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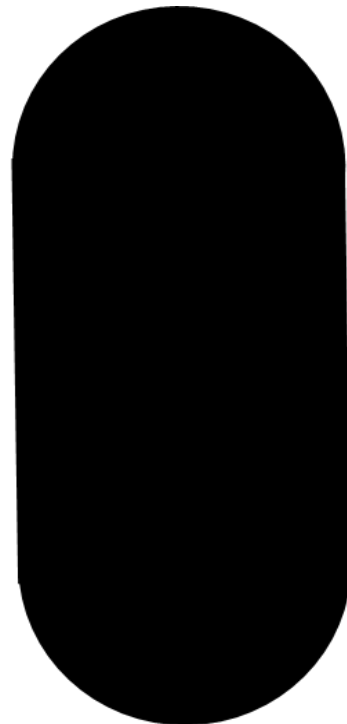
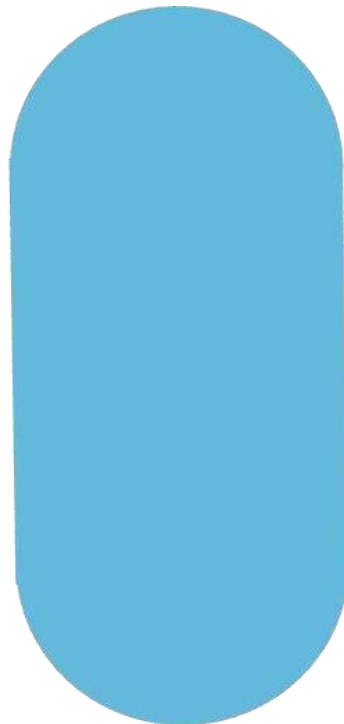
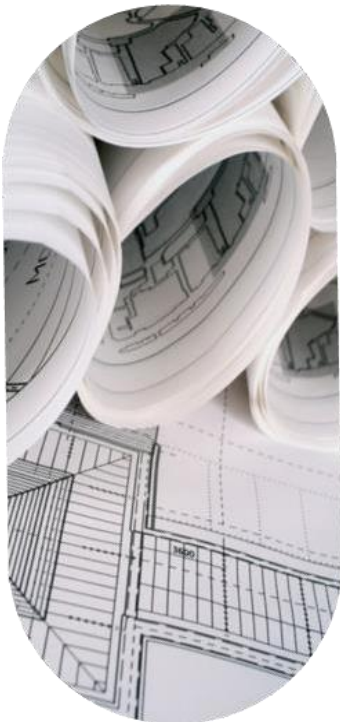
South Staffordshire Local Plan

Examination in Public

Matter 5 – Spatial Strategy

Boningale Group Ltd

April 2024



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Document Management				
Matter Number	Author		Checked/Approved	
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1. Introduction

- 1.1. This response to Matter 5 of the Inspectors' MIQs in respect of the South Staffordshire Local Plan (SSLP) Examination in Public has been prepared by Marrons on behalf of Boningale Group Ltd. Marrons have been instructed to appear at the Examination on behalf of Boningale Group Ltd.
- 1.2. This hearing statement should be read alongside previous representation to the Regulation 19 Consultation submitted by Marrons on behalf of Boningale Homes Ltd and should be considered in the context of support for a plan led system.
- 1.3. Acting on behalf of our clients, Marrons will attend the Matter 5 Hearing Sessions and will make further oral submission on behalf of our client. This statement outlines Boningale Group's comments in respect of Matter 5, with responses to the Inspectors' MIQs (Matter 5) set out below.
- 1.4. Boningale Group are a SME local housebuilder and land promoter based in Shropshire and are currently building out a high-quality development at 'Millfields' in Albrighton, in neighbouring Shropshire. They are actively promoting the following sites in South Staffordshire;
 - Codsall South (Appendix A)
 - Hockerhill Farm, Brewood (Appendix B)
 - Coven Road, Brewood (Appendix C)
 - Boscobel Lane, Bishops Wood (Appendix D)
 - Clive Road, Pattingham (Appendix E)
 - Bridgnorth Road, Stourton (Appendix F)
- 1.5. The Hockerhill Farm, Brewood site is subject to a live planning application for up to 100 residential dwellings. The Boscobel Lane, Bishops Wood site is subject to a Section 78 Appeal against the refusal of planning permission for up to 100 residential dwellings and a community shop.
- 1.6. In order to assist the Inspectors', the contents of this submission and the submissions made in respect of other Matters, demonstrate that the submission version of the Plan is not, in our assessment, capable of being found sound, without significant additional evidence and the identification of additional sites to accommodate housing growth over the Plan period.
- 1.7. These submissions reflect the recent position outlined by Housing Minister Matthew Pennycook and the Chief Executive of the Planning Inspectorate with regard to the continued use of 'pragmatism' in the Examination of Plans and the recognition that any fundamental issues or areas of additional work that require a pause of more than

six-months in the Examination process, should indicate that a Plan is not capable of being found sound. As such aligned with the above consideration, in the current context, we do not believe that the Plan is capable of being found sound noting that the degree of additional work we consider to be required to make the Plan sound would likely require a pause in the Examination in excess of 6-months.

- 1.8. We consider that the Sustainability Appraisal process is totally flawed, to the extent that it is unlawful, as it does not meet the requirements of the Environmental Assessment of Plans and Programmes Regulations 2004 (“the SEA Regulations”). There has been a failure to consistently and robustly consider reasonable alternatives contrary to Regulation 12 and Schedule 2, paragraph 8. As such we do not consider that the Plan is capable of being found sound.

2. Whether there is a clear Spatial Strategy which is justified, effective and consistent with national policy

1. How was the settlement hierarchy derived? When qualifying your answer, is the methodology used to determine the hierarchy appropriate and sufficiently robust?

2.1. No response.

2. How has the level of development anticipated in different settlement categories been derived? Does the settlement hierarchy appropriately reflect the role and function of these settlements?

2.2. We fundamentally disagree with the approach that has been taken to the distribution of growth across different settlements,

2.3. The approach to distributing growth has been entirely defined by Green Belt policies, with only Tier 1 settlements having been identified for some Green Belt release.

2.4. The approach taken by the Council will simply exacerbate the housing crisis in the District and will increase levels of unaffordability and demographic mix within the majority of settlements in the District.

2.5. South Staffordshire is an inherently rural authority and the Plan as submitted will in our assessment exacerbate to decline of a number of settlements including systematic reductions in bus services, school services and wider services and amenities. Failing to deliver the housing required to maintain and enhance rural vitality is a significant concern and simply does nothing to support residents of these settlements.

3. In terms of the distribution of housing and employment development across the plan area:

a. Is it clear how and why the preferred Spatial Strategy has been selected?

2.6. It is clear that the preferred Spatial Strategy has entirely been dictated by the Council's objective to protect the Green Belt.

2.7. This approach is fundamentally flawed and does not deliver the housing or economic growth required in the District. We maintain that the approach taken to the spatial strategy is politically motivated.

**b. What options have been considered for accommodating the identified development requirements in a sustainable manner?
Have reasonable alternatives been considered?**

- 2.8. As is detailed in our Matter 1 Statement, we consider that there has been a complete failure to consider reasonable alternatives since the publication of NPPF23. The Council have placed a blanket restriction on Green Belt development in all settlements outside of those within Tier 1.
- 2.9. The SA fails to test the allocation of additional Green Belt sites in sustainable Tier 2 and Tier 3 settlements and further fails to consider the wider socio-economic benefits of allocating meaningful growth, to promote ongoing vitality and viability within these settlements.

**c. Are the areas identified for new development the most appropriate locations? Is the rationale behind choices and reasoning for conclusions clear and justified by the evidence?
How have the locational needs of different sectors been addressed.**

- 2.10. Again as is detailed in our Matter 1 Statement, with reference to the limited contribution that the Council is now looking to make to the GBBCHMA unmet need, it is necessary and appropriate that the Council undertake a separate exercise to identify the most appropriate sites to meet unmet need. These should be strategically linked to the area from which the unmet need is arising and focus on settlements such as Codsall.

d. What roles have the Sustainability Appraisal and Viability Study had in influencing the Spatial Strategy?

- 2.11. Given the approach taken by the Council with reference to Green Belt, the Sustainability Appraisal and Viability Study, which has in our opinion been rushed to completion so as to allow the Council to submit the Plan for Examination ahead of NPPF24, have not been sufficiently considered in determining the Spatial Strategy.

4. In terms of highways considerations:

a. How have the traffic impacts of the Plan on both the local and wider highway network been assessed?

- 2.12. We consider that there is a considerable gap in the assessment of traffic impacts. Indeed the SoCG signed between the Council, Staffordshire County Highways and National Highways confirms that much of the assessment of cumulative impacts of

development will be considered at application stage. This can offer the Inspectors' no comfort that the proposed allocations are actually deliverable.

- 2.13. We have previously highlighted significant capacity issues and a potential solution to the longstanding problems at the Heath House Lane, Wrottesley Park Road and A41 crossroads. This is further considered in the technical note prepared by the Transport and Infrastructure team at DLP Group at Appendix A.

b. How have the traffic assessment findings shaped the plan proposals for the scale and distribution of development within the plan period?

- 2.14. Again there is no evidence that this has been sufficiently considered.

c. How have the cumulative highway effects of the Plan on neighbouring authorities, including Wolverhampton been considered and addressed?

- 2.15. There is no evidence that this has been sufficiently considered and is particularly relevant to Shropshire Council and the City of Wolverhampton Council.

d. Are there any outstanding concerns from National Highways or Local Highway Authorities? If so, what are they and should they be addressed prior to adoption of the Plan?

- 2.16. For the Council to answer.

5. Have the social, economic and environmental impacts of the Spatial Strategy on neighbouring areas been identified and addressed?

- 2.17. The social, economic and environmental impacts of the Spatial Strategy on neighbouring areas have not been identified and addressed.
- 2.18. The Council have failed to sufficiently address unmet needs from neighbouring authorities. They have failed to consider the most appropriate locations to accommodate unmet need, including the clear social and environmental benefits of locating growth as close to the area from which unmet need arises.
- 2.19. Further, given our above submissions in regard to the impact of the decision to limit growth considerably beyond Tier 1 settlements, the Council have failed to consider the knock-on impacts of systematic reductions in services and facilities being available within Tier 2 and Tier 3 settlements and the increased pressure on neighbouring authorities that this will have, including the need to access education and health care out of area and the increased reliance on private cars.

3. Whether the Plan's approach to infrastructure planning is justified, effective and consistent with national policy.

6. Is the approach taken in the Plan sound, and:

a. Taken as a whole and in view of gaps in the Infrastructure Delivery Plan about project costings and timescales, what evidence supports a conclusion that the growth proposed by the Plan is deliverable when anticipated in terms of infrastructure capacity?

- 3.1. There is insufficient evidence that the Plan is deliverable when taking into consideration the degree of work remaining to assess and identify solutions to key infrastructure capacity issues and restrictions.
- 3.2. We consider that the Plan has been submitted ahead of all necessary work and assessment having been completed and that the decision to submit the Plan was driven entirely by a desire to run ahead of the NPPF24 as apposed to the Plan having been submitted because it was considered suitable and ready for Examination in Public.
- 3.3. There remains considerable gaps in the viability and infrastructure evidence.

b. How has the availability of key public services influenced the selection of the preferred Spatial Strategy been considered?

- 3.4. No response.

Appendix A – Codsall South Infrastructure Note



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Re: Representation to Matters, Issues and Questions Identified by the Inspectors relating to the South Staffordshire Local Plan Examination

Date: April 2025

Subject: Potential Development Application at Codsall, South Staffordshire

Client: Boningale Developments Ltd

1.0 Background

This Highways Technical Note has been prepared on behalf of our client Boningale Developments Ltd who has a specific interest in land to the southwest of Codsall. In particular, this interest relates to the opportunity to deliver sustainable development at this location whilst offering wider benefits from a highways, transportation and infrastructure perspective.

2.0 Existing Capacity Constraints

Capacity constraints have previously been identified in the local highway network around Codsall (specifically the A41 / Heath House Lane / Wrottesley Park Road signalised junction), which will potentially impact on wider Local Plan development coming forward; the junction lies at the southeastern corner of the Boningale Developments Ltd land interest, as shown in **Figure 1** below.

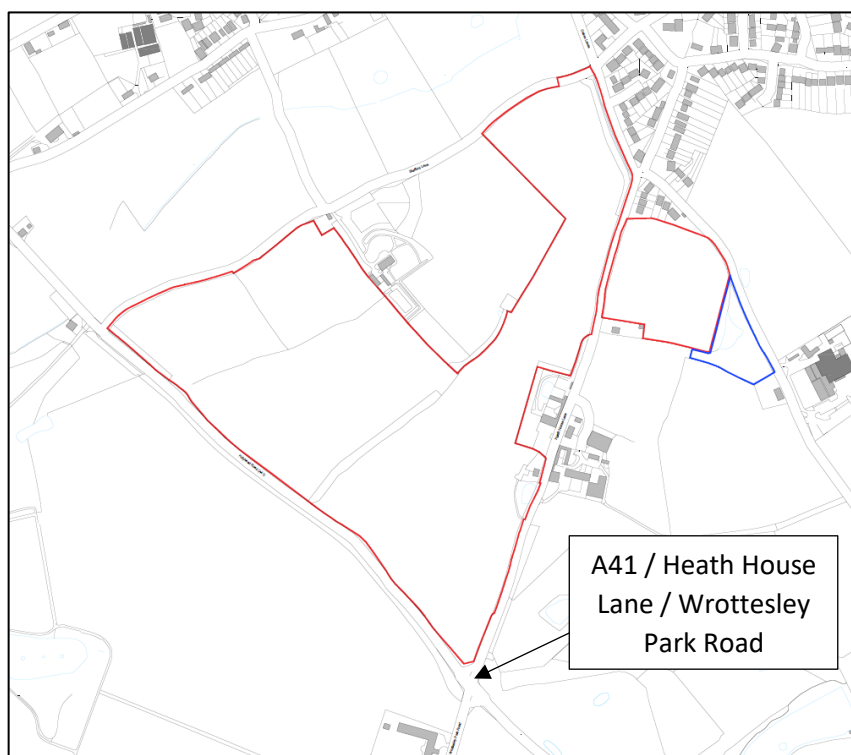


Figure 1 – Boningale Developments Ltd Land Ownership

In December 2018, outline planning consent was granted for 220 dwellings on Land to the West of Wrottesley Park Road (18/00436/OUT). As part of the application, a Transport Assessment Addendum was prepared by TPA, which included a LINSIG capacity assessment of the A41 / Heath House Lane / Wrottesley Park Road junction. This concluded that the existing junction would operate 15% over theoretical capacity with queues up to 49 Passenger Car Units. It was subsequently agreed with Staffordshire County Council (SCC) Highways that a revision to the signal timings to create an additional 1 second on all intergreens would be acceptable mitigation, however this, resulted in moderate improvements with SCC accepting as part of the permission that the junction would continue to operate 10% over theoretical capacity with queues of up to 39 PCUs.

Subsequently to the above, as part of the South Staffordshire Council Publication Plan (Regulation 19) April 2024 document, SCC Highways undertook a review of the A41 / Heath House Lane / Wrottesley Park Road signalised junction to determine if a mitigation scheme could be provided to accommodate the Draft Local Plan Allocated and Safeguarded sites. This information was set out in the Strategic Transport Assessment (dated May 2022) prepared in support of the Land East of Bilbrook (Policy SA1) site, where it was identified that SCC Highways were investigating a 'high level' improvement scheme, which included carriageway widening and additional lanes. This review concluded that following the implementation of the potential improvements, the junction would operate 3.0% over theoretical capacity with queues of up to 30 PCUs once Land East of Bilbrook was included. This information relating to capacity and a potential highway improvements scheme was included as part of the outline planning application (24/00793/OUTM) submitted for the Land East of Bilbrook proposal. Further to discussions with SCC, it is accepted that this highway improvement scheme cannot be delivered without additional third-party land coming forward.

It is apparent from the above that the A41 / Heath House Lane / Wrottesley Park Road signalised junction is both capacity and land constrained, on what is a key highway corridor between Wolverhampton and Junction 3 of the M54. As stated, it is acknowledged by SCC that the junction improvement scheme that has been initially explored and provided to other developers (such as Land East of Bilbrook) cannot be delivered due to third-party land constraints. As such, there is no committed infrastructure improvements at the A41 / Heath House Lane / Wrottesley Park Road signalised junction that can be delivered to provide capacity improvements to support any development sites coming forward including the Local Plan sites.

In order to understand how the A41 / Heath House Lane / Wrottesley Park Road signalised junction will operate in practice, a LINSIG modelling assessment has been undertaken by DLP of the existing arrangement, considering all consented developments built out by April 2024, a future year of 2038, and all planned major developments (23/01073/OUTM – 130 dwellings & 18/00436/OUT – 220 dwellings & 24/00793/OUTM – 750 dwellings) as advised by SCC Highways. The results indicate that the existing junction would operate 19.7% over the theoretical capacity in 2038 with a queue of up to 62 PCUs on the A41.

It is clear from the work undertaken that there are few improvements that can be made within the constraints of the existing highway land that could increase capacity, reduce queuing, or improve infrastructure for pedestrians and cyclists.

The above assessment clearly demonstrates that without a deliverable highway improvement scheme at the A41 / Heath House Lane / Wrotesley Park Road signalised junction the level of queuing will result in significant delays and re-routing of traffic onto inappropriate roads increasing safety issues on the local highway network.

3.0 Potential Infrastructure Improvements

Noting that the A41 / Heath House Lane / Wrotesley Park Road signalised junction has been identified as an area of capacity concern, there has been no deliverable improvement scheme identified by either SCC Highways or developers to offer significant betterment at this junction. Having reviewed the documentation and analysis summarised in Section 2.0 of this Technical Note, it is noted that the A41 Holyhead Road (northwest and southeast) and Wrotesley Park Road arms of the junction appear to experience the longest queue lengths and delays.

In order to deliver significant infrastructure improvements at this junction, land adjacent to the junction would be required to either widen the approach arms to the junction or reconfigure the junction. To date, there has been no commentary provided by either SCC Highways or other third parties as to how such land could be acquired to deliver such benefits. It is therefore accepted that there is limited scope to improve capacity at the existing junction without third party land.

As shown in **Figure 2**, the land under consideration by Boningale Developments Ltd lies to the immediate northwest of the A41 / Heath House Lane / Wrotesley Park Road junction (edged red). Initial LINSIG capacity assessment work has been completed of a highway improvement scheme using the land available by Boningale Developments Ltd that would remove the Heath House Lane arm of the existing signalised junction. The results indicate that following the delivery of the improvements the junction would operate within theoretical capacity in both network peak periods, with a maximum queue of up to 29 PCUs in the 2038 future year. It should be noted that the traffic flows utilised in the modelling again include for all committed traffic scenarios (set out in Section 2) with the proposed improvements reducing queuing by 33 PCUs when compared to the current junction arrangement.

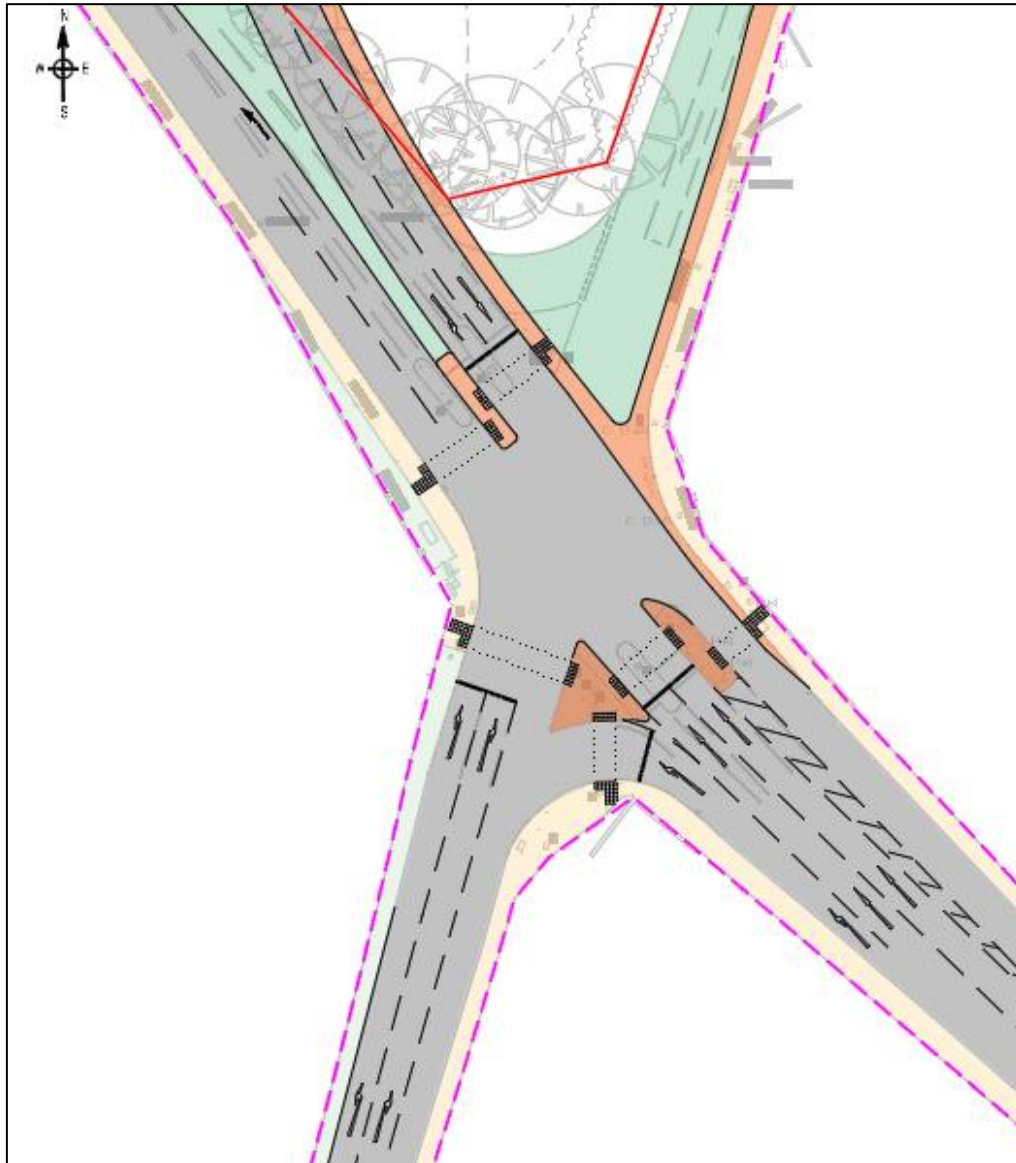


Figure 2 – Indicative Boningale Developments Ltd Highway Improvement Scheme at the A41 / Heath House Lane / Wrotesley Park Road Junction

In order to allow the removal of the Heath House Lane arm of the existing signalised junction, a new spine road extending from Histon Hill to the north to the A41 to the south (via a roundabout junction) is required with vehicles rerouted through the development via a new spine road. This is to overcome the existing local concerns that Heath House Lane is not suitable in width or accessibility to accommodate the current movements it generates. Additionally for more local traffic an extension of Heath House Lane into the Boningale Developments Ltd land is needed and would be included within the proposals. The overview of the strategy is shown at **Figure 3** for context.

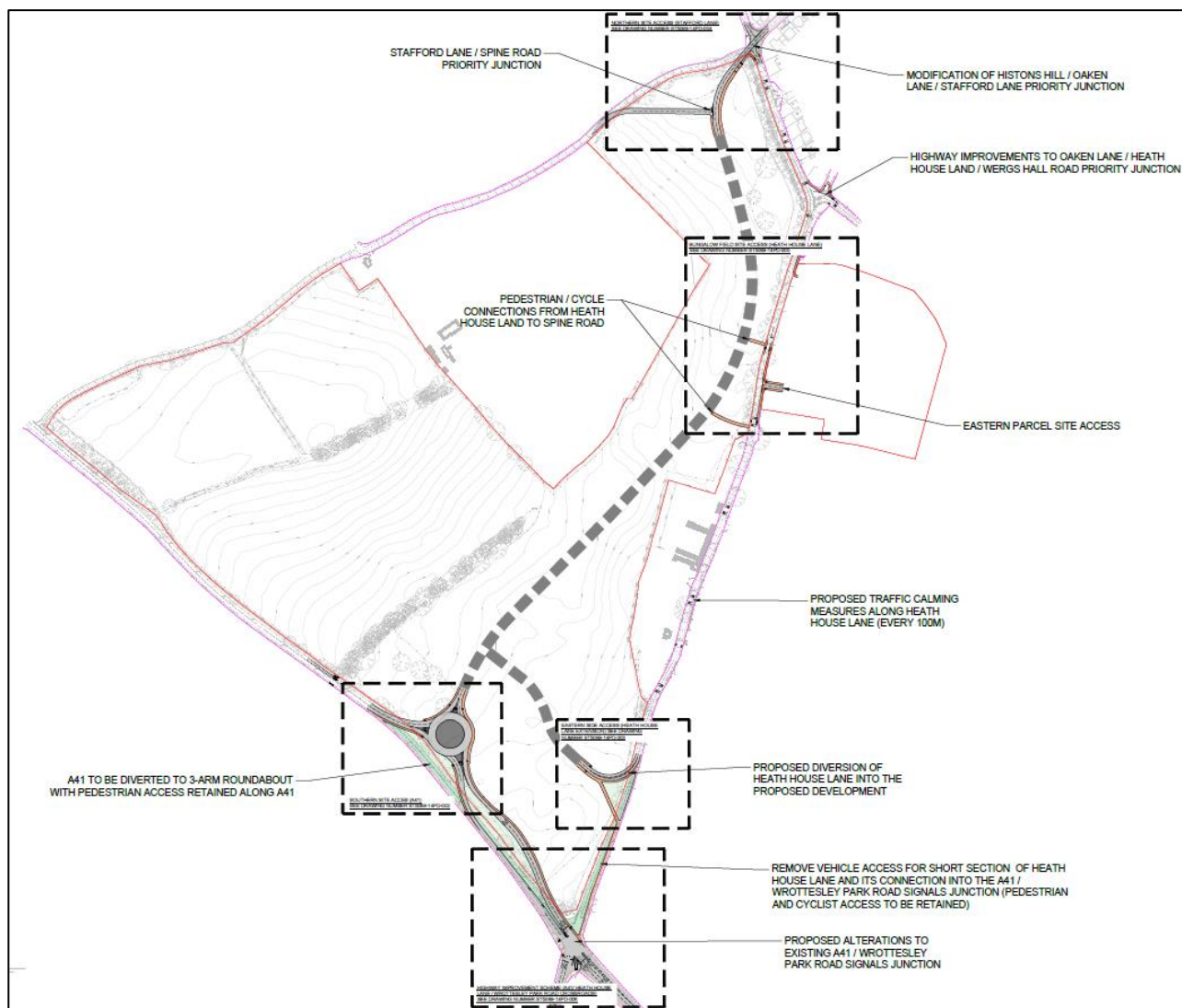


Figure 3 – Wider Boningale Developments Ltd Access and Spine Road Strategy

Whilst an initial improvement option has been explored (as set out above) that provides significant benefit when compared to the existing situation the Boningale Developments Ltd land could facilitate a number of different options to improve the highway network capacity in the vicinity of the A41 / Heath House Lane / Wrotesley Park Road junction, meaning the site provides a unique opportunity to address the fundamental deficiencies in the highway network at this location.

Furthermore, the site provides an opportunity to provide a wider benefit via the provision of a spine road linking the A41 and Codsall, through the provision of a roundabout at the A41 to the south and an extension of Histons Hill to the north. The provision of a spine road would allow vehicles that are using Heath House Lane and Stafford Lane to / from the A41 to utilise a more suitable route than via the current roads, which are restricted in terms of weight, road width, and active travel provision. Local residents already perceive Heath House Lane and Stafford Lane to be unsuitable for current use.

The provision of a spine road would allow for a transfer of the majority of traffic movements currently using Heath House Lane and Stafford Lane as it would be the shorter / more desirable route through the development. The removal of the majority of ‘through’ movements means that Heath House Lane and Stafford Lane could be downgraded to allow for local access traffic only whilst also removing the Heath House Lane vehicular connection of the A41 / Heath House Lane / Wrottesley Park Road signal junction, noting pedestrian and cyclist access would be retained. The re-routing of traffic through the site and the closure of the Heath House Lane arm at the A41 junction would free up green time in the signal staging to provide further green time to the A41 and Wrottesley Park Road arms of the junction, resulting in significant improvements to capacity at the junction.

It is also acknowledged that pedestrians and cyclists (including school pupils) currently use Heath House Lane where there is no continuous footway and constrained carriageway widths as part of their journey to / from school. The new spine road, which could be delivered within the promoters land, would significantly improve the current active travel provision on this key link and allow for continuous pedestrian and cyclist connections between Perton and Codsall. For example, the existing shared use facility, which is located along Wrottesley Park Road to the A41 / Heath House Lane / Wrottesley Park Road signal junction could be extended a further 1.1km north towards Codsall through the development, offering a significant safety betterment.

In relation to funding, should the land being promoted as part of this submission be brought forward, this could also aid in delivering the aforementioned highway improvement works, which could be encompassed as part of a future masterplan for the site in its entirety.

The delivery of the promoters’ scheme and associated improvements at the A41 / Heath House Lane, could also support further housing need / wider growth aspirations of the Local Planning Authority within Perton to the south of the A41.