

Hearing Statement for the Shropshire Council Local Plan Examination

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

Statement on Behalf of the Stanmore Consortium Ref: A0497

SHROPSHIRE LOCAL PLAN EXAMINATION

Representor Unique Part A Ref:	A0497
Matter	1
Relevant Question No.s	1, 2, 3, 4, 5, 6, 7

Stage II - Hearing Statement

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1. Introduction

- 1.1. This Hearing Statement is on behalf of The Stanmore Consortium (“TSC”) (Apley Estate and Stanmore Properties) and should be read in conjunction with previous representations made on behalf of TSC at the Regulation 18 and 19 Stages, the representations at the Stage 1 Examination Hearings and the updated Topic Papers in April 2024.
- 1.2. As background, Shropshire Council approached TSC in 2017 with a view to delivering proposals for a Garden Community for the future housing and employment needs of Bridgnorth on land owned by TSC.
- 1.3. In November 2018 the Shropshire Local Plan Review: Consultation on Preferred Sites was published with a masterplan mixed use garden settlement at Stanmore, initiated by the Council, as a Preferred Site. This followed extensive discussion between the Council and TSC, public consultation and provision of detailed information requested by the Council.
- 1.4. In April 2020 the Council abruptly changed its position on the Stanmore Garden Community proposal to an alternative on land west of Bridgnorth, not previously promoted nor consulted upon. This alternative was included in the Regulation 18 and 19 Stages of the Local Plan.
- 1.5. TSC continue to promote Stanmore Garden Community as the best option for Bridgnorth and Shropshire.
- 1.6. This Hearing Statement focusses on those specific questions which are directly relevant to TSC’s position.

2. Matter 1 – Legal/Procedural Requirements (Policy SP3)

Updated Sustainability Appraisal

Question 1

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

- 2.1. The updated SA does not accurately assess the environmental, social and economic effects of the Local Plan.
- 2.2. The SA is central to the tests of soundness of a Local Plan Review and aims to make sure that plan proposals are the most appropriate given the reasonable alternatives. The Council have failed to apply these tests consistently. For example, at Bridgnorth, the SA demonstrates the preferred site, Tasley Garden Village, is not rated as highly as alternative sites such as the Stanmore Garden Village (SGV), yet Tasley is the Council's preferred site allocation.
- 2.3. The Council have failed to consider alternative options which reduce or eliminate negative impacts. Where these are unavoidable, suitable mitigation measures should be considered¹.
- 2.4. The updated SA gives the Tasley Garden Village site (BRD030) an overall score of -10 and a rating of 'Fair' for both the overall settlement and the overall Black Country contribution. When compared to other strategic sites considered, for example BRD032 (Stanmore) which is given an overall score of -5, rated as 'good' for the overall settlement contribution, however is rated 'fair' for the overall Black Country Contribution; this raises a question of the soundness of an approach, where a site that has a predominantly higher negative rating has been considered as the preferred option for meeting the Black Country's housing need.
- 2.5. Given that Bridgnorth is identified as one of the most sustainable locations in relation to satisfying the Black Country housing need, it would be entirely appropriate for the town to be the focus for meeting both the Shropshire housing need and that for the Black Country. Such an approach could include land at Stanmore (BRD032) being brought forward on the basis that the site would meet a significant proportion of the additional need, in one of the most sustainable locations close to the Black Country. Such an approach would be far more robust than developing the sites in more remote and unsustainable locations such as on the west of Shrewsbury (SHR060 & SHR158 & SHR161).
- 2.6. Site references SHR060 & SHR158 & SHR161 which include land between Mytton Oak Road and Hanwood Road, Shrewsbury, have been identified by the Council as an appropriate location for 300 dwellings to contribute to the unmet needs of the Black Country. The Council has stated that 'Shrewsbury', not the site itself, 'has a functional relationship to the Black Country' (page

¹ NPPF paragraph 32

268). In the Stage 3 updated Site Assessment ‘Relationship to the Black Country’ (Appendix 9 pages 62/134/142) the Council set out that:

‘The site is located to the west of Shrewsbury. Shrewsbury is located in the centre of Shropshire, with a functional relationship to the Black Country. Shrewsbury benefits from being located on the A5/M54 corridor which provides links to the Black Country (which is some 22 miles away). Shrewsbury also benefits from a railway station which offers regular train services to the Black Country via the Shrewsbury to Wolverhampton Line.’

- 2.7. The focus is clearly on the location of Shrewsbury as a whole, rather than the specific location of the site itself. From a desktop search, if travelling from the central part of the site to Wolverhampton (the closest part of the Black Country to Shrewsbury) via public transport (bus and train), it would take approximately 1hr20 minutes. Furthermore, if traveling to the station by car, parking for the train station is extremely limited and the station is in the town centre which can become congested at peak times. If travelling by car to the Black Country, it would take approximately 50 minutes without factoring in peak hour commuter traffic. This raises the question of how sustainably located this area to the west of Shrewsbury is in terms of proximity to the Black Country.
- 2.8. As part of the SA page 235 ‘Summary: Process Undertaken to Identify a Reasonable Assessment Geography’ sets out the functional relationship between Shropshire and the Black Country .Although Shrewsbury Town Centre lies fairly central within Shropshire; sites SHR060 & SHR158 & SHR161 sit on the western outskirts of Shrewsbury Centre, making the sites connectivity to the Black Country considerably less accessible than those who live either closer to the centre of Shrewsbury/to Shrewsbury Train Station and on the eastern fringe.
- 2.9. The argument that sites that fall within the Shrewsbury area are in geographic proximity to the Black Country is weak and unsound; particularly as the most northern point of the Shrewsbury defined area expands to Wem and out to the very western borders of the Shropshire authority. Applying a blanket approach for all sites in in Shrewsbury in terms of proximity to the Black Country is inaccurate, misleading, unsound and very concerning.
- 2.10. The overall score in the SA for the site references SHR060 & SHR158 & SHR161 is -5 and rated as ‘fair’ for the overall settlement contribution and as ‘fair’ for the overall Black Country Contribution. However, if commuting distances and travel times for the western fringes were factored into the scoring system, these results would be considerably lower.
- 2.11. The shortcoming in the blanket approach is clearly shown when looking at the Bridgnorth sites, such as BRD032. The SA gives BRD030 an overall score of -5 and is rated as ‘good’ for the overall settlement contribution and given a rating of ‘fair’ for the overall Black Country Contribution; this location is clearly situated in a more sustainable location in relation to the Black Country, and therefore has more potential to satisfy the unmet housing need. This example demonstrates that the fundamental criteria of geographical location has not been factored into the assessment.
- 2.12. From the reasons set out above, it is considered that the sites referenced SHR060 & SHR158 & SHR161 have not been properly assessed in the Additional SA and are clearly not capable of meeting the housing needs of the Black Country.

- 2.13. It is therefore considered that, based upon the above and previous comments made in respect of the SA, that the submitted Plan fails to meet the test of soundness as defined by the NPPF and therefore not legally compliant.

Question 2

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

- 2.14. The SA has not considered reasonable alternatives on an accurate basis and has not been informed by up-to date evidence regarding the impacts of the alternatives. Therefore, it is considered that the SA does not meet the statutory and legal requirements.
- 2.15. The SA must assess reasonable alternatives on a fair and accurate basis as part of a comparative process, and be informed by up-to date evidence, in accordance with paragraph 32 of the NPPF.
- 2.16. Furthermore, the NPPG states (Paragraph: 018 Reference ID: 11-018-20140306) that the SA needs to consider and compare all reasonable alternatives as the plan evolves, including the preferred approach, and assess these against the baseline environmental, economic, and social characteristics of the area, and the likely circumstances if the plan were not adopted. The SA has failed to consider and compare all reasonable alternatives as required by the NPPG to be able to meet the housing and employment needs of the Black Country.
- 2.17. The comparative appraisal of sites contains erroneous conclusions regarding the impact of alternative sites and proposed allocations.
- 2.18. For example, the SA gives the IRN001 site an overall score of -19 and a rating of 'Poor' for both the overall settlement and the overall Black Country contribution. The SA sets out that sites which perform 'poorly' are considered to have likely significant adverse effects for which mitigation measures should be proposed. When compared to other strategic sites, for example BRD032, which is given an overall score of -5 and rated as 'good' for the overall settlement contribution and as 'fair' for the overall Black Country Contribution, it raises the question as to how a site that has been rated significantly more negative overall has been considered as the preferred option for meeting the Black Country's housing need.
- 2.19. On this basis, the SA has not reasonably considered alternatives on a consistent or accurate basis and is not informed by up-to-date evidence about the impacts of one of the alternatives. Therefore, the SA does not meet the statutory and legal requirements.

Question 3

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

- 2.20. The updated SA has failed to take on board comments & concerns that we made to the Regulation 19 SA (SD006.01), the Updated SA produced in July 2023 (GC29) and Updated Additional SA (GC44) in respect of the methodology and approach in the SA.
- 2.21. Chapter 12 of the Sustainability Appraisal summarises the updated assessment work undertaken to inform the identification of sites, to accommodate the proposed 1500 dwellings and 30ha employment land contribution towards the unmet needs forecast within the Black Country. It seeks to promote the functionality of the preferred sites to meet the unmet need, in relation to their connectivity to the Black Country.
- 2.22. The council have stated in GC52 *'Summary of Responses from the Further Consultation on Additional Material in Response to the Inspectors' Interim findings* that in terms of the methodology:
- 'The additional SA work undertaken by the Council employs a methodology consistent to that utilised within the SA 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.'*
- 2.23. The Council have admitted that they have continued to use the same methodology through the local plan making process, however, the scoring process has not been updated even though there has been a significant change to the process. The main example being identifying sites to meet the unmet housing and employment needs for the Black Country.
- 2.24. One of the main factors for identifying appropriate preferred sites is based on their location to the Black Country. It is unclear, however, in the updated SA how commuting times and distance has been factored into the overall scoring of the contribution to the Black Country, if in fact it is factored in at all. A sound approach would be to include an additional criterion specifically related to commuting time to the Black Country which, would be included in the scoring matrix. For example, a criterion should be included with a specific commute time from the nearest major settlement in the Black Country. This should also consider the accessibility of the site in terms of public transport, private vehicle, bicycle and walking.
- 2.25. The use of such a criterion could have then been scored appropriately to filter down which sites would be accessible and suitable to meet the needs of the Black Country.
- 2.26. There are also concerns relating to the scoring in Appendix 2 of the Additional SA "Updated Stage 2a: Employment Sustainability Appraisal Site Assessment" in relation to sites BRD032 and P56 in Bridgnorth. The scoring in relation to the impact on a Scheduled Monument has not been updated since the original SA was prepared. The scoring does not take into consideration the clarification provided by Historic England (HE) on the updated Stanmore Masterplan for BRD032. HE provided an updated response (Appendix 5 of the Stanmore Reg 19 Representations) this sets out the following clarification:

- HE expressed concern in January 2019 regarding impacts of scale of development. However the concerns were based on the information they had at the time which was the land area outlined for the new garden village in the Preferred Sites Consultation. This included a considerably larger site than now promoted and indicated development could take place within the area of the scheduling. Their comments were not based on a masterplan and in fact they were not made aware of more detailed proposals in a masterplan until 17 November 2020;
 - HE has now appraised the latest Masterplan for Stanmore and consider that it demonstrates that harm to the Scheduled Monument can be mitigated through the provision of amenity/play space creating a buffer to The Hermitage and they make recommendations of how a higher level of mitigation can be secured;
 - HE confirm the area for development post 2038 as shown on the latest masterplan will not impact on The Hermitage;
 - HE confirm Scheduled Monument Consent was granted for cultivation of the area within the scheduling as the significance of the monument was not likely to be harmed.
- 2.27. The scoring of “-” in the updated Additional SA issued in April 2024 still does not take this into account and therefore it is incorrect and unsound, and the scoring should be more positive.

Plan Period

Question 7

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

- 2.28. The Local Plan covers the period between 2016 to 2038 and therefore will not look ahead 15 years as required by national policy. As a consequence, the housing and employment need calculations are not consistent with Paragraph 22 of the NPPF 2021, which requires that strategic policies should look ahead over a minimum 15 year period from the date of adoption. The approach is therefore unsound and the timescale for the Local Plan should be extended to 2040 assuming adoption in 2025. This will require the proposed housing and employment land requirements need to increase, in order to deliver the high growth strategy above local needs and make a contribution to unmet needs that are forecast to arise in the Black Country.
- 2.29. Given the Local Plan period is less than the required 15 years and we are not aware of any agreement having been made with the Planning Inspectors for an extension, there is an argument that the identified housing requirement is out-of-date. In light of this, a revised calculation is required to address the changing housing delivery context of the Black Country need and the identified housing shortfall since the submission of the Local Plan for examination. Extending the Plan period to 2040 would require an additional circa 2700

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dwellings and 26ha of employment based upon Figure 11.1 in the HETP (GC45), excluding an additional the Black Country contribution.



JLL

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