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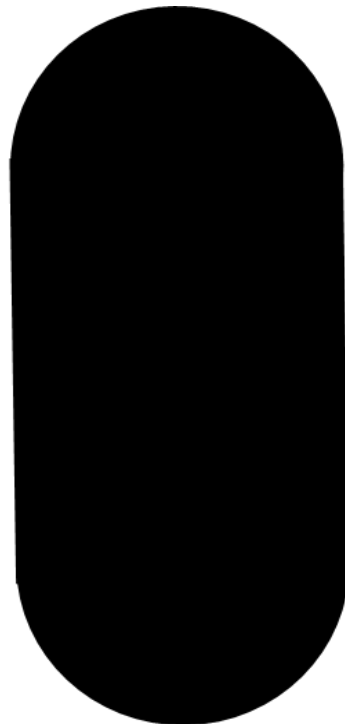
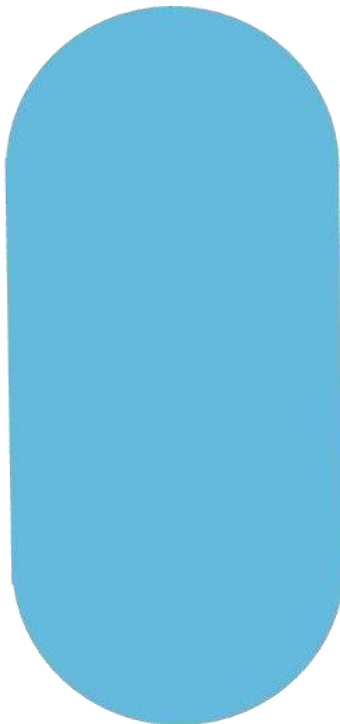
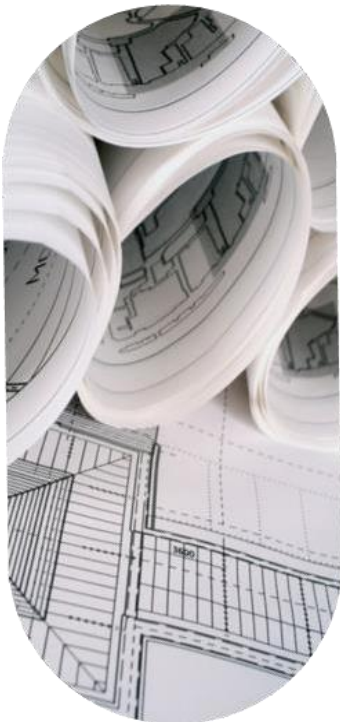
South Staffordshire Local Plan

Examination in Public

Matter 9 – Housing Land Supply

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 9 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 9 Hearing Sessions and will make further oral submission on behalf of our client. This statement outlines Boningale Group's comments in respect of Matter 9, with responses to the Inspectors' MIQs (Matter 9) 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. On the premise that the housing requirement is sound, whether the Local Plan is justified, effective and consistent with national policy in relation to demonstrating the housing land supply position throughout the plan period.

1. **What is the relevant 5-year period on adoption and what is the 5-year housing land requirement?**

2.1. The Council have detailed a response in regard to question 1 in SST/ED7A.

2. **Does the trajectory identify the components of housing land supply across the plan period with sufficient clarity? Is it based on up-to-date evidence?**

2.2. There is a fundamental lack of published and available evidence that demonstrates which sites are expected to comprise supply within the first 5-year period post adoption. We note the publication of an updated trajectory and supporting evidence, but continue to find a disjointed approach taken by the Council to housing supply and land allocations, which renders the ability of stakeholders and objectors to robustly follow the Council's evidence. Whilst the component sites have been identified, there is no straightforward commentary provided detailing the reasoning behind the inclusion within the supply.

2.3. The Council should provide a robust response to Matter 9 as part of their written statement and Marrons reserve the right to make additional oral submissions in response to any new information provided by the Council in response to MIQs.

2.4. The rate of delivery set out within the Council's evidence, or at least what can be understood, delivery rates on sites such as North of Penkridge and Bilbrook would be considerably higher than that witnessed in the area previously. There is insufficient evidence provided to suggest that a rate of between 80 and 100 dwellings per annum is achievable. This is not justified or supported by evidence. The assumptions for sales or delivery rates corresponding to these totals are absent from the Infrastructure Delivery Plan and the Whole Plan Viability Assessment.

2.5. We note that SoCG's have been entered into, but in line with the findings of the Sonning Common Inspector (APP/Q3115/W/20/3265861), the weight to be afforded to such SoCG is limited.

2.6. Notwithstanding the fact that under transitional arrangements the Council will need to immediately review their Local Plan, there is a complete lack of allocated sites that are expected to deliver towards the end of the Plan period. Firstly in this regard, the issue may not be as acute as the trajectory assesses, as in our assessment sites,

particularly strategic sites, deliver far more slowly than anticipated, particularly where, as is the case here, there has been significant gaps in the assessment of viability and infrastructure needs. However, the fact remains that the Council will need sites to come forward early in any review, and at present, the Council have in our assessment identified too few sites as part of the submission Local Plan to ease the transition from one plan to another.

3. **For each of the following sources of housing land supply for the whole plan period in turn, what are the assumptions about the overall scale, lead in times, lapse rates, timing and annual rates of delivery? What is the basis for these assumptions, are they realistic and justified and supported by evidence:**

- a. Sites with planning permission and under construction;
- b. Sites with planning permission and not started (split by outline and full permissions);
- c. Sites identified in land availability assessments;
- d. Sites identified in the brownfield register and with Permission in Principle;
- e. Adopted development plan housing allocations without planning permission; and f. Windfall sites.

- 2.7. For the Council to answer.

4. **Based on the housing trajectory, how many dwellings are expected to be delivered in the first 5 years following adoption of the Local Plan? How many dwellings would come from each source of supply?**

- 2.8. We do not consider that the Plan is capable of demonstrating a supply upon adoption against an appropriate requirement and further, we do not consider that on the basis of reliance on undeliverable site, windfall development, that the Council will be able to demonstrate a supply at any point of the plan period when an appropriate housing requirement is used.
- 2.9. The Local Plan trajectory and supply within the first 5-years is overly dependent on strategic scale development that in our assessment will take longer to come forward than anticipated.
- 2.10. The only way to address the immediate supply issue that has resulted and will continue to exist, is by distributing small, medium and 'ready to go' sustainable strategic sites throughout the District, including within the Green Belt, within rural areas and within community hubs and clusters. Such an approach is in line with the

provisions of NPPF 78-79 and PPG (67-009-20190722) as this will aid in preventing market saturation and boosting vitality of a range of settlements.

- 2.11. Marrons have undertaken a detailed assessment of the Council's Housing Land Supply position on the best available evidence and have identified a deliverable supply.
- 2.12. The below principles have been used to calculate supply;
- Single developer – 35dpa
 - 2x developers – 60dpa
 - 3x developers – 85 dpa.

Table 1: Assessment of Supply against emerging requirement

	Requirement	Plus Buffer	Deliverable Supply	Housing Land Supply
Assessment of Supply	1369	1437	1814	6.31 years.

- 2.13. We have for completeness, considered this supply against the revised LHN figure of 651 dwellings per annum which is currently undergoing public consultation.

Table 2: Assessment of Supply against proposed revised LHN

	Requirement	Plus Buffer	Deliverable Supply	Housing Land Supply
Assessment of Supply	3489	3557	1814	2.55 years.

- 2.14. As such, it is clear that whilst against the previous LHN plus the unjustified unmet need contribution that the Council will have a supply upon adoption, the flexibility is far less than the Council anticipate.
- 2.15. If the Council were to accommodate the 4,400 dwelling contribution to unmet need as is evidence and justified, the supply would immediately fall to around 5 years and significantly, we can see from the above that there will be a considerable jump between the Plan as submitted and any immediate review required. This will further reduce if the appropriate Objectively Assessed Need for South Staffordshire, as detailed in our Matter 4 Statement is utilised.

5. Are the assumptions about deliverability realistic, including where there is a reliance on significant strategic infrastructure?

2.16. As is detailed above, we do not consider that the assumptions for North Penkridge and Bilbrook are realistic. There are strategic highway and wider infrastructure issues which require addressing before North Penkridge in particular can come forward.

6. Does the evidence demonstrate that at least 10% of the housing requirement set out in the Plan would be delivered on smaller sites?

2.17. For the Council to answer.

7. What assessment has been made of any potential impacts on delivery of small sites in South Staffordshire?

2.18. No response.

8. Where sites in the housing trajectory do not have planning permission is there clear evidence that housing completions will begin within 5 years?

2.19. We have been unable to identify any evidence to confirm delivery of the sites without planning permission in the first 5-years of the Plan. The only submission comprise, as far as we can see, very broad SoCGs, that in our assessment, cannot be relied upon.

9. What is the compelling evidence to show that windfall sites will provide a reliable source of supply as anticipated in the Plan?

2.20. We consider that there is insufficient evidence that 40 dwellings per annum will be delivered through windfall development. We note this particularly given the Council's stance in regard to Green Belt development in tier 2 and tier 3 settlements and on the basis that 80% of the authority is washed over by Green Belt.

10. Does the Plan provide appropriate contingency to ensure a sufficient pipeline supply of homes? What flexibility is there within the Local Plan should some of the housing allocations not come forward in line with the expected timescales?

2.21. As is confirmed in SST/ED7A the trajectory suggests a 11% buffer. We consider that this is insufficient and that as a minimum the Council should seek to achieve a 15-20% buffer. We further recommend that a buffer at the higher end of this range is planned for so as to limit the pressure on the Council when it comes to immediately reviewing the Local Plan.

- 11. Does the evidence demonstrate that the Plan, taken together with completions, commitments and allocations in the existing development plan for the area, and windfall allowance will provide:**
- a. A 5 year supply of deliverable housing land on adoption of the Local Plan?**
 - b. A supply of specific, developable or broad locations for growth for years 6-10 and, wherever possible years 11-15 of the plan period?**

2.22.

- 12. Has a trajectory been produced to demonstrate a 5 year supply of Gypsy, Traveller and Travelling Showpeople been prepared?**

2.23. No response.

- 13. What is the implication of the proposed shortfall in supply of site provision for Gypsy, Traveller and Travelling Showpeople and how can this be addressed?**

2.24. No response.

- 14. Are any modifications required to either trajectory and, if so, would other modifications be necessary to the Plan?**

2.25. We consider that the build out rates set out in our submission above should be reflected in an updated trajectory.



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