

# Shropshire Local Plan

## Examination

### Hearing Statement: Matter 1

Morris & Company Limited

September 2024



**Shropshire Local Plan Examination**  
**Stage 2: Matter 1**  
Land to the South of Stanton Road, Shifnal

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# 1. Updated Sustainability Appraisal - Q1

Question 1: Are the likely environmental, social, and economic effects of the Plan adequately and accurately assessed in the updated Sustainability Appraisal (SA)?

- 1.1. This hearing statement is submitted on behalf of Morris & Company Limited in relation to their land interests at Site SHF018a in Shifnal.
- 1.2. The updated Sustainability Appraisal (SA) fails to adequately and accurately assess the likely environmental, social, and economic effects of the Plan for the following key reasons:

Flawed approach to accommodating uplifts

- 1.3. The SA's approach of assessing options for accommodating uplifts in housing and employment requirements (Sections 10 & 11) separately from and prior to assessing options for accommodating Black Country unmet needs appears to be a tactic to avoid allocating additional sites. This contradicts the Planning Inspectors' expectation that "more sites will be required" (ID28, para 21).
- 1.4. The conclusion that uplifts can be accommodated through increased windfall allowances fails to maximise opportunities to deliver specialist and affordable housing, contrary to Plan objectives. Windfall sites are explicitly excluded from requirements to provide specialist housing in the new draft policy (paragraphs 15, 16 and 17 of the draft policy on housing for older people, people with disabilities and special needs).
- 1.5. The SA positively assesses increasing windfall allowances against sustainability objective 3: "provide a sufficient amount of good quality housing which meets the needs of all sections of society" (Table 10.1 and Table 10.5 of the SA). However, this assessment is flawed as it fails to recognise that windfall developments, particularly those of less than five dwellings, are not required to provide affordable housing under Policy DP3 of the draft local plan.

Inadequate assessment of spatial options

- 1.6. The SA provides no evidence of how settlements were selected to accommodate Black Country unmet needs or what weight was given to factors like geographic proximity. There is no sustainability assessment of settlement alternatives against objectives, contrary to the Planning Inspectors' direction that "Consideration will also need to be given to the distribution of development since accommodating some of the unmet needs may result in more sites being required in the part of Shropshire nearest the Black Country" (ID28, para 21).
- 1.7. Given its proximity and connectivity to the Black Country, as well as being identified to meet Black Country employment needs, Shifnal should have been identified as a more suitable location for accommodating housing needs compared to settlements like Shrewsbury or Ironbridge. The SA fails to provide

any assessment of these alternatives.

- 1.8. The updated housing and employment topic paper recognizes the importance of geographic proximity for employment land contributions (Section 16), but the SA fails to apply the same logic to housing contributions.

Lack of transparency in site assessment

- 1.9. The SA lacks detail on the assessment approach and criteria used to make professional judgements on site suitability (para 12.78). For a robust SA, clear environmental, economic and social assessment criteria should be provided, in line with National Planning Guidance on undertaking SA.
- 1.10. The assessment of site SHF018a in Shifnal is flawed, failing to adequately consider its relationship to the adjoining proposed employment allocation for Black Country needs (SHF018b/d) and its sustainable location. Greater weight should have been given to connectivity and proximity to the Black Country in comparing site options.
- 1.11. The site assessment for SHF018a states that "it is considered that there are other more appropriate sites upon which to accommodate these proposed contributions." However, this conclusion is not supported by a transparent assessment process or clear criteria, rendering the assessment unsound.

Conclusion

- 1.12. For the reasons outlined above, the SA fails to adequately and accurately assess the likely environmental, social, and economic effects of the Plan. To ensure the Plan is justified and based on proportionate evidence, the SA should be revised to address these significant shortcomings in its approach and analysis.

## 2. Updated Sustainability Appraisal – Q2

Question 2: Does the updated SA test the Plan against the preferred options chosen and all reasonable alternatives?

- 2.1. The updated SA fails to test the Plan against all reasonable alternatives in several key areas:

Failure to assess reasonable alternatives for Black Country contributions

- 2.2. The SA does not assess all reasonable alternatives for contributing to the unmet needs forecast to arise in the Black Country. While a 'no contribution' scenario is not reasonable at this stage, the SA should have assessed different scales of contribution, including the previously supported option of 3,000 dwellings and 50 hectares of employment land. This option was supported in Duty to Cooperate correspondence with the Black Country Authorities in May 2019 (Ref: EVO41.04).
- 2.3. The housing and employment requirement options should have been assessed against these reasonable alternatives for Black Country contributions. The SA also fails to assess options for building in flexibility to respond to updated forecasts of Black Country unmet need or changes to local housing need over the plan period.
- 2.4. This failure to consider reasonable alternatives renders the Plan unjustified and unsound, as it does not comply with the requirement in paragraph 32 of the NPPF that "All reasonable alternatives should be identified and assessed" in sustainability appraisals.

Lack of 'Plan B' options

- 2.5. The SA should have considered options for identifying additional 'Plan B' sites that could be released if a higher housing requirement emerges or a greater contribution to Black Country needs is required. This approach would have provided necessary flexibility in the Plan and ensured that all reasonable alternatives were considered.
- 2.6. The lack of such 'Plan B' options is particularly concerning given the emerging evidence from the Black Country Authorities of the scale of unmet needs. The SA's failure to assess this reasonable alternative undermines the Plan's ability to respond to changing circumstances over the plan period.

Flawed site selection process

- 2.7. The lack of a clear, sustainability-based approach to refining the geographic scope renders the site assessment process flawed, particularly when comparing sites near the Black Country (e.g. in Shifnal) with those further away.
- 2.8. This approach fails to adequately test reasonable alternatives for site allocations, particularly in relation to meeting Black Country unmet needs in the most sustainable locations. The SA does not provide evidence of what weight, if any, has been given to proximity to the Black Country in the selection of settlements

for accommodating needs.

- 2.9. The SA identifies settlements for accommodating the Black Country's unmet needs (para 12.30) but does not assess the settlement alternatives against any sustainability objectives. This lack of assessment is particularly problematic for sites like SHF018a in Shifnal, which is adjacent to proposed employment allocations for Black Country needs (SHF018b and SHF018d) but has not been adequately considered as a reasonable alternative for housing allocation.
- 2.10. The failure to properly assess these spatial options against clear sustainability criteria means that the SA has not tested all reasonable alternatives, as required by both the NPPF and the Environmental Assessment of Plans and Programmes Regulations 2004.

### Conclusion

- 2.11. For the reasons outlined above, the SA fails to adequately test the Plan against all reasonable alternatives. To ensure the Plan is justified and based on proportionate evidence, the SA should be revised to include a comprehensive assessment of reasonable alternatives, particularly in relation to the scale of contribution to Black Country unmet needs, the spatial distribution of development, and the selection of specific sites.

### 3. Plan Period – Q7

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

- 3.1. The Shropshire Local Plan period of 2016 to 2038 is inconsistent with national policy and lacks adequate justification. We argue that the plan period should be extended to ensure compliance with the National Planning Policy Framework (NPPF) and to properly plan for Shropshire's long-term development needs.
- 3.2. **Inconsistency with NPPF Paragraph 22:** The NPPF paragraph 22 requires strategic policies to look ahead over a minimum 15-year period from adoption. With adoption unlikely before 2025, the current end date of 2038 falls short of this requirement.
- 3.3. **Failure to Anticipate Long-Term Requirements:** The shorter timeframe limits the plan's ability to effectively guide long-term strategic development and infrastructure planning.
- 3.4. **Outdated Evidence Base:** The plan was submitted for examination in September 2021, over two years ago. As per Planning Practice Guidance, the housing need figures, and other key evidence may no longer be up-to-date or reliable.
- 3.5. **Changed Circumstances:** Significant changes in the regional planning context, such as the collapse of the Black Country Core Strategy, may have implications for Shropshire's role in meeting cross-boundary housing needs.
- 3.6. **Lack of Justification:** The Council has not provided a clear justification for adopting a plan period that falls short of national policy requirements.

#### Conclusion and Recommendation

- 3.7. To ensure soundness and compliance with the NPPF, we recommend extending the plan period to at least 2040, assuming adoption in 2025. This extension would ensure compliance with national policy, allow for more comprehensive long-term planning, provide an opportunity to update the evidence base, and better position Shropshire to address long-term development needs and cross-boundary issues.



