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Dear Ms St John Howe

**Response to SST/ED32A Supplementary Note to the South Staffordshire Local Plan Examination 2025 – Matter 2 (Action 2.1)**

Thank you for the opportunity to review the additional submissions made by the Council in relation to Matter 2: Duty to Cooperate. This representation is prepared on behalf of Redrow Homes.

Our comments pick up on five matters that run through the Council's Supplementary Note (SST/ED32A). We have not presented them in a particular order, but consider that all of these, along with our original submissions demonstrate that the Council has failed to meet its duty.

**The current plan recommenced Summer 2023**

It is apparent from the Supplementary Note that South Staffordshire are still reliant on actions that took place prior to recommencing work in Summer 2023.

The pause in plan preparation was a result of the Council identifying an opportunity to reduce the amount of Green Belt land being released as a result of emerging changes to the National Planning Policy Framework (NPPF). It resulted in new options being identified and a new Development/Spatial Strategy. Consequently, this represented a materially different approach and cooperation prior to the pause holds limited weight in considering whether the Duty has been met.

**Outcome focused**

We have previously identified that the Council was outcome focused, and this came at the expense of properly discussing the "significant cross-boundary issue" of unmet housing need and supply. This remains the case.

There is a repeated reference in the Supplementary Note to the "need" to consider different spatial options in light of the proposed changes to the NPPF in 2023. However, these changes did not create a "need" to consider new spatial strategies. The existing spatial strategies were already compatible with the proposed changes.

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Instead, it created an opportunity to consider different spatial strategies. This is a different thing. It meant that the production of the new Strategic Growth Study was slowed to a snail's pace (it took almost 2 years just to commission). It also meant that to benefit from the opportunity, South Staffordshire needed to make sure their plan was submitted prior to the transitional arrangements in the December 2024 NPPF, which also included substantial changes to the Green Belt policies previously introduced in the December 2023 NPPF, along with a substantial increase in the amount of homes that South Staffordshire would need to deliver.

### **No objections from Neighbouring Authorities to South Staffordshire's change in strategy and contribution to the unmet housing need**

There are a few places where it is stated that the other authorities did not challenge South Staffordshire's approach to Green Belt release or ask them to delay their plan making process to wait for the Strategic Growth Study. On this matter we comment as follows:

- It is not strictly true that other authorities did not question the level of contribution to the unmet housing need. For example, at Paragraph 1.52 of the Supplementary Note it states:

*"The authorities who most clearly expressed a view that SSDC had capacity to make a higher contribution (Walsall and North Warwickshire), whilst maintaining that view, recognised that our approach and contribution were in line with national policy under which the plan is being examined"*

The reality is that the other authorities were aware of the likely scale of the unmet need and that South Staffordshire is one of the best placed authorities to assist. The other Councils were delicate with how this was phrased, but it was clear that they were aware that such a small contribution as now proposed is insufficient if the unmet need is to be met.

- Other authorities have been preparing their plan at the same time and are also looking to benefit from the provisions of the December 2023 NPPF. Raising concerns with South Staffordshire's approach could undermine / weaken their position at examination.
- All the authorities are reliant on the Strategic Growth Study and publicly questioning its progress could undermine / weaken their ability to meet the Duty to Co-operate.

### **Exploring the consequences of providing less homes to the unmet housing need**

The Council's response in Section 4 demonstrates that the consequences were not properly explored. Essentially, the Council is saying that they said there were going to provide 640 homes and progress the plan ahead of the Strategic Growth Study, and no one asked any questions. This is not the same as rigorously exploring how the unmet need is going to be met.

A striking omission from the minutes from the GBBCHMA working group and the other communication with neighbouring authorities, is there were no discussions regarding actions to try and address the huge gap between the scale of the unmet housing need and the

contributions coming forward from those authorities willing / able to help (i.e. tens of thousands of homes).

To fulfil their requirements under the Duty to Cooperate, we would have expected this matter to have been explored thoroughly with different options being explored. This shortfall represents tens of thousands of families that will go without proper accommodation and required proper consideration to ensure that everything possible was being done to meet their needs.

For example, we would have expected to see various workshop groups set up or sub-committees formed to explore and commission focused studies to consider/find potential solutions to address/reduce the unmet need in a sustainable way. However, no activity or discussions of this nature are recorded.

On a separate matter, at Paragraph 1.85 of the Supplementary Statement it is stated that the other authorities “recognised the reality that it was better to have a sound plan which made an agreed contribution to the shortfall, than no plan at all with no clear route for contributing to the wider HMA shortfall”. However, this is not the case.

If we are making a numerical assessment of which would deliver more homes towards the unmet need – no plan vs the proposed plan – then it is evident that no plan would deliver more homes. The December 2024 NPPF introduced Grey Belt as a vehicle to unlock Green Belt land where Councils are not meeting their housing need. For South Staffordshire, no plan, means their 5 year supply is assessed under the new standard method, which substantially increases their annual housing requirement, and they have less than 2 years supply. With this being the case, applications on sustainable Grey Belt sites can be dealt with through planning applications as appropriate development in the Green Belt and would deliver significantly more than the 640 dwellings proposed in the emerging plan. Consequently, there is a significant consequence to the delivery of homes if South Staffordshire adopt a plan that allows them to demonstrate a 5-year supply.

### **Updating the evidence base**

In our previous submissions we have identified that the lack of an update to the Growth Study (which would really require a new Growth Study given the age and nature of the previous document) was a significant omission. The reason for this being that this was and is a key component to facilitate effective cooperation.

The GBBCHMA Statement of Common Ground August 2022 identified the desperate need to update the Growth Study. The update was set as a clear action as part of the authorities fulfilling their Duty to Cooperate. However, it is not until the GBBCHMA Working Group meeting on 21<sup>st</sup> November 2023 that it is mentioned in the minutes, and the commentary on this matter in the Supplementary Note suggests it took almost two years to commission (this being from a point where there was already a desperate need to update the study because it had been neglected for so long).

This demonstrates that the GBBCHMA authorities were not proactive in commissioning this important study. By contrast, when the opportunity arose to make a case not to release Green Belt a number were able to rush in the submission to meet the transition arrangements, albeit this was at the expense of commissioning an essential piece of evidence to inform their discussions around addressing the unmet housing need from the

GBBCHMA. By contrast, if the cooperation had been effective, this Study would have already been completed and available to inform the discussions.

## **CONCLUSION**

In light of the above, and the comments previously made in our Matter 2 Hearing Statement, we maintain that the Council has not fulfilled the Duty to Cooperate.

Yours sincerely

A handwritten signature in black ink, appearing to read 'J. Silcocks', with a long horizontal stroke extending to the right.

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