

South Staffordshire Local Plan Examination

Matters, Issues and Questions

Matter 4 Statement: Development Needs and Requirement



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South Staffordshire Local Plan Examination, Matters, Issues and Options
Matter 4 Statement: Development Needs and Requirement

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1 Introduction

1.1 Context

This Matter 4 Statement has been prepared by Stantec on behalf of Catesby Estates ('our Client') which is promoting Land at Yieldfields Farm, Bloxwich (the 'site') for residential development¹ (Call for Sites Ref: 492a, 492b and 492c).

It is submitted that our Client's site is suitable for meeting the housing needs of South Staffordshire and the wider County in the Plan period and should be identified as an allocation in the South Staffordshire Local Plan.

This Matter Statement should be read in conjunction with our representation made to the Regulation 19 'Publication' consultation of April 2024 (under the name L&Q Estates), in addition to Representations made to the Issues and Options Consultation in November 2018, the Spatial Housing Strategy and Infrastructure Delivery Consultation in October 2019, the Preferred Options Consultation in December 2021 and the Preferred Options Consultation in December 2022 (all made under the name Gallagher Estates).

¹ Land at Yieldfields Farm, Bloxwich has previously been promoted by L&Q Estates (Respondent ID AGT24-040-01). However, Urban&Civic Plc, which includes Catesby Estates, acquired L&Q Estates from L&Q Group as of 6th August 2024. The Site is accordingly now being brought forward by Catesby Estates in partnership with the landowner.



2 Issue 1

Issue 1: Whether the identified future housing development need and requirement set out in the Plan are justified, effective and consistent with national policy.

Question 1 – What is the minimum number of new homes needed over the plan period calculated using the standard method? Has the calculation of Local Housing Need been undertaken appropriately using the standard method and correct inputs reflecting the methodology and advice in the PPG?

South Staffordshire District Council ('the Council') is seeking to bring forward the *Local Plan Review* under the December 2023 version of the National Planning Policy Framework ('NPPF'), which the Council believes to be in accordance with the transitional arrangements described at Paragraph 234b. of the December 2024 (current) version of the NPPF.

Under the December 2023 NPPF and prevailing Standard Method for calculating Local Housing Need 'LHN' at that time, the Council would be required to deliver a minimum annual average of 227 dwellings per annum ('dpa') starting from the 2023/24 monitoring year until the end of the plan period (2041). This equates to 4,086 new homes over the plan period. This is not disputed by Catesby Estates insofar as the calculation is correct and consistent with the Standard Method methodology and advice within PPG at that time.

It should nonetheless be borne in mind that the current Standard Method figure for South Staffordshire is 645 dpa, which is nearly three times the level of need the Council is looking to plan for. Under Paragraph 236 of the current NPPF, the Council is obligated to begin work on a new plan immediately to address the shortfall in housing need, given the proposed housing requirement in the *Local Plan Review* meets less than 80% of the current LHN. Whilst it is appreciated that the Inspectors are examining the Plan that is before them, it remains a common theme through our representation and Matter Statements that the Council is deliberately and politically motivated in avoiding its obligations to meet its obligations in respect of delivering housing and is only delaying the inevitably given the provisions described above.

Notwithstanding, as described in Section 2 of our Regulation 19 Representation dated May 2024, we believe that the examination of the Local Plan Review is obliged to follow the transitional arrangements described at Paragraph 230 of the December 2023 NPPF. In summary, Paragraph 230 requires local plans that reach Regulation 19 (pre-submission) stage of the Town and Country Planning (Local Planning) (England) Regulations 2012 before 19 March 2024 be examined under the relevant previous version of the Framework. In this instance, that is the July 2021 version of the NPPF.

It is important to note in this context that the 'Plan' in question is the South Staffordshire Local Plan Review, 'the Plan' reached Regulation 19 Stage in November 2021 and the Regulation 19 November 2021 version of 'the Plan' has not been formally withdrawn.

The implications of this are that the *Local Plan Review* to be examined is not in accordance with National Policy and, as such, the Council is obliged to revisit and re-progress the Regulation 19 version of the Plan consulted upon in November 2021.



The LHN within that version of the Local Plan Review was 243 dwellings per annum i.e 16 dwellings per annum more than currently planned for.

Question 2 – Are there any circumstances where it is justified to set a housing figure that is higher than the standard method indicates?

In short, yes, the Council should provide significant housing growth in excess of the figure provided by the Standard Method in order to contribute towards the substantial unmet housing need arising from within the Greater Birmingham and Black Country Housing Market Area ('GBBCHMA').

The December 2023 version of the NPPF is clear at Paragraph 67 that:

*“Strategic policy-making authorities should establish a housing requirement figure for their whole area, which shows the extent to which their identified housing need (**and any needs that cannot be met within neighbouring areas**) can be met over the plan period. **The requirement may be higher than the identified housing need if, for example, it includes provision for neighbouring areas or reflects growth ambitions linked to economic development or infrastructure investment.**”* [Emphasis added].

The scale of the unmet need within the GBBCHMA is well-documented, but the latest policy-led summary position is included within Table 1 below. This position is correct at the time of writing but may be subject to change as local plans within the GBBCHMA continue to progress (Birmingham and Walsall in particular).

Table 1: GBBCHMA Plan-Led Shortfall

Local Plan	Housing Shortfall
Birmingham City Council New Local Plan (2022-2042), 'Preferred Options' version, July 2024	6,553 dwellings
Wolverhampton City Local Plan (2024-2042) 'Publication' version, November 2024 - <i>Submitted for independent examination on 7 March 2025</i>	10,398 dwellings
Sandwell Local Plan 'Submission' version (2024-2041), December 2024 - <i>Submitted for independent examination on 11 December 2024</i>	15,916 dwellings
Dudley Local Plan 'Publication' version, October 2024 - <i>Submitted for independent examination on 14 February 2025</i>	699 dwellings
Walsall Borough Local Plan – TBC <i>Regulation 18 consultation anticipated January – Autum 2025.</i>	8,761 dwellings <i>Figure taken from Spatial Housing Strategic Topic Paper (2024), Appendix 1, para 4.8, in lieu of Walsall Local Plan figure</i>
Total Plan-Led Shortfall	42,327 dwellings



This significant housing shortfall across the GBBCHMA is acknowledged within the Council's Spatial Housing Strategy Topic Paper (2024) at paragraphs 4.5-4.9. At paragraph 4.9 it acknowledges that:

'the adjacent authorities to South Staffordshire, Wolverhampton and Walsall are the two currently displaying the most significant unmet housing need which is less likely to be met through Black Country Green Belt options or further urban centres/employment land capacity uplifts'.

This suggests therefore that the only way in which to deliver this unmet need is through substantial Green Belt release.

This shortfall should also be viewed in the context of the development plan position of the local planning authorities which make up the GBBCHMA, including their contribution (or lack of) towards unmet housing need within the GBBCHMA, which are again summarised in Table 2 below.

It should also be reiterated that the figure for Birmingham above utilises the latest Standard Method figure for calculating LHN. If Birmingham were to use the same Standard Method figure as South Staffordshire is proposing to use (i.e the 2023 version), it's LHN would be 7,174 dpa, meaning the unmet housing need arising from within Birmingham would jump to 46,153 dwellings and the overall GBBCHMA shortfall would be in the region of 88,500 dwellings.



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Table 2: GBBCHMA Contributions Towards Unmet Need

Local Planning Authority	Local Plan Position	GBBCHMA Contribution
Bromsgrove District Council	Issues and Options consultation expected June/July 2026 (Call for Sites ended Jan 2025).	0
Cannock Chase District Council	Emerging plan submitted for examination November 2024.	500
Lichfield District Council	Lichfield District Council made the decision to withdraw its proposed local plan to 2040. Reg 18 Issues and Options occurred over September/October 2024.No indication provided in respect of GBBCHMA contribution.	0
North Warwickshire District Council	The current Plan covers the period to 2031 and includes provision for 3,790 homes towards Birmingham's unmet housing needs. Local Plan Review being undertaken - Reg 18 consultation expected Spring 2025.	3,790 (up to 2031 only)
Redditch Borough Council	Reg 18 Issues and Options anticipated April-May 2025.	0
Solihull Metropolitan Borough Council	Local Plan withdrawn from examination in October 2024.	0
Shropshire Council	Local Plan withdrawn from examination January 2025.	0
South Staffordshire District Council	This Plan.	640
Stratford-on-Avon District Council	South Warwickshire Local Plan Preferred Options Reg 18 consulted upon to March 2025. No indication provided in respect of GBBCHMA contribution.	0
Tamworth Borough Council	Reg 18 Issues and Options completed September 2022.Reg 19 consultation Summer 2025. No indication provided in respect of GBBCHMA contribution.	0
Telford	Reg 19 Publication Plan currently undergoing consultation, inclusive of contribution towards GBBCHMA.	3,060
Warwick District Council	South Warwickshire Local Plan Preferred Options Reg 18 consulted upon to March 2025. No indication provided in respect of GBBCHMA contribution.	0
Total Contribution		7,990 dwellings
Remaining Plan-Led Shortfall		28,990 dwellings



It is accordingly evident that there is a clear and substantial housing shortfall within the GBBCHMA. This fact was recognised by the Council in the November 2022 Preferred Options (Regulation 19) version of the *Local Plan Review* which included a proposed 4,000 contribution to wider unmet housing needs.

The scale of this unmet need is also reflected in the GBBCHMA Position Statement Addendum Update 2023 and evidence prepared by the other authorities within the GBBCHMA in the preparation of their Local Plan Reviews, and that the unmet need continues to grow. The GBBCHMA Position Statement Addendum Update 2023 continues to show a significant shortfall in housing delivery across the GBBCHMA.

Despite this, Policy DS4 has since been revised to include a 640-home contribution towards the unmet housing needs of the GBBCHMA. This is despite South Staffordshire's strong functional relationship to the West Midlands conurbation. The Plan describes this provision as a 'capacity led' approach that focuses the majority of growth on the district's most sustainable settlements, with Green Belt release limited to these Tier 1 settlements.

The overall level of proposed growth has therefore been significantly reduced from the December 2022 Regulation 19 Plan. The justification provided for this reduction is that the delay to the preparation of the Local Plan means that the Strategic Growth Study (2018) is 'out of date' (Paragraph 5.12 of the Local Plan).

Paragraphs 3.1.5 – 3.1.10 of our Regulation 19 Representation dated May 2024 describe the four reasons why this argument is flawed and are not repeated here for brevity.

Our Regulation 19 Representation also describes how the December 2023 updated NPPF confirms that there is no longer requirement for Green Belt boundaries to be reviewed or changed when Local Plans are being prepared (although an authority may choose to review Green Belt boundaries through the Local Plan where they feel that exceptional circumstances for doing so exist).

Given the change in circumstances, the Council tested further spatial strategy options considering the ways in which housing growth could be distributed across the District, as detailed in the council's Spatial Housing Strategy Topic Paper 2024. Unlike the majority of previous options tested, the new options tested (Options H and I) considered different levels of growth based upon capacity led approaches that further limited Green Belt release compared to other options tested, and with a greater focus on the District's 'tier 1' settlements.

However, this crucially still includes Green Belt development (albeit reduced) in Tier 1 settlements well served by public transport. The Council therefore considers that exceptional circumstances exist to justify Green Belt release (as recognised at paragraphs 4.5 and 4.6 of the Green Belt Exceptional Circumstances Topic Paper 2024).

As described in our Regulation 19 Representation, given that the principle of Green Belt release is engaged, it becomes a matter of scale. There is nothing in the NPPF which restricts the amount of Green Belt land that can be released once the exceptional circumstances have been identified.



Catesby Estates therefore fundamentally disagrees with the Council's interpretation of the policy and the use of the revised NPPF to justify the change in strategy to reduce Green Belt release and the number of homes being proposed towards the GBBCHMA shortfall.

Policy DS4 is accordingly not consistent with national policy and the plan is not sound (as per paragraph 35(d) of the NPPF).

The Council has previously tested the provision of 4,000 homes through the Local Plan (and sustainability appraisal) process and found it to be sustainable i.e. capacity exists for this level of development to be accommodated. The purported datedness of the Strategic Growth Study is divorced from the sustainability of an identified strategy, which includes considerations of matters such as climate change, biodiversity, landscape, flood risk and the economy.

The NPPF (paragraph 35(a)) states plans are 'sound' *"if they are positively prepared by providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs, and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development."*

The previous iteration of the Local Plan Review and evidence base demonstrated that the District could accommodate 4,000 dwellings towards the GBBCHMA shortfall. We therefore know that the District does have capacity to practically deliver more than 640 dwellings towards the shortfall. We therefore do not consider that sufficient justification has been provided on how the 640 dwelling contribution has been calculated and that other land within the district, that was previously proposed to be allocated, is now not suitable for development. It is also unclear how the contribution towards the GBBCHMA housing shortfall has decreased from the previous iteration of the *Local Plan Review* but the contribution towards employment has increased (the Council is now proposing to contribute a 45.2ha of employment land towards unmet need of the Black Country authorities compared to 36.6ha in the previous iteration of the Plan). This is a clear example of an inconsistent approach being taken to plan making.

Lastly, it is also worth noting that the Council were previously vocal in their objection to plans being produced by other GBBCHMA Authorities (e.g. Solihull Metropolitan Borough Council ('SMBC')) where SMBC were only proposing a minimal contribution. The Council went as far as stating in their response to the SMBC Matter 2 (SMBC reference M02-016) that if the *"post 2031 shortfalls are not deemed appropriate to enforce at local plan examinations then this will represent a significant backwards step in addressing housing shortfalls across the GBHMA"*. The Council's response to the SMBC Examination Matter 2 then goes on to state that *"[we] don't consider that the Council's [SMBC] capacity-based approach to its housing requirement is justified. It appears that the housing requirement and the contribution to the unmet needs of the housing market area have been determined on the basis of the capacity of the sites allocated through Solihull's site selection process."* This is now exactly what the Council is proposing to do.

It is therefore evident that the Council is politically motivated and attempting to utilise the December 2023 NPPF to avoid further Green Belt release through the Local Plan Review.

It is Catesby Estates' position that the Council should revert to the level of housing provision provided for within the previous iteration of the Local Plan and attempt to address housing need from the GBBCHMA in a more positive manner.



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?

No, it is not justified due to the insufficient contribution made towards the unmet need of the GBBCHMA which is contrary to the evidence previously produced by the Council (which has not been withdrawn) - see response to Question 2 above.

Question 4 – The housing requirement figure includes an approximate 10% additional number of homes to ensure plan flexibility. Is this figure justified?

The Council's response to inspector's questions on housing land supply - March 2025 (examination doc ref: SST/ED7A) describes how, through the allocation within the Local Plan Review (plus windfalls and other sources of supply) the Council can demonstrate the expected delivery of 5,234 dwellings over the Plan period which represents an 11% headroom above the overall local plan housing target of 4,726 dwellings.

It does not appear that the Council has sought to justify the use of a 10% (or 11%) figure, either within the *Local Plan Review* or the accompanying evidence base. The buffer accordingly appears arbitrary and is not, for example, linked to historical rates of non-implementation of planning permissions within the District. For comparison, the previous iteration of the *Local Plan Review* had a buffer of 13% which was considered necessary for soundness. No justification has been provided for reducing the buffer and we consider that it should at least remain at 13%, although even this figure was somewhat arbitrary.

With reference to the proposed strategy, the future supply of housing in the District is largely reliant on the successful delivery of two large sustainable extensions allocated on the edge of Bilbrook (SA1: Land East of Bilbrook) and Penkridge (SA2: Land North of Penkridge). Together these sites are expected to deliver approximately 48% of housing growth from new allocations and safeguarded sites in the Plan. If these sites deliver at a slower rate than forecast there will be little prospect of the District's housing needs being satisfied, even with the 10% flexibility allowance. Given the way the Plan's strategy is so heavily reliant on these two strategic sites, a larger flexibility percentage should be considered in the order of at least 15% - 20%.

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?

As described in response to Question 2 above, the figure of 640 dwellings is not justified and is contradictory to evidence previously prepared by the Council (including the Sustainability Appraisal) which indicated that a contribution of 4,000 dwellings could be sustainably accommodated.

Catesby Estates would support a reversion to at least the 4,000 dwelling contribution included within the previous (November 2022) Regulation 19 version of the *Local Plan Review*.





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