



# SHROPSHIRE LOCAL PLAN EXAMINATION: STAGE 2 MATTERS, ISSUES AND QUESTIONS

**Stage 2 Hearings – Matter 1 (Legal/Procedural  
Requirements)**

**Nurton Developments Limited**

**Representor No. B-A044**

SLR Project No. 416.065703.00001

Client Reference No: 02395

20 September 2024

Revision: FINAL

## Revision Record

Revision	Date	Prepared By	Checked By	Authorised By
V1	23 August 2024	PT		
V2	30 August 2024	PT		
V3	13 September 2024	PT / EB		
V4	17 September 2024	PT / EB	EC	
FINAL	20 September 2024	PT / EB	EC	NDL

## Basis of Report

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## 1.0 Introduction

- 1.1 Please treat this as a formal representation by Nurton Developments Limited (NDL) in response to the Stage 2 Matters, Issues and Questions; namely Matter 1 – Legal / Procedural Requirements.
- 1.2 The ‘Issue’ identified by the inspector as part of the Stage 2 Matters is ‘whether the Council has complied with the relevant procedural and legal requirements’.
- 1.3 Within this Matter, NDL only wish to raise a comment regarding Questions 1 and 2 within Matter 1. These questions are dealt with, in turn, below.

## 2.0 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 With regard to the consideration of the growth options and accommodating the Black Country need for housing and employment, NDL agrees that the High Growth Option plus 1,500 homes and 30 hectares of employment land contribution toward the Black Country is currently the most appropriate approach from a need and sustainability perspective. However, **the authority should consider providing further housing and employment land beyond that currently identified for the unmet Black Country need.**
- 2.2 Notwithstanding, NDL does not agree with the assessment and recommendations regarding the strategic distribution of this provision across Shropshire given that **the Sustainability Appraisal has failed to consider the need to co-locate the additional housing and employment land provision within the authority area.** Furthermore, NDL has significant concerns regarding the site assessments which have been utilised to identify sites, including those seeking to meet the Black Country needs.
- 2.3 NDL has previously expressed **concerns regarding the accuracy of the SA methodology within representations submitted at both Regulation 18 and 19 stages, particularly with regard to the ‘Assessment & Scoring Criteria’** utilised by Shropshire Council in undertaking the Stage 2a and 3 Assessments for housing and employment sites.
- 2.4 In these previous reviews of the Stage 2a and 3 Site Assessments contained within both the Strategic Site Assessments and Shifnal Place Plan Assessments, it was noted that there were a number of inconsistencies, alterations and/or omissions within the scoring criteria when compared to previous iterations of the documents.
- 2.5 It was noted further that the associated methodology for the Stage 2a scoring criteria had not been clearly defined and appeared to be non-standard when



- compared to methodologies utilised by other similar local planning authorities (South Staffordshire being a recent example). It appeared also that an arbitrary distance criterion had been applied for scoring rather than utilising recommended walking distances to a particular type of asset; the distance to a GP surgery being a specific example. Nor did it appear that the assessments had utilised true walking distances and had instead been applied using a less robust aerial distance from the site boundary.
- 2.6 We have undertaken a similar exercise in reviewing the content of the most recent 'Additional Sustainability Appraisal Report' which was published in April 2024 as part of the Examination of the Local Plan.
- 2.7 It is again noted that there have been various amendments to the scoring within the Stage 2a Assessments undertaken between the previous Regulation 18 Sustainability Appraisal (August 2020) and that now contained within the Additional Sustainability Appraisal Report (April 2024). Shropshire Council has termed these as a 'targeted update' to the Stage 2a site assessment process.
- 2.8 **It is unclear how the scoring reviews have been undertaken given the apparent inconsistencies in how updated scores have been applied;** this is especially pertinent for those sites previously identified for allocation and/or safeguarding. Where non-allocated or non-safeguarded sites have achieved an improved score, it is noted that those sites previously identified for allocation and/or safeguarding have also achieved an exponentially improved score to retain their preferential status.
- 2.9 Furthermore, this 'targeted update' to the scoring within Stage 2a does not appear to have altered any findings within Stage 3, which purely rely on incorporating a section to consider the tested sites' ability to meet the Black Country housing and employment need. However, **no true consideration has been given to a site's relationship to the Black Country, nor the need to co-locate residential and employment growth within the authority area to optimise sustainability.**
- 2.10 Given the previous methodological concerns raised regarding inconsistencies, alterations and/or omissions, as stated above, **NDL concludes that the Additional Sustainability Appraisal Report has not been undertaken to an appropriate standard** and, therefore, the correct sites have not been identified for allocation and/or safeguarding.
- 2.11 There has also been a failure to reconsider the content of the Green Belt Assessment / Review and the lack of granularity contained therein. This has negatively impacted upon the scoring and associated Stage 3 consideration of a number of sites in comparison to those which benefitted from being individually parcelled within the assessment.
- 2.12 Furthermore, there has been no comprehensive update of the Strategic Flood Risk Assessment (SFRA) in accordance with national planning practice. If an updated SFRA is not in place, the Council has failed to consider appropriate data



for the Stage 2a assessments and a burden to satisfy national requirements would be subsequently placed upon developers at application stage.

- 2.13 **The accuracy of the scoring criteria for the Stage 2a Assessments should be examined in detail to ensure accuracy and reliability.** Further consideration should also be given to updating the Green Belt Assessment / Review and the associated Stage 3 Assessments. Unless these are comprehensively reviewed, NDL would question the accuracy of the Sustainability Appraisal in justifying both the housing and employment sites identified for allocation, as well as those sites identified for safeguarding for potential future allocation.

## Question 2

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

- 2.14 Chapter 4 of the Additional Sustainability Appraisal identifies that the intention was to update the Sustainability Appraisal in accordance with the Inspectors' comments raised within ID28, ID36 and ID37, in relation to:
- Reasonable options for any contribution to the unmet housing needs forecast to arise in the Black Country (compromising the Local Planning Authority areas of Dudley, Sandwell, Walsall, and Wolverhampton).
  - Reasonable options for any contribution to the unmet employment land needs forecast to arise in the Black Country.
  - Identifying an appropriate housing requirement for Shropshire, having regard to Local Housing Land Need and any potential contribution towards to unmet employment land needs forecast to arise in the Black Country.
  - Identifying an appropriate strategic distribution of development across Shropshire.
  - If necessary, identifying an appropriate site(s) upon which any proposed contribution towards unmet housing needs forecast to arise in the Black Country can be accommodated.
  - If necessary, identifying an appropriate site(s) upon which any proposed contribution towards unmet employment land needs forecast to arise in the Black Country can be accommodated
  - If necessary, identifying additional housing allocations.
  - If necessary, identifying additional employment land allocations.
  - Re-assessment of relevant draft Policies within the draft Shropshire Local Plan, to support identification of appropriate main modifications in response to the consideration of the updated additional SA assessment work undertaken.
- 2.15 As can be noted from paragraphs 6.8 to 7.8, the Additional Sustainability Appraisal concentrates on two primary scenarios with regard to the unmet need of the Black Country for housing and employment land; namely, either a 'no



- contribution' scenario or accommodating the intended 1,500 dwellings and 30 hectares of employment land (the 'preferred option' scenario).
- 2.16 The Sustainability Appraisal then continues to consider the differing growth scenarios within Shropshire itself (i.e. moderate, significant and high growth scenarios for housing). Whilst this has provided a range of scenarios, NDL consider that the assessment has failed to provide sufficient consideration of alternative scenarios for meeting the unmet need of the Black Country.
- 2.17 **The adopted approach is considered too narrow** and has failed to include either a mid-level scenario where 'some' of the Black Country unmet need is accommodated or an 'in-excess of' scenario; whereby the authority seeks to provide above the identified Black Country unmet need.
- 2.18 It is unclear why only a 'no contribution' and the 'preferred option' scenarios have been assessed within the Sustainability Appraisal given that either a mid-level or 'in excess' scenario could have identified a more sustainable (and appropriate) contribution.
- 2.19 Given that it is the authority's intention to accommodate the Black Country housing and employment land contribution at sites previously identified at Regulation 18 and 19 stages, it is unclear whether the authority has planned for future scenarios whereby further such pressure could be placed on needing to release additional sites beyond the current plan period (i.e. the need for further safeguarded sites).
- 2.20 On this basis, **NDL would question whether the Sustainability Appraisal has adequately considered the alternate scenarios to meeting the Black Country need** with additional or new land allocations; rather than utilising sites that had previously been identified for their own need. The assessment seems to have sought to justify the existing approach rather than truly consider the most appropriate and sustainable solution.
- 2.21 The current approach also raises **concern that the Sustainability Appraisal fails to adequately consider the need to potentially safeguard further sites** to meet its likely housing land supply beyond the intended plan period.
- 2.22 Furthermore, this approach is conflated by the **failure to co-locate housing and employment land provision within an accessible location to the Black Country itself**. Justification of the housing sites identified for the unmet Black Country need has been based on migration and commuting data which, whilst of merit, fails to consider the need to co-locate such uses from a demand and sustainable transport perspective.
- 2.23 The Sustainability Appraisal has identified that neither the Shrewsbury nor Ironbridge sites are especially sustainable from a transport perspective given their distance from the Black Country conurbations. These sites are also a significant distance from the proposed employment land allocation for meeting the Black

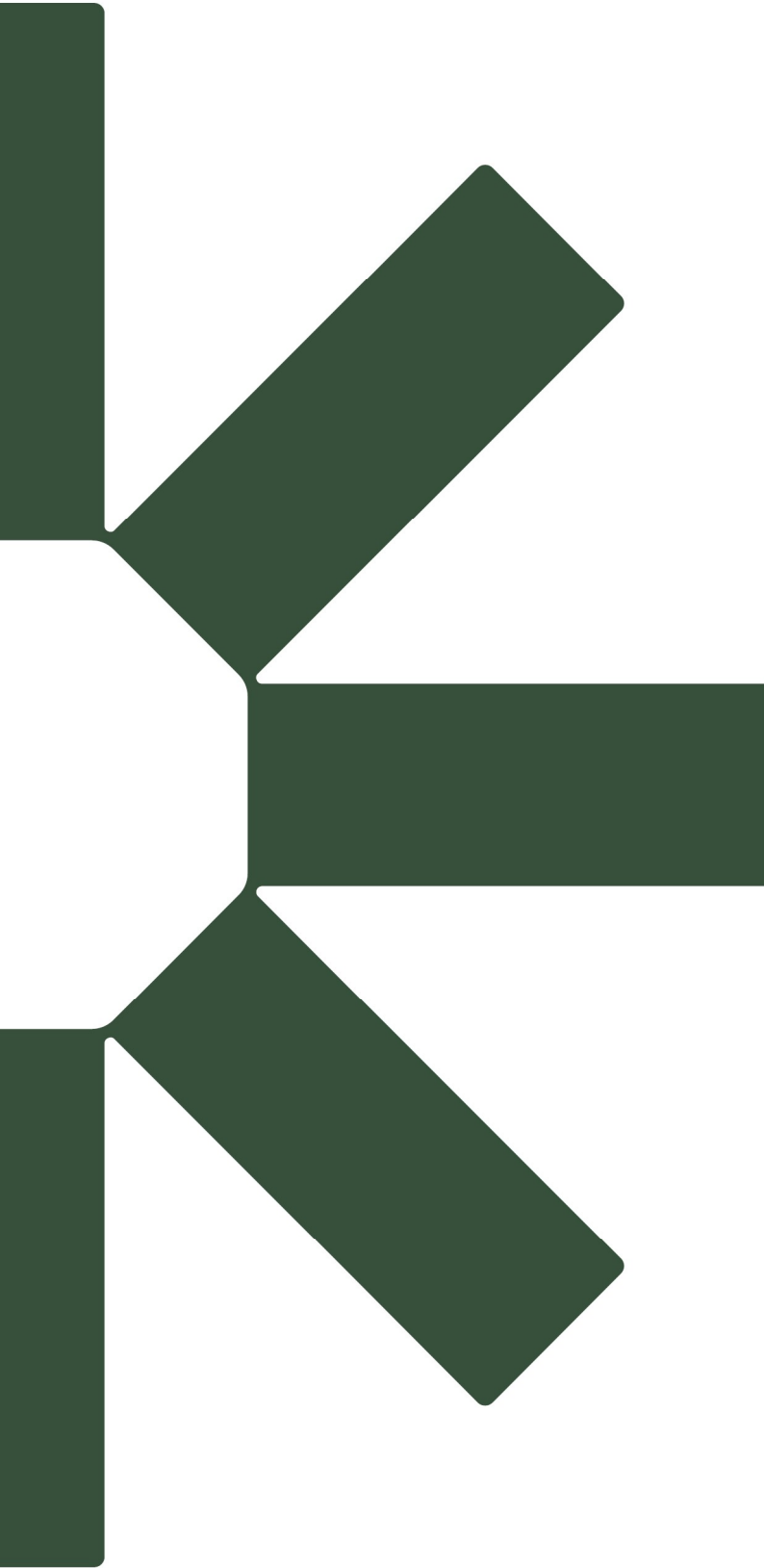


County's unmet need within Shifnal. **This disparity in approach has not been adequately considered or assessed within the Sustainability Appraisal.**

- 2.24** In this regard, it is noted that the proposed allocation of the Ironbridge site (IRN001) would take part of the Black Country need; namely 600 of the 1,000 units proposed on this site. It is unclear as to the reasoning to part utilise this site for the unmet Black Country need rather than retain the full 1,000 units to meet the existing need for Shropshire. **A new alternate site, in a more appropriate location in proximity to the proposed employment land allocation, should have been identified.**







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