

**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 11th June 2024**.

Name and Organisation:	Jason Tait, Planning Prospects on behalf of Persimmon Homes and Taylor Wimpey
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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>	
<b>b. Updated Additional Sustainability Appraisal of the Draft Shropshire Local Plan Report.</b>	
<b>c. Updated Housing and Employment Topic Paper.</b>	
<b>d. Updated Green Belt Topic Paper.</b>	

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

Paragraph(s):

**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.**

*(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.*

## **Shropshire Local Plan Examination**

**Further Representations on behalf of Persimmon Homes and Taylor Wimpey (ID A0595)**

**Housing and Employment Topic Paper (Update Published April 2024)**

**Five Year Housing Land Supply Statement to 31st March 2023 (Published April 2024)**

**June 2024**

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### **Background**

These further representations are made on behalf of Persimmon Homes and Taylor Wimpey in respect of their land interests in Shrewsbury, including in the context of the land which they are promoting for housing allocation at Weir Hill, Shrewsbury.

The further representations respond to the additional information and supporting documentation which the Council have published for consultation as part of the on-going Examination of the Local Plan.

The representations here are set out in two parts; firstly in respect of the new housing and employment land requirements which are set out and sought to be justified within the Housing and Employment Topic Paper (April 2024), and which draws conclusions from the Additional Sustainability Appraisal Report (April 2024); and secondly in respect of the Five Year Housing Land Supply Statement (April 2024) and its proposition that the Council can demonstrate a 5 year supply of land for housing upon adoption of the Plan.

### **Housing and Employment Topic Paper (Update Published April 2024)**

The Submission version of the draft Shropshire Local Plan, which was proposed by the Council to be sound and based on the Sustainability Appraisal and its conclusions at that time proposed;

- 30,800 dwellings based upon a High Growth 15% uplift on Local Housing Need (LHN)
- 1,500 dwelling to contribute to some of the unmet housing needs of the Black Country
- 300 ha of employment land
- 30 ha of employment land to meet some of the unmet need for employment land of the Black Country.
- An 'Urban Focused' strategy approach

The amendments to the housing and employment requirements of the plan now proposed and justified in the Topic Paper include;

- 31,300 dwellings which includes 1500 dwellings to contribute to some of the unmet housing needs of the Black Country.
- 320 ha of employment land including 30 ha of land to meet some of the unmet need for employment land of the Black Country.
- An 'Urban Focused' strategy approach.

The result of the above is that notwithstanding the conclusions of the original Sustainability Appraisal, and maintenance of a High Growth uplift;

- The net requirement for housing excluding the unmet need has been reduced from 30,800 to 29,800, a reduction of 1,000 dwellings, yet still suggesting this is justified within the SA as including a High Growth uplift
- The net requirement for employment land has reduced by 10ha to 290 ha from 300 ha, again still justified as High Growth.

What is evident from the above is notwithstanding what was justified upon Submission of the Plan a Sound and the most appropriate option has now been rescinded in favour of a lower requirement. To remain consistent with the Submission Plan and the findings of the Sustainability Appraisal at that time, the Plan should allow for the following;

- A net requirement of 30,800 dwellings as a sound High Growth option as per the Submission Plan
- An additional 1,500 dwelling to meet some of the unmet needs of the Black Country
- Therefore a total plan requirement of 32,300 dwellings
- A net requirement for employment land of 300 ha
- An additional requirement of 30 ha of land to meet some of the unmet need for employment land from the Black Country
- Therefore a total plan requirement of 330 ha of employment land

It appears evident that by not full adopting the above, the Council are seeking to use the stated 'judgement' in the Updated Sustainability Appraisal to suppress the housing and employment requirements to a level which would avoid the need to identify additional sites (a matter which we do not accept). There is no new justification not to accept the findings of the Sustainability Appraisal on submission of the Plan and remain consistent with judgement which were made at that time.

In addition to the above it is also evident given the duration of the Examination that the overall housing requirement is covering a 22 year plan period from 2016 to 2038, and is likely to be covering no longer than a 14 year, more likely 13 year plan period from adoption. This is in direct conflict with paragraph 22 of the NPPF which states that "Strategic policies should look ahead over a minimum 15 year period from adoption".

In addition to the above, the following is highlighted and of concern in respect of the approach taken to housing requirements;

1. **Unmet Housing Need from the Black Country** – the Council describe "two reasonable alternatives" for contributing to unmet needs from the Black Country being 'No Contribution' and '1500 dwellings'. No alternative of a high contribution to meeting unmet needs has been evaluated, even if only to confirm any negative affects of such an alternative. As set out, the plan does not explain why a higher level of contribution to unmet needs couldn't be accommodated within Shropshire without harm (or indeed providing benefits)

2. **Proposed Housing Requirement** – an uplift of 500 dwellings is proposed, however an uplift of at least 1500 dwellings should be incorporated for the removal of the 1500 dwellings which are now separately justified as a contribution to the unmet need for the Black Country
  
3. **Alternatives to Accommodating the 500 dwelling uplift** – notwithstanding that the uplift should be 1500 dwelling, the support from the SA to Option 1 (Increasing Settlement Guidelines and Windfall” is misplaced and objected to. The Plan should make allocations and plan for development, identifying locations where growth should be directed. Increasing a reliance on windfall moves such provision to unsustainable levels and fails to plan. The plan should include for additional allocations as per Option 3, including specifically at Shrewsbury in line with the spatial strategy.

Increasing the number of dwellings proposed within the settlement guidelines does nothing to provide for assurances as to the delivery of such additional growth. This noting that there are specific deliverable and suitable sites which are being promoted for development in Shrewsbury, including land at Weir Hill being suggested by Persimmon and Taylor Wimpey.

4. **Options to accommodate the 1,500 dwelling for the Black Country** – whilst the sites identified to meet this 1,500 dwelling contribution are noted at Bridgnorth, Shrewsbury and Ironbridge, these development were until now meeting needs of Shropshire. In redirecting their dwellings to meeting needs of the Black Country, then it is essential that the Plan identifies additional allocations to replace these re-directed dwellings.

The following is highlighted and of concern in respect of the approach taken to employment requirements;

1. **Unmet Employment Need from the Black Country** – the Council describe “two reasonable alternatives” for contributing to unmet employment needs from the Black Country being ‘No Contribution’ and ‘30 ha’. No alternative of a high contribution to meeting unmet needs has been evaluated, even if only to confirm any negative effects of such an alternative. As set out, the plan does not explain why a higher level of contribution to unmet employment needs couldn’t be accommodated within Shropshire without harm (or indeed providing benefits)
  
2. **Proposed Employment Requirement** – an uplift of 20 ha is proposed, however this should be 30 ha replacing the 30 ha which is now separately justified as a contribution to the unmet need for the Black Country

3. **Alternatives to Accommodating the 20 ha uplift** – notwithstanding that the uplift should be 30 ha, the support from the SA to Option 1 (Increasing Settlement Guidelines and Windfall” is misplaced and objected to. The Plan should make allocations and plan for employment development, identifying locations where growth should be directed to ensure it is located such to match housing growth locations. It is unclear as to why the minimum level of employment allocation was sound on submission due to supply, but now the allocation has increased (eating into that supply), it remains sound. Whilst it is recognised that there is more employment land supply than the requirement, that over supply was previously considered to be sound, and it important to ensure choice and range and ensure the minimum requirement is met – there is no reason to change this conclusion, other than to suppress the number of employment allocations needed.
4. **Options to accommodate the 30 ha for the Black Country** – whilst the site identified at Shifnall is noted, this development was until now meeting needs of Shropshire. In redirecting this employment land to meeting needs of the Black Country, then it is essential that the Plan identifies additional employment land to replace this re-directed employment land.

#### **Five Year Housing Land Supply Statement to 31st March 2023 (Published April 2024)**

Paragraph 76 of the NPPF sets out that LPAs are not required to identify and update annually a 5YHLS if:

- a) Their adopted Plan is less than 5 years old; and
- b) That adopted Plan identified at least a five year supply of specific, deliverable sites at the time that its examination concluded.

With this in mind, if the emerging Shropshire Local Plan (review) is adopted and a 5YHLS is identified when its examination concludes, Shropshire will not have to demonstrate a 5YHLS as required by NPPF paragraph 77 for a period of five years.

In support of its updated Housing and Employment Topic Paper (April 2024)<sup>1</sup> the Council has published a Five Year Housing Land Supply Statement (2023) – Draft Shropshire Local Plan version (published April 2024<sup>2</sup>) which concludes that the Council can identify a supply of deliverable housing land amounting to 6.86 years’ worth (or 2,646 homes over the 5 year minimum).

The draft Plan’s housing requirement figure (a minimum of 31,300 homes between 2016 to 2038; at an annual average of 1,423 dpa) is based on the Local Housing Need figure (LHN) using the Government’s Standard Method (SM) assessed in 2020 (25,894 homes between 2016 and 2038; or 1,177dpa) and a High Growth Option (15% uplift) plus a further specific

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<sup>1</sup> prepared in response to the EiP Inspectors’ request for additional information

<sup>2</sup> For avoidance of doubt, the Council has also published separately a 2024 5 Year Housing Land Supply Paper for decision making purposes, based on the adopted Local Plan and its housing requirement

uplift of 1,500 dwellings as a contribution towards the unmet housing need forecast within the Black Country.

There is no buffer to apply as a result of Shropshire's latest Housing Delivery Test (HDT) score of 152% (2022).

As a result, Shropshire's 5 year housing land requirement is 7,115 homes (1,423 x 5).

### ***Five Year Housing Land Supply***

The Council has identified a supply of 9,761 homes which it considers are deliverable over the five year period 1<sup>st</sup> April 2023 to 31<sup>st</sup> March 2028. This equates to a deliverable supply of 6.86 years' worth of housing land or 2,646 homes over the 5 year minimum required when measured against the 5 year housing land requirement referred to above.

The Council's deliverable supply is made up of:

- a) Dwellings with planning permission (5,958 homes)
- b) Dwellings on sites with Prior Approval (72 homes)
- c) Dwellings on selected sites with a 'resolution to grant' planning permission (10 homes)
- d) Dwellings on 'saved' allocations (1,274 homes)
- e) Dwellings on sites proposed for allocation within the draft Shropshire Local Plan (1,491 homes)
- f) Dwellings on SLAA sites (111 homes)
- g) Dwellings on emerging affordable housing sites (including Homes England funded sites) (247 homes); and
- h) Windfall (598 homes)

For categories a) to f) the Council's figures above reflect that it has applied a 10% lapse rate to reflect that not all of the sites identified will deliver homes in the 5 year period.

The significant majority (61%) of the sites identified as deliverable by the Council have planning permission. Sites that are allocated (either saved from the adopted Plan or in the emerging Plan) contribute a further 28% of the Council's deliverable supply, meaning these components of supply alone amount to 89% of the Council's identified deliverable supply.

Planning Prospects have concerns over a number of sites and components of sites included by the Council in its identified deliverable supply.

### **In-principle Concerns:**

#### *Unrealistic Delivery Required*

The Council's identified supply of 9,761 homes would require, on average, delivery of 1,953dpa. This rate of delivery has not been achieved in Shropshire in any year since 2006/07 (the beginning of the adopted Plan period). The adopted Plan was also adopted with an "ambitious housing target" and whose SAMDev (or allocations) Plan (adopted in 2015) was supposed to have led to an uplift in housing delivery towards the end of the Plan period, albeit to a rate which is below this now anticipated rate of delivery, but which has not been realized.

As such the adopted Plan's housing requirement is not on course to be delivered with only three more years of delivery remaining in the adopted Plan period.

This indicates that Shropshire has a history of overestimating its projected housing delivery and this overestimation looks like it is being repeated through the emerging Local Plan also.

### *Burden of Clear Evidence*

The Council's latest 5 Year Housing Land Supply Paper – Draft Local Plan Version (April 2024) – herein referred to as the 2024 5YHLS Paper sets out that the NPPF's Annex 2 definition of 'deliverable' sites is not an exhaustive list and that sites do not need to involve non-major development and have planning permission, or have detailed planning permission, to be included in a five year (or deliverable) housing land supply. This is correct.

However, and whilst the 2024 5YHLS Paper recognizes that for major sites that do not have detailed planning permission, the requirement is that 'clear evidence' is provided through assessment of a site that concludes that it is available **now**, offers a suitable location for development **now**; and is achievable with a **realistic** prospect that **housing will be delivered within five years** – in reference to Category b) of the NPPF's Annex 2 definition of 'deliverable', the onus is on there being clear evidence to support an assessment and not just that an assessment is undertaken and that of itself provides clear evidence.

Category b) of Annex 2 is clear that sites with outline planning permission for major development, sites that have been allocated in a development plan, sites with a grant of permission in principle, or identified on a brownfield register (for example), should **only** be considered deliverable where there is **clear evidence** that housing completions will begin on site within 5 years. In support of this definition, PPG sets out what 'such evidence' to demonstrate deliverability might include<sup>3</sup>.

The 2024 5YHLS Paper refers to assessments that reach the conclusions that sites are available now, suitable locations for development now and achievable with a realistic prospect that housing will be delivered within 5 years, and says that these are provided in its Appendices (A to H). However, the Paper's Appendices simply contain a summary assessment for each site which concludes that a relevant site is available now, in a suitable location for development now and is achievable with a realistic prospect that housing will be delivered within five years but they do not contain any 'clear evidence' to support those conclusions.

### *Standardised Lead-In and Build Rate Assumptions*

The 2024 5YHLS paper refers to the Council's standard assumptions with regard to 'lead-in times' and 'Build Rates' which it says reflects the broad range of residential development that occurs in Shropshire, the different mechanisms for securing consent for development and the diversity of its settlements and associated development opportunities. However, Planning Prospects note that these assumptions have been unchanged for some time and have been included in each of the Council's last 5YHLS papers, including those dating back to 2018 for example, pre-dating COVID 19, unprecedented world events and the cost-of-living crisis which

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<sup>3</sup> 007 Reference ID: 68-007-20190722

have all been widely recognized to have had a negative impact on the national economy and in respect of development, impacted on lead-in times and build rates. This has been widely demonstrated through national research documents such as the latest Lichfields 'Start to Finish' report (3<sup>rd</sup> Edition, published March 2024) for example. Lead-in times, in particular, are significantly longer now than those assumed in Shropshire's 2024 5YHLS Paper. Longer lead-in times are also supported by the number of large and strategic-scale developments in Shropshire that have been included year-on-year as deliverable sites in the Council's previous 5YHLS papers but with little or no progress actually being realized in terms of housing completions during the relevant periods.

#### *Lapse Rate for Major Sites*

Planning Prospects do not dispute the application of a 10% lapse rate to small site delivery because there are many small sites across Shropshire and it would not be practical to undertake a detailed assessment of all of those sites. However, it would also not be appropriate to include all small sites in the five year calculation and simply assume, without detailed analysis, that they will be built. Where small sites with permission (outline or detailed) benefit from the presumption that they are deliverable unless clear evidence can be provided, any standardised deductions such as a lapse rate is generous in context of the Annex 2 definition and therefore adds robustness to the Council's approach to reflect the fact that not all small sites will deliver and some will lapse.

Application of a standardised discount or lapse rate has historically been a common technique to adopt, as suggested by the Council, to reduce the amount of site-specific analysis required for the, often numerous, small sites. However, the now updated NPPF(s) and PPG clarifies the approach to be taken particularly for major sites now. On the face of it there is no evidence to support the Council's 10% lapse rate for major sites.

For major Annex 2 category b) sites (i.e. large sites with outline permission or allocated in an adopted Development Plan for example), each of these sites should be assessed individually and ***'should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years'<sup>4</sup>***. As such, evidence should be site specific and lapse rates should not be relied upon where possible.

#### **Components of Shropshire's Identified Supply:**

Turning to each of the components forming the Council's identified deliverable supply, Planning Prospects have the following concerns:

##### b) Sites with Planning Permission as at 31<sup>st</sup> March 2023

A number of the Sites listed in Appendix A of the Council's 2024 5YHLS Paper with detailed permission have very long-standing planning permissions and application references. This indicates that a number of these sites are likely to have stalled and there is clear evidence of non-delivery and to demonstrate that homes will not be delivered within five years (as required by the NPPF Annex 2 definition of 'deliverable' part a) for sites that do not involve

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<sup>4</sup> 2023 NPPF Annex 2 definition of 'deliverable'



major development and have planning permission, and all sites with detailed planning permission).

There are a number of Sites listed in Appendix B of the Council's 2024 5YHLS Paper (i.e. with outline permission only) where the Council considers there to be clear evidence to support their deliverability, but where no clear evidence is actually provided. A number of the sites with outline planning permission considered deliverable by the Council have unrealistic lead-in assumptions and others are included on the basis that their promoters suggest that they are deliverable rather than being supported by clear evidence, such as the type of clear evidence which PPG suggests should be included.

c) Sites with Prior Approval as at 31<sup>st</sup> March 2023

All of these sites comprise of development of 5 or less homes. Planning Prospects considers that they fall within the NPPF Annex 2 category a) definition of deliverable, meaning they should be considered deliverable unless clear evidence demonstrates that they are not. In this case, the Council has applied a 10% lapse rate to these small sites in any event, which recognizes that not all of these sites will deliver homes in the 5 year period. Planning Prospects agrees with the Council's approach to these sites in this instance.

d) Sites with a resolution to grant as at 31<sup>st</sup> March 2023

Each of the 'resolution to grant' sites that have been included in the Council's deliverable supply is also a minor development (all comprise of 1 dwelling, except for a single 3 dwelling development) and all have since had their S106 agreements completed (albeit after the base date). The Council has applied a 10% lapse rate to these small sites. Planning Prospects agrees with the Council's approach to these sites in this instance.

e) 'Saved' allocations within the adopted Development Plan

These sites should be considered in context that the adopted Development Plan principally comprises the 2011 Core Strategy and 2015 SAMDev (allocations) plan. As such, these are longstanding allocations where the homes included in the Council's 5 year housing land supply have so far not come forward over an extended period and have a history of non-delivery.

There are a number of sites which have some progress referred to by the Council, including in reference to enabling works or earlier phases of development for example, but that are not supported by clear evidence themselves (or specifically) as required by Annex 2 of the NPPF, including of the type of clear evidence suggested by PPG.

Some of these sites have since had outline planning permission granted, which again shows some potential progress, but even with outline planning permission major sites need to be supported by clear evidence to demonstrate that they are available **now**, suitable for development **now**, and have a **realistic** prospect of delivering housing in the next five years. For other allocated sites, the Council seems to be relying on the fact that they have been 'promoted through the plan process' as forming clear evidence that they are deliverable. Others are included as they are later phases of development whose earlier phases are under way, but there is no clear evidence to support the inclusion specifically of the later phases,

including those on larger and strategic-scale sites which would need to see delivery of earlier phases at unrealistic and unevidenced rates of delivery in order to see any delivery, or delivery at the rates assumed, from the later phases included in the deliverable supply.

f) Sites proposed for allocation within the draft Shropshire Local Plan

These sites are included on the assumption that the draft Local Plan is adopted and these sites will be allocated sites. However, most, if not all, of these sites are included in the Council's deliverable supply on the basis that they have been 'actively promoted through the allocation process' and / or in reference to their promoters agreeing with the Council's delivery assumptions or because their promoters have confirmed that they can come forward in line with the draft Plan's development guidelines (or similar), rather than because there is clear evidence that there is a realistic prospect of delivering housing in the next five years supported by clear evidence of the type suggested as being required in PPG. Whilst delivery may be assured within the Plan period, this is a different test to being deliverable within 5 years.

g) Sites from the Strategic Land Availability Assessment (SLAA)

This is not a significant source of deliverable supply as identified by the Council but nonetheless its inclusion in a 5YHLS that has been submitted to support the adoption of a Development Plan is troubling. These are sites that have specifically not been allocated for development by the Council or suggested for allocation in the emerging Plan. They are often included as deliverable by the Council on the basis that there is 'a willing land owner' or because they 'have been submitted through the Call for Sites' process rather than because they are supported by clear evidence to demonstrate that they are deliverable. Planning Prospects also believe that these sites should be considered as windfall in light of the NPPF's Annex 2 definition of 'windfall' which is '*Sites not specifically identified in the development plan*'. This would suggest that these sites are being double-counted with the Council's suggested windfall allowance (see category I below).

h) Affordable housing sites including Homes England (HE) funded sites

Again, this is not a significant source of deliverable supply identified by the Council and refers to 'exception' sites where the Council's adopted and draft Development Plan policy and Supplementary Planning Document (SPD) for affordable housing supports provision of affordable housing, including on sites outside of settlement development boundaries and in rural hamlets, as an exception to normal planning policies.

All of the sites included in the Council's deliverable supply from this source should also be considered as 'windfall' development where they have not been specifically identified in the development plan.

Moreover, the Council refers to planning permissions that have been granted after the 31<sup>st</sup> March 2023 base date, to planning applications that have been submitted and are pending consideration, and to schemes being worked up and / or where it is anticipated that a 'planning application is to be submitted shortly'. There is no clear evidence to support any of these sites' being deliverable and even if planning permission has been granted it has been granted after the 31<sup>st</sup> March 2023 base date for this annual 5 year housing land supply

calculation. Whilst this shows some progress towards delivery, their deliverability should be considered in next year's 5 year housing land supply when they can be considered against next year's 5 year housing requirement.

i) Windfall sites

Planning Prospects recognise that Paragraph 72 of the 2023 NPPF sets out that Local Planning Authorities may make an allowance for windfall sites as part of its anticipated supply, if they have compelling evidence that they will provide a reliable source of supply having regard to the strategic housing land availability assessment, historic windfall delivery rates and expected future trends.

Planning Prospects have 'in-principle' concerns over including a windfall allowance in a 5 year, or deliverable, supply. Firstly, windfall sites are by their definition unknown, or have not been identified yet. This means they are at odds with NPPF paragraph 77's requirement to identify 'a supply of specific deliverable sites' (our emphasis underlined). Secondly, windfall sites do not have planning permission and have not been allocated in an adopted Development Plan and any 'specific' site would need to be supported by clear evidence that they are deliverable. Thirdly, paragraph 72 of the NPPF is set in the 'Identifying Land for Homes' section of the Framework which sets out the Framework's provisions for plan-making and not in the 'Maintaining Supply and Delivery' section which sets out the Framework's provisions specifically with regard to 5 year, or deliverable, supply. Paragraph 72 makes reference to a windfall allowance being made as part of anticipated supply but not as part of a deliverable or 5 year supply which would require clear evidence of specific site delivery on top of the compelling evidence required to justify a windfall allowance generally.

Notwithstanding our in-principle concerns set out above, and more specifically to Shropshire's suggested allowance, paragraph 72 also sets out that there should be 'compelling evidence' that windfall sites will provide a reliable source of supply and should not only have regard to historic windfall delivery rates but also to 'expected future trends'. Shropshire's 2024 5YHLS Paper justifies its windfall allowance based on historic windfall delivery in Shropshire only without any evidence to support its expected future trends, particularly where the emerging Plan is itself allocating land to deliver housing which should reduce the reliance on windfall in a plan-led system.

Additionally, the 2024 5YHLS Paper has included delivery from SLAA sites, Prior Approval sites and Affordable Housing Sites including HE funded sites which all include sites that should be considered 'windfall' sites given they are not allocated sites (or committed sites, with planning permission). This indicates that there is likely to be double-counting between these component categories of the Council's 5 year housing land supply.

*Wider Implications – Meeting the Planned Housing Requirement*

Furthermore, and notwithstanding the validity of including windfall in the deliverable (or 5 year supply), the 2024 5YHLS Paper's reporting of windfall sites confirms that Shropshire has relied very significantly on housing delivery from windfall sites, highlighting that windfalls have delivered over half of the completions (59%) seen in Shropshire over the last five years. This

is the period where the Council's 2024 5 Year Housing Land Supply paper for decision making<sup>5</sup> has indicated that high completion rates have reflected, at least in part, the benefits of an up-to-date Development Plan demonstrating the positive effect of the introduction of the SAMDev Plan (in 2015) and the range of site allocations within it. In reality, the Council has had to rely on unallocated and unplanned windfall development to deliver 59% of the homes delivered in Shropshire over the last five years.

Planning Prospects have already highlighted that with just three more years of delivery left within the adopted Development Plan period (2006 to 2026), the adopted Development Plan is going to fail to deliver the homes that should have been delivered in Shropshire between 2006 to 2026, but this failure is compounded where the significant majority of homes that have been delivered in recent times, when delivery has been strongest, are in fact from windfall sites and not from sites identified within the adopted Plan.

Setting aside the 5year housing land supply calculation momentarily, this failure to Plan sufficiently to deliver the homes needed in Shropshire points strongly to Shropshire Council needing to approve more windfall sites, which are unknown, to maintain and increase delivery of much-needed homes in Shropshire, rather than relying on a properly plan-led system.

Moreover, the 2024 5YHLS Paper suggests that Shropshire *'demonstrates that sufficient deliverable and developable dwellings are available to achieve the proposed housing requirement of 31,300 dwellings within the draft Shropshire Local Plan and allow for around 10% flexibility in the overall housing land supply'* in identifying a total housing supply of 34,874 homes across the entire emerging Plan period (2016 to 2038). However, this 34,874 figure is just 3,574 homes above the minimum emerging housing requirement of 31,300 homes across the 22 year Plan period. Table 11 of the 2024 5YHLS Paper sets out that 3,588 homes of the 34,874 homes projected by the Council between 2016 and 2038 are from windfall sites and are therefore not known. It sets out that a further 622 homes are projected from SLAA sites (also windfall) and 274 from emerging affordable exception sites (also windfall), calling into question the validity of, and reliance on, the 10% flexibility suggested by the Council.

History suggests that this Council significantly over-estimates its projected housing delivery and without allocating enough housing land to provide genuine flexibility in the overall emerging housing land supply the emerging Plan is likely to follow the path of the adopted Plan and fail to deliver the homes needed in Shropshire.

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<sup>5</sup> in reference to its adopted Development Plan (2006 to 2026) housing requirement