



The countryside charity Shropshire

Examination of Shropshire Local Plan 2016-2038

Stage 2 Matters, Issues and Questions

Matter 1 – Legal/Procedural Requirements (policy SP3)

CPRE Shropshire Submission

Representor refs: A0410 and B-A127

20 September 2024

1. Our Hearing Statement for Matter 1 follows the MIQs as set out in document ID40.

Matter 1 – Legal/Procedural Requirements (policy SP3) – see MM005

Issue

Whether the Council has complied with the relevant procedural and legal requirements.

Questions

2. We comment on selected questions only.

Updated Sustainability Appraisal

Q1. Are the likely environmental, social, and economic effects of the Plan adequately and accurately assessed in the updated Sustainability Appraisal (SA)?

Q2. Does the updated SA test the Plan against the preferred options chosen and all reasonable alternatives?

Q3. Have any concerns been raised about the updated SA methodology and what is the Council's response to these?

3. We made an extensive submission on these subjects on 11 June 2024, in response to Shropshire Council's *Further Consultation Focusing on Additional Material Prepared in Response to the Planning Inspectors' Interim Findings* (see A127 at www.shropshire.gov.uk/planning-policy/local-planning/local-plan-review/post-stage-1-interim-findings-consultation/)
4. Shropshire Council's response to our detailed analysis is contained in document GC52, the *Summary of Responses: Further Consultation on Additional Material Prepared in Response to the Planning Inspectors' Interim Findings*. The relevant extracts for Part B ref B001, containing our chief critique, relevant most particularly to Question 3 above, are shown below:

(Q4). Summary of Main Comment(s) Raised Within the Response	Shropshire Council Response
<p>1. There are weaknesses in the additional Sustainability Appraisal (SA) consistent with previous versions. Specifically: -The stage 2a scoring should use absolute scores, not scoring relative only to other sites in that particular settlement. -It is insufficient to only consider factors in Criteria 4-6 when assessing potential to reduce CO2 emissions. Factors such as potential for solar gain and distance to supermarkets should have been considered. -The methodology is undermined when it is possible to override a highly negative sustainability score through mitigation.</p> <p>2. The scoring systems are not explained and are simplistic and the conclusions reached as to sustainability are essentially subjective, rather than being driven objectively by evidence.</p> <p>3. The Council consider it cannot total scores across the SA objectives (in part because there are more environmental objectives), but this goes against the heart of SA. There are more environmental factors as those are what are most important for sustainability, in a world faced with both a climate emergency and a biodiversity emergency.</p> <p>4. It is considered that undue weight is given to the economic and social pillars of sustainability and insufficient weight to the environmental pillar. For housing: -No scoring is attempted for environmental SA objectives 8, 9 and 11 and only partial scoring of 12. If these were scored option 1a would be even more obviously the most sustainable. -SA objectives 5 and 6 (encouraging sustainable transport, and reducing car dependency) both relate to the move towards less carbon dependent transport, yet they are scored inconsistently. The relative value of these objectives is also not considered, they are just scored 1-6, but encouragement of sustainable transport is based on unidentified schemes, whilst increased car usage is self-evident for high growth options. -Further evidence provided in the appendix to the response.</p> <p>5. Shropshire Council has come to the wrong conclusion as to the most sustainable option for the housing requirement. Based on environmental factors, option 1a is the most sustainable and option 3b (that favoured by the Council) the least. Shropshire Council has concluded, subjectively, that Option 3b is the most sustainable and appropriate option, even though the evidence they themselves have produced points against that. Consider this was pre-determined.</p>	<p>1-8. The additional Sustainability Appraisal (SA) assessment work undertaken by the Council employs a methodology consistent to that utilised throughout the plan making process. This methodology was informed by a Scoping Report, refined through consultation. The Council considers this methodology is appropriate and consistent with relevant legislation and policy requirements.</p> <p>1-8. Shropshire Council considers proposed amended housing and employment land requirements are appropriate. Identification of this proposed housing and employment land requirements was informed by SA of the three reasonable options (each with two variances), which concluded that proposed options were the most sustainable. Identification was also informed by a subsequent planning judgement exercise (as summarised within the Housing and Employment Topic Paper), which concluded that the proposed housing and employment land requirements were appropriate.</p> <p>2. The methodology for the SA is documented within the Scoping Report and additional SA.</p> <p>3, 4 and 8. The Council considers it is not appropriate to 'total-up' the scores, because performance against each of the SA objectives requires consideration in and of itself and</p>

<p>6. Would note that when growth options were first consulted upon a significant majority favoured lower growth, but this was disregarded. An inescapable conclusion from this is ordinary people grasped what Shropshire Council has not accepted, lower growth options are more sustainable than higher growth options in the context of climate change.</p> <p>7. Differences between housing and employment scoring identify inconsistencies in approach. -Scores have now been given for SA Environmental objectives 8, 9, 11 and 12. If that is possible in the case of employment land why was it not possible in the case of housing. -In the summary table, identical scores have been offered for several options, rather than the 1 to 6 scoring offered for all scored objectives for housing. -Further evidence provided in the appendix to the response.</p> <p>8. Shropshire Council has come to the wrong conclusion as to the most sustainable option for the employment land requirement. It is considered that undue weight is given the economic and social pillars of sustainability and insufficient weight to the environmental pillar. For employment it is even more apparent than Option 3b (preferred by Shropshire Council), is far and away the worst option against environmental indicators. Yet Shropshire Council has again chosen to believe economic and social indicators outweigh this adverse environmental impact. Option 1b is vastly more sustainable than Option 3b in the case of employment land.</p>	<p>'totalling-up' scores would not achieve this requirement. Furthermore, the SA objectives are diverse and address differing considerations, therefore it is not possible to directly compare them. In addition, there are also more SA objectives that address environmental topics than social and economic topics, as such a 'totalling-up' of scores would create a bias towards environmental factors, when the principle of sustainable development is about achieving balance across all three pillars – social, economic, and environmental.</p> <p>7. It is important to recognise that there are distinctions between the housing and employment options and the likelihood / certainty of their effects on each SA objective.</p>
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5. Leaving aside other perceived weaknesses of the SA methodology, our chief conclusion from the analysis of the latest SA (document GC44), particularly of its Tables 8.7 and 9.7, was that the Council's conclusion as to the most sustainable option assessed was essentially at odds with its own evidence, and therefore appeared to present a pre-determined outcome. Its response as above merely repeats the very points we critiqued, without offering any further explanation.
6. Our attention was drawn to Tables 8.7 and 9.7 partly because there did not appear to be direct equivalents of them in the two earlier versions of SA submitted for examination, namely document SD006.01, dated December 2020, and document GC29, dated July 2023.
7. To repeat, the Council's justification for not showing totals appears to remain threefold:
 - i) performance against each of the SA objectives requires consideration in and of itself and 'totalling-up' scores would not achieve this requirement;
 - ii) the SA objectives are diverse and address differing considerations, therefore it is not possible to directly compare them; and
 - iii) there are also more SA objectives that address environmental topics than social and economic topics, as such a 'totalling-up' of scores would create a bias towards environmental factors, when the principle of sustainable development is about achieving balance across all three pillars – social, economic, and environmental.
8. Reasons 6.i) and 6.ii) above seem to be saying much the same thing, that each of the sixteen SA objectives is unique and cannot be directly compared with the others.
9. We have been unable to trace any suggestion within the original SA Scoping Report (particularly in Chapter 5, pages 31 - 43) or subsequent SAs that there should be any comparative weighting of the sixteen SA Objectives or of the detailed Table 5.5 SA criteria for site assessment. Indeed, within the detailed site assessments, the final scores are arrived at exactly by a "totalling up" of the scores for the individual components, without any comparative weighting being applied to those individual components.
10. Reason 6.iii) is the one we identified at paragraphs 2.10 and 2.11 of our 11 June 2024 submission as going to the heart of what the SA is all about. There are more environmental factors in the list of the sixteen SA objectives precisely because those are what are most important for

sustainability, in a world faced with both a climate emergency and a biodiversity emergency. What the Council has done instead is to give undue weight to the economic (and social) factors and diminished weight to the environmental factors in this time of dual crises, when it is environmental factors that should be paramount.

11. Notwithstanding what the Council has said about any “totalling up” exercise, it has produced and presented a scoring system in Tables 8.7 and 9.7. The tables are the bringing together of the apparently objective evidence flowing from all the preceding SA work, yet the Council then appears to have bypassed their apparent overall result by some internal, unevidenced balancing process favouring the economic and social factors.
12. If the principle of sustainable development is indeed about achieving balance across all three pillars of social, economic, and environmental, the Council has clearly tipped the balance in favour of social and economic, to the detriment of environmental.
13. By way of emphasis, we have repeated below our re-analysis of the two relevant tables. As a reminder, the higher the score, the less sustainable is that option.
14. The Housing Table does not produce any clear “winner”, but that is partly because the Council has been unable to present any scores at all for three and a half of the environmental SA objectives.
15. The Employment Land table does show scores for all sixteen SA objectives and its evidence shows that the least unsustainable option is Option 1b. The Council’s choice is the apparently most unsustainable option, Option 3b.
16. We are forced to repeat our conclusion on document GC44 (as at paragraph 2.58 of our 11 June 2024 submission) that:
 - i) Shropshire Council has come to the wrong conclusion as to the most sustainable option, both for housing and for employment land; and
 - ii) there is therefore no need for the proposed uplifts of 500 houses or of 20ha of employment land.

17. The further conclusion is that the SA's conclusions are not justified by its own evidence, and that it is therefore unsound. Document GC44 has the appearance of being an elaborate sham.

Q4. Have the requirements for Strategic Environmental Assessment (SEA) been met?

18. Paragraph 1.13 of the original SA Scoping Report states that the objective of SEA is:
- “to provide for a high level of protection of the environment and to contribute to the integration of environmental considerations into the preparation and adoption of plans and programmes with a view to promoting sustainable development, by ensuring that, in accordance with this Directive, an environmental assessment is carried out of certain plans and programmes which are likely to have significant effects on the environment.”*
19. In view of what is set out above about the Council downplaying the environmental elements of the SA Objectives, we do not consider that, ultimately, the requirements of SEA have been properly met.

Plan Period

Q7. Is the Local Plan period of 2016 to 2038 consistent with national policy? If not, is there justification for this?

20. We consider that the plan period remains consistent with national policy.

Table 8.7 revised – Comparison of Housing Requirement Options

Sustainability Objective	Option 1a: Moderate Growth	Option 1b: Moderate Growth + 1,500 Contribution to the Black Country	Option 2a: Significant Growth	Option 2b: Significant Growth + 1,500 Contribution to the Black Country	Option 3a: High Growth	Option 3b: High Growth + 1,500 Contribution to the Black Country
Economic						
2: Encourage a strong and sustainable economy throughout Shropshire	6	4	5	2	3	1
3: Provide a sufficient amount of good quality housing which meets the needs of all sections of society	6	4	5	2	3	1
Sub-total	12	8	10	4	6	2
Social						
4: Promote access to services for all sections of society	6	4	5	2	3	1
7: Support active and healthy communities.	6	4	5	2	3	1
Sub-total	12	8	10	4	6	2
Environmental						
1: Protect and enhance the range of plants and animals in Shropshire and the quality and extent of wildlife habitats.	1	3	2	5	4	6
5: Encourage the use of sustainable means of transport	6	4	5	2	3	1
6: Reduce the need of people to travel by car	1	3	2	5	4	6
8: Protect and improve soil quality	?	?	?	?	?	?
9: Conserve and enhance water quality in Shropshire and reduce the risk of water pollution	?	?	?	?	?	?
10: Reduce flood risk and improve flood management	1	3	2	5	4	6
11: Conserve and enhance Shropshire's air quality and reduce the risk of air pollution	?	?	?	?	?	?
12: Reduce carbon dioxide emissions	?	?	?	2	3	1
13: Promote adaptation and mitigation to climate change	6	4	5	2	3	1
14: Promote efficient use of natural resources	1	3	2	5	4	6
15: Conserve and enhance features and areas of heritage value and their setting	1	3	2	5	4	6
16: Conserve and enhance landscape character and local distinctiveness	1	3	2	5	4	6
Sub-total	18	26	22	36	33	39
Overall total	42	42	42	44	45	43

Table 9.7 revised – Comparison of Employment Land Requirement Options

Sustainability Objective	Option 1a: Productivity Growth	Option 1b: Productivity Growth + 30ha Contribution to the Black Country	Option 2a: Significant Growth	Option 2b: Significant Growth + 30ha Contribution to the Black Country	Option 3a: High Growth	Option 3b: High Growth + 30ha Contribution to the Black Country
Economic						
2: Encourage a strong and sustainable economy throughout Shropshire	6	4	5	2	3	1
3: Provide a sufficient amount of good quality housing which meets the needs of all sections of society	6	4	5	2	3	1
Sub-total	12	8	10	4	6	2
Social						
4: Promote access to services for all sections of society	6	1	5	3	4	2
7: Support active and healthy communities.	2	2	2	2	2	1
Sub-total	8	3	7	5	6	3
Environmental						
1: Protect and enhance the range of plants and animals in Shropshire and the quality and extent of wildlife habitats.	1	2	3	5	4	6
5: Encourage the use of sustainable means of transport	4	3	6	2	5	1
6: Reduce the need of people to travel by car	2	1	3	5	4	6
8: Protect and improve soil quality	1	2	3	5	4	6
9: Conserve and enhance water quality in Shropshire and reduce the risk of water pollution	1	2	3	5	4	6
10: Reduce flood risk and improve flood management	1	2	3	5	4	6
11: Conserve and enhance Shropshire's air quality and reduce the risk of air pollution	1	2	3	5	4	6
12: Reduce carbon dioxide emissions	1	2	3	5	4	6
13: Promote adaptation and mitigation to climate change	3	3	3	2	3	1
14: Promote efficient use of natural resources	1	2	3	5	4	6
15: Conserve and enhance features and areas of heritage value and their setting	1	2	3	5	4	6
16: Conserve and enhance landscape character and local distinctiveness	1	2	3	5	4	6
Sub-total	18	25	39	54	48	62
Overall total	38	36	56	63	60	67