

# **South Staffordshire Local Plan Examination**

## **Response to Matter 7: Site Allocations**

St Philips (Orton Lane)

10 April 2025

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## 1.0 Introduction

- 1.1 This statement to Matter 7 (Site Allocations) of the examination of the South Staffordshire Local Plan Review (“the LPR”) is submitted by Lichfields on behalf of St Philips in relation to their land interests at Land off Orton Lane or Sites: 416 and 416a (“the Site”). Please refer to the full introduction included within St Philips Matter Statement 5 in respect of Land off Orton Lane.
- 1.2 Separate representations have been submitted in respect of the following Matters:
- Matter 5 – Spatial Strategy; and
  - Matter 6 – Green Belt.
- 1.3 This Statement has been prepared in line with the Guidance Note (SST/ED8) for the Examination.

2.0

## Matter 7: Site Allocations

### Issue 1: Site Allocations

**Whether the preferred site allocations are positively prepared, justified, effective and consistent with national policy.**

***Q. 1. In terms of the proposed planned housing and employment developments:***

***a. Is the spatial distribution of the allocations across the South Staffordshire area justified and is it consistent with the Spatial Strategy?***

***b. Has the identification and selection of the proposed site allocations been robustly evidenced and subject to robust, consistent and transparent methodologies, including in relation to the approach to existing committed sites?***

***c. Is the methodology for assessing the heritage impacts of site allocations robust and are the site-specific requirements for each site allocation consistent with it?***

***d. What evidence is there that education provision can be secured in a sustainable manner to support each of the housing allocations?***

***e. Is the approach of the Plan to air quality matters relating to planned growth sound?***

***f. For any site allocations with a known flood risk, how has that been considered, both in terms of assessing the capacity of the site and any measures necessary to manage the issue? Will the measures be effective and are they consistently applied across the relevant proposed allocations in the Plan?***

***g. The Council has set the requirements for each site allocation within appendix B. Is that approach effective? Are the key requirements for each site allocation justified and sufficiently clear?***

***h. Do the proposed allocations have a reasonable prospect of meeting the other relevant policies of the development plan? What evidence of this exists?***

2.1

As stated in St Philips' response to Matter 5 Issue 1, the evidence supporting the LPR – namely South Staffordshire Council's 'Rural Services and Facilities Audit 2021' (EB15), the Housing Site Selection Topic Paper [HSSTP] (2024) (EB20-20b), 'Spatial Housing Strategy Topic Paper (2024)' (EB14-14a), and iterative Sustainability Assessment [SA] evidence (EB1-EB2b), clearly supports the Council's proposed approach to directing growth to Tier 2 settlements, such as Wombourne. To this end, St Philips generally supports the Council's infrastructure-led strategy, and in particular the identification of Land off Orton Lane as an allocation, which aligns with this strategy.

- 2.2 Notwithstanding St Philips previous response in relation to Green Belt release, the utilisation of Safeguard Land within the Spatial Strategy is entirely sensible, sustainable, and supported by the sequential approach required to be undertaken prior to concluding ‘exceptional circumstances’ to justify the release of Green Belt (Para 146). It is also clear to St Philips that the identification of Land off Orton Lane as an appropriate location within Wombourne to address the settlement’s housing needs, given its Safeguard Land designation.
- 2.3 On this basis, St Philips considers that the identification of Land off Orton Lane within the spatial distribution is ‘justified’ (Para 35b) and is consistent with the Spatial Strategy. Moreover, St Philips considers that this suite of evidence, when read as a whole, demonstrates that the identification and selection of the site allocations has been robustly evidenced.
- 2.4 In respect of education provision, as set out in the Land off Orton Lane Statement of Common Ground (DC43) (“the SoCG”), St Philips have agreed that the site will “*provide any necessary education contribution agreed through dialogue with the School Organisation Team at Staffordshire County Council in accordance with Policy HC15*”. St Philips is in the process of bring together a pre-application submission for the site in due course. However, it is noted that the Council’s ‘Infrastructure Delivery Plan (April 2024)’ [IDP] (CD11), in which the Council worked with the School Organisations Team [SOT] at Staffordshire County Council (i.e. the Education Authority [EA]), confirmed that the “level of growth proposed at other villages is not projected to facilitate the need for a new First or Primary school” (Para 5.12, CD11). Moreover, as a part of Bloor’s planning application<sup>1</sup> (Application Reference: 24/00241/FULM) on the southern parcel of the allocation, the EA confirmed in April 2024 that no education contribution would be sought for primary or secondary school provision. St Philips are therefore satisfied that no education provision is required at this time, however, should this position change, this could be addressed through an appropriate S106 contribution in St Philips’ future planning application.
- 2.5 In respect of the requirements set out in Appendix B, as set out in the SoCG, St Philips has agreed that the development can – and will – deliver the policy requirements set out in Policy SA3, and the wider LPR policy requirements, subject to the policies being found sound at Examination. St Philips is therefore satisfied that the key requirements identified for the site allocation are justified and sufficiently clear.
- 2.6 However, St Philips would note that the 2022 version of the LPR (Appendix C) required “*sites 416 and 416a are planned and delivered as a single site.*” However, this requirement has been omitted from the key requirements for the Site in Appendix B of the LPR submitted for Examination in Public [EiP]. In this regard, St Philips is concerned that this key requirement has been removed from the submitted LPR. In the context that the northern and southern parcels of site 416 are controlled by different parties (St Philips and Bellway Homes respectively), this omission may lead to a lack of comprehensive development.
- 2.7 Indeed, as noted above, Bellway have already submitted a planning application that only seeks approval for the delivery of the southern part of site 416. The Planning Statement for

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<sup>1</sup> Full planning application for the erection of 41 dwellings, a new access from Orton Lane, landscaping and other associated works.

the application sets out that pre-application discussions took place with the Council and that:

*“The council were expecting that a planning application for the site would include the whole of the emerging allocation. Officers emphasised the importance of planning comprehensively. Although the northern and southern parts of the emerging allocation is controlled by different landowners/promoters, the design of the development proposed by Bellway has sought to ensure there could be future pedestrian/vehicular connections from the southern part of the site to the northern parcel. There has also been a degree of collaboration between the parties through the sharing of plans and representations to the emerging local plan.”*

- 2.8 Bellway’s application acknowledges the potential for delivery of access to the remainder of the allocation. However, there is no guarantee that the proposed development would facilitate this access. This creates the potential for a ransom situation which may ultimately cause issues for the delivery of allocation as a whole. Furthermore, St Philips is concerned that in the absence of a comprehensive masterplan solution for the allocation, key technical and policy requirements may not be appropriately addressed across the site. The allocation of site 416a would resolve some of these issues, as St Philips would not need to rely on another landowner to deliver access the northern parcel. Notwithstanding this, St Philips strongly contends that this requirement should be reinstated, to ensure Land off Orton Lane is delivered as a well-designed, comprehensive development.

## Issue 2

**Whether the preferred housing sites are justified, effective and consistent with national policy.**

***1. For all preferred housing allocations please set out:***

- a. The background to the site allocation and how it was identified;***
- b. How the site contributes to delivering the spatial strategy;***
- c. Are the boundaries and extent of the site correctly identified;***
- d. The uses to be permitted;***
- e. The anticipated housing capacity of the site, how this was determined and is it justified;***
- f. For any mixed-use proposals within it, the estimated floorspace of nonresidential uses;***
- g. How any relevant technical constraints have been assessed and whether any necessary effective mitigation is necessary;***
- h. Whether site specific requirements are necessary and whether they are proportionate, justified and appropriately address any technical constraints or requirements of other policies in the Plan;***
- i. Where applicable, evidence of whether the provisions of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the national policy approach to heritage will be met;***
- j. Evidence of the expected timescale and rate of development, and whether they are realistic;***
- k. The highways implications of the site, including accesses and the effect on the highway network;***
- l. The known necessary infrastructure dependencies and whether the assumptions relating to them and their delivery are reasonable and consistent with the delivery assumptions contained in the submitted housing trajectory.***
- m. How the necessary infrastructure requirements will be funded and delivered in line with anticipated delivery timeframes.***
- n. Clear evidence of whether the site is viable and developable at the scale of development expected within the plan period.***



*o. What is the situation with regards land ownership, land assembly and developer interest; and*

*p. Any modifications that are necessary for reasons of soundness.*

- 2.9 As noted in St Philips' response to Matter 5, the Site was initially identified as Safeguarded Land in the adopted Site Allocations Document 2018 [SAD] to meet the longer-term development needs for the period 2028-2038. The site has subsequently been tested through the Council's LPR process, having first been identified as an option for residential development in the Council's Issues and Options Consultation [IOC] in 2018, and then identified within Growth Option D in the Spatial Housing Strategy & Infrastructure Delivery ("the SHSID"), and subsequently as a draft allocation in the Council's Preferred Options consultation in 2021. As such, the site has been iteratively tested through the Council's site selection and SA process since 2018.
- 2.10 Crucially, Policy DS5 (The Spatial Strategy to 2041) is clear that growth will be distributed to the district's most sustainable locations, with the policy going on to set out a settlement hierarchy, with Wombourne identified as a Tier 2 settlement. In this regard – and as set out in St Philips' response to Matter 5 – Land off Orton Lane was identified by the Council as the sustainable option for growth in Wombourne. As such, St Philips considers that the allocation of Land off Orton Lane is 'justified' (Para 35b) and is entirely consistent with the infrastructure-led Spatial Strategy.
- 2.11 In respect of technical constraints and effective mitigation, it is considered that the site is not environmentally sensitive and is not subject to any insurmountable constraints. This has been born out of St Philips and Bellway's respective technical evidence base, the Council's LPR evidence base and the subsequent technical evidence underpinning Bellway's application.
- 2.12 With regards to the evidence of the expected timescale and rate of development, and whether they are realistic, as noted above, Bellway have now submitted an application for their respective land interest within the Land off Orton Lane allocation (Policy SA3), which is still under determination. An application will be made by St Philips in due course. It is envisaged that these applications could be granted planning permission at the point of adoption of the LPR. Given the scale of development envisaged, St Philips strongly contends that the site could be delivered well within the LPR plan period at a realistic and deliverable rate. In addition, it is considered that there is clear evidence that the site is viable and deliverable at the scale of development expected within the plan period.
- 2.13 In terms of land ownership, as set out above, Land off Orton Lane is controlled by two parties; Bellway and St Philips. Despite Bellway's application preceding St Philips, they are committed to working alongside Bellway to deliver a comprehensive development that accords with the allocation requirements and wider Development Plan policies.
- 2.14 In conclusion, the above, when taken together, demonstrate that – in terms of soundness – the Council's allocation of Land off Orton Lane (Policy SA3), is 'sound'. This is because St Philips considers that the proposed allocation is underpinned by relevant and up-to-date evidence (Para 31), is 'justified' (Para 35b), has regard to the economic viability of the site (Para 68) and does not undermine the deliverability of the LPR (Para 34), in accordance with the NPPF.



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