

Matter 4 – Issue 1

Question 2.

Are there any circumstances where it is justified to set a housing figure that is higher than the standard method indicates?

Yes – the Planning Practice Guidance (PPG) is clear that the standard method provides ‘a minimum starting point in determining the number of homes need in an area’ (Reference ID: 2a010-20201216) and ‘it does not produce a housing requirement figure’ (Reference ID: 2a-002- 20190220). The proposed housing requirement does not acknowledge planned infrastructure in the district or the economic aspirations (see response to Matter 4 Question 5 below).

The National Planning Policy Framework (‘NPPF’) 2023 requires plans to be ‘prepared positively, in a way that is aspirational but deliverable’ (paragraph 16) and sets out the Government’s objective to ‘significantly’ boost the supply of homes (NPPF paragraph 60). Planning for the minimum local housing need is not aspirational nor does it accord with paragraph 31 of the NPPF, which requires account to be taken of market signals. The housing requirement figure is not positively prepared or consistent with national policy (NPPF paragraph 35).

Question 3.

In Policy DS4 the Local Plan identifies a minimum housing requirement of 4,726 homes over the period 2023-2041. Is this justified? If not, what should the housing requirement be?

As stated in our response to Question 2 above, South Staffordshire District Council (‘SSDC’) should be planning for more than the minimum housing need for their District need given their economic aspirations.

Between the 2022 Publication Plan (Document reference PC1) consultation and the 2024 version (Document reference CD1), the housing requirement figure has decreased as SSDC reduced the contribution to the Housing Market Area (‘HMA’) shortfall but the contribution towards the employment shortfall has increased. SSDC clearly has economic aspirations but the housing requirement does not reflect this. SSDC should be planning for more than the minimum housing need for the District.

SSDC proposed a minimum housing requirement of 9,089 dwellings in the 2022 Publication Plan which included a contribution of 4,000 dwellings towards the HMA. The only justification for reducing their housing requirement in the 2024 Publication Plan, was SSDC’s misinterpretation of the NPPF 2023. We acknowledge that the amended wording allows for authorities to choose whether to review Green Belt boundaries when preparing or updating their Local Plan but SSDC is still choosing to release Green Belt land to meet housing needs, and therefore have accepted that that exceptional circumstances exist to release Green Belt. There is also nothing in the NPPF which restricts the amount of Green Belt land that can be released. SSDC’s interpretation of the NPPF is fundamentally flawed and the change in housing requirement is not justified or sound.

SSDC should be utilising the housing requirement of 9,089 dwellings including a 4,000 dwellings contribution to meet the unmet housing needs of the HMA. This would allow for some flexibility in the housing requirement whilst also matching the SSDC’s economic aspirations.

Question 4.

The housing requirement figure includes an approximate 10% additional number of homes to ensure plan flexibility. Is this figure justified?

The 10% buffer is justified. Table 8 in the Publication Plan sets out the indicative minimum number of dwellings that SSDC expect to be delivered between 2023-2041. SSDC has concluded that the plan will deliver 5,199 dwellings across the plan period which conveniently equates to exactly 10%. The LPA has not provided evidence to justify that the sites identified will deliver the number of dwellings claimed within the plan period. A 10% buffer is not sufficient enough for a Council which currently has no Five Year Housing Land Supply.

Question 5.

The housing requirement includes an additional 640 dwellings to contribute towards the unmet needs of the Greater Birmingham and Black Country Housing Market Area. Is this justified? If not, what should the figure be and why?

- The proposed contribution has not been justified (NPPF paragraph 35). SSDC has not demonstrated in their evidence base how the 640 dwellings figure has been calculated or why they are only proposing to meet 0.84% of the identified 76,427 dwelling shortfall to 2042 (document reference SST/ED11). If all of the HMA authorities only provide this proportion of a contribution, the shortfall within the HMA will continue to be a significant cross-boundary issue which is not addressed by any of the authorities, contrary to Section 39 of the 2004 Act.
- SSDC have demonstrated through the 2022 Publication Plan and its 2022 evidence base that the District can accommodate more than 640 dwellings as they previously tested (and found appropriate) a proposed contribution of 4,000 dwellings. Therefore, it is clear the District can accommodate more growth than it is currently planning for. The 4,000 dwelling contribution was informed by evidence (the GBBCHMA Strategic Growth Study 2018 (Document reference EB28)) unlike the current 640 dwelling figure which has been onerously calculated.
- The 2022 Publication Plan (Draft Policy DS5) identified three sites (Cross Green, Linthouse Lane and Langley Road) to specifically meet the Black Country shortfall, these proposed allocation have now been removed and the 2024 Publication Plan does not identify which site(s) will deliver the 640 dwellings to meet the shortfall. The Inspectors who reviewed the Shropshire Local Plan required Shropshire Council to identify the specific sites which were being proposed meet the needs of the Black Country and comments were made on the suitability of their location in relation to the Black Country.
- SSDC should be utilising the housing requirement of 9,089 dwellings which was set out in the 2022 Publication Plan and included a 4,000 dwellings contribution to meet the unmet housing needs of the HMA. This would allow for some flexibility in the housing requirement.
- At the very least, the plan should include safeguarded land which can be delivered within the plan period (prior to the 'early' review being adopted) should SSDC continue to fail to demonstrate a 5YHLS. We know that there is capacity in the District for the plan to allocate additional land, for example the Cross Green (Policy SA2 of Publication Plan 2022) and Linthouse Lane (Policy SA3 of Publication Plan 2022) sites which were previously proposed to be allocated but were subsequently removed in the 2024 Publication Plan as a result in SSDC's change in strategy rather than the Sites not being suitable for development.