and effective approach taken on employment land compared to their approach to housing.
- 2.26 **Question 7 - In terms of migration, commuting and travel to work areas:
a. What are the inter-relationships with neighbouring authority areas? b. How have these been taken into account in preparing the Local Plan?**
- 2.27 We are not seeking to comment on this matter. However, there is a stark contrast with the proactive and effective approach taken on employment land compared to their approach to housing.
- 2.28 **Question 8 - Are the co-operation activities and outcomes sufficiently evidenced? Have all relevant signed and dated Statements of Common Ground been provided, consistent with the requirements of the National**

Planning Policy Framework and the associated Planning Practice Guidance? If not, why?

- 2.29 No, there are a number of issues with the Statements of Common Ground:
- The GBBCHMA Development Needs Group Statement of Common Ground August 2022 has only been signed by 9 of the 17 signatories. In addition, the actions within it have not been undertaken when it comes to addressing the unmet housing need.
 - The latest GBBCHMA SoCG regarding Housing Shortfall 29th November 2024 not only remains unsigned, but it is not even a Council agreed version. Instead, it is said to be an Officer agreed version, but we are not aware that Officers have been given the delegated authority to prepare this statement on the Council's behalf. Consequently, even if signed, it should not hold the same weight as a Council approved document.
 - We note that Statements of Common Ground are missing with some of the GBBCHMA authorities (e.g. Bromsgrove and Redditch).
- 2.30 This further demonstrates that since the publication of the draft December 2023 NPPF, South Staffordshire has halted meaningful engagement in favour of an outcome driven approach. The outcome being benefitting from their interpretation of the changes to Green Belt policy in the December 2023 NPPF to further reduce their contribution unmet housing need arising from the GBBCHMA.

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