

Shropshire Local Plan Examination

Shropshire Council Response to:

**ID40: Stage 2 Matters, Issues and
Questions**

Matter 2



Matter 2: Development Strategy (policies SP1-10 & SP12-15) – see various MMs

Issue: Whether the Development Strategy is justified, effective and consistent with national policy.

Questions:

Question 1. *Do any of the policies in the Plan require updating as a result of changes in national planning policy since the previous hearings in July 2022?*

Shropshire Council Response:

- 1.1. Having given consideration to changes to national policy since previous hearings in July 2022, Shropshire Council considers further main modifications to draft policies and associated policy explanations are appropriate in relation to two matters.
- 1.2. Firstly, in light of the Government's Written Ministerial Statement on on-shore wind energy (8th July 2024), which with immediate effect removed the additional planning policy tests applied to proposals for on-shore wind (as previously set out in footnote 54 of paragraph 158 of the 2021 National Planning Policy Framework (NPPF) – the Written Ministerial Statement references footnotes 57 and 58 of paragraph 163 of the current NPPF), it is considered there is need for the Council to update draft Policy DP26 (Strategic, Renewable and Low Carbon Infrastructure) and specifically paragraph 4, which relates to wind energy development.
- 1.3. The Council considers the most appropriate modifications would be to:
 - a. Remove paragraph 4 of this policy entirely.
 - b. Undertake associated modifications to paragraph 2 of this policy to recognise that it applies consistently to all forms of renewable and low-carbon development.
 - c. Undertake associated modifications to the explanation for this policy, specifically amending paragraph 4.236.
- 1.4. If agreed these can be incorporated into an updated schedule of proposed main modifications.
- 1.5. Secondly, since submission of the draft Shropshire Local Plan for examination, Government has introduced changes to Part L of the Building Regulations, which came into full effect on 15th June 2023 following a transitional period.
- 1.6. Paragraph 1b of draft Policy DP11 (Minimising Carbon Emissions) references "*ensuring all proposals for 10 or more dwellings achieve*

a minimum of 19% improvement in the energy performance requirement in Part L of the 2013 Building Regulations, until such time as the Building Regulations are increased to a level which exceeds this uplift”.

- 1.7. The Council considers that the changes to Part L of the Building Regulations mean that the latter aspect of this requirement is ‘triggered’, specifically the expectation that this requirement applies “until such time as the Building Regulations are increased to a level which exceeds this uplift.”
- 1.8. Furthermore, Government has indicated within the Planning – Local Energy Efficiency Standard Update Written Ministerial Statement (13th December 2023), that its clear preference is for energy efficiency requirements for new residential development to be established through the Building Regulations Regime.
- 1.9. The changes to Part L of the Building Regulations mitigate the need for paragraph 1b of draft policy DP11. As such, the Council considers that the most appropriate main modifications would be to:
 - a. Remove paragraph 1b of this policy entirely.
 - b. Undertake associated modifications to the explanation for this policy, specifically amending paragraph 4.110.
- 1.10. If agreed, these changes can also be incorporated into an updated schedule of proposed main modifications.

Question 2. *Is it proposed that the overall spatial strategy and broad distribution of growth set out in Policy SP2 will remain the same following the additional work? If not, how would it change and are the changes justified, effective and consistent with national policy? Are any consequential changes to Policy SP2 or the supplementary text required?*

Shropshire Council Response:

- 2.1. Yes, Shropshire Council considers the overall spatial strategy and broad distribution of growth proposed SP2 remain generally consistent with those in the submission version of draft Policy SP2, following the additional work it has undertaken in response to the Inspectors Interim Findings (ID28). The process undertaken and outcomes reached through this additional work are captured within the additional Sustainability Appraisal (SA) (GC44) and Housing and Employment Topic Paper (GC45).
- 2.2. Specifically, whilst through this process the Council is proposing an increase to both the housing and employment land requirements, the Council has concluded that the strategic focus of the Plan and the overall spatial strategy for the broad distribution of growth remain appropriate.

- 2.3. Chapters 6, 8 and 10 of GC44 summarise the SA assessment that has informed proposals regarding the housing requirement. Chapter 7 of GC45 provides a summary of the planning judgement exercise and conclusions reached (informed by the additional SA in GC44 and other relevant considerations), and details the conclusions reached regarding the preferred housing requirement. Chapters 7, 9 and 11 of GC44 and Chapter 14 of GC45 provide the same exercise for the employment land requirement.
- 2.4. Paragraphs 7.61 and 14.58 of GC45 provide a summary of the proposed changes in relation to the housing and employment land requirement. In effect increases are proposed to the housing and employment land requirements of the submission version of the draft Shropshire Local Plan. It is acknowledged these proposed changes will require main modifications to draft Policy SP2, which are captured within GC4m.
- 2.5. The Council's responses to Matter 3 (Housing Requirement) Q1, and to Matter 4 (Employment Land) Q1, provide specific responses to why the Council feels the proposed changes to these requirements are justified, positively prepared and in line with national policy.
- 2.6. The Council has previously provided justification for the overall spatial strategy and broad distribution of growth set out in draft Policy SP2 within responses to Stage 1 Matter 3, Question 3.
- 2.7. For robustness, following wider conclusions reached within the additional work undertaken in response to ID28, the Council re-assessed the options for the overall spatial strategy and broad distribution of growth. This is captured within Chapter 13 of GC44 and Chapter 19 of GC45.
- 2.8. In summary, through this process, the Council concluded that the proposed strategic distribution of planned development within the draft Shropshire Local Plan should continue be underpinned by Option B: 'Urban Focus'.

Question 3. *Are the areas identified to meet the Black Country unmet housing needs justified and appropriate?*

Shropshire Council Response:

- 3.1. Yes. Shropshire Council considers the sites identified to accommodate proposed contributions to the unmet housing need forecast to arise in the Black Country are justified and appropriate.
- 3.2. Paragraph 21 of the Interim Findings (ID28) concluded that if the Council is intending to make contributions to the unmet needs forecast to arise in the Black Country, then the Council need to *"...consider which site or sites in the Plan will be identified to meet*

that need. This also needs to be subject to sustainability appraisal to reflect the objectives and geographical scope of the Plan.”

- 3.3. In positively responding to this conclusion, the Council has undertaken additional Sustainability Appraisal (SA) (GC44) and planning judgement exercise – within the Housing and Employment Topic Paper (GC45).
- 3.4. The SA assessment is summarised in Chapter 12 of GC44 and the planning judgement exercise and conclusions reached are summarised in Chapters 9 and 16 of the Housing and Employment Topic Paper (GC45).
- 3.5. In effect, the Council is proposing that the following proposed site allocations should accommodate the proposed 1,500 dwelling and 30 ha employment land contributions to the Black Country:
 - a. BRD030 Tasley Gardn Village, Bridgnorth to accommodate 600 dwellings within its overall allocation of 1,050 dwellings.
 - b. SHR060,SHR158 and SHR161 Land between Mytton Oak Road and Hanwood Road, Shrewsbury to accommodate 300 dwellings from its overall allocation of 1,500 dwellings.
 - c. IRN001 – Former Ironbridge Power Station to accommodate 600 dwellings from its overall capacity of 1,075 dwellings.
 - d. SHF018b &SHF018d Land east of Shifnal Industrial Estate, Shifnal to accommodate 30 ha of the total 39 ha of employment land.
- 3.6. Tables 9.1 and 16.1 of GC45 provide a summary of why these allocations are justified and appropriate to meet the Black Country needs.
- 3.7. The Council recognises that some representations to the consultation undertaken on the additional material prepared in response to ID28 raise objections to the inclusion of these sites for the purposes of accommodating Black Country needs. These objections and the Councils response are summarised within GC52. They included:
 - a. Concern about the assessment geography identified within which appropriate sites to accommodate proposed contributions to the Black Country. Shropshire Council considers this assessment geography is entirely appropriate, having been informed by consideration of geographic proximity and transport links; migration patterns; commuting patterns; and travel to work areas. This assessment is summarised within Chapter 12 of GC44. This geography was considered in ID37 where the Inspectors concluded *“We are content with the work done to look at the relationship of the Black Country with Shropshire and then*

identify a broad geographical area to meet the unmet needs of the Black Country."

- b. Proposed contributions must be accommodated in locations with functional links to the Black Country. Shropshire Council would reiterate that in order to identify reasonable options to accommodate proposed contributions to the Black Country, an appropriate assessment geography was first identified. These proposed allocations are located within this assessment geography.
- c. There is a lack of justification for the selection of these proposed allocations. Shropshire Council considers that these sites have been identified through a proportionate and robust site assessment process which is summarised within GC44.
- d. The Council cannot re-allocate proposed allocations identified to meet Shropshire needs for another purpose as they have not been found unsound.

Shropshire Council would emphasise that these sites are appropriately located – within the identified assessment geography; and have been identified through a proportionate and robust site assessment process which is summarised. That these sites are existing proposed allocations, is perhaps unsurprising as these proposed allocations were themselves informed by a proportionate and robust site assessment process, which was reviewed and updated as part of this process.

Crucially, this is considered entirely consistent with the submission version of the draft Shropshire Local Plan, given that it included proposed contributions of 1,500 dwelling and 30ha of employment land to the Black Country, to be accommodated in accordance with the wider strategy within the draft Shropshire Local Plan – including the proposed allocations within the submission version of the draft Shropshire Local Plan.

- e. Complexities of monitoring as proposed allocations are both for Shropshire and Black Country needs. Shropshire Council considers the proposed monitoring framework allows the Council to record dwellings completed on relevant sites for the purposes of meeting the total housing and employment land requirements and the specific component of the overall housing and employment land requirement that constitutes the proposed contributions to the Black Country.
- 3.8. The objection that the Council should identify entirely new sites to accommodate proposed contributions to the Black Country, stating that the proposed sites have already been selected to cater solely for Shropshire's needs, would appear to be related to objections that the proposed revised housing and employment land requirements still do not accommodate the Black Country needs as well as

Shropshire's needs. The Council fundamentally disagrees with both these arguments.

Question 4. *Has meeting some of the housing and employment needs of the Black Country led to the need to release or safeguard more land from the Green Belt? If so, what are the exceptional circumstances for doing this?*

Shropshire Council Response:

- 4.1. Yes, SHF018b & SHF018d (Land east of Shifnal Industrial Estate), is currently Green Belt and is proposed for release to support both the needs of Shropshire and the Black Country. This site had been previously identified for allocation without specific reference to meeting Black Country needs, although there was clear recognition within the submission version of the draft Shropshire Local Plan that the proposed contribution of 30ha of employment land towards the unmet employment land need forecast to arise in the Black Country would be met in accordance with the spatial strategy, which by definition would include proposed allocated sites.
- 4.2. Notwithstanding this, the Council has provided an updated Exceptional Circumstances Statement within the Green Belt Topic Paper (GC46). Paragraphs 9.24-9.26 of this Topic Paper outline the exceptional circumstances for this release specifically in relation to the site's ability to contribute to the unmet needs forecast to arise in the Black Country. This supplements the wider Exceptional Circumstances Statement (EV051).
- 4.3. No further Green Belt, or safeguarded land is proposed to be released to support the unmet housing or employment land needs of the Black Country.