

South Staffordshire Local Plan review

Examination in Public

Hearing Statement for Matter 1 – Procedural and Legal Requirements

On behalf of Clowes Developments

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Introduction

Pegasus Group is instructed by Clowes Developments to respond to the South Staffordshire District Council Local Plan Examination: Matters, Issues and Questions Identified by the Inspectors, which has been produced by the Inspectors appointed to hold an independent examination of the South Staffordshire Local Plan ('the Plan').

This Statement relates to Matter 1 – Procedural and Legal Requirements.

Clowes Developments are promoting land at Himley, to the north and south of the B4176 and to the west of the A449. Land to the south of the B4176 is being promoted for employment development to the north of the B4176 for residential development. A Site Masterplan is at **Appendix 1** but the two parcels of land being promoted can come forward independently of each other.

To the north of the B4176 Clowes are promoting land for residential development with a gross area of 4.59ha (net 2.59ha), for 88 residential units.

Clowes Developments' land interests to the south of the B4176 extend to 71.2ha and are being promoted for a range of Use Class B2 and B8 units, with a combined floor area of 84,844sqm.

The Masterplan at Appendix 1 shows how the land interests could accommodate the proposed development.

Clowes Developments have made representations to previous consultation on the earlier stages of preparation of the Local Plan that has been submitted for examination.

Matter 1: Procedural and Legal Requirements

Issue 1: Whether the Council has complied with the relevant procedural and legal requirements

Q1. What is the relevant version of the National Planning Policy Framework for this examination and why?

The South Staffordshire Local Plan has been prepared and submitted with regard to the December 2023 version of the National Planning Policy Framework (NPPF).

This is the correct version of the NPPF for the consideration of the Plan. It is noted that an updated NPPF was published in December 2024, however, for plan-making purposes that did not come into force until 12 March 2025, after the South Staffordshire Local Plan was submitted for examination.

Notwithstanding, it is also noted that in accordance with para 234b and 236 of the December 2024 NPPF, as the Local Planning Authority are planning for less than 80% of their housing need as identified by the updated Standard Method in the 2024 NPPF, they will be required to

“...begin work on a new plan, under the revised plan-making system provided for under the Levelling Up and Regeneration Act 2023 (as soon as the relevant provisions are brought into force in 2025), in order to address the shortfall in housing need.”

The Authority are therefore likely to be preparing the next Local Plan potentially before the one currently before the Inspectors for examination is adopted.

The other issue that needs to be taken into account in examining the Plan under the December 2023 NPPF, is the difference in Green Belt policy which apply for decision-making purposes as introduced in the December 2024 NPPF.

It is noted that the Green Belt policy as drafted reflects the national requirements of the December 2023 NPPF that was in force at the time the Plan was drafted and submitted.

However, the Plan should be mindful of the changes that the 2024 NPPF introduced, particularly in how it will relate to future development management matters, planning applications and green and grey belt matters. These are national planning policies that impact on Development Management and as such will impact on how development in South Staffordshire will be delivered. To not include any such recognition of these changes would mean that upon adoption Policy DS1 would be out of date as it would not accord with national policy.

To be effective, the policy should be amended and updated to reflect national policy matters about the wording and considerations of green and grey belt in the 2024 NPPF.



Appendix 1

Site Masterplan



Town & Country Planning Act 1990 (as amended)
Planning and Compulsory Purchase Act 2004

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