

## Part B: Your Response

Please complete a separate **Part B form** for each response that you wish to make. One **Part A form** must be enclosed with your **Part B form(s)**.

To assist in making a response, separate **Guidance** is available on the Council's website. Responses should be returned by **5:00pm on Tuesday 11<sup>th</sup> June 2024**.

Name and Organisation:	Stuart Thomas (BERRYS) on behalf of AFM Farming LLP
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### Q1. To which document(s) does this response relate?

<b>a. Draft policy on Housing Provision for Older People and those with Disabilities and Special Needs and its explanation.</b>	<input type="checkbox"/>
<b>b. Updated Additional Sustainability Appraisal of the Draft Shropshire Local Plan Report.</b>	<input checked="" type="checkbox"/>
<b>c. Updated Housing and Employment Topic Paper.</b>	<input type="checkbox"/>
<b>d. Updated Green Belt Topic Paper.</b>	<input type="checkbox"/>

### Q2. To which paragraph(s) of the document(s) does this response relate?

Paragraph(s):	12.82-12.87
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### Q3. Do you consider the document(s) are:

- A. Legally compliant      Yes:       No:
- B. Sound      Yes:       No:

### Q4. Please detail your comments on the specified document(s).

**Please be as precise as possible.**

Within section 12, the Updated Additional Sustainability Appraisal (UASA) details the assessment of sites to accommodate the proposed 1,500 Dwelling contribution towards the unmet needs of the Black Country.

This assessment included all sites within the relevant assessment geography, not just those sites proposed for allocation within the submission version Plan. As a consequence, and as recognised in paragraph 12.84 of the UASA, it is unsurprising that the sites assessed as the most sustainable and appropriate locations for accommodating the unmet needs of the Black Country are existing allocations within the submission version Plan.

However, these allocations were included within the submission version Plan to meet the needs arising within those settlements and Shropshire as a whole, not the Black Country. To identify these sites as contributing, in whole or part, to meeting the needs of the Black Country effectively reduces the contribution these sites make to addressing Shropshire's housing needs.

As a consequence, further consideration should be given to increasing the allocation of housing land within the Plan to meet the needs of Shropshire. There are unconstrained sites available within higher tier settlements that, whilst outside of the UASA assessment geography, would make an appropriate contribution to meeting the uplift in the overall dwelling requirement and would offset the loss of any sites specifically identified to meet the needs of the Black Country, whilst also meeting settlement specific housing requirements.

An example of such a site would be site WEM035 in Wem. Wem is a Key Centre that has an exceptional range of services and facilities (ranking 1st among the Plan's 11 Key Centres) and lies in a highly sustainable location (on a Strategic Corridor). However, as detailed within this Representor's representations on the Regulation 19 Plan, whilst there is high demand for housing and an affordability problem in Wem, the Regulation 19 Plan proposes an unjustifiably low level of housing growth in Wem, with no justification provided for the proposed reduction in delivery rates. The allocation of site WEM035 would therefore make an appropriate contribution to meeting Shropshire's housing needs whilst also ensuring that development is directed to a location (Wem) that has a proven track record of delivering housing development, is highly sustainable and is desirable to developers and where development will maintain the vitality of the settlement's services and facilities and secure the future of the settlement.

*(Please continue on a separate sheet if necessary)*

***Please succinctly provide all necessary evidence and information to support your response. After this stage, further submissions may only be made if invited by the Planning Inspectors, based on the matters and issues identified for examination.***

**Q5. Do you consider it necessary to participate in relevant examination hearing session(s)?**

*Please note: This response provides an initial indication of your wish to participate in relevant hearing session(s). You may be asked to confirm your request to participate.*

No, I do not wish to/consider it necessary to participate in hearing session(s)

Yes, I consider it is necessary/wish to participate in hearing session(s)

*The Inspectors will determine the most appropriate procedure to consider comments made during this consultation.*



## Part B: Your Response

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Name and Organisation:	Stuart Thomas (BERRYS) on behalf of AFM Farming LLP
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### Q1. To which document(s) does this response relate?

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<b>b. Updated Additional Sustainability Appraisal of the Draft Shropshire Local Plan Report.</b>	<input checked="" type="checkbox"/>
<b>c. Updated Housing and Employment Topic Paper.</b>	<input type="checkbox"/>
<b>d. Updated Green Belt Topic Paper.</b>	<input type="checkbox"/>

### Q2. To which paragraph(s) of the document(s) does this response relate?

Paragraph(s):	Table 8.6
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### Q3. Do you consider the document(s) are:

- A. Legally compliant      Yes:       No:
- B. Sound      Yes:       No:

### Q4. Please detail your comments on the specified document(s).

**Please be as precise as possible.**

The Updated Additional Sustainability Appraisal's (UASA's) assessment of the 'reasonable' options for the Housing Requirement concludes that a High Growth Option plus contribution to the Black Country Authorities Unmet Housing Needs is the most sustainable of the reasonable options identified and is therefore supported.

Nonetheless, whilst the Updated Housing and Employment Topic Paper (UHETP) provides significant additional evidence in support of the proposed housing requirement it remains unclear why the magnitude of the proposed uplift in housing requirement has been derived as both the submission version Plan's requirement and requirement now proposed within the UHETP appear to be based upon 2020 LHN data, a 15% 'High Growth' uplift and the same contribution towards the unmet needs of the Black Country.

We concur with the Inspectors previously stated concern that the housing requirement within the submission version Plan and supporting Sustainability Appraisal is seemingly based only on meeting the needs of Shropshire and does not include the additional housing contribution towards the needs of the Black Country.

As a consequence, it is contended that housing requirement option 3b should be in the magnitude of 1,500 dwellings above the submission version Plan's requirement i.e. in the region of 32,800 dwellings or 1,491 dwellings per annum.

*(Please continue on a separate sheet if necessary)*

***Please succinctly provide all necessary evidence and information to support your response. After this stage, further submissions may only be made if invited by the Planning Inspectors, based on the matters and issues identified for examination.***

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## Part B: Your Response

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<b>c. Updated Housing and Employment Topic Paper.</b>	<input checked="" type="checkbox"/>
<b>d. Updated Green Belt Topic Paper.</b>	<input type="checkbox"/>

### Q2. To which paragraph(s) of the document(s) does this response relate?

Paragraph(s):	7.61
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### Q3. Do you consider the document(s) are:

- A. Legally compliant      Yes:       No:
- B. Sound      Yes:       No:

### Q4. Please detail your comments on the specified document(s).

**Please be as precise as possible.**

The Updated Housing and Employment Topic Paper (UHETP) details that the Council wishes to pursue the submission version Plan's preferred 'High Growth' principle. The submission version Plan identifies a housing requirement figure of 31,300 dwellings for the period 2016-2038 (1,400 dwellings per annum). Whilst the UHETP now proposes a housing requirement figure of 31,800 dwellings for the period 2016-2038 (1,423 dwellings per annum). There is, therefore, a 500 dwelling uplift in the housing requirement.

The UHETP provides significant additional evidence in support of the proposed housing requirement and the resultant uplift in the provision of housing is supported.

Nonetheless, it remains unclear how the magnitude of this uplift has been derived. Both the submission version Plan's requirement and requirement now proposed within the UHETP appear to be based upon 2020 LHN data, a 15% 'High Growth' uplift and the same contribution towards the unmet needs of the Black Country.

We concur with the Inspectors previously stated concern that the housing requirement within the submission version Plan and supporting Sustainability Appraisal is seemingly based only on meeting the needs of Shropshire and does not include the additional housing contribution towards the needs of the Black Country. As a consequence, it is contended that the housing requirement proposed within the UHETP should be in the magnitude of 1,500 dwellings above the submission version Plan's requirement i.e. in the region of 32,800 dwellings or 1,491 dwellings per annum.

*(Please continue on a separate sheet if necessary)*

***Please succinctly provide all necessary evidence and information to support your response. After this stage, further submissions may only be made if invited by the Planning Inspectors, based on the matters and issues identified for examination.***

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Name and Organisation:	Stuart Thomas (BERRYS) on behalf of AFM Farming LLP
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### Q1. To which document(s) does this response relate?

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<b>b. Updated Additional Sustainability Appraisal of the Draft Shropshire Local Plan Report.</b>	<input checked="" type="checkbox"/>
<b>c. Updated Housing and Employment Topic Paper.</b>	<input type="checkbox"/>
<b>d. Updated Green Belt Topic Paper.</b>	<input type="checkbox"/>

### Q2. To which paragraph(s) of the document(s) does this response relate?

Paragraph(s):	10.51-10.52
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### Q3. Do you consider the document(s) are:

- A. Legally compliant      Yes:       No:
- B. Sound      Yes:       No:

### Q4. Please detail your comments on the specified document(s).

**Please be as precise as possible.**

Section 10 of the Updated Additional Sustainability Appraisal (UASA) details the assessment of the reasonable options for accommodating the proposed uplift to the proposed housing requirement.

The UASA details, in paragraph 10.51, that none of the reasonable options identified for accommodating the uplift to the proposed housing requirement are likely to result in a strongly negative effect and paragraph 10.52 states that "all of the reasonable options are considered likely to result in a strongly positive effect on SA objective 3: provision of a sufficient amount of good quality housing which meets the needs of all sections of society in the short, medium and long term".

However, there is a finite and diminishing supply of brownfield land and windfall sites within settlements and recent policy changes including, most specifically, the need to provide Biodiversity Net Gain on new developments, also have a significant impact upon the capacity of both allocated and windfall sites to provide housing.

In addition, in not allocating land for development, it is difficult to determine whether the Plan makes appropriate provision for those with specific housing requirements such as those requiring affordable housing, housing designed for older people or those with disabilities and special needs, or those who wish to build or commission their own homes. Such provision is predominantly sought through percentage contributions on allocated sites. Windfall sites tend to be smaller and less likely to trigger requirements for provision such as affordable housing, whilst provision on brownfield sites may be 'reduced by a proportionate amount' (NPPF, paragraph 65).

As a consequence, it is contended that the preferred option of 'accommodating the proposed uplift in housing requirement by increasing settlement guidelines and windfall allowances' is not considered likely to result in a strongly positive effect on SA objective 3: provision of a sufficient amount of good quality housing which meets the needs of all sections of society. In this regard, increasing site allocations provides far more certainty and should be reassessed accordingly.

*(Please continue on a separate sheet if necessary)*

***Please succinctly provide all necessary evidence and information to support your response. After this stage, further submissions may only be made if invited by the Planning Inspectors, based on the matters and issues identified for examination.***

#### **Q5. Do you consider it necessary to participate in relevant examination hearing session(s)?**

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No, I do not wish to/consider it necessary to participate in hearing session(s)

Yes, I consider it is necessary/wish to participate in hearing session(s)

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Name and Organisation:	Stuart Thomas (BERRYS) on behalf of AFM Farming LLP
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### Q1. To which document(s) does this response relate?

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<b>c. Updated Housing and Employment Topic Paper.</b>	<input checked="" type="checkbox"/>
<b>d. Updated Green Belt Topic Paper.</b>	<input type="checkbox"/>

### Q2. To which paragraph(s) of the document(s) does this response relate?

Paragraph(s):	8.65-8.66
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### Q3. Do you consider the document(s) are:

- A. Legally compliant      Yes:       No:
- B. Sound      Yes:       No:

### Q4. Please detail your comments on the specified document(s).

**Please be as precise as possible.**

The Updated Housing and Employment Topic Paper (UHETP) considers four 'reasonable' options for accommodating the proposed 500 dwelling uplift in the housing requirement, as follows:

- Option 1: Increasing Settlement Guidelines and Windfall Allowances.
- Option 2: Densification of Proposed Site Allocations.
- Option 3: Increasing Site Allocations.
- Option 4: A Combination of Two or More of the Other Options.

The preferred option is 1, increasing settlement guidelines and windfall allowances, and these increases are proposed for Shrewsbury, Whitchurch and the Former Ironbridge Power Station.

The preferred option for accommodating an uplift in the dwelling requirement is not considered appropriate. There is a finite and diminishing supply of brownfield land and windfall sites within settlements. Recent policy changes (including most specifically the need to provide Biodiversity Net Gain on new developments) also have a significant impact upon the capacity of both allocated and windfall sites to provide housing.

To rely upon increasing settlement guidelines and windfall allowances in three settlements to provide the required uplift in dwellings, and meet the minimum housing requirement figure, is therefore considered inappropriate. It lacks certainty, is neither aspirational nor deliverable and consequently conflicts with the National Planning Policy Framework (NPPF).

In addition, in not allocating land for development, it is difficult to determine whether the Plan makes appropriate provision for those with specific housing requirements such as those requiring affordable housing, housing designed for older people or those with disabilities and special needs, or those who wish to build or commission their own homes. Such provision is predominantly sought through percentage contributions on allocated sites. Windfall sites tend to be smaller and less likely to trigger requirements for provision such as affordable housing, whilst provision on brownfield sites may be 'reduced by a proportionate amount' (NPPF, paragraph 65).

Given the above, it is considered evident that option 3, increasing site allocations, should be adopted to ensure that the Plan is justified, deliverable and effective.

*(Please continue on a separate sheet if necessary)*

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No, I do not wish to/consider it necessary to participate in hearing session(s)

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<b>c. Updated Housing and Employment Topic Paper.</b>	<input type="checkbox"/>
<b>d. Updated Green Belt Topic Paper.</b>	<input type="checkbox"/>

### Q2. To which paragraph(s) of the document(s) does this response relate?

Paragraph(s):	6.8
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### Q3. Do you consider the document(s) are:

- A. Legally compliant      Yes:       No:
- B. Sound      Yes:       No:

### Q4. Please detail your comments on the specified document(s).

**Please be as precise as possible.**

The Updated Additional Sustainability Appraisal's (UASA's) assessment of the 'reasonable' options for contributing to the unmet housing needs forecast to arise in the Black Country is supported.

Nonetheless, it is considered evident that option 1, making no contribution to the unmet needs of the Black Country, should not be considered a 'reasonable' option as it would conflict with the presumption in favour of sustainable development, contained within paragraph 11 of the National Planning Policy Framework, which states that (emphasis added):

*Plans and decisions should apply a presumption in favour of sustainable development.*

*For plan-making this means that:*

- a) *all plans should promote a sustainable pattern of development that seeks to: meet the development needs of their area; align growth and infrastructure; improve the environment; mitigate climate change (including by making effective use of land in urban areas) and adapt to its effects;*
- b) *strategic policies should, as a minimum, provide for objectively assessed needs for housing and other uses, as well as any needs that cannot be met within neighbouring areas, unless:*

- i. *the application of policies in this Framework that protect areas or assets of particular importance provides a strong reason for restricting the overall scale, type or distribution of development in the plan area; or*
- ii. *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.*

In addition, we are aware that the Association of Black Country Authorities (ABCA) wrote to Shropshire Council on the 24 February 2021 (in response to Shropshire Council's Regulation 19 consultation), to highlight that there will continue to be a significant shortfall of land to meet the Black Country's housing needs even in the light of Shropshire's proposed contribution in its Regulation 19 Plan and the proposed contributions in other emerging neighbouring Local Plans, including South Staffordshire, Lichfield and Cannock. Proposals for updated evidence, considering the housing market area shortfalls and potential growth locations are currently in discussion across the West Midlands Development Needs Group. In the interim, South Staffordshire's 2024 publication version Plan significantly reduces its proposed contribution towards the Black Country's Housing Needs (from that proposed in its 2022 publication version Plan), and states, in paragraph 5.10, that "consultation by the Black Country authorities in 2021 and Birmingham City Council in 2022 indicated a potential shortfall of 28,239 and 78,415 homes respectively, indicating that the shortfall is likely increasing".

Given the above, it would appear more reasonable to consider an uplift in Shropshire's contribution towards the housing needs of the Black Country (above that proposed in Option 2), rather than Option 1's no contribution.

*(Please continue on a separate sheet if necessary)*

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No, I do not wish to/consider it necessary to participate in hearing session(s)

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<b>d. Updated Green Belt Topic Paper.</b>	<input type="checkbox"/>

### Q2. To which paragraph(s) of the document(s) does this response relate?

Paragraph(s):	9.10
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### Q3. Do you consider the document(s) are:

- A. Legally compliant      Yes:       No:
- B. Sound      Yes:       No:

### Q4. Please detail your comments on the specified document(s).

**Please be as precise as possible.**

The Updated Housing and Employment Topic Paper (UHETP) considers 'reasonable' options for accommodating the proposed 1,500 dwelling contribution to the Black Country and details that the SA site assessment process has identified three sites to accommodate this provision, as follows:

- BRD030 - Tasley Garden Village, Bridgnorth: 600 dwellings.
- SHR060, SHR158 & SHR161 - Land between Mytton Oak Road and Hanwood Road, Shrewsbury: 300 dwellings.
- IRN001 - Former Ironbridge Power Station: 600 dwellings

However, these allocations were included within the submission version Plan and therefore included to meet the needs arising within those settlements and Shropshire as a whole, not the Black Country. To identify these sites as contributing, in whole or part, to meeting the needs of the Black Country effectively reduces the contribution these sites make to addressing Shropshire's housing needs.

As a consequence, further consideration should be given to increasing the allocation of housing land within the Plan. There are unconstrained sites available within higher tier settlements (in accordance with the proposed spatial strategy) that would make an appropriate contribution to meeting an uplift in the overall dwelling requirement and would offset the loss of any sites specifically identified to meet the needs of the Black Country whilst also meeting settlement specific housing requirements.

An example of such a site would be site WEM035 in Wem. Wem is a Key Centre that has an exceptional range of services and facilities (ranking 1st among the Plan's 11 Key

Centres) and lies in a highly sustainable location (on a Strategic Corridor). However, as detailed within this Representor's representations on the Regulation 19 Plan, whilst there is high demand for housing and an affordability problem in Wem, the Regulation 19 Plan proposes an unjustifiably low level of housing growth in Wem, with no justification provided for the proposed reduction in delivery rates. The allocation of site WEM035 would therefore make an appropriate contribution to meeting Shropshire's housing needs whilst also ensuring that development is directed to a location (Wem) that has a proven track record of delivering housing development, is highly sustainable and is desirable to developers and where development will maintain the vitality of the settlement's services and facilities and secure the future of the settlement.

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