

## **Shropshire Local Plan Examination: Stage 2**

Representor Unique Number: A0682

Representor: Miller Homes

Matter: Matter 1 – Legal/Procedural Requirements (Policy SP3)

Relevant Question Numbers: Questions 1, 2, 3, 4, 7

# Matter 1 – Legal/Procedural Requirements (Policy SP3)

## Miller Homes (A0682)

1. This Hearing Statement is submitted on behalf of Miller Homes (“Miller”).

### **Context: South West Shifnal**

2. Miller’s representations are made in relation to c.65ha of land it is promoting at “South West Shifnal” as identified on the Site Location Plan at **Appendix 1**.
3. Policy SP11 (which is proposed to be amended to Policy SP10, in line with the proposed Main Modifications in July 2024) will release this land from the Green Belt and safeguard it for future development needs. Miller strongly supports the designation of South West Shifnal via this policy as safeguarded land. The Draft Local Plan acknowledges that South West Shifnal will eventually comprise a “...strategic housing extension capable of creating a new community...” and explicitly lists benefits and infrastructure improvements. No other safeguarded site has been similarly identified in the Draft Local Plan which properly reflects its credentials as a sustainable site which can deliver strategic benefits for Shifnal.
4. The whole site (SHF034) was assessed in the “Strategic Sites Assessments” of the Sustainability Appraisal (Appendix T, SD006.21), achieving an overall sustainability score of -2 and therefore rated “Good” at Stage 2a (for housing); this score was the highest for all strategic sites at Shifnal and the best of all safeguarded land adjoining the town.
5. Each of the individual parcels forming SHF034 were assessed. Appendix P (SD006.17) includes individual assessments of sub-parcels of the site (SHF019, P15b west, SHF019VAR, SHF017 and P16a) and Stage 3 recommended that all these parcels be removed from the Green Belt and safeguarded. The “strategic considerations” and “reasoning” sections of the Stage 3 assessments considered each of the parcels’ contribution to wider proposed site (SHF034) and provided justification for their contribution towards the safeguarded site.
6. This Hearing Statement should be read in conjunction with the Hearing Statement submitted on behalf of Miller Homes in relation to Stage 1: Matter 1 (Examination Stage Document Reference: M1.28 A0682 Miller Homes) and is specifically prepared here in relation to the latest position of the Examination process, and the additional information that has been published since our original statement was submitted.
7. Miller’s response to Matter 1 Questions 1, 2, 3, 4 and 7 are set out below.

## Updated Sustainability Appraisal

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

8. As stated in our previous representations on behalf of Miller Homes (Examination Document Ref: A211), Miller broadly support the work undertaken within the updated Sustainability Appraisal (Examination Document Ref: GC44) with the exception of concerns with respect to the selection and assessment of reasonable alternatives to accommodate the unmet need from the Black Country Authorities (“BCA”). Our concerns are explained in our response to ‘Updated Sustainability Appraisal’ Q3; however, these concerns do, in our opinion, result in a failure to correctly assess the environmental, social and economic impacts of locating the 1,500 homes across the plan area. We provide specific examples below to articulate our concerns.
9. Section 10 of GC44 sets out the assessment of reasonable alternatives to meet the 1,500 dwellings needed to meet the unmet need from the BCs. Four different options are presented in Paragraph 10.6 of GC44 with the detailed appraisal of these four options contained in Table 10.1 of GC44.
10. The first distribution option to accommodate the unmet need that is assessed within Table 1 is the preferred option which is *“increasing settlement guidelines and windfall allowances”* and which ultimately resulted in the allocation of the site at Bridgnorth which Miller consider to be in an unsustainable location with respect to the accommodating the BCA unmet needs. Miller Homes note that the assessment of “Option 1” results in a positive score against SA Objectives 5, 6 and 12 which are to *“encourage the use of sustainable means of transport,” “reduce the need of people to travel by car”* and *“reduce carbon dioxide emissions”* respectively. It is clear that this is an incorrect assessment of these environmental objectives on the basis that the option did not locate all of the sites to accommodate the unmet housing need as close as possible to the BCA and provide all residents with access to highly sustainable forms of travel such as a train station. Miller Homes consider that the correct score would have been negative on the basis that one or more of the residential sites allocated are a significant distance from the BCA and/or in locations where the use of a private car is essential.
11. With respect to the economic impacts of the Draft Local Plan, Miller Homes consider that GC44 has also failed to correctly assess this effect. Table 10.1 states that Option 1 scores a positive against SA Objective 2 (“Encourage a strong economy”) in that the housing would ultimately be directed to areas where demand is greatest and would facilitate economic growth. Miller Homes disagree with this conclusion which can be demonstrated by the fact that the additional employment land allocated at Shifnal (SHF018b & SHF018d) is not supported with additional allocated housing to provide a highly sustainable labour force which would result in both environmental and social benefits. Miller Homes consider that assessment of SA Objective 2 in Table 10.1 should not be seen as a positive impact but reduced to neutral.
12. Conversely, Miller Homes consider that the scoring for Option 3 (“Increasing site allocations”) has been underscored in a number of areas which we set out below:
  - SA Objective 2 (“Encouraging a strong economy”) could be increased to a major positive if new allocations were linked to new areas of employment such as that proposed at Shifnal (SHF018b and 018d).

- SA Objectives 4, (“Access to services”), 5 (“Sustainable transport”) and 6 (“Reduce the need to travel by car”) could all be increased to a positive score because the sites chosen under the option could be directed to the most sustainable locations.

13. Miller Homes consider that, at present, the SA does not accurately assess the social, economic and environmental impacts of the Draft Plan.

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

14. Miller Homes consider that a focused piece of further work is necessary to reappraise the reasonable alternatives to meet the unmet need from the BCA. It is our opinion that the following steps should be undertaken to ensure GC44 is sound and results in a sustainable distribution of housing to meet the BCA unmet need:

- The four distribution options presented in Paragraph 10.6 of GC44 should be reviewed again but with the knowledge that the existing strategy has resulted in an unsustainable outcome to meet the BCA unmet need and no new sites have been identified.
- This reappraisal should fully consider and reflect upon the fact that Shropshire Council have the ability, evidence and planning judgement to identify new sites (or release proposed safeguarded land) in the most sustainable locations to meet the BCA unmet need. The reappraisal may also be informed by the outcomes of this EIP, should the need for more housing to meet Shropshire’s need become apparent.
- This review may result in a different scoring of the distribution options which we believe is likely to increase the performance of Option 3 (“Increasing Site Allocations and /or early release of safeguarded land”) and reduce the performance of the preferred option, Option 1 (“Increasing Settlement Guidelines”).
- If it transpires that more housing is required and the preferred distribution option does support the selection of new sites to meet the unmet need, then there is a methodology presented in Section 12 of GC44 which would enable the Council to identify additional sites for immediate allocation/ early release that are located in sustainable locations.

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

15. As set out in our previous representations (Examination Document Ref: A211), Miller Homes do have concerns with respect to the methodology to identify homes to meet the BCA unmet need. Ultimately, this methodology has resulted in the identification of no new sites to meet this need but rather the identification of existing sites which are deemed suitable, despite at least one of these sites (Bridgnorth –BRD030) being in an unsustainable location with more sustainable options clearly available to the Council.

16. It is noted that the Inspectors have also raised significant concerns, as summarised in the previously submitted Turley Representations obo Miller Homes (A211 –Paragraphs 3.3/3.5) which included the statement from the Inspectors that additional housing sites will be required.

17. The Council have responded to the Turley representations but do not believe any modifications are necessary<sup>1</sup>. Furthermore, no new housing allocations have been identified despite the Inspectors concerns identified in Examination Document Ref: ID36, Paragraph 10.
18. Miller Homes respectfully disagree with this conclusion and maintain our view that the current methodology to accommodate the unmet need is flawed and that further focused work is necessary to address these plans, which should result in additional sites in more sustainable locations to meet the BCA unmet need.
19. Miller Homes's interests at South West Shifnal (SHF034) is currently safeguarded for residential development but it is in a highly sustainable location, and it would be entirely feasible to allocate all or some of the site for residential development within the plan period to make an immediate contribution to this unmet need. This would also have the very strong additional benefit of providing highly sustainable employment opportunities via the proposed new employment allocation in Shifnal.

#### **4. Have the requirements for Strategic Environmental Assessment (SEA) been met?**

20. Miller Homes consider that GC44 has met the legal requirements of the Environmental Assessment of Plans and Programmes Regulations (2004)<sup>2</sup>. We do consider, however, there to be deficiencies with GC44, as outlined above, which render this part of the SA unsound; however we consider that this could be rectified relatively swiftly through a reappraisal of the SA as described in Q2 and the allocation of additional housing in the most sustainable locations to meet some or all of the unmet need of the BCA.

### **Plan Period**

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

21. As outlined in Miller Homes' Stage 1: Matter 1 Hearing Statement, it was considered that the plan period of 2016 – 2038 would be compliant with Paragraph 22 of the NPPF if adopted by 2023.
22. Given the passage of time, and that it is currently anticipated that the Plan will be adopted in 2025 at the earliest, the plan period will need to be extended to ensure that strategic policies are able to look ahead over a minimum 15-year period from adoption. This change is necessary to ensure compliance with paragraph 22 of the NPPF, and Miller do not consider that the Council have provided a robust justification for why this should not happen.
23. It is relevant to note that any extended plan period would require a re-assessment of housing need requirements over this extended period. It is reasonable to assume that the need would increase (because of an extended plan period) and that additional site allocations are therefore required. Furthermore, this review would also need to include a review of the contributions towards the Black Country unmet needs as outlined within the first Miller Homes' Stage 1: Matter 1 Hearing Statement and their Additional Duty to Cooperate Hearing Statement (Examination Stage Document ref: ADTC.05 A0682 Miller Homes).

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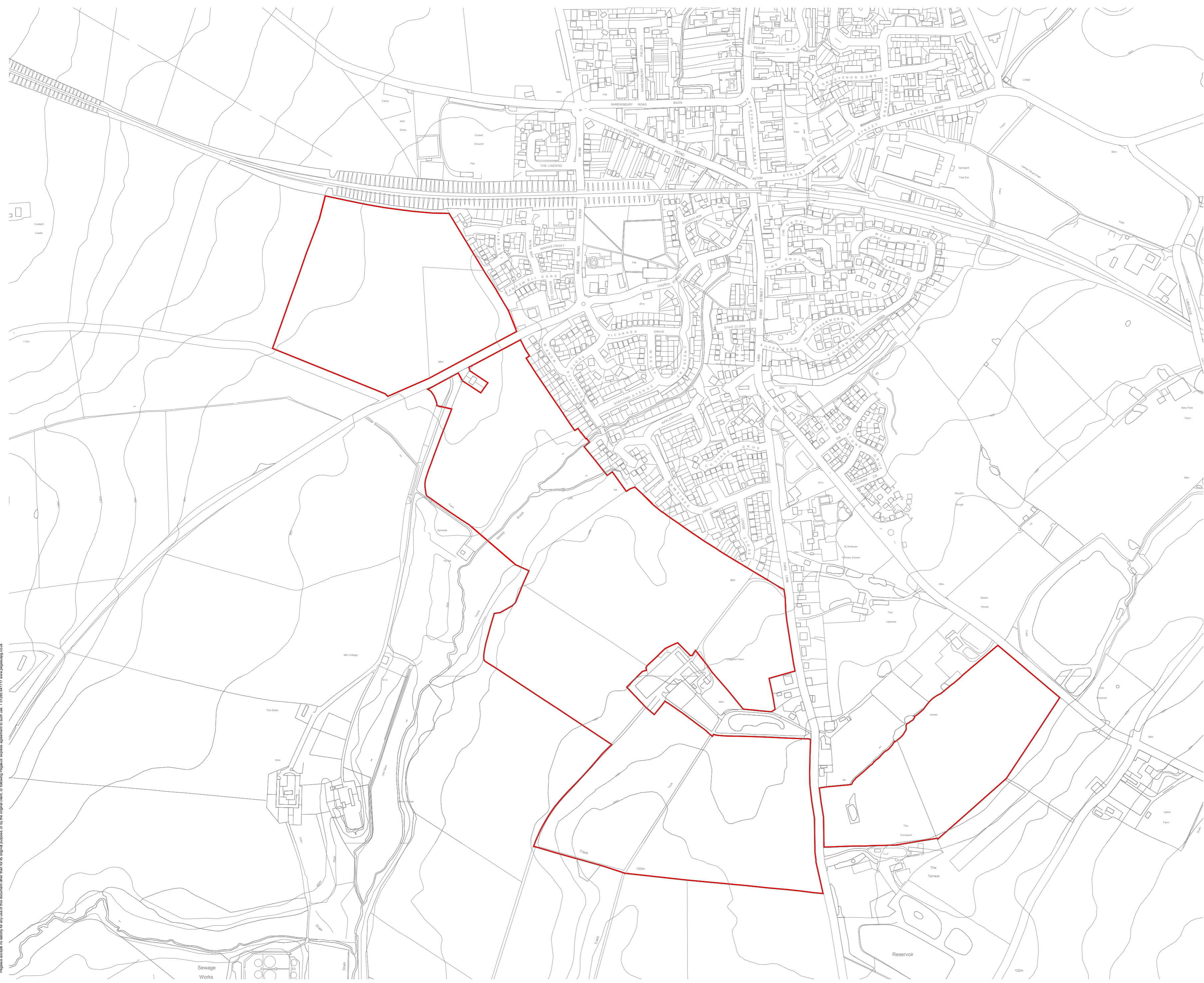
<sup>1</sup> [Additional Material Prepared in Response to the Planning Inspectors Interim Findings - Consultation Response Summary \(shropshire.gov.uk\)](#). Page 191.

<sup>2</sup> [The Environmental Assessment of Plans and Programmes Regulations 2004 \(legislation.gov.uk\)](#)

24. Since the submission of Hearing Statements for Stage 1, and as noted within the Additional Duty to Cooperate Hearing Statement (DATE), the Black Country Plan Review has been disbanded and each individual Local Planning Authority is preparing its own Local Plan. The current status of the Local Plans that formed the constituent parts of the Black Country Plan includes the following:
- The Dudley Local Plan with a plan period up to 2041, currently anticipated to be adopted in early 2026;
  - The Sandwell Local Plan with a plan period up to 2041, currently anticipated to be adopted in late 2025 / early 2026;
  - The Walsall Local Plan which is awaiting further details relating to proposals for a 30-month plan timeframe prior to publishing a new timetable;
  - The Wolverhampton Local Plan with a plan period up to 2042, currently anticipated to be adopted in mid-2026.
25. It is relevant to note that each of the above dates was confirmed prior to the issue of the revised NPPF for consultation (July 2024). Notwithstanding this, it is relevant to note that all of the Plan periods meet the 15-year period required by the NPPF and would therefore closely align with an extended period for Shropshire.

**Appendix 1: Site Location Plan**

KEY  
Total Site Boundary  
64.5 ha / 159.4 acres



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