

Telford & Wrekin Local Plan Main Modifications Consultation Response



July 2026

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1. Introduction

1.1. These representations have been prepared by Boningale Developments Limited ('Boningale') in response to the Telford and Wrekin (the 'Council') Local Plan Main Modifications Consultation which is open from 8th June 2026 to 20th July 2026.

1.2. Born in the West Midlands, we are a family owned and family run land promoter. We are a subsidiary of Boningale Group Limited, which incorporates Boningale Homes Limited, a local house builder, Albrighton Community Homes Limited who control a handful of affordable properties and Boningale Developments Limited.

1.3. Boningale is actively promoting a number of sites within the borough, including:

- Land at Hay Street, Tibberton (HOA24)
- Land North of St Peter & St Paul RC Primary School, Newport (TLFR2410)
- Land to the East of Church Road, Lilleshall (TLFR2436)

1.4. Boningale have objections and comments on numerous main modifications and continue to have significant concerns about the legal compliance and soundness of the draft plan.

1.5. Boningale welcomes the opportunity to comment on the proposed Main Modifications. However, we remain concerned that the modifications do not resolve the principal soundness issues raised during the Examination. In particular, the IIA Addendum has not tested reasonable alternatives with sufficient transparency and has not fully addressed the social and environmental consequences of the proposed changes.

1.6. The Council has presented the Main Modifications as changes necessary to enable the Plan to be found sound. These are not inconsequential amendments. They go directly to whether the Plan is positively prepared, justified, effective and consistent with national policy.

2. SEA Regulations

- 2.1. The Council's own IIA Addendum identifies a series of modifications that are capable of materially affecting the conclusions of the previous sustainability appraisal. Those include the increased housing requirement, the increased windfall allowance, Lawley West, the Sustainable Communities, biodiversity net gain, climate change policy wording, viability review and clawback, and affordable housing requirements.
- 2.2. The IIA Addendum therefore correctly recognises that certain Main Modifications require further appraisal. However, having screened those matters in, it then concludes that no further reasonable alternatives require assessment and that no additional mitigation or monitoring is necessary. That approach is problematic.
- 2.3. The Environmental Assessment of Plans and Programmes Regulations 2004 require the environmental report to identify, describe and evaluate the likely significant effects of the plan and reasonable alternatives, considering the objectives and geographical scope of the plan. Reasonable alternatives are not confined to entirely different spatial strategies. Policy thresholds, site capacities, affordable housing requirements, windfall assumptions, biodiversity net gain requirements, renewable energy requirements and viability mechanisms may all constitute reasonable alternatives where they are realistic, sufficiently distinct and capable of producing materially different effects.
- 2.4. The issue is not that the Council was required to appraise every conceivable option. It is that obvious, realistic and materially different alternatives to screened-in Main Modifications have not been identified, described or evaluated, and the reasons for rejecting them have not been transparently explained.

3. Main Modifications

3.1 MM015/MM016

- 3.1.1. MM015 and MM016 amend Policy S4 and its supporting text. They confirm an increased housing requirement of approximately 20,680 dwellings over the period

2021-2041, include a contribution towards unmet Black Country needs, and revise the housing trajectory and supply assumptions.

3.1.2. The issue is not whether a housing requirement of 20,680 dwellings is necessarily inappropriate. The issue is that the modification forms part of a revised housing delivery position with consequences for infrastructure provision, environmental effects, transport impacts, viability assumptions, five-year housing land supply, trajectory and the overall development strategy.

3.1.3. No comparative assessment appears to have been undertaken of alternative housing requirement or delivery scenarios, notwithstanding the Council's own IIA Addendum acknowledging that MM015 and MM016 required further appraisal. That omission is significant because the housing requirement and trajectory provide the context within which the Council seeks to justify reducing some allocations, including HOA24 Tibberton, whilst relying more heavily on other supply sources.

3.1.4. If the Council relies on MM015 and MM016 to present a robust housing delivery strategy, the allocation of deliverable sites in sustainable rural settlements should be maximised where there is no clear technical constraint. Reducing HOA24 Tibberton to 7 dwellings is inconsistent with that objective

3.2 MM016

3.2.1. MM016 also increases the windfall allowance from 60 dwellings per annum to 120 dwellings per annum. This is a material change to the housing supply position because it doubles the assumed contribution from unidentified sites.

3.2.2. National policy requires windfall allowances to be supported by compelling evidence. The issue is not simply whether 120 dwellings per annum can be justified. The issue is whether consultees have been provided with sufficient evidence to understand why the figure has doubled and whether reasonable alternative assumptions have been properly considered.

3.2.3. No comparative assessment appears to have been undertaken of alternative windfall assumptions, such as 60, 80, 100 or 120 dwellings per annum. Nor is there a clear explanation as to why a lower allowance would be inappropriate. Greater reliance on unidentified windfall sites makes it all the more important that identified allocations in sustainable settlements are not reduced without clear justification.

3.2.4. The proposed reduction of HOA24 Tibberton under MM130 is therefore particularly difficult to understand. The Council proposes to rely more heavily on windfalls whilst simultaneously reducing a known, promoted and deliverable rural allocation to a scale that provides only a negligible contribution to supply.

3.3 MM066 & MM130 Appendix A Housing Allocations

3.3.1. Boningale objects to MM130 insofar as it reduces the estimated capacity of HOA24 Land at junction of Hay Street, Tibberton from 25 dwellings to 7 dwellings. The modification is not a minor capacity adjustment. It fundamentally alters the role, effectiveness and deliverability of the allocation.

3.3.2. The Council's proposed modification should be considered in the context of the wider land parcel promoted by Boningale, which was the subject of a now withdrawn outline planning application TWC/2024/0892 for up to 85 dwellings. That application included land beyond the reduced allocation boundary and was supported by technical work addressing access and highway mitigation. The existence of that application is material because it demonstrates that the Council was aware of a realistic and deliverable alternative allocation boundary and capacity before proposing to reduce HOA24 to only 7 dwellings.

3.3.3. The key issue is the means of access. The technical work submitted in support of outline planning application TWC/2024/0892 concluded that access from Hay Street was not the preferred access solution and that the wider landholding enabled safer, more effective access from Tibberton Road. The Council's Highway Authority considered that material in its consultation response, in which

it raised no objection subject to conditions. The proposed Main Modification nevertheless retains a substantially smaller allocation while either excluding the land required to deliver that access arrangement or failing expressly to include it.

3.3.4. That is a significant soundness concern. A housing allocation must be effective.

It must be capable of being delivered in a safe, practical and policy-compliant manner. If the reduced allocation boundary does not include the land required to provide the appropriate access solution, the modification risks producing a token allocation that is less deliverable than the wider alternative that has already been promoted, assessed and supported by technical work.

3.3.5. The same point applies to off-site highway mitigation. The Transport Assessment was prepared to accompany the aforementioned application, which includes the known safety issues at the B5062 Bosbaston Bank Crossroads Junction. The Highways Authority considered the junction improvement scheme included within the application to “fully mitigate highway safety concerns directly related to the development, while also offering wider benefits to the community”. The evidence, therefore, demonstrates that the site’s access and highway effects can be addressed through comprehensive development of the wider parcel. A 7 dwelling scheme would be unable to possess the development value or planning-obligation capacity necessary to deliver that strategic mitigation. By contrast, an allocation of at least 50 dwellings would provide a materially more realistic basis for securing a proportionate contribution towards, or delivery of, the identified works.

3.3.6. The Council has failed to explain why it has selected a 7 dwelling allocation in preference to a larger boundary that would provide a safer access arrangement, enable highway mitigation, and deliver a materially greater contribution to housing and affordable housing need. Nor has the Council explained why the allocation boundary should not extend eastwards to include the land required to secure access from Tibberton Road.

3.3.7. It is wholly unclear as to why the site capacity has been reduced to 7. Fairness is a key part of the process and that requires transparency. Somebody who has engaged with the EiP process in good faith is entitled to know why an LPA has

changed its position and what it has to say about his/her representations. That does not appear to have occurred.

3.3.8. This omission is particularly important because Tibberton is identified as a Key Rural Settlement. The Plan's rural housing strategy directs development towards such settlements because they contain a concentration of services and facilities and are capable of accommodating sustainable growth. The wider site is adjacent to the settlement and is within walking distance of village services and facilities. It would represent a logical and planned extension to Tibberton, rather than an isolated or dispersed rural development.

3.3.9. The reduction to 7 dwellings also undermines affordable housing delivery. Policy HO4 seeks 35% affordable housing in Newport and the rural area. A 7 dwelling allocation would make little or no meaningful contribution to affordable housing in Tibberton and may fall below the practical threshold at which on-site affordable housing can realistically be secured. A 50 dwelling allocation would be capable of delivering approximately 18 affordable homes. The wider 85 dwelling option would be capable of delivering approximately 30 affordable homes. The difference is material, particularly in a rural settlement context where the Council's own evidence recognises that affordability pressures are greater.

3.3.10. The Main Modification therefore has several adverse consequences. It reduces the housing contribution from a sustainable Key Rural Settlement. It reduces or removes the opportunity for meaningful affordable housing delivery in Tibberton. It risks excluding the land required for the safer and more appropriate access from Tibberton Road. It reduces the ability to fund and deliver off-site highway mitigation. It also fails to assess reasonable alternative capacities and boundaries for the same site, including 25 dwellings, 50 dwellings and the wider 85 dwelling option previously advanced through the planning application process.

3.3.11. The proposed reduction is therefore not justified, not effective and not positively prepared. The allocation should instead be amended so that the boundary extends eastwards to include the land required to secure access from Tibberton Road and to provide a comprehensive development parcel. The allocation should

provide for a minimum of 50 dwellings, with the precise capacity to be determined through detailed master planning, landscape, drainage, ecology and highway design. A larger allocation would better reflect Tibberton's role as a Key Rural Settlement, deliver meaningful affordable housing, enable a safer access strategy, and provide the scale necessary to secure appropriate highway mitigation.

3.3.12. This is also relevant to the adequacy of the Council's assessment of reasonable alternatives. The reasonable alternatives were not limited to allocation or non-allocation. They included alternative boundaries and capacities for HOA24, including a reduced 25 dwelling allocation, a minimum 50 dwelling allocation, and the wider 85 dwelling option. Those alternatives have materially different consequences for access, highway mitigation, affordable housing delivery, local service support and the effectiveness of the allocation. They do not appear to have been identified, described or evaluated through the Main Modifications process.

3.3.13. If the Inspectors are not presently satisfied that a minimum 50 dwelling allocation can be confirmed on the evidence before the examination, then MM130 should not be accepted in its current form. At the very least, the Council should be required to explain why the reduced 7 dwelling boundary has been selected, why the eastern land required for access from Tibberton Road has been excluded, how the reduced allocation is intended to achieve safe and suitable access, and why reasonable alternative boundaries and capacities have not been assessed.

3.3.14. MM130 also amends Appendix A in relation to other housing allocations, including HA35 Lawley West. The IIA Addendum appears to identify HA35 Lawley West as a 200 dwelling allocation, whereas the Schedule of Main Modifications identifies HA35 Lawley West as an allocation of 250 dwellings.

3.3.15. That discrepancy requires clarification before the Main Modifications are recommended for adoption. If the IIA has assessed Lawley West on the

basis of 200 dwellings when the modified Plan proposes 250 dwellings, the assessment has not been undertaken on the same factual basis as the Plan itself. That would be material because the IIA uses the Lawley West allocation as part of its assessment of changes to the housing supply, spatial strategy and site allocation position.

3.3.16. The point is not that this discrepancy is, by itself, necessarily determinative of soundness or legal compliance. It may be capable of explanation, for example if the Council contends that the figures refer to different components of site capacity. However, no such explanation is apparent from the consultation material.

3.3.17. In the absence of clarification, the discrepancy undermines confidence in the screening and appraisal conclusions in the IIA Addendum. It provides a concrete example of why the Addendum should not simply be accepted at face value where it concludes that the screened-in modifications do not require further reasonable alternatives assessment, mitigation or monitoring.

3.3.18. This is therefore advanced as a supporting example of the wider concern. The IIA Addendum identifies certain Main Modifications as capable of materially affecting the appraisal findings, but the appraisal does not appear to have been undertaken consistently with the final wording and figures in the Schedule of Main Modifications. That reinforces the need for closer scrutiny before the Main Modifications are relied upon to support adoption of the Plan.

3.4 MM084 and MM086

3.4.1 MM084 amends the supporting text to Policy HO12 and identifies the Key Rural Settlements. Tibberton is expressly identified as one of those Key Rural Settlements. MM086 similarly relates to rural exception sites and reinforces the importance of rural settlements identified through the Plan's rural settlement strategy.

- 3.4.2 This is directly relevant to MM130. The Council's own rural strategy directs development towards settlements with the highest concentration of services and facilities, access to public transport and convenient access to the A or B road network. Tibberton is therefore not an inherently unsuitable location for planned housing growth. It is one of the settlements where the Plan strategy positively expects an element of rural development to be accommodated.
- 3.4.3 The proposed reduction of HOA24 to 7 dwellings is difficult to reconcile with that strategy. If Tibberton is sufficiently sustainable to be identified as a Key Rural Settlement, and if HOA24 is sufficiently suitable to remain allocated at all, the Council must explain why the allocation has been reduced to a level that is incapable of delivering the benefits normally associated with planned housing growth.
- 3.4.4 This concern is reinforced by the evolution of the emerging Local Plan. The Council's identified provision for approximately 50 dwellings at Tibberton. The Publication Local Plan subsequently identified HOA24 for 25 dwellings. MM130 now proposes a further reduction to seven dwellings. The 50-dwelling option is therefore not a new or speculative proposal introduced solely by Boningale; it is a level of growth that formed part of the Council's own plan-making consideration. No clear evidence trail has been provided to explain the successive reductions from approximately 50 dwellings to 25, then to 7.
- 3.4.5 The Council has not provided a clear explanation for this progressive reduction. Nor has it assessed the materially different planning consequences of alternative capacities. A 50 dwelling allocation would be capable of making a meaningful contribution to housing supply, affordable housing delivery and local service support. A 7 dwelling allocation makes only a negligible contribution and risks failing to deliver any meaningful affordable housing in Tibberton at all.
- 3.4.6 The point is reinforced by MM086. Rural exception sites are not a substitute for planned housing allocations. They are a reactive, needs-led mechanism and do not provide the same certainty, deliverability or comprehensive planning benefits as an allocated site. If HOA24 is reduced to only 7 dwellings, Tibberton will be left without a meaningful planned allocation capable of delivering affordable housing as part of the development plan strategy.

- 3.4.7 A minimum 50 dwelling allocation would better reflect Tibberton's role in the settlement hierarchy. It would support the vitality of local services, make a meaningful contribution to rural housing delivery and provide a realistic opportunity to deliver affordable housing in the settlement. At 35% affordable housing, a 50 dwelling allocation would be capable of delivering approximately 18 affordable homes. By contrast, a 7 dwelling allocation would make little or no meaningful affordable housing contribution.
- 3.4.8 MM084 and MM086 therefore strengthen, rather than weaken, the case for a larger allocation at Tibberton. They confirm that Tibberton is a settlement where planned rural growth is appropriate. The reduction proposed through MM130 is therefore not justified unless the Council can explain why a Key Rural Settlement should be left with only a token allocation that fails to deliver meaningful housing, affordable housing or local service benefits.

3.5 MM074, MM075 & MM076

- 3.5.1. MM074, MM075 and MM076 amend the affordable housing policy framework. MM074 retains a 35% affordable housing requirement for Newport and the rural area. That requirement is important to the consequences of MM130.
- 3.5.2. A 50 dwelling allocation at HOA24 would be capable of delivering approximately 18 affordable homes at a 35% requirement. A 25 dwelling allocation would be capable of delivering approximately 9 affordable homes. A 7 dwelling allocation is plainly incapable of delivering affordable housing on that scale and may fall below the threshold at which affordable housing can realistically be secured at all.
- 3.5.3. The Council's own evidence recognises that affordable housing need is greater in Newport and the rural area. Reducing the principal allocation in Tibberton to 7 dwellings would therefore directly undermine the Plan's ability to deliver affordable housing in one of the very rural settlements identified as suitable for growth.

3.5.4. The IIA Addendum does not appear to assess the affordable housing consequences of reducing HOA24 to 7 dwellings. That is a material omission. The social effect of losing the opportunity to secure affordable homes in Tibberton is plainly different from the effect of allocating the site for 25 or a minimum of 50 dwellings.

3.5.5. The Main Modifications should not be found sound as they reduce rural allocations in a manner that undermines affordable housing delivery without any transparent assessment of the consequences or reasonable alternatives.

3.6 MM021

3.6.1 MM021 introduces or strengthens viability review and clawback mechanisms through Policy S7. These changes are presented as part of the Plan's response to viability and delivery concerns.

3.6.2 The interaction between MM021 and MM074 is important. The Council appears to rely, at least in part, on stronger viability review and clawback mechanisms to manage the consequences of reducing affordable housing requirements in other parts of the Borough. However, the IIA Addendum does not appear to assess alternative approaches to that relationship.

3.6.3 Reasonable alternatives could have included retaining higher affordable housing requirements with review, applying different clawback percentages, requiring early and late-stage review, or applying a different approach to strategic and rural allocations. These are directly related to the trade-off identified by the Council between viability and affordable housing delivery.

3.6.4 In the context of HOA24 Tibberton, MM021 reinforces the case for a larger allocation. A 7 dwelling allocation does not constitute the type of development through which the Plan's infrastructure, affordable housing and viability review mechanisms can operate effectively. It will not deliver any affordable housing and may not generate infrastructure contributions.

3.6.5 In contrast, should the Council have increased the allocation to a minimum of

50 dwellings, this would provide a materially different basis for securing affordable housing and infrastructure contributions. It would create a realistic development platform through which the Plan's policy mechanisms could operate effectively. That is particularly important in a rural settlement context where opportunities to secure planned affordable housing are limited.

3.6.6 The Council has not assessed this difference. The IIA Addendum does not consider whether reducing HOA24 to 7 dwellings undermines the effectiveness of the Plan's own affordable housing, infrastructure and viability mechanisms. Nor does it assess the reasonable alternative of a larger allocation which would be capable of delivering those benefits.

3.6.7 The proposed reduction of HOA24 is therefore inconsistent with the purpose of MM021. The modified Plan cannot reasonably rely on viability review and clawback mechanisms to secure public benefits while simultaneously reducing a rural allocation to a scale which those mechanisms will not have any meaningful practical effect. It reinforces our objection to MM130 and supports the case for a minimum 50 dwelling allocation for HOA24.

3.7 MM024 & MM026

3.7.1 MM024 amends Policy CC1, Sustainable Construction and Carbon Reduction. MM026 amends Policy CC2, Renewable Energy in Developments. It is our view that these modifications are directly relevant to the environmental effects of the Plan and therefore fall within the scope of SEA

3.7.2 The IIA Addendum acknowledges that the modifications to the sustainable construction and renewable energy policies are "more mixed". It recognises that some wording is made more flexible, including references to measures being applied where "relevant and practicable", and that Policy CC2 moves away from a more direct requirement for renewable energy production and storage within new development towards a more supportive and feasibility-

based approach. The Addendum also acknowledges that this may reduce certainty that all schemes will deliver on-site renewable energy.

3.7.3 That matters because the amended wording is likely to reduce the certainty that higher environmental standards will be delivered in practice. This is not solely a matter of drafting. It affects the extent to which the Plan can be relied upon to secure climate-change mitigation, reduce building energy use and reduce carbon emissions from new development.

3.7.4 There were clear alternatives that should have been tested. These include keeping the stronger previous wording or requiring on-site renewable energy unless it is shown to be unsuitable, and maintaining a mandatory requirement with viability or suitability exceptions. The Council could also have adopted a specific energy or carbon standard. These options are realistic and would have provided different levels of certainty in relation to climate outcomes.

3.7.5 However, those alternatives do not appear to have been identified, described or evaluated. Instead, the IIA Addendum concludes that the modifications do not materially alter the overall climate change mitigation effects of the Plan, notwithstanding its own acknowledgement that the modified wording may reduce certainty that on-site renewable energy will be delivered.

3.7.6 This strengthens the concern that the IIA Addendum has approached reasonable alternatives too narrowly. The Council appears to have treated changes to environmental policy requirements as mere policy refinement, when in substance they affect the level of climate mitigation that the Plan can be expected to secure through development. In those circumstances, the absence of alternatives assessment raises a serious concern as to whether the SEA requirement to assess reasonable alternatives has been properly satisfied.

3.8 MM040, MM041, MM043 & MM044

- 3.8.1. MM040 and MM041 amend Policy NE3 Biodiversity Net Gain and its supporting text. MM043 and MM044 amend Policy NE4 Development Greening Factor and its supporting text. These are environmental policy requirements that fall squarely within the scope of sustainability appraisal and SEA.
- 3.8.2. The modifications are not merely presentational. They affect the practical strength and certainty of the Plan's biodiversity and green infrastructure requirements. Policy NE3 is framed around an aspiration to achieve up to 20% BNG, subject to viability. Policy NE4 similarly uses "should aim" language in relation to the Development Greening Factor and allows off-site provision where on-site provision cannot be achieved.
- 3.8.3. That distinction matters. An aspirational or viability-qualified requirement can produce materially different environmental outcomes from a mandatory requirement, a rebuttable presumption, or a more tightly defined on-site-first approach. It affects the extent to which biodiversity gain and green infrastructure will be secured through development, the location of that provision, and the certainty that environmental benefits will be delivered within or close to affected communities.
- 3.8.4. Reasonable alternatives could have included a mandatory 20% BNG requirement, a 20% requirement unless robust viability evidence demonstrates otherwise, a stronger on-site-first approach, a borough-first off-site hierarchy with tighter exceptions, mandatory Development Greening Factor scores for major development, or different Greening Factor thresholds for residential and non-residential schemes. Each of those alternatives is realistic, distinct and capable of producing materially different environmental outcomes.
- 3.8.5. The IIA Addendum identifies BNG and urban greening changes as worthy of further consideration. It also acknowledges that greater policy flexibility, including in relation to biodiversity standards, reduces certainty in achieving higher environmental performance. However, having recognised that issue, the Addendum does not appear to identify, describe or evaluate reasonable alternatives to the modified approach.

3.8.6. This is another example of the Addendum recognising a material environmental issue but then declining to test realistic alternatives. The Council appears to have treated changes to biodiversity and green infrastructure requirements as policy refinement, when in substance they affect the level, location and certainty of environmental mitigation and enhancement that the Plan will secure. That reinforces the concern that the IIA Addendum has approached reasonable alternatives too narrowly and has not demonstrated compliance with the SEA requirement to assess reasonable alternatives.

3.9 MM068, MM069 & MM070

3.9.1. MM068, MM069 and MM070 formalise the Sustainable Communities as strategic sites with revised planning frameworks. These are among the largest and most strategically important allocations within the Plan.

3.9.2. The modifications have potential implications for development capacity, infrastructure delivery, education provision, transport mitigation, environmental mitigation, viability and phasing. The modifications also interact with the employment land strategy, given the substantial employment land contribution associated with the Sustainable Communities.

3.9.3. Where policy frameworks for principal strategic allocations materially change, obvious alternatives arise. These may include different phasing requirements, infrastructure triggers, employment land assumptions, affordable housing assumptions and environmental mitigation requirements. The IIA Addendum does not appear to assess those alternatives.

3.9.4. This matters to the wider soundness of the Plan because the Council relies heavily on strategic allocations and delivery mechanisms to justify the modified housing and employment strategy. It is therefore important that changes to those mechanisms are tested with proper transparency.

3.10 MM013 & MM014

3.10.1. MM013 and MM014 amend Policy S3 and its supporting text in relation to the economic delivery strategy. Those modifications identify the Sustainable Communities as an important component of the employment land supply. The Sustainable Communities are therefore not merely housing allocations. They perform both housing and employment functions within the modified Plan.

3.10.2. That is significant. If the modified employment strategy relies on employment land being delivered through the Sustainable Communities, then the policy frameworks governing those sites become central to the effectiveness of both the housing strategy and the economic strategy. Their delivery assumptions are therefore not simply matters of wording or clarification. They influence the location, timing, infrastructure requirements and transport impacts of a substantial component of planned employment growth.

3.10.3. The IIA Addendum appears to treat the employment modifications as providing additional clarity and certainty, rather than materially altering the employment strategy. However, even if the modifications are characterised as clarification, the clarified role of the Sustainable Communities is itself material. It confirms that those sites are relied upon to deliver a significant element of the Plan's employment land supply. That reliance should have been transparently tested.

3.10.4. Reasonable alternatives may arise in relation to the amount of employment land to be delivered through the Sustainable Communities, the phasing of employment delivery relative to housing, infrastructure triggers, transport mitigation, sustainable travel requirements, the balance between housing and employment uses, and the distribution of employment land between strategic sites and other locations.

3.10.5. Those alternatives can produce materially different economic, transport, infrastructure and environmental outcomes. They do not appear to have been separately identified, described or evaluated through the IIA Addendum.

3.10.6. This reinforces the wider concern that the Main Modifications have been treated as refinements when, in substance, they alter or clarify key delivery mechanisms on which the soundness of the modified Plan depends. If the Sustainable Communities are to underpin both housing and employment delivery, the reasonable alternatives relating to their role, phasing, infrastructure requirements and employment land contribution should be assessed with proper transparency.

3.11 Cumulative Impact

3.11.1. Each of the modifications identified above raises concerns in their own right. However, the true significance of the Main Modifications emerges when they are considered cumulatively and in combination.

3.11.2. The modified Plan now proposes a higher housing requirement, greater reliance upon windfall delivery, reduced affordable housing provision in parts of the Borough, an additional or carried-forward allocation at Lawley West, a substantial reduction to HOA24 Tibberton, revised strategic planning frameworks for key strategic sites, changes to climate policy wording, changes to biodiversity net gain and greening requirements, and revised viability review and clawback mechanisms.

3.11.3. Taken together, these changes alter the balance of the submitted Plan in a manner that goes beyond the correction of soundness issues. They influence the quantity, location, type, timing and quality of development that will come forward across the Borough. They also have clear implications for housing delivery, affordable housing provision, infrastructure delivery, employment land delivery, transport mitigation, climate change mitigation, biodiversity, green infrastructure and environmental outcomes.

3.11.4. The cumulative effects are particularly important because the modifications interact with one another. Increased reliance on windfalls affects the robustness of the housing trajectory. Reduced affordable housing requirements affect social outcomes and the distribution of benefits from growth. The reduction of HOA24 Tibberton affects rural housing delivery and affordable housing in a Key Rural Settlement. The revised Sustainable Communities framework affects both housing and employment delivery. The climate and biodiversity modifications affect the environmental quality of development. The viability and clawback provisions are then relied upon as mechanisms to manage some of those consequences.

3.11.5. In those circumstances, it is not sufficient to consider each Main Modification in isolation or to characterise them collectively as refinements. The combined effect of the modifications is capable of producing materially different social, economic and environmental outcomes from the submitted Plan.

3.11.6. The cumulative effect of these changes therefore further undermines the assertion that no reasonable alternatives required assessment. At the very least, the Council should have assessed whether alternative combinations of modifications would produce different outcomes, including different approaches to housing allocations, affordable housing, windfalls, strategic site delivery, viability mechanisms, climate standards and biodiversity requirements.

3.11.7. The absence of such cumulative assessment reinforces the concern that the IIA Addendum has approached the Main Modifications too narrowly. It has identified material changes but has not adequately assessed the combined consequences of those changes or the reasonable alternatives available. That is a significant matter for both soundness and legal compliance.

3.12 Suggested amendments to the Main Modifications

- 3.12.1. Boningale respectfully requests that the Inspectors do not recommend the Main Modifications in their current form..
- 3.12.2. In particular, MM130 should be amended so that HOA24 Land at junction of Hay Street, Tibberton is allocated for a minimum of 50 dwellings. The allocation boundary should be extended eastwards to include the land required to secure safe and suitable access from Tibberton Road and to provide a comprehensive development parcel. The precise capacity and layout can then be determined through detailed design, access, landscape, drainage, ecological and infrastructure considerations.
- 3.12.3. In the alternative, if the Inspectors are not satisfied that a minimum 50 dwelling allocation can be confirmed on the evidence presently before the examination, MM130 should not reduce the allocation below the Publication Plan figure of 25 dwellings unless and until the Council has provided clear technical evidence justifying that reduction, has assessed reasonable alternative capacities and boundaries, and has addressed the consequences for access, highway mitigation, affordable housing delivery and the effectiveness of the allocation.
- 3.12.4. Failing the above, the supporting text should acknowledge that the site may be capable of accommodating materially more than seven dwellings, subject to detailed design and technical assessment at the planning application stage.
- 3.12.5. The Council should also be required to prepare a further addendum to the IIA / SEA which identifies, describes and evaluates reasonable alternatives to the screened-in Main Modifications. That assessment should include, at a minimum, alternative capacities and boundaries for HOA24 Tibberton, including a minimum 50 dwelling option; alternative windfall assumptions; alternative affordable housing policy approaches; alternative climate change and biodiversity policy requirements; alternative approaches to viability review and clawback; and alternative approaches to strategic site delivery, phasing and infrastructure triggers.

3.12.6. Further monitoring and mitigation should also be identified where the modified Plan relies on materially changed assumptions. This should include monitoring of windfall delivery by source and location, affordable housing delivery by location, tenure and funding source, actual BNG achieved, off-site biodiversity delivery, renewable energy and carbon performance secured through planning permissions, and infrastructure delivery on strategic sites.

3.12.7. If that further assessment identifies materially different effects, further consultation and, if necessary, further hearing sessions should take place before the Main Modifications are recommended.

3.12.8. Absent that further work, there remains a serious unresolved concern that the Main Modifications have not been supported by an adequate assessment of reasonable alternatives as required by the SEA Regulations. In those circumstances, the Main Modifications should not be regarded as justified, effective or legally compliant.

3.13 Conclusion

3.13.1. The concern raised through this representation is not that the Council has proposed Main Modifications. It is recognised that modifications may be necessary to address matters of soundness and legal compliance. The concern is that a series of substantive policy choices have been introduced through the Main Modifications process without the level of assessment, testing and scrutiny required for changes of this nature.

3.13.2. That concern is particularly acute in relation to MM130 and HOA24 Tibberton. The proposed reduction from 25 dwellings to 7 dwellings is unexplained, unsupported by a transparent comparative assessment, inconsistent with Tibberton's status as a Key Rural Settlement, and materially harmful to the opportunity to deliver affordable housing in the village. It may also exclude the land required to secure the safer and more appropriate access from Tibberton Road. The allocation should instead be confirmed for a minimum of 50 dwellings, with the boundary extended eastwards to secure appropriate access, or at the very least should not be reduced below 25 dwellings without further evidence and assessment.

3.13.3. More generally, the Council's own evidence acknowledges that the Main Modifications affect housing delivery, affordable housing provision, viability, biodiversity net gain, climate change policy wording, strategic site frameworks, employment land delivery and housing supply assumptions. Yet the supporting appraisal simultaneously concludes that no further reasonable alternatives require assessment and that no additional mitigation or monitoring is necessary.

3.13.4. That conclusion is difficult to reconcile with the evidence before consultees. The modifications can generate materially different planning outcomes. Alternative approaches existed and were available, including alternative capacities and boundaries for HOA24 Tibberton, alternative windfall assumptions, alternative affordable housing policy approaches, alternative climate and biodiversity requirements, and alternative approaches to viability review, clawback and strategic site delivery. Those alternatives have not been transparently assessed.

3.13.5. In those circumstances, there is a serious and unresolved concern that the Main Modifications have not been supported by an adequate assessment of reasonable alternatives for SEA purposes. Unless that deficiency is remedied, the Inspectors should not be satisfied that the Main Modifications are legally compliant.

3.13.6. It is therefore respectfully submitted that the proposed Main Modifications should not proceed in their current form unless and until the Council has: (1) corrected factual inconsistencies in the IIA Addendum; (2) identified, described and evaluated reasonable alternatives to the screened-in modifications; (3) explained why those alternatives have been rejected; (4) assessed the affordable housing, access and infrastructure consequences of reducing HOA24 Tibberton; (5) amended MM130 so that HOA24 is allocated for a minimum of 50 dwellings with a boundary capable of securing access from Tibberton Road, or otherwise provided robust evidence justifying any lower figure; and (6) provided any

necessary further monitoring, mitigation, written evidence and, if required, hearing sessions.

3.13.7. Absent such further work, serious concerns remain regarding the soundness of the Plan and the legal compliance of the Main Modifications for SEA purposes. These are not merely matters of planning judgment. They go to the heart of whether the modified Plan represents the most appropriate strategy when considered against the reasonable alternatives available and whether the procedural and legal safeguards underpinning the development plan process have been properly observed.

3.13.8. For those reasons, the Inspectors are respectfully invited to conclude that MM130 should be amended to allocate HOA24 Tibberton for a minimum of 50 dwellings, with the boundary extended eastwards to secure access from Tibberton Road, and that the Main Modifications as a whole should not be recommended unless the Council first remedies the assessment deficiencies identified above.