



Telford and Wrekin Local Plan Review

Examination in Public

Matter 3 – Strategic Policies (Housing)

Boningale Developments Ltd

January 2026

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Document Control

Project Name: Telford and Wrekin EIP
Matter Code: 2530067-50
Report Title: Matter 3 – Strategic Policies (Housing)

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Reviewed by:	GW	Principle Planner	12.01.2026
Approved by:	MW	Planning Director	22.01.2026
For and on behalf of Marrons			

1. Introduction

- 1.1. This response to Matter 3, Issue 1 of the Inspectors' MIQs in respect of the Telford & Wrekin LP Review (TWLPR) Examination in Public has been prepared by Marrons on behalf of Boningale Developments Limited.
- 1.2. This hearing statement should be read alongside previous representation to the Regulation 19 Consultation submitted by Marrons on behalf of Boningale Developments 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 3 Hearing Session and make further oral submission on behalf of our client. This statement outlines Boningale's comments in respect of Matter 3, Issue 1, with responses to the Inspectors' MIQs (Matter 3) are set out below.
- 1.4. 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 a lengthy pause in the examination, significant additional evidence and the identification of additional sites in sustainable locations to accommodate housing growth over the Plan period.
- 1.5. These submissions reflect the position outlined in recent correspondence between Housing Minister Matthew Pennycook and the Chief Executive of the Planning Inspectorate. In the Minister letter of July 2024 he noted that in relation 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 incapable of being found sound. In his letter of 9 October 2025 Minister Pennycook expressed support for pragmatic decisions to support the adoption of local plans, however noted that it is important that poor-quality plans are not adopted, and overlay long examinations avoided. In his letter of 27 November 2025, the Minister noted that whilst it is the Government's intention to not save the Duty to Cooperate when regulations for new-style plans come into force, LPAs should continue to collaborate across their boundaries, including on unmet needs from neighbouring areas, and plans should still be examined in line with policies in the NPPF on 'maintaining effective co-operation.'

2. Matter 3 – Strategic Policies (Housing)

Issue 1: The approach to the housing requirement

Q26. Is the housing requirement figure of 1,010 dwellings per annum/20,200 over the plan period as set out in Policy Strategic S4 soundly based, and does it accord with the evidence and national planning policy and guidance?

- 2.1. Boningale Developments supports the principle that the housing requirement may exceed the Standard Method minimum where justified by market signals, economic growth ambitions, or contributions to unmet needs from neighbouring authorities (NPPF paragraph 69).
- 2.2. Historic delivery rates, sustained inward migration and market absorption indicate that Telford & Wrekin functions as a strong and attractive housing market. These are legitimate indicators that a higher housing requirement may be necessary and appropriate.
- 2.3. The objection is therefore not explicitly in relation to the scale of development proposed, however noting that the Council have failed to sufficiently test higher scenarios that mirror past delivery rates, but is more an objection in regard to the methodology associated with the derived housing requirement and the significant concerns we have in regard to soundness arising from the conflation of need, unmet need and requirement.⁹
- 2.4. The EHDNA (EHO1) Update states (paragraph 3.26) :
- “Such unmet needs would continue to be considered separately from, and in addition to, Telford & Wrekin’s own housing need as determined by the Standard Method.”*
- 2.5. That is correct in principle, however, the remainder of the document does not follow that principle in practice.
- 2.6. Instead, the Council (DLP Planning) embeds unmet need into demographic and migration scenarios, relies on those scenarios to inform housing mix and population

change, and then treats the resulting dwelling figures as though they describe Telford & Wrekin's own need.

2.7. We consider that this blurs the legal distinction between:

Concept	What it means
Housing Need	The Standard Method minimum (LHN)
Housing Requirement	A policy figure which may exceed need
Unmet Need	A discrete additional obligation

2.8. The Plan must keep these separate. As drafted it does not.

2.9. The EHDNA states (paragraph 3.55):

“Any level of future population change consistent with higher levels of net internal migration will only arise primarily from responding positively to requests to accommodate neighbouring authorities’ unmet needs.”

2.10. This is critical. It means that higher population growth scenarios are not describing Telford & Wrekin's own internal demand. They are describing displacement from under-supply elsewhere.

2.11. Yet those same scenarios are then used to justify housing mix, justify higher housing numbers, justify demographic outcomes as if they represent intrinsic local need.

2.12. That is a fundamental methodological flaw. Unmet need is being treated as if it were local demand.

2.13. The Council relies heavily on earlier work suggesting housing delivery of around 1,000 dwellings per annum. However, the EHDNA Update (paragraph 3.19) itself makes clear that this figure always included unmet need:

“...a proposed requirement of around 1,000 dwellings would allow the Council to respond positively to requests to accommodate a proportion of neighbouring authorities’ unmet needs...”

2.14. It later refines this:

“...a revised estimate... c.126 homes per annum...”

and compares it to the uplift above the Standard Method:

“This compares to a difference of 153 dwellings per annum...”

2.15. Therefore, historically the 1,000 dpa figure was not pure local need, it was a composite of local need, growth ambition and unmet need contribution. The Council now relies on this historic figure to suggest alignment with need, while failing to acknowledge its composite nature. That is misleading and unsound.

2.16. The Council claims:

“Paragraph 69... does not require that reasons to plan for more ambitious levels of growth need to be considered separately...”

2.17. That is not how Inspectors have historically interpreted the Framework. Paragraph 69 allows uplift, but does not abolish the requirement for transparency, separation of components and proper evidence for unmet need contributions.

2.18. In the Shropshire Local Plan examination, the Inspectors were explicit that where a plan intends both:

- a high housing requirement for its own needs, and
- an additional contribution to unmet need from elsewhere, the plan must **separate them**.

2.19. They required:

“...two separate housing requirements... and an additional requirement... to help address unmet housing need...”

2.20. They warned that failure to do so would undermine soundness because:

- allocations could be double-counted,
- delivery could not be monitored,
- and the Plan could not demonstrate it was meeting either obligation properly.

2.21. Telford & Wrekin is making the same mistake Shropshire was required to correct and simply put the Plan fails the soundness tests because, there is no transparent evidence showing what meets Telford’s need, what meets market demand and what meets unmet need elsewhere.

2.22. The EHDNA suggests unmet need would be “top-sliced” and “not ring-fenced”.

This makes delivery unmonitorable, with this conflation of unmet need with local housing need conflicting with NPPF paragraphs 62 and 69 and recent Inspector’s Reports.

Q27. Is the inclusion of 153 dwellings per annum as a contribution to the unmet needs of the Black Country Authorities justified and supported by evidence?

2.23. There is insufficient evidence within the Plan or the supporting evidence to justify the proposed unmet need.

Q28. Will there be a five-year supply of specific, deliverable sites from the intended date of adoption of the Local Plan?

2.24. Although the Council considers that there will be a deliverable five-year housing land supply at the point of adoption, that conclusion is dependent on a combination of assumptions that are overly optimistic and insufficiently robust. We do not consider that the Council will be able to demonstrate a sufficient supply on adoption.

2.25. The five-year supply calculation incorporates the full housing requirement of 1,034 dwellings per annum, including the 153 dwellings per annum contribution to the Black Country’s unmet need, yet there is no evidence that any specific sites are identified, to deliver that unmet need element. The unmet need contribution is therefore treated as an uplift rather than as a discrete delivery obligation, which undermines the credibility of the five-year supply.

2.26. In addition, the five-year supply relies heavily on optimistic build-out rates for large sites, particularly those exceeding 1,000 dwellings, which are significantly above national median delivery rates. If those sites deliver even marginally below the assumed rates, the five-year supply position would be eroded rapidly. The Council’s reliance on past Housing Delivery Test performance to justify these assumptions is misplaced, because historic over-performance reflects legacy permissions and simpler sites rather than the future delivery of complex strategic allocations, especially noting the concerns we have raised in our Matter 5 Hearing Statement.

2.27. The Housing supply Topic Paper (TW11) details the build-out rates applied by the Council and raises very significant concerns. The Council applies build-out rates that exceed national medians in the very categories where delivery risk is greatest. The adopted rates are set out in Table 12.

2.28. For sites of:

- 1,000–1,499 dwellings, the Council assumes 130 dwellings per annum;
- 1,500–1,999 dwellings, it assumes 140 dwellings per annum;
- 2,000+ dwellings, it assumes 180 dwellings per annum.

2.29. Nationally, the Lichfields Start to Finish data shows median build-out rates of:

- 87 dwellings per annum for 1,000–1,499 unit sites;
- 104 dwellings per annum for 1,500–1,999 unit sites;
- 138 dwellings per annum for 2,000+ unit sites.

2.30. The Council's assumptions therefore exceed national medians by approximately:

- 49% for 1,000–1,499 unit sites;
- 35% for 1,500–1,999 unit sites;
- 30% for 2,000+ unit sites.

2.31. The Topic Paper acknowledges that its assumptions are “slightly higher” than national evidence, particularly for larger sites.

2.32. In reality, these are not marginal differences. They are significant uplifts applied systematically across the most complex and highest-risk sites in the Plan. In the absence of any substantive evidence to suggest that Start to Finish underrepresents build out, we can only assume, that this is a reasonable place to start in calculating supply.

2.33. In taking the Council's Appendix 2 annual profiles for SC1–SC3 and adjusting them so that their *implied average delivery* aligns with the **138 dpa median**, the effect is to push substantial numbers **beyond 2040/41** (rather than being delivered in-plan).

2.34. On that basis, the indicative revised position for the SCs becomes:

- **SC1:** in-plan falls from **2,100** to **1,794**
- **SC2:** in-plan falls from **2,665** to **1,656**
- **SC3:** in-plan falls from **2,190** to **1,656**

- 2.35. So, **about 1,849 dwellings** move from “within the plan period” to “beyond the plan period” across the three SC sites, if you apply a Lichfields-median delivery rate approach.
- 2.36. If **1,849** dwellings are pushed beyond 2041 (from the SC sites alone), the plan-period supply would reduce to roughly **19,26 and would result in a shortfall of 1,419 dwellings** against the 20,680 requirement.
- 2.37. If one to were apply these justified build-out rates to the strategic sites, that would alone reduce the supply to just 5.4 years upon adoption. This is before discounting sites where there is no evidence of deliverability or outstanding technical matters that the Council must address.
- 2.38. With reference to the commentry on the below sites detailed in our Appendix 2 to the Matter 5 Statements, we consider that there are outstanding issues and insufficient evidence to demonstrate deliverability in respect of draft allocations HO6 (105 dwellings in 5-year period), HO17 (5 dwellings in 5-year period), H05 (45 dwellings in the 5-year period), HO2 (180 dwellings in the 5-year period), HO12 (70 dwellings in the 5-year period) and HO22 (7 dwellings in the 5-year period). In removing these from the supply, a reduction in a further 412 dwellings is recorded, bringing the supply upon adoption down to 5.06 years.
- 2.39. As is detailed further below, we have concerns that the windfall allowance is unjustified. Noting that the windfall allowance, rightly, is only applied to part of the 5-year period, we have made adjustments to refelct our below assessment and have reduced the windfall contribution from 360 to 240 dwellings.
- 2.40. Bringing all of the above together, we consider that upon adoption, the Council will only be able to deliver a 4.9 year supply of housing.

Q29. Does the Plan make provision for a supply of specific, developable sites or broad locations for growth for years 6–10 and, where possible, years 11–15?

- 2.41. The Plan does identify sites extending into years 6–10 and beyond, largely through the three Sustainable Communities. However, this does not equate to a sound or resilient spatial strategy. Over one third of the total housing requirement depends on just three sites, and two of those are already acknowledged to deliver substantial numbers of dwellings beyond the plan period. This concentration of supply introduces a significant risk to delivery.
- 2.42. Moreover, the trajectory assumes that these sites will deliver at build-out rates materially above national averages. Without site-specific evidence to demonstrate why these sites will outperform typical market conditions, the Plan's reliance on them for medium and long-term supply is highly questionable. The Plan therefore does not provide a balanced or resilient spectrum of developable sites and broad locations, but rather one that is heavily dependent on a small number of strategic schemes.
- 2.43. As a result, while sites are nominally identified for years 6–10 and 11–15, the evidence does not demonstrate that this provision is realistic, effective or capable of responding to delivery under-performance.

Q30. Are the allowances for windfalls and lapses soundly based and justified?

- 2.44. The windfall allowance of 120 dwellings per annum is not soundly based. The Council's own evidence shows that minor windfall sites, on which the allowance is entirely based, have historically delivered an average of 126 dwellings per annum. However, this historic delivery has occurred in a context where major windfall sites delivered nearly half of all windfall completions, and where under-allocation in previous plans created opportunities for unplanned large schemes.
- 2.45. The Council now excludes major windfalls entirely on the basis that they are irregular, while simultaneously assuming that minor windfall delivery will remain permanently stable. This is not a conservative approach. It assumes that historic under-planning will continue indefinitely, which directly conflicts with the objective of a plan-led system. A sound plan should reduce reliance on windfalls, not institutionalise them.
- 2.46. The lapse rate allowance of 10% applied only to small sites is also optimistic. Other authorities apply significantly higher lapse rates, including to major sites not yet under construction. Given the scale and complexity of the Sustainable Communities and other

large allocations, the absence of any lapse allowance for strategic sites materially overstates deliverability.

- 2.47. Taken together, the windfall and lapse assumptions inflate supply and suppress risk. They are not justified by the evidence and are not consistent with a realistic assessment of delivery under paragraph 77(d) of the NPPF.

Q31. Are the Sustainable Communities fundamental to the housing delivery strategy such that they should be referred to in Policy Strategic S4?

- 2.48. Yes. The Sustainable Communities are fundamental to the housing delivery strategy. They deliver 6,955 dwellings within the plan period, which represents approximately one third of the total housing requirement. The housing trajectory, supply balance and contingency assumptions all depend upon their successful and timely delivery.
- 2.49. Despite this, Policy Strategic S4 does not explicitly identify them as the critical delivery mechanisms upon which the Plan depends. This creates a disconnect between the policy framework and the delivery reality. Given their scale and strategic importance, the Sustainable Communities should be explicitly referenced in Policy Strategic S4, with clear expectations regarding:
- their phasing,
 - their role in meeting both local need and unmet need,
 - and the consequences if they fail to perform.
- 2.50. Without this, the Plan lacks transparency and does not allow effective monitoring or intervention.

Q32. What does criterion 4 of Policy Strategic S4 mean? Is it unambiguous, and are the triggers and actions clear and achievable?

- 2.51. Criterion 4 of Policy Strategic S4 is ambiguous and fails to provide sufficient content so as to allow decisions makers to apply it consistently. It refers to monitoring delivery and taking action if delivery is likely to fall below required levels, but it does not define:
- what “falling below” means in numerical or temporal terms,
 - whether this applies to overall housing delivery or also to the unmet need contribution,
 - or what specific actions the Council would take.

- 2.52. Paragraph 4.41 of the supporting text refers to increasing delivery through the planning process, but this is generic and aspirational. It does not identify what additional land would be brought forward, how quickly it could be delivered, or whether environmental and infrastructure constraints would allow it.
- 2.53. As drafted, criterion 4 functions as a statement of intent rather than a deliverable mechanism. It does not provide a clear trigger, a clear response, or a credible pathway for remedying under-delivery. In examination terms, this is unlikely to be regarded as effective or capable of implementation.

Q33. What does criterion 5c of Policy Strategic S4 mean in referring to a “brownfield first” approach to windfalls? Is this justified and clear?

- 2.54. For the Council to answer.



 **Marrons**



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