

## **Hearing Statement.**

### **Matter 7 – Site Allocations Issues 1 and 2.**

**Site ref. 224 Station Road, Codsall.**

On behalf of Richborough

Representor Ref: AGT24-030-05-27

Date: 27 March 2025 | Pegasus Ref: BIR.4759

Author: David Onions

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## Document Management.

Version	Date	Author	Checked/ Approved by:	Reason for revision
1	31.03.25	DO	DO	-
2	09.04.25	DO	DO	Client comments
3	11.04.25	DO	DO	Client comments



# Contents.

1. INTRODUCTION.....	1
2. MATTER 7 - ISSUE 1: SITE ALLOCATIONS .....	2
3. MATTER 7 - ISSUE 2: WHETHER THE PREFERRED HOUSING SITES ARE JUSTIFIED, EFFECTIVE AND CONSISTENT WITH NATIONAL POLICY. ....	7



# 1. INTRODUCTION

- 1.1. Pegasus Group is instructed by Richborough to respond to the South Staffordshire Local Plan Examination: Matters, Issues and Questions produced by the Inspectors appointed to hold an independent examination of the South Staffordshire Local Plan Review 2023–2041 (the Plan).
- 1.2. This Statement relates to Matter 7, for Site ref. 224 Station Road, Codsall, and its respective issues and questions as identified by the Inspectors.
- 1.3. Pegasus Group previously submitted representations in response to the Reg 19 Publication Plan in May 2024, the superseded Reg 19 Publication Plan in November 2022, the Preferred Options consultation (Reg 18) in November 2021, the Spatial Housing Strategy and Infrastructure Delivery consultation (Reg 18) in October 2019, and the Issues & Options consultation (Reg 18) in October 2018. This Hearing Statement should be read alongside our representations.

## 2. MATTER 7 – ISSUE 1: SITE ALLOCATIONS

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

[Focus: Policies MA1, SA1, SA2, SA3, SA4, SA5]

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?

Comments have already been made relative to Policy DS5. Specifically, concerns have been raised in regard to the approach taken in the Local Plan relative to meeting the needs of the Greater Birmingham and Black Country Housing Market Area (GBBCHMA) and in particular how this is dealt with by way of allocations. We contend that the Local Plan should make a greater contribution towards meeting the unmet needs of Black Country authorities in particular, and this should be reflected in the spatial distribution of allocations. In particular the Local Plan does not, in its current guise and unlike the 2022 Submission Plan, make provision for housing development on the edge of the conurbation. In order to make a meaningful contribution towards the unmet needs of the Black Country authorities, allocations should be made adjacent to the conurbation, where that need can be best met. This would include the former allocation at Langley Road, Wolverhampton.

Pegasus Group on behalf of Richborough acknowledge that development within Tier 2 and Tier 3 settlements can be a sustainable approach towards delivering new housing. Such settlements generally provide a range of services and facilities, sustainable forms of transport and new development can help sustain those facilities into the future.

- 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?

Richborough have prepared detailed promotional documents to support the development of the Station Road site. These are based on the investigation of matters such as access, drainage, ecology and any other constraints which might apply to the site. No overriding constraints have been found.



It is notable that the Council's Housing Site Selection Paper 2024 identified the following in connection with the Station Road site:

- Numerous benefits not present at many other site selections
- Closest to Codsall train station and close to village centre
- Best placed of all the options to deliver the station car parking identified in the Infrastructure Delivery Plan.

The Council's Green Belt Assessment found the site to not contribute to criterion b (to prevent neighbouring towns merging into one another) and d (to preserve the setting and special character of historic towns). The Council's assessment identified the site had a moderate role against criterion a (to check the unrestricted sprawl of large built up areas). Pegasus Group in the representations to the Regulation 19 Local Plan disputed the Council's categorisation of the site as contributing in a moderate way to checking the unrestricted sprawl of large built up areas. However, it is notable that in the latest PPG, government policy has been clarified to confirm that the villages should not be considered large built up areas (ref. ID 64-004-20250225). Codsall is a village and therefore the site, which is located immediately on the edge of the village, cannot be contributing at all to the unrestricted sprawl of large built up areas.

Richborough consider the site has been properly assessed against a rigorous framework and been shown to be one of the most sustainable in a first tier settlement (Codsall) and therefore merits allocation for housing.

- 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?

The site has been subject to a Heritage Assessment which has been shared with the Council. There are no heritage assets within the site. The site is located adjacent to the Codsall Conservation Area. The site falls within the buffer zone identified in the Codsall Conservation Area Management Plan. This is reflected in the Local Plan within Appendix C where a key requirement is to provide additional planting to mitigate harm to the Conservation Area and protect historic character. It goes on to state that in particular the north-western border of the site should be retained and strengthened to clearly denote the former landscape and current parkland area. Representations on behalf of Richborough have been made relative



to the Regulation 19 Local Plan to suggest that this portion of the site is retained in the Green Belt and maintained as open. Additional planting can be included as part of any new development.

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

The Local Plan makes clear that the strategy for new housing development within Codsall is in part based on aligning with education provision (paragraph 5.39 of the Local Plan). Contributions will be delivered via a Section 106 Agreement where justified. This is confirmed in the Statement of Common Ground signed between Richborough and the Council.

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

Richborough have no concerns that the strategic approach to air quality that is being pursued in conjunction with the Local Plan, is deliverable. This is demonstrated via the Statement of Common Ground signed by the LPAs in the subregion and Natural England. In addition it is notable that throughout the Plan period, as electric vehicles become more prevalent, the significance of this issue is likely to reduce.

- 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?

The majority of the Station Road site falls within Flood Zone 1. A narrow parcel of land associated with an existing ditch falls within Flood Zone 2. An area on the western boundary of the site falls within Flood Zone 3, however it is not anticipated that this portion of the site will be subject to built development.

In terms of the existing ditch falling within Flood Zone 2, this has been investigated to ensure any impact can be mitigated. Two options are available consisting of the creation of a flood corridor or realignment of the ditch. Mitigation of this issue will look to ensure that flood risk is no greater than a 1:100 event.

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

Richborough have no overriding concerns in regard to any of the requirements set out in Appendix C. In particular the delivery of the station car park is accepted and will form an integral part of the proposed development. However, the commentary in Appendix C does refer to the retention and enhancement of tree and hedgerow boundaries. Inevitably with the development of a site such as this, it may be necessary to remove some trees or hedgerow to allow for such items as site access. On this basis the wording needs some amendment to allow for this eventuality.

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

The proposed development has been considered against the other policies which would apply in the Local Plan. No conflict has been identified. The proposal will deliver a policy compliant position on affordable housing. Mitigation will be provided to alleviate flood risk and ensure it complies with local and national policy. The station car park is an integral part of the proposed development and there is no intention to depart from this position. Overall it is not considered that the proposal will conflict with any other policies within the Local Plan.

**In terms of Policy MA1:**

- i. Is it clear what is meant by 'large scale' or 'complex applications'?

Not applicable.

- j. Is it clear how a Strategic Master Plan produced by an applicant will be agreed by the Council?

Not applicable.

- k. Are the requirements of the policy contained in clauses a-j clear and justified?

Not applicable.

- l. Are any amendments required to the Policy wording for soundness?





Not applicable.

### 3. **MATTER 7 – ISSUE 2: WHETHER THE PREFERRED HOUSING SITES ARE JUSTIFIED, EFFECTIVE AND CONSISTENT WITH NATIONAL POLICY.**

[Focus: Policy SA1, SA2, SA3, SA4]

Please note: In responding to the questions below the Council should identify and address specific key concerns raised in representations.

For all preferred housing allocations please set out:

a. The background to the site allocation and how it was identified;

Richborough have been involved in the promotion of the site since 2016. Representations have been made to every stage of the Local Plan process identifying that the Station Road site provides a sustainable location for new development and can deliver added benefits in the form of a station car park. The site has been identified as a draft allocation in previous versions of the Local Plan.

b. How the site contributes to delivering the spatial strategy;

The site falls within a Tier 1 settlement. It is located immediately adjacent to one of the railway stations within the District. It is also within walking distance of Codsall Village Centre. As a result it constitutes one of the most sustainable greenfield sites within the District. It provides access to a key rail corridor and as such complies with Policy DS5. In particular development of the site immediately adjacent to the railway station builds on existing infrastructure which is one of the key principles set out in the Local Plan. The new station car park forms part of the Infrastructure Delivery Plan.

c. Are the boundaries and extent of the site correctly identified;

Richborough consider there is a need to amend the boundary of the site to exclude land on the north-western edge of the allocation. This could be retained within the Green Belt and maintained as open space (paragraph 5.7 of Pegasus Representations to the 2024 Submission Plan). By excluding this portion of the site, which is not suitable for development due to flood risk issues and its role in providing additional planting in accordance with the Conservation Area buffer principles and Appendix C of the Local Plan. It could also have a

role in providing Green Belt compensation and Biodiversity Net Gain. As a result it is recommended that the boundary is changed to omit the north-western portion of the site, comprising of that area beyond the ditch/watercourse.

d. The uses to be permitted;

The site allocation comprises housing but also the station car park. Both elements are supported by Richborough.

e. The anticipated housing capacity of the site, how this was determined and is it justified;

Richborough agree that a capacity of 85 dwellings is appropriate for the site. This level of development reflects the highly sustainable location, being located immediately adjacent to the main railway station in the village and having good active travel links into the facilities available in the village centre. As a result higher density development should be supported in this location. 85 dwellings represents a suitable capacity.

f. For any mixed-use proposals within it, the estimated floorspace of non-residential uses;

Not applicable.

g. How any relevant technical constraints have been assessed and whether any necessary effective mitigation is necessary;

As set out above the site has been subject to a Heritage Assessment which has found that with some planting on the north-western edge there will be no harm to heritage assets. The site has been assessed relative to flood risk and designs are being pursued to mitigate any harm. Transport consultants have considered the site access and deemed that a suitable priority junction can be formed with Station Road to deliver both the proposed development and the station car park.

Richborough are now engaged in preapplication discussions with the District Council with a view to bringing forward a planning application for the site. This will deal with all technical matters.

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;

As set out above the site does not have any significant constraints. The area of flood risk can be addressed in the detailed design. The delivery of the station car park will be determined through the planning application process.

- 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;

As set out above there are no heritage assets within the site. Whilst the site does fall within the Codsall Conservation Area buffer zone, mitigation has already been identified in the Local Plan. This can be delivered on the north-western portion of the site which could also be maintained as part of the Green Belt to provide Green Belt compensatory measures as well as potential recreation/biodiversity benefits.

- j. Evidence of the expected timescale and rate of development, and whether they are realistic;

Richborough have provided a potential timescale for development of the site. It is envisaged that Richborough would obtain an outline planning permission for development of the site, which would subsequently be sold on to a housebuilder for them to provide the detailed design and implementation. The current timescale is as follows:

- Pre-application currently submitted
- Outline application submitted August 2025
- Outline planning permission granted March 2026
- Reserved matters submitted June 2026
- Reserved matters approved November 2026
- Condition Discharge December 2026/January 2027
- Start April 2027
- Complete Q1 2030.

- k. The highways implications of the site, including accesses and the effect on the highway network;

The site will be served by a single point of access onto Station Road. This would provide access both to the station car park and the application site. Details are provided in the Illustrative Masterplan that form part of the Regulation 19 Representations made by Pegasus. Suitable visibility splays can be provided from the site access. Discussions are ongoing with the Highway Authority but currently it is not envisaged that the proposed development will require additional mitigation on the highway network.

- i. 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.

There are no off-site infrastructure requirements which would inhibit the delivery of housing on the site. Delivery of the station car park, which forms part of the Infrastructure Development Plan, will be subject to an agreed programme within the Section 106 Agreement associated with any planning permission. As a result there should be no infrastructure related delay to housing delivery on the site.

- m. How the necessary infrastructure requirements will be funded and delivered in line with anticipated delivery timeframes.

It is anticipated that the construction of the station car park will be delivered by the developer of the housing within the allocation. Its delivery can be fixed through a legal agreement obtained at outline planning permission stage. It is recognised that the car park is a fundamental requirement associated with the allocation. Other elements of infrastructure, such as increased school places or health provision, will be subject to Section 106 obligations in the normal way.

- n. Clear evidence of whether the site is viable and developable at the scale of development expected within the plan period.

Richborough are a long established site promoter, bringing forward large numbers of sites to the market to deliver housing and other development opportunities. There is nothing to suggest that the site is unviable taking account of policy compliant requirements. It is envisaged that the site will be completed around Q1 2030. This represents a relatively early delivery of housing within the plan period. The site does not have the infrastructure requirements on the strategic allocations which could inhibit their delivery.

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

Richborough has an interest in all of the land identified within the allocation. There is no requirement for further land assembly. Richborough have strong links with the house building industry and there is clear interest in bringing forward housing on-site.

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

The modifications requested for the site consists of the following:

- Amendment to the wording to allow for the removal of trees/hedgerows where required to facilitate development
- The exclusion of the north-western portion of the site from the allocation and its retention in the Green Belt. This allows for Green Belt compensation measures as well as opportunities for additional tree planting in accordance with Appendix C and its role in the Conservation Area buffer.

**In addition, for sites located in the Green Belt:**

- q. What are the conclusions of the Green Belt Study in relation to the contribution of the site to the purposes of the Green Belt and the potential to alter the Green Belt in this location?

The Green Belt Study identified the site as having a weak/no contribution towards purposes 2 (merging of neighbouring towns) and 4 (preservation of the setting and special character of historic towns). The Council's assessment identified the site having a moderate role in checking the unrestricted sprawl of large built-up areas. As set out previously, the PPG now makes clear that villages do not constitute large built up areas and therefore the site cannot make any contribution to this role.

- r. How would the proposed release of land maintain the openness and permanence of the Green Belt?

With regards to safeguarding the countryside from encroachment, whilst the site is open and in agricultural use, it has no public access. The site is well contained and defined and does not form part of a larger or wider countryside panorama. Robust new Green Belt boundaries can be formed. The site has a limited/negligible role as part of the wider Green Belt surrounding Codsall.

s. What would be the effect of developing the site on the purposes of the Green Belt?

The site has a limited role in the wider Green Belt, being segregated from it by belts of trees, hedgerows and the Wolverhampton–Shrewsbury Railway. The suggested amendment to the allocation would retain the north–western portion of the site within the Green Belt. This would be kept free from development, maintained as open and subject to additional tree planting. This could provide Green Belt mitigation softening the impact of residential development on the site. The eastern portion of the site is more influenced by urbanising factors such as the railway and existing built development.

t. Are there exceptional circumstances to alter the Green Belt in this particular case? If so, what are they?

The Local Plan has shown in robust terms that Green Belt release is necessary to accommodate given the reduced housing requirement currently being utilised in plan preparation. As set out previously in our representations we conclude that the contribution towards meeting unmet needs in the conurbation is not being fulfilled. Even without this additional component of housing need, it has been clearly demonstrated through the evidence and the Local Plan itself, that the Green Belt release is fundamentally necessary to deliver the required housing. The Station Road site has been shown to perform weakly in terms of Green Belt purposes, it is one of the most sustainable in the whole District and therefore should be a priority for housing development.

u. What is the basis for the proposed Green Belt enhancements? Are they justified and appropriate and how will they be delivered?

Green Belt enhancements will be provided within the north–western corner of the site, subject to this being removed from the allocation and retained within the Green Belt. This meets with the requirements of Policy DS2 of the Local Plan. It can provide for improvements to environmental quality and access by the public for recreational purposes. This represents the preferred option for providing Green Belt compensation.

Town & Country Planning Act 1990 (as amended)  
Planning and Compulsory Purchase Act 2004

**Birmingham (City)**

5th Floor, 1 Newhall Street, Birmingham, B3 3NH  
T 0121 308 9570  
Birmingham@pegasusgroup.co.uk  
Offices throughout the UK.

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