

South Staffordshire Local Plan Examination – Matter 2 (Duty to Cooperate) – Additional Evidence

Bellway Homes Limited (sites at Orton Lane and Strathmore Crescent, Wombourne)

1 September 2025

Introduction

1. This statement is submitted on behalf of Bellway Strategic Land ('Bellway') in response to the additional evidence submitted by South Staffordshire District Council. The Council's additional evidence (examination document reference numbers: SST/ED32A, SST/ED33B, SST/ED32C, SST/ED33A and SST/ED33B) specifically relates to Matter 2 Duty to Cooperate.
2. Bellway is promoting two sites at Wombourne for residential development, land off Orton Lane (site ref: 416) and land west of Strathmore Crescent (site ref: 708). Details regarding both sites can be found in Bellway's representations to the Regulation 19 Publication Plan.
3. Land off Orton Lane is identified as safeguarded land in the adopted Site Allocations Document (September 2018). The site is the subject of a full planning application (ref: 24/00241/FULM), which received a resolution to grant planning permission at Planning Committee on 17 June 2025, subject to signing a Section 106 Agreement, which is progressing with the Council legal team.

Response to Additional Evidence

4. Having reviewed the additional evidence submitted by the Council, although it is clear the Greater Birmingham and Black Country Housing Market Area (GBBCHMA) authorities have regularly engaged to discuss HMA wide unmet needs, it has not resulted in **any** effective activities or tangible outcomes. The meeting minutes, agendas and notes submitted by the Council serve as a catalogue of missed opportunities and ultimately, **failure**, dating back to the preparation of the Birmingham Development Plan in 2017, to deal with the growing unmet housing needs across the HMA.
5. Firstly, the GBBCHMA SoCG regarding housing shortfall (November 2024) (SST/ED17) establishes a shortfall of 76,427 homes across the HMA, yet there are no realistic solutions as to how this unmet need will be met. Whilst there are some proposed contributions noted in the GBBCHMA SoCG, it is questionable whether they are meaningful given the scale of the shortfall, or whether they should be given weight as they remain untested at EIP. The only established contribution is circa 3,000 homes from North Warwickshire's adopted plan. Whilst the Shropshire Local Plan has also now been withdrawn and therefore there will be no contributions provided by Shropshire (as noted in the letter from Shropshire to South Staffordshire dated 28 April 2025 [page 446 of Action 2.1 Appendices Part 1 SST/ED32C])

6. Secondly, irrespective of the GBBCHMA SoCG, NPPF 2024 (which post dates the GBBCHMA SoCG) has increased the combined HMA LHN by over 1,000 dwellings per annum ('dpa'), from 14,377dpa to 15,861dpa. With South Staffordshire contributing just 640 dwellings over the proposed plan period (2023-2041) towards the unmet needs of the GBBCHMA, and with other LPA's equally contributing minimally, it is presumed that this would be additional unmet need.
7. As set out in our Matter 2 Hearing Statement, the SoCG does not provide an accurate picture of the worsening unmet needs across the HMA or indeed, an accurate picture of where contributions to the unmet need will be provided. Although the District Council may be able to demonstrate engagement has taken place, there remains a growing unmet housing need, which is not being dealt with effectively, whilst the emerging plan does little to address it, and would instead add to the unmet needs.
8. In addition, all discussions between the HMA authorities regarding the strategy for South Staffordshire to provide just 640 dwellings towards the housing shortfall of the HMA took place throughout 2024 and finally in November 2024, prior to the NPPF update. As such, the HMA authorities would not have been aware during these discussions that the LHN for all their areas, including South Staffordshire would dramatically increase. This may have impacted their decision making and discussions leading up to the signing of the SoCG.
9. Notwithstanding the point above, whether all the authorities agree with South Staffordshire, or do not object to the emerging plan, does not equate to the duty to cooperate being met given the scale of the unmet need and there being no solution to how it will be addressed.
10. The additional evidence submitted (Document SST/ED32C) demonstrates that there have been working group meetings since the plan was submitted for examination, including in January – April 2025. However, it doesn't appear that the HMA have met all together and the unmet needs have not been discussed in the respective meetings, neither have increased housings needs in the respective LPAs as a result of the increased LHN.
11. For South Staffordshire to have satisfied the legal duty to cooperate, it should be maximising all available capacity to reduce the scale of the unmet need, not adding to it. There is clearly additional capacity in the district, as demonstrated by the 2022 Publication Plan, including the sites promoted by Bellway. This however has been disregarded by the revised spatial strategy and any land in the Green Belt has subsequently been discounted from consideration (a matter we discuss further in response to Matter 6).
12. Paragraph 1.10 of the *"Supplementary Note to the South Staffordshire Local Plan Examination 2025 – Matter 2 (Action 2.1)"* (Document SST/ED32A) states that:

"South Staffordshire Council played a lead role in progressing this SoCG [DC6] which provided a position across the GBBCHMA as at August 2022. Although it was not signed by all HMA authorities, it demonstrates South Staffordshire's is a pro-active authority when grappling with the housing shortfall across the HMA and meeting the Duty to Co-operate."
13. It is not disputed that South Staffordshire have played a role in the GBBCHMA SoCG, however, it cannot be considered that the Council have been *proactive* in addressing the unmet needs of the HMA when the contribution being made by South Staffordshire has been reduced so substantially from the 2022 Publication Plan when compared with the 2024 Publication Plan (as submitted). This is further emphasised noting that the District have clearly demonstrated through their

Sustainability Appraisal that there is capacity for a greater contribution to be made and there are available sites to accommodate this, including sites promoted by Bellway. This cannot therefore be considered a proactive approach to meeting the housing shortfall across the HMA, contrary to the statement made by the Council.

14. Lastly, none of the additional evidence provided by the Council indicates that it was ever the objective of all HMAs to explore meeting the unmet need in full. Whilst there have been discussions regarding apportioning contributions from authorities such as South Staffordshire, there is no evidence that a comprehensive discussion was had as to whether the unmet needs could be met in full.
15. Therefore, the additional evidence provided in no way moves on the discussion had during the hearing sessions. The conclusion is that the Council has clearly failed to satisfy the Duty to Cooperate.

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