

Date: 5th May 2026

Our Ref: [REDACTED]

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Sent via email

Dear Michael,

Sheffield Plan: Main Modifications and Integrated Impact Assessment Consultation

- 1.1 James Bailey Planning Ltd ('JBPL') writes on behalf of its clients, Sheffield Green Belt Alliance ('SGBA')¹, in respect of the current consultation exercise on the draft Sheffield Local Plan ('Plan'). JBPL has responded to previous consultation exercises and appeared at the Stage 3/4 Hearing sessions on behalf of Save S13 Green Belt – The Sapphire McCarthy Campaign ('S13 Campaign'). The S13 Campaign is now aligned with and part of the SGBA, representing a city-wide movement of considerable public objection to the unsound nature of the Plan; highlighting concern with the newly proposed Green Belt release site references including: CH03, CH04, CH05, NES36, NES37, NES38, NES39, SES29, SES30, SS19, and SWS18.
- 1.2 This letter should be read alongside our previous representations of 11th July and 11th December 2025 ('**July Letter**' (REF1.1902) and '**December Letter**' (REF3.0618)) regarding the proposed amendments to the Plan including new site allocations within the Green Belt, in

¹ An alliance of community action groups comprising: S12 Green Belt Action Group; Save Chapelton, Ecclesfield & Grenoside's Greenbelt Community Campaign; Save Land at Lodge Moor Road & Redmires Conduit Action Group; and Save S13 Green Belt: The Sapphire McCarthy Campaign.

addition to representations previously made by other groups within the alliance². The points made in those representations continue to stand and it is regrettable that serious concerns relating to procedure and soundness have not been addressed (or apparently even considered). Concerns raised in relation to transparency and apparent gaps in the evidence base prompting an FOI request dated 1 May 2026 made by [REDACTED] on behalf of SBGA.

- 1.3 This letter makes focused comments in respect of two areas: the *Schedule of Proposed Main Modifications* ('MM'); and the *Integrated Impact Assessment* ('IIA') including its *Update and Addendum*. The structure of this letter is as follows.

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² July references: REF1.2381, REF1.2382, EXAM138. December references: REF3.0616, REF3.0762, REF3.0734.

2. Proposed Main Modifications (in MM no. order)

MM6: 'Objectives for a green city', additional objective

- 2.1 We agree with this inclusion. However, it now conflicts with the Council's approach to allocating swathes of land predicted to be best and most versatile agricultural ('BMV') without proper justification. See MM184, below.

MM7: 'Objectives for a green city', additional objective

- 2.2 We support the inclusion of this objective. However, it serves to underline the inconsistency in the Council's approach. If the Plan is to maintain a "Green Belt" for the express purpose of encouraging the recycling of derelict and other urban land, the Council must first be able to demonstrate that it has properly exhausted reasonable opportunities within the urban area before turning to Green Belt release. That has not been demonstrated. The late-stage introduction of substantial Green Belt allocations remains unsupported by a transparent audit of available urban, brownfield and previously discounted alternatives.
- 2.3 This is a matter that has already been interrogated by the Chapeltown, Ecclesfield & Grenoside Action Group ('CEGAG'), as reflected in EXAM141. This reveals an audit of 80 new sites, in the urban area, totalling over 120 ha with a likely capacity of over 3,700 homes. It is important to bear in mind that this relates to just one area of the city.
- 2.4 CEGAG has also undertaken a further community-led review of potential brownfield and urban land opportunities. That exercise combined local community engagement, including invitations for residents to identify vacant, underutilised, previously developed or cleared sites, with a review of previous consultation responses and promoted sites not appearing on the Council's Brownfield Land Register. The review identifies a substantial additional resource of potential housing and employment land, including former Council housing sites, underused or cleared urban plots, Parkwood Springs, Collegiate Campus, Kenwood Suite, and a number

of sites within or close to established employment areas. It is not suggested that this exercise is a substitute for a full Council-led assessment. However, it reinforces the point arising from EXAM141: there is clear evidence of a significant urban land resource which has not been fully captured, tested or transparently assessed before Green Belt release has been pursued. A refreshed call for sites exercise ought to be pursued. The work undertaken by CEGAG is being submitted under separate cover.

- 2.5 This point is reinforced by the Council's treatment of the 11 sites promoted through the July 2025 Green Belt release consultation which, we understand, had not previously been before the Council as part of the Plan-making process³. The emergence of those sites during a short and narrow consultation exercise is itself revealing. It strongly suggests that a further, properly publicised call for sites exercise could have identified additional opportunities, including non-Green Belt opportunities, before the Council proceeded to propose a release of substantial areas of Green Belt land.
- 2.6 The emergence of the 11 sites was discussed during the Hearing Sessions⁴, and the Council agreed to undertake new site assessment / sustainability appraisal work for the five Green Belt sites within that group⁵, but not for six non-Green Belt sites within the urban area⁶ (as reflected in EXAM130B)⁷. That distinction is difficult to justify. If the central question is whether Green Belt release is necessary, then urban area sites should plainly be assessed and pursued as a priority. They are not less relevant because they are not in the Green Belt; they are more relevant for precisely the reason that Green Belt release requires the Council to demonstrate exceptional circumstances. So long as urban/non-Green Belt sites are available the Council cannot satisfy the exceptional circumstances test.

³ Consultation refs. REF1.1958, REF1.2058, REF1.2144, REF1.2148.

⁴ Stage 4 Hearing Session, Day 2, Agenda Item 16 (30th September 2025).

⁵ HELAA refs. S01220, S02920, S02391, S02899, and S03059 (part).

⁶ SGBA can identify five of those sites, promoted in July consultation refs. REF1.1958, REF1.2058, REF1.2144, and REF1.2148.

⁷ See recorded exchange at: <https://www.youtube.com/watch?v=FNzQTrY78&t=33138s> (9:12:18 – 9:16:05).

- 2.7 The difficulty with EXAM130B is that it is not an even-handed approach. The Council appraised the post-selection Green Belt sites promoted through the May-July 2025 consultation, but at least five urban/non-Green Belt sites promoted through the same process do not appear to have been assessed on an equivalent basis (as identified in Footnote 6, above).
- 2.8 This is contrary to NPPF paragraph 141 [now 147] and its first limb: a) whether the Council has examined fully all other reasonable options before concluding that exceptional circumstances exist to alter Green Belt boundaries. It is not enough to appraise late Green Belt alternatives, decline to allocate them because they were late, and then leave urban/non-Green Belt alternatives outside the same exercise altogether. If such sites were available to be assessed, they should have been assessed before Green Belt release was found to be necessary.
- 2.9 It is also not sufficient to say that those urban area sites may come forward as windfall. Windfall is a residual component of supply (that may or may not materialise); it is not a substitute for the active identification, assessment and allocation of available and suitable sites through the Plan. If urban area sites have been promoted as inherently available, and which could be suitable and achievable, they should have been assessed transparently through the same process before any conclusion was reached that exceptional circumstances exist to release Green Belt land. Where the Council relies on a very substantial windfall allowance, that reinforces rather than weakens the need for a refreshed call for sites or equivalent urban capacity review before Green Belt land is released.
- 2.10 This is not a new point. We have previously raised the prospect that, in light of the changed circumstances, a further Call for Sites exercise may have revealed other suitable, available and achievable sites (**July Letter para. 2.34; December Letter paras. 2.6 and 2.8**). Those concerns have not been addressed; they have been reinforced by EXAM130B and by the identification of further urban/non-Green Belt sites promoted through the July 2025 consultation.

- 2.11 As set out in our December Letter, the Council relies on a very substantial windfall allowance (**para. 2.6**). EXAM141 identifies a further urban area resource of over 3,700 homes in one part of the city alone, and the July 2025 consultation itself produced further urban/non-Green Belt sites. Whether those sources are treated as windfall, allocations, or evidence of the wider urban capacity of the city, they strongly suggest that the potential supply from urban/non-Green Belt land may meet, or at least materially reduce, the shortfall said to necessitate Green Belt release. That is precisely the point raised by NPPF paragraph 141.a): before Green Belt land is released, the Council must demonstrate that it has made as much use as possible of suitable brownfield sites and underutilised land. It has not done so.
- 2.12 The Council's failure to do so further demonstrates that reasonable alternatives have not been fully examined, and that the proposed Green Belt release strategy remains unsound. Without that exercise, the Council cannot demonstrate that the proposed Green Belt release represents only what is necessary, or that reasonable non-Green Belt alternatives have been exhausted. The evidence now points the other way: there is likely to be a substantial urban/non-Green Belt resource which could reduce or remove the need for Green Belt release. This is dealt with further in Section 3, below.
- 2.13 There is a related point under NPPF paragraph 141.c). Even if the legal Duty to Cooperate is said to have been discharged at submission stage, the policy requirement remains that, before Green Belt boundaries are altered, the strategy must have been informed by discussions with neighbouring authorities about whether they could accommodate some of the identified need. That requirement has particular force here, where the proposed Green Belt release is a post-submission response to the Inspectors' concerns about housing need and supply.
- 2.14 The July Letter (**paras. 2.6-2.15**) explained why the Council's engagement with neighbouring authorities was inadequate. We do not repeat those submissions in full, but the point remains: a late and limited exercise inviting neighbouring authorities to confirm whether their previous position had changed is not the same as a meaningful attempt to test whether some of the identified need could be accommodated elsewhere before concluding that Green Belt

release was exceptionally necessary. That is a further reason why the proposed Green Belt release strategy has not been justified.

MM81, MM89a; MM265, MM266 etc; MM351: 'Opportunity Sites' and deleted allocations

2.15 We note various MM in relation to sites that are now proposed to be deleted as allocations for reasons of a lack of site availability information. A total of 31 instances is identified: some are reassigned as 'Opportunity Sites'; others are to be deleted entirely. Their deletions have already been accounted for in the Council's housing supply trajectory (**EXAM140**), such they are not expressly included, save for the heavy reliance on windfall sites that have been criticised elsewhere.

2.16 Opportunity Sites are defined as those sites which:

'...are not allocated for [policy] H1 development in the Plan but which could deliver development opportunities, particularly in the longer term. They have potential to become allocations in future reviews of the Plan.'

2.17 By implication housing windfall sites are not allocations, but are otherwise assumed to be potentially able to come forward in accordance with policies within the development plan read as a whole. For example, other than existing permissions and allocations, a development site may be deemed acceptable if it falls within a specified 'Zone' (as policy H1). The natural corollary is that sites which do not accord with policy H1, will not accord with the Plan and are likely to be refused in recognition of the statutory presumption in favour of development plans. This is consistent with the definition of Opportunity Sites added to the Glossary, recognising that they are not allocated but may become allocations at some future date. There is no suggestion that they would have any in-principle support if brought forward now, or that they would be permitted and capable of being treated as windfall. We deal with the fanciful nature of windfall provision in our previous representation (**December Letter, paras. 2.6-2.7**).

- 2.18 It is therefore unclear what status *Opportunity Sites* are expected to have. They are merely ‘potential’ sites, at best to be judged as part of a plan-making process at some point in the future where they may or may not be allocated. The reference in policy H1 as proposed to be modified suggests that those sites may be permitted but this is not explained.
- 2.19 The reason given in the Schedule of proposed Main Modifications (in the ‘Reason for Change’ column) is that those sites have not progressed to allocations at this time because there is a ‘lack of information on site availability’; a fair inference being that if this could be established then they are capable of being allocated now (having been accounted for in the Plan up until this point).
- 2.20 This is an important observation that goes to the soundness of the Plan. It is important because the 15no. Opportunity Sites amount to an estimated capacity of 754 homes; the other 16no. deleted sites represent a further potential capacity of 460 homes. The extent to which the availability of those sites has been subject to further interrogation is unclear and does not appear to be within the documents under examination; a separate request for this information has been made concurrent with this representation under the FOI Act /Environmental Information Regulations. Given the high threshold that applies to the release of land from the Green Belt it should be established that other options have been exhausted.
- 2.21 An issue of consistency also arises in this respect. Regarding proposed allocation NES37 (MM351), (indicative capacity of 592 homes) there is an ongoing dispute in relation to site availability that remains to be resolved. Representations in the form of legal opinions have been submitted on behalf of the Council (as landowner), and the current tenants, Mr and Mrs Riddle. It will be difficult for the Council, and examining Inspectors, to decide which opinion should prevail. However, what is clear is that this is a highly litigious issue that is not going to be resolved in the currency of this Examination nor in the short term; it may take many years. SGBA rightly question how this site can continue to be deemed ‘available’ when so many other sites have been assessed in the alternative (see comments above in relation to site availability and reasonable alternatives).

2.22 There is no clarity as to how the Council has reached those judgements. Either NES37 should be removed from the Plan, the consequence of which would be for the Council to fail to meet the housing requirements set out in policy SP1; or, the various Opportunity Sites, among other deletions that are apparently not deemed to be opportune, should have been re-examined transparently before Green Belt release was pursued. As with so much of the Plan to date, the Council's reasoning remains opaque and inconsistent and undocumented on its face.

2.23 In circumstances where the claimed housing supply position is finely balanced, the Council must grapple with these matters and explain why the actual and potential supply from non-Green Belt sources does not reduce, or remove, the need for the Green Belt release now proposed.

MM94, MM101, MM410: 'local transport infrastructure' and 'improved rail connections'

2.24 We note the very recently uploaded document **EXAM216**, dated 26th March 2026 but inexplicably made available nearly a month later, towards the end of this consultation, on 22nd April 2026. This is consistent with the procedural concerns raised in previous representations.⁸

2.25 **EXAM216** relates to the outcome of the Major Road Network ('MRN') and Large Local Majors ('LLM') programme. It is noteworthy that the Sheffield Innovation Corridor Road ('SICR') has been withdrawn from the MRN/LLM programme, due to confirmation from the Mayoral Combined Authority that it can 'no longer afford to provide your local funding contribution and any future cost rises'.⁹

2.26 In our view, the withdrawal of the SICR – which was promoted on the basis of providing a strategic link between Sheffield and Rotherham – has a material bearing on the Council's approach to the distribution of new growth to the east of the city. This must be accounted for; for example, as part of the IIA.

⁸ See December Letter, para. 1.4.

⁹ EXAM216, p.2.

2.27 Additionally, the precarious nature of public funding opportunities brings into question the viability of other local transport infrastructure initiatives, including the already doubtful delivery of the new railway station at Waverley (partly within the Rotherham boundary). Policy SES29/MM410 states that developer contributions ‘may be required’ to fund the provision of a new station; however, no viability testing has been undertaken for that scenario, as explained in our previous representations regarding the absence of any abnormal costs in the updated whole plan viability assessment (e.g. **July 2025 Letter, para. 3.16 and fn. 14**).

2.28 That concern is reinforced by recent FOI material relating to Waverley Station¹⁰. Network Rail has confirmed that, as the project remains in the development phase, ‘timescales are under review and no formal milestones or delivery timetable have been finalised’. We also understand that, notwithstanding SYMCA’s approval of £1m in September 2023 to develop a business case, some £655,000 had been spent by December 2025, with the business case still not completed and now expected in Spring 2027. Consultancy support is also understood to require recommissioning because of changes to land use plans and modelling requirements. This is not evidence of a committed, costed and deliverable infrastructure scheme capable of supporting the allocation strategy relied upon by the Plan.

MM97: ‘Transport Mitigations’

2.29 MM97 inserts a new paragraph 5.20 stating that where transport mitigations are identified, including those in the IDP, developers may be required to deliver all or part of a scheme, or contribute to the delivery of a future scheme. A new developer contributions SPD is then promised to provide further guidance. On its face, that is not a sound basis on which to conclude that the relevant allocations are viable, deliverable or effective.

¹⁰ Network Rail FOI response FOI2026/00379, 27 March 2026; information summarised by SGBA from FOI material relating to Waverley Station / tram-train project. A copy is being provided by a local resident under separate cover [REDACTED] 5th May 2026).

2.30 The difficulty is that the viability evidence has not tested this requirement in any meaningful way. *The Whole Plan Viability Assessment – Further Note (EXAM131)* expressly proceeds on the basis that all the Green Belt sites are ‘well related to the transport network’ and are therefore ‘unlikely to require significant contributions to highways and transport mitigation measures’; therefore, no contributions were assumed in that regard. That assumption is now directly at odds with MM97, the IDP, and the site-specific allocation wording which anticipates required highway works and further contributions, including in relation to all 14 of the Green Belt release sites.

2.31 This matters because the same viability evidence is already finely balanced in respect of affordable housing. It tests affordable housing tenure mix and Green Belt release sites, but it does not provide a robust site-specific assessment of the cumulative cost of transport mitigation, abnormal constraints, education land, burial land, flood risk, ecological buffers, mining risk, utility infrastructure¹¹, and other site-specific requirements. That omission is particularly acute where the Plan is relying on these sites to justify exceptional Green Belt release and to meet the housing requirement in SP1. If MM97 is necessary for effectiveness, then its cost and delivery implications should have been tested before the allocations were found sound, not deferred to a future SPD.

MM184: Best and most versatile agricultural land

2.32 This modification inserts new wording into policy GS4 making clear that the development of best and most versatile agricultural land (‘BMV’) is acceptable on allocated sites. The reason for this change is to ‘reflect the fact that agricultural land value has been taken into account when deciding whether to allocate the site’. Concurrently, we note that previous development conditions in EXAM124 (*Proposed Additional Site Allocations*, May 2025) applied to proposed allocations including CH03, NES36, NES37, NWS31, SES30, and SS19, required a site-specific survey prior to development taking place, have now been removed (MM459, MM350, MM351, MM332, MM411, and MM429); we assume this is because the

¹¹ There is a high-pressure oil pipeline that runs across SWS18, for example. The responsible party and owner of that apparatus, Exolum, has objected to that allocation due to access and safety concerns (REF1.0680)

loss of BMV land on those sites is now considered by the Council to be acceptable in principle. This was ostensibly agreed between the Council and examining Inspectors, as recorded in EXAM198 (MM action 3.18), but regrettably the evidence of related dialogue from the Hearings has been deleted from the internet/web archive and is apparently unable to be recovered (Thursday 16th October - Matter 23: Natural environment). Oddly, the condition remains in respect of allocation NWS31/MM332.

2.33 The claim that BMV land value has been considered is dubious. There is no evidence that the Council has undertaken any detailed site-specific assessment to determine either a) the newly proposed allocations in the Green Belt comprise BMV land (even in part); and b) the extent to which BMV land would be affected by the development of an allocation or whether areas of non-BMV land could be prioritised, notwithstanding, of course, that the allocation of such land would effectively permanently sterilise the utility of any remaining BMV land in any event.¹² There is no evidence, for example, that allocations have been supported by any form of soil assessment where there has been an indication of BMV land being present based on any high-level review of now outdated Provisional ALC mapping (see below).

2.34 We can presume this to be the case having regard to the IIA, particularly with reference to Appendix F which sets out parameters applied for identifying significant constraints in the Green Belt. Parameter 6 deals with agricultural land quality and it is explained that there is 'insufficient data/land surveyed for consistent appraisal of each site'. There is no other evidence base document which explains how BMV has been treated or how the Council can now abruptly state that this matter has already been dealt with (which invites the question why the conditional requirement in policy GS4 was included in the first place). The IIA also anticipated detailed soil surveys being undertaken (**IIA Report Addendum: Modifications Consultation, para. 5.7.2**). We return to the implications of this, and other matters relating to the IIA Update and IIA Addendum, in Section 3 of this letter.

¹² Council proof of any assessment is within the scope of the FOI referred to above.

- 2.35 The Inspectors are now being asked, through MM184 and the associated deletion of site-specific BMV survey requirements, to treat the loss of BMV land on allocated sites as acceptable in principle. That can only be sound if the relevant exercise has already been undertaken at plan-making stage. However, if the Council had genuinely identified whether the affected sites comprise BMV land, assessed the extent of such land, and considered whether poorer quality land or non-BMV alternatives should be preferred, it is difficult to understand why the previous site-specific survey requirement was necessary at all. The more obvious explanation is that the Council had not undertaken that exercise, and that the previous policy wording was included precisely because the issue remained unresolved.
- 2.36 Furthermore, it is highly material that DEFRA has recently updated its datasets for BMV land, moving from the historic 'provisional' agricultural land classification ('ALC') mapping to a new 'predictive' ALC map this year. DEFRA has explained that this is a 'significant milestone' replacing an 'outdated' approach; as a result, the mapping has been remodelled using the best available soils data to provide greater consistency with current guidance and reliability¹³. A key change is that the mapping delineates Grade 3 land between Grade 3a (BMV) and Grade 3b (non-BMV) land. Evidently this is a tool that was not previously available to the Council, but it must be considered.
- 2.37 Again, where that update has occurred after the inclusion of the new allocations, this brings into question the suitability of those sites in the first place. This is clear when applying the new dataset to various allocations, notwithstanding that in relation to SES30 we had already drawn attention to the indication of the provisional ALC mapping that it was very likely to be higher grade BMV land in its entirety. At the very least, this should have prompted a site-specific soil assessment to be clear on the nature and extent of BMV loss.
- 2.38 Enclosed with this letter is a paper [**Enclosure 1**] highlighting the nature and extent of BMV land relevant to various allocations in the Green Belt. The likelihood of BMV land presence

¹³ [**Enclosure 1, Appendix 1**]. DEFRA, *Unlocking the National Soil Map: free and unrestricted access to England and Wales's most comprehensive soil data (April 2026)*. Available at: <https://defraenvironment.blog.gov.uk/2026/04/13/unlocking-the-national-soil-map-free-and-unrestricted-access-to-england-and-wales-most-comprehensive-soil-data/>

(and inevitable loss) is obvious. In summary, over 120 hectares of the 230 hectares proposed for Green Belt release are predicted to be BMV land (over 50% of released land being grade 3a or higher). Furthermore, in relation to discounted site Ryecroft Farm (**July Letter, para. 2.31; December Letter, para. 4.4**) that land is predicted not to be BMV and therefore continues to remain a preferable site for allocation in comparison to other sites that are likely to be of higher agricultural land quality and which contribute more strongly to Green Belt purposes.

2.39 Our comments on the circularity of policy GS4, and the fundamental issue of leaving BMV assessment to post-plan adoption, have already been set out (**July Letter, paras. 2.25 and 4.39-4.43**). We are aware that a similar concern was recently raised by the examining inspectors in respect of the Central Lancashire Local Plan, who stated in their post-hearings letter of 4th March 2026:

'23. A number of "Key Development Considerations" refer to the need for an agricultural land classification report as part of a planning application if the land is best and most versatile. Policy EN16 also refers to this requirement for new development. We do not consider this to be a reasonable requirement because if a site has been allocated in a Plan the harm arising from loss of agricultural land should have already been taken into account during the site selection process.

24. This requirement for allocations should be removed from policy EN16 and any site-specific policy in the Plan. The Councils should also demonstrate whether, in allocating sites, areas of poorer quality land have been preferred to those of higher quality in the site selection process in order to achieve consistency with national policy on this issue. We note that further information has been forwarded to us since the hearings and will respond on this matter in due course.'

2.40 In the interests of consistency, we question why the Council in this case has not been held to account in the same way. In any event, MM184 would make sense, as the Central Lancashire example above, if the Council had demonstrated preference of poorer quality land in the allocation process. The Council has not and the Plan remains unsound for that reason.

2.41 Natural England ('NE') alerted the Council to the importance of such considerations in a response to the Regulation 19 plan (ref. PDSP006, letter dated 9th February 2023). Their

response highlighted to the Council objections of soundness in relation to the loss of BMV land and the need for policies to reflect protection of such land in accordance with the NPPF. Para. 5 of the PDSP006 letter also made clear that plan-making ‘requires detailed ALC surveys to support plan allocations’. Moreover, the Council was expressly signposted to make use of the published ALC datasets (para. 6 of that letter). As above, it is apparent that this advice has not been followed by the Council, particularly in relation to those newly proposed Green Belt allocation sites.

2.42 We also note that in the statement of common ground between the Council and NE (**EXAM35A**), the conditionality of BMV matters in relation to site allocations was supported (albeit, we say, on a flawed premise). The removal of the allocation conditions as a result of MM184 should be brought to the attention of NE, alongside an explanation of how poorer quality land has been preferred through the allocations process. This is a matter that we will be bringing to the attention of NE separately.

MM223: Site capacities

2.43 This proposed modification is to clarify that dwelling capacities for allocated sites are indicative only, because ‘the capacity estimates are not minimum or maximum figures that must be met’. Thus, read against the modified site allocation policies, there is no expectation on housing numbers. It follows that if the site capacity has been erroneously calculated, the development of an allocation would be acceptable in principle even if it fell substantially short of the expected quantum.

2.44 That is fundamentally problematic for two reasons. Firstly, the Council’s anticipated supply trajectories barely meet the identified requirement agreed in this Examination, with minimal headroom and substantial reliance on windfall (**December Letter, para. 2.6**). If the site capacities are now at face value agreed to be meaningless, and if objectors are correct that various sites cannot possibly deliver on those estimated capacities due to various site constraints previously unknown to the Council when selecting sites for allocation and Green

Belt release, then the Council cannot hope to meet its housing requirement and this would directly conflict with policy SP1. That is a fundamental issue of soundness. By way of example, we refer again to our previous representations setting out the various site constraints in relation to site SES30 which cannot sensibly be relied upon to deliver anything close to >800 homes (e.g. **December Letter, para. 3.9**).

- 2.45 [Enclosure 2] provides a further analysis of site constraints and their likely effect on the capacity of a number of the newly proposed Green Belt allocations¹⁴. In summary, it identifies an overstatement of capacity of between approximately 1,234 and 1,521 dwellings across the assessed sites, equivalent to around 35% of the Council's assumed capacity for those sites. That is several times greater than the overall housing headroom in the Plan. Even allowing for reasonable judgement around final layouts, this is a substantial issue which goes directly to SP1, the housing trajectory, and the justification for Green Belt release.
- 2.46 The problem is not merely that individual constraints have emerged. It is the cumulative effect of those constraints. In relation to SES30, for example, the Examination has revealed or confirmed constraints relating to flood risk and flood storage, mining risk, ecological buffers, access, archaeology, the Quaker burial ground, PRow, land availability, education land and burial land (alongside the loss of 1.27ha of land during the Examination due to ownership availability). Enclosure 2 estimates a more realistic capacity of 480–560 dwellings, compared with the Council's assumption of 827 dwellings. In relation to SES29, the promoter's own material uses a materially lower developable ratio than the Council's assumption, with further issues including SuDS, mine entrances and station parking; Enclosure 2 estimates a realistic capacity of 550–600 dwellings compared with the Council's assumption of 870 dwellings.
- 2.47 Those matters cannot sensibly be treated as post-allocation details. They go directly to the net developable area and thus overall capacity, viability, delivery timescale and therefore to whether the allocation can perform the strategic role claimed for it. Similar concerns arise, in different ways, in relation to other large Green Belt allocations. NES37, for example, appears

¹⁴ A summary document to be read alongside the detailed analysis provided in the representation submitted by the SGBA (5th May 2026).

physically impossible to deliver on the Council's assumed density once other requirements have been taken into account.

- 2.48 This is critical because the Council's justification for Green Belt release has been advanced on the basis that these large sites are needed to deliver the quantum of housing required by modified policy SP1. If the claimed capacities are not robust, then the spatial strategy is not robust. If the strategic Green Belt allocations cannot deliver the numbers relied upon, the Council needs other sites. But the process by which other sites have been identified and assessed is itself incomplete, not least because known urban/non-Green Belt alternatives promoted through the July 2025 consultation were not assessed before Green Belt release was pursued. As above, that concern is borne out in practice by the promoter-led material for SES29, which itself indicates a significantly reduced net developable area when compared with the Council's generic capacity assumptions (**December Letter, para. 3.11**).
- 2.49 Secondly, this reinforces our overriding concern that each of the Green Belt allocations has not been properly justified. The *raison d'être* for the newly proposed allocations is that their release from the highly protected Green Belt is exceptionally necessary to meet increased housing needs; strategic sites such as NES37, SES29, and SES30, have been selected because they meet the Council's selected strategy for meeting those needs in accordance with IIA Strategic Option 6 (**December Letter, para. 2.1**). If there is now no prescription or clear requirement for any allocation to deliver anything in the order of its anticipated capacity, now merely indicative, then this brings into question whether it is "exceptionally necessary" to release those sites. Put another way: if NES37, SES29, SES30 can no longer credibly deliver anything remotely close to >2,200 homes – as SGBA have clearly demonstrated given all the site constraints that have emerged through the Examination – then their release from the Green Belt is not justified. The tacit implication of MM223 and related modifications is that this is of no consequential effect. That is a serious error and, on its face, also contradicts the reason given for the Main Modification allocation sites which is to 'ensure the Plan has sufficient housing land supply to meet the requirement set out in SP1'. Furthermore, if the capacities relied upon to justify Green Belt release are not robust, then the scale of that release cannot be justified by reference to those same capacities.

2.50 As a result, all housing allocations must be expected to deliver ‘in the order of X no. homes’ as a conditional requirement. That will ensure that the Plan is effective. In doing so, the Council must be satisfied that each allocation is reasonably capable of achieving its anticipated capacity to satisfy policy SP1 and provide a sound, effective Plan. The obvious errors in the Council’s approach in that regard have been pointed out repeatedly before (e.g. **December Letter, paras. 3.18-3.19**).

3. Integrated Impact Assessment – Update and Addendum

3.1 We have reviewed the *Integrated Impact Assessment Report (Update and Addendum) Version 2*, dated February 2026 (‘IIA Update’), together with the *Integrated Impact Assessment Report Addendum: Modifications Consultation*, dated February 2026 (‘IIA Addendum’). We have also had regard to the *Non-Technical Summary*. The points made in our July Letter and December Letter continue to stand and are not repeated in full here (see **July Letter, paras. 2.18-2.36**).

3.2 As previously explained, our concern is not merely that we disagree with the Council’s planning judgement. Rather, the concern is that the IIA has not properly identified, described and evaluated the likely significant effects of the Plan, particularly in respect of the proposed Green Belt release sites. That is a matter going directly to legal compliance and soundness. It is especially important where the Council now relies on the IIA process to justify late-stage Green Belt release and to support Main Modifications which would establish the principle of development on those sites.

3.3 The IIA Update explains that further amendments have been made following consultation on EXAM125B and discussion during the Examination hearings. Those amendments include further information on Green Belt site selection and the inclusion of additional site appraisal outputs at Appendix O, together with additional information on the Level 2 Strategic Flood Risk Assessment, the sequential and exception tests, and Appendix P. The IIA Addendum then

screens and appraises the proposed Main Modifications. However, those updates do not cure the concerns previously raised. In some respects, they reinforce them.

BMV Land

- 3.4 The IIA's treatment of Soil and Land, and particularly BMV land, is no longer robust. This is now one of the clearest examples of the IIA failing to keep pace with the evidence base. The IIA Update scores Strategic Location 1: Handsworth as only a minor negative effect for Soil and Land. The relevant assessment states that the strategic location is greenfield, that some parcels are categorised as Grade 3 agricultural land, and that the land parcel to the north is in current agricultural use, although 'not considered to be amongst the best and most versatile land' (**IIA Update, p.241**). On that basis, the IIA concludes that there would be only 'minor negative' effects.
- 3.5 That conclusion is unsafe. Firstly, the assessment appears to refer only to the northern parcel. It does not appear to identify or evaluate the agricultural land at parcels S03019 and S03020 to the south, notwithstanding that those parcels form a substantial part of the strategic location and are also understood to be in agricultural use (and even on the now outdated provisional ALC mapping was anticipated to be BMV land). This is not a minor omission. The IIA cannot properly evaluate the likely significant effect of losing agricultural land which it has not first identified and assessed.
- 3.6 Secondly, the factual premise of the IIA has now been overtaken. As set out above, DEFRA has recently published the 'predictive' ALC map for England, which specifically breaks Grade 3 land down so that Grade 3a BMV land can be identified. DEFRA also explains that the new mapping follows the MAFF 1988 methodology, as updated in 2025, and that while the map should be used for strategic or indicative purposes and does not replace detailed field-based surveys, it is a material improvement on the previous provisional mapping.
- 3.7 This is directly relevant to the IIA. The IIA is itself a strategic level assessment. The Predictive ALC Map is therefore precisely the type of strategic evidence that should inform the IIA's

assessment of Soil and Land. It cannot simply be ignored because it is not a field-scale survey. To the contrary, where land is now predicted to be BMV, that should trigger the need for further consideration and, where necessary, site-specific survey work so that poorer quality land can be selected in preference to land of a higher quality.

- 3.8 SGBA's analysis [**Enclosure 1**] of the Predictive ALC Map indicates that SES29 is mostly Grade 3a and that SES30 comprises significant Grade 2 land, with the remainder predominantly Grade 3a. Both are therefore predicted to comprise BMV land across almost all their area.
- 3.9 The implications are significant. Across the Green Belt release sites as a whole, the SGBA analysis indicates that at c.120 hectares of the proposed release is predicted BMV land, including over 18 hectares of predicted Grade 2 land at CH03. This amounts to over 50% of the proposed Green Belt release. It is therefore no longer tenable to suggest that the loss of BMV land is peripheral, uncertain, or appropriately dealt with as a minor negative effect.
- 3.10 In respect of Handsworth specifically (SES29 and SES30), the correct conclusion on the evidence now available is that the effect on Soil and Land should be scored as a major negative. This is not a case of marginal harm to low quality agricultural land. It is the proposed release and development of extensive, actively farmed land now predicted to comprise BMV (including higher grade) land across almost all SES29 and SES30.
- 3.11 There is also an obvious inconsistency in the scoring. Strategic Location 1 appears to receive the same minor negative Soil and Land score as locations where the agricultural value is materially lower or less certain. For example, Strategic Location 3: South of Birley Estate is also scored as minor negative, despite the IIA recording that most of that land consists of a golf course and that the remaining land is not known to be in current agricultural use. A golf course and >90 ha predicted BMV land in current agricultural use cannot sensibly be treated as equivalent for the purposes of the Soil and Land objective.
- 3.12 Either the IIA methodology treats the loss of BMV land as a meaningful scoring factor, in which case it has been misapplied; or it does not, in which case the methodology itself is inadequate

to assess soil as a required environmental receptor. On either basis, the scoring cannot be relied upon.

- 3.13 The point is sharpened by MM184. As set out above, MM184 would amend Policy GS4 so that development on BMV agricultural land will be permitted where the site is allocated for development, or where it can otherwise be demonstrated that the relevant policy tests are met. The stated reason for the modification is to ‘reflect the fact that agricultural land value has been taken into account when deciding whether to allocate the site’.
- 3.14 That assumption is plainly unsafe (as set out in Section 2 above under MM184). Agricultural land value has not been taken into account in any meaningful or informed sense if the Council has not identified whether the proposed allocations comprise BMV land, has not assessed the extent of such land, and has not considered whether areas of non-BMV land could be prioritised or whether alternative sites would avoid the same level of harm. The IIA itself previously recognised that there was insufficient agricultural land quality data for consistent appraisal of each site (as explained above). The Council cannot now rely on the allocation process as having resolved the very issue that the evidence base did not properly assess.
- 3.15 MM184 therefore underlines the circular deficiency we identified in July 2025 (**July Letter, paras. 4.39-4.43**). No site-specific BMV assessment has been undertaken to support the allocations; the IIA’s conclusion rests on incomplete and now outdated information; and the modified Policy GS4 would then treat the allocation itself as sufficient to permit the loss of BMV land. At no stage would a decision-maker necessarily have the information required to understand the true quality of the agricultural land being lost. Unless and until the Inspectors are satisfied that the BMV exercise has been properly undertaken at plan-making stage, MM184 cannot be relied upon to render the Plan sound.
- 3.16 The IIA is required to be kept under review in light of material environmental information that becomes reasonably available during the plan-making process. The new DEFRA mapping is directly relevant to the assessment of soil effects. Failing to update the IIA in light of that information would be a legal compliance issue as well as a soundness issue.

- 3.17 If the Council updates the IIA to take account of the Predictive ALC Map, that update will be material. It would affect the scoring of Strategic Location 1, the comparative assessment of reasonable alternatives, the justification for selecting many of the Green Belt sites now predicted to be BMV land, and the soundness of MM184. Such an update should therefore be subject to further consultation before the Plan is adopted. If the Council does not update the IIA, the Plan would proceed on the basis of an environmental report that has failed to take account of important, current and reasonably available information.
- 3.18 The appropriate course is therefore for the IIA to be updated, for Strategic Location 1 to be re-scored as a major negative for Soil and Land, and for SES29 and SES30 (and all the other affected BMV sites¹⁵) to be reconsidered in light of that corrected assessment. At the very least, proposed MM184 should be withdrawn or amended so that site-specific ALC assessment is retained as an express requirement for any allocation on land predicted as BMV by the new DEFRA mapping, or where other reasonable evidence indicates that BMV land may be affected. That would not of itself cure the IIA defect, but it would avoid compounding it.

Flood Risk

- 3.19 We also remain concerned that the IIA's treatment of flood risk does not properly reflect the constraints now identified for SES30. This point should be read alongside our previous submissions, which continue to stand (**July Letter, paras. 4.7-4.18; December Letter, paras. 2.9-2.11**). Other flood risk issues have been identified by others, for example by CEGAG in REF3.0616.
- 3.20 The IIA Update records that additional information has been provided in respect of the Level 2 SFRA and the flood risk sequential and exception tests, including a detailed note at Appendix

¹⁵ Refs. CH03, NES36, NES37, NWS31, and SS19.

P. However, the Handsworth strategic location continues to be presented as containing no individual sites with significant flood risk constraints, including S02502, S03019 and S03020.

- 3.21 That conclusion does not adequately grapple with the matters already raised in previous representations. In particular, it is now accepted that part of SES30 falls within Flood Zones 2 and 3, as we identified in our July Letter (**paras. 4.7-4.18**). The Level 2 SFRA material also identifies the need for further modelling, an 8 metre no-development buffer either side of the onsite ordinary watercourse, and land for flood storage / attenuation amounting to approximately 10% of the site area. These are not immaterial constraints.
- 3.22 Those matters have obvious implications for the net developable area, site layout, access, capacity and delivery of SES30. The site is relied upon as a strategic allocation, with a stated capacity of 827 homes, together with land for a secondary school and burial ground. The allocation for SES30, under MM411, also requires access from Beaver Hill Road, highway works¹⁶, ecological buffers, flood risk mitigation, and potentially further contributions. That cumulative package of requirements must be understood at plan-making stage because it informs whether the site is capable of delivering the level of development claimed for it.
- 3.23 The IIA should therefore be updated to explain how the flood risk constraints identified through the Level 2 SFRA have been translated into assumptions about net developable area and capacity. If that exercise reduces the deliverable capacity of SES30, the housing trajectory and the comparative assessment of reasonable alternatives must also be revisited.

Reasonable Alternatives and Consultation

- 3.24 The matters identified above also have direct implications for the IIA's treatment of reasonable alternatives. Section 2 of this letter explains why the Council has not demonstrated that it has exhausted reasonable non-Green Belt options before pursuing Green Belt release. The same failure also undermines the IIA, because the selected strategy

¹⁶ It should be repeated that the NPPF's requirement that safe and suitable access for all users to a site should be ensured, applies to both decision taking and plan-making (**July Letter, paras. 4.22-4.23**). There is no evidence that this has been applied by the Council in relation to any of the newly proposed Green Belt allocation sites.

cannot be justified as the most appropriate strategy when known and promoted urban/non-Green Belt alternatives have not been assessed on an equivalent basis.

- 3.25 EXAM130B demonstrates that the Council was able to appraise post-selection sites when required to do so. It did so for Green Belt sites promoted during the May-July 2025 consultation, but there is no equivalent assessment of at least five identifiable urban/non-Green Belt sites promoted through the same process. That is not an even-handed approach. The fact that sites were promoted late cannot justify assessing late Green Belt alternatives while failing to assess urban alternatives which go directly to whether Green Belt release is necessary at all.
- 3.26 This is a material omission. Those urban/non-Green Belt sites have a capacity to deliver dwellings before any allowance is made for sites where capacity is not stated. More importantly, they are part of the wider picture which includes EXAM141 and the Council's heavy reliance on windfall. If such sites are simply left to windfall, then the IIA has not tested reasonable alternatives; it has avoided them. The IIA should therefore be updated to assess those sites, and any other reasonable alternatives arising from a refreshed call for sites or equivalent urban capacity exercise, before Green Belt release is found sound.
- 3.27 The IIA Addendum concludes that no further work is necessary in relation to the spatial strategy and proposed additional site allocations, because EXAM125B involved further exploration and appraisal of alternatives in relation to spatial strategy and sites, and that exercise has informed the proposed Main Modifications.
- 3.28 That conclusion is no longer safe. The new BMV evidence is plainly material to the comparative performance of the selected Green Belt sites. It may affect the relative merits of the Council's preferred mixed approach, the selection of CH03, SES29 and SES30 (among other BMV sites), and the extent to which alternative sites or a reduced / different Green Belt release strategy should be preferred. Likewise, the flood risk constraints affecting SES30 are directly relevant to capacity and deliverability.

- 3.29 The same point applies to the 11 previously unassessed sites promoted through the July 2025 consultation. The Council’s decision to assess only the five Green Belt sites, and not the six new urban area sites, means that the IIA has not assessed all reasonable alternatives relevant to the decision now being made. The urban sites cannot be dismissed as mere windfall possibilities where they have been positively promoted and where the Plan is proposing Green Belt release. Their exclusion from the IIA is difficult to reconcile with Sustainability Aim SA8 (Soil and Land), which expressly concerns the use of land in a manner which supports urban regeneration and protects valuable soil and mineral resources.
- 3.30 It would be no answer to say that these matters can be considered at planning application stage. The Plan is allocating land now. It is doing so in circumstances where exceptional circumstances must be demonstrated for Green Belt release, where the housing supply position is finely balanced, and where the Council relies on the strategic benefits and claimed capacity of sites such as NES37, SES29 and SES30 to justify their inclusion.
- 3.31 In our view, the IIA must therefore be updated before the Plan is finalised. That update should include, at minimum:
- i. a revised Soil and Land assessment using the Predictive ALC Map as the current strategic evidence base;
 - ii. re-scoring of Strategic Location 1: Handsworth, and SES29 / SES30 specifically, having regard to the predicted presence and extent of BMV land;
 - iii. reconsideration of MM184 and the removal of agricultural land survey requirements from site-specific allocation wording;
 - iv. a clear explanation of whether the corrected BMV assessment changes the comparative assessment of reasonable alternatives;
 - v. a revised assessment of the developable area and capacity of the proposed Main Modification allocations;
 - vi. consequential changes to the housing trajectory and Green Belt release justification, if site capacity or deliverability is reduced; and

vii. assessment of the six urban area sites promoted through the July 2025 consultation, and reconsideration of whether those sites affect the comparative assessment of reasonable alternatives and the claimed need for Green Belt release.

3.32 Given the materiality of those matters, the updated IIA should be subject to further consultation. Proceeding to adoption without doing so would mean that the Plan is being finalised on the basis of an IIA which has not properly assessed likely environmental effects, has not considered the best current evidence, and has not transparently tested whether reasonable alternatives would perform better.

3.33 For these reasons, SGBA considers the IIA Update and IIA Addendum to be materially flawed. The documents do not provide a robust basis for the Main Modifications insofar as they relate to Green Belt release, newly proposed allocations, and the associated spatial strategy.

4. Conclusion

4.1 For the reasons set out above, and in our July Letter and December Letter among other action group representations (see Fn2, above), SGBA maintains its objection to the Plan as now proposed to be modified. The Main Modifications do not resolve the fundamental concerns that have been raised throughout this Examination. In several important respects they expose, or further entrench, the underlying deficiencies in the Council's approach.

4.2 The proposed Green Belt allocations remain unsupported by a transparent and consistent assessment of reasonable alternatives. Sites have been deleted or relegated to 'Opportunity Sites' status on the basis of uncertain availability, while other sites affected by obvious and unresolved availability, infrastructure, capacity and environmental constraints continue to be relied upon as allocations. That is particularly troubling where the Council seeks to justify the release of land from the Green Belt in circumstances where exceptional circumstances must be clearly demonstrated, and where the extent of release should be no greater than is properly justified by the evidence.

- 4.3 The modifications relating to transport mitigation, BMV land and site capacities are especially problematic. MM97 introduces potentially significant infrastructure obligations which have not been meaningfully viability tested. MM184 assumes that agricultural land value has already been taken into account when deciding whether to allocate sites, when the evidence base shows that this has not been done in any informed or consistent way. MM223 confirms that site capacities are indicative only, yet those same capacities have plainly underpinned the claimed housing supply and the asserted justification for Green Belt release.
- 4.4 The updated IIA does not cure those defects. In particular, the treatment of Soil and Land, including BMV land, is no longer robust in light of the new DEFRA Predictive ALC Map and SGBA's analysis of its implications for the proposed Green Belt release sites. The assessment of Strategic Location 1: Handsworth should be revisited and re-scored, and the comparative assessment of reasonable alternatives should be reconsidered accordingly. The IIA also fails to explain how known flood risk constraints affecting SES30 (among other sites) have been translated into assumptions about net developable area, capacity and delivery. Further, the IIA has not assessed all known urban/non-Green Belt sites promoted through the July 2025 consultation before concluding that the proposed Green Belt release strategy remains justified.
- 4.5 In our view, the Plan cannot lawfully or soundly proceed on the present basis. At minimum, the Council should be required to:
- i. update the IIA to take account of the new BMV evidence and the full implications of flood risk constraints;
 - ii. consult on that updated IIA before the Plan is finalised;
 - iii. reconsider the scoring and selection of CH03, SES29 and SES30, together with any other Green Belt allocations predicted to comprise BMV land in whole or substantial part;
 - iv. withdraw or amend MM184 so that it does not deem BMV impacts acceptable in principle where those impacts have not been properly assessed;

- v. demonstrate that the infrastructure and mitigation requirements introduced or clarified through the Main Modifications have been properly viability tested;
- vi. revisit the housing trajectory and Green Belt release justification if the claimed capacities of the proposed allocations cannot be robustly supported;
- vii. assess and appraise the urban area sites promoted through the July 2025 consultation before concluding that Green Belt release is necessary; and
- viii. undertake a refreshed call for sites, or equivalent transparent urban capacity review, to establish whether further suitable and available non-Green Belt sites exist which could reduce or remove the need for the proposed Green Belt release.

4.6 In the absence of that further work, the Plan remains neither legally compliant nor sound. SGBA therefore objects to the proposed Main Modifications, the IIA Update and the IIA Addendum, insofar as they relate to the proposed Green Belt release strategy, and in particular the newly proposed allocations at CH03, CH04, CH05, NES36, NES37, NES38, NES39, SES29, SES30, SS19, and SWS18. SGBA respectfully asks that the examining Inspectors do not recommend adoption of the Plan unless and until these matters have been properly addressed.

Yours sincerely,



Steven Stroud MRTPI
James Bailey Planning

Enclosures:

1. *BMV Paper*
2. *Site Capacities Review*