

HEARING STATEMENT ON BEHALF OF TAYLOR WIMPEY UK LTD (ID.A0598)

Shropshire Local Plan Examination Stage 2: Matter 3 Statement
Housing Land Need, Requirement and Supply (policy SP2)

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REPORT

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MATTER 3: HOUSING LAND NEED, REQUIREMENT AND SUPPLY (POLICY SP2) – SEE MMS 001-004

Issue

Whether the Plan has been positively prepared and whether it is justified, effective and consistent with national planning policy in relation to the overall need, requirement and supply of housing land.

Questions

NB. 5 year housing land supply will be dealt with following the consideration of site allocations

Housing Need

- 1. In response to previous questions posed by us and discussions at the stage 1 hearing sessions, the Council have provided reasons why they consider the base date of the Plan should remain as 2016 (GC24). We note that the base date of 2016 has been used for the purpose of calculating the requirement for the plan period. Is this correct or should it be when LHN was calculated (2020)? If a base date of 2020 is used how would this affect the housing need, requirement and supply?**

- 1.1 In response to the first question, it is our view that regardless of whether the base date is 2016 or 2020 the Plan should still look ahead at least 15 years from adoption, in accordance with paragraph 22 of the NPPF (July 2021). This is set out in our submission to the additional consultation (para 2.2.-2.4) and in our response to question 7 of the Matter 1 Statement.
- 1.2 Contrary to national policy, the submitted Plan only looks forward 13 years (to 2038) based on the likely adoption date of 2025. However, given the scale and range of sites available in Shropshire as set out in the SHELAA, the Council is more than capable of identifying and allocating sufficient land, including an additional supply to account for flexibility, to address the required number of homes over the period to 2040 (the date c. 15 years from likely adoption). However, the Council has chosen not to do this currently, but we consider it illogical not to do so.
- 1.3 On the second question, if the Inspectors recommend that the Plan is rebased to a 2020 start date based on the standard method, then this would impact on both the requirement and the supply of land during the plan period. The obvious impact of rebasing to Plan to 2020 would be that the Plan would lose four years of housing requirement (2016/17-2019/20). Under draft Policy SP2, (incorporating the main modifications MM001 and MM003) this would result in would 5,692 dwellings being removed from the requirement (1,423 x 4 years). In order to 'balance the books' the equivalent years' housing delivery must also be removed for the 2016-2020 period.
- 1.4 The Council has not provided any annual completions in total at the district-wide level in the submitted evidence base for the 2016-2020 specifically. The Shropshire Annual Monitoring Report

2020 (Table 13) shows that 7,183 net completions were achieved during that period¹. If these dwellings were removed then this would result in a 'net loss' of 1,491 dwellings (or an equivalent figure if the Council has an alternative source) that the Council would not be able to include in their committed supply figures, given these fall prior to the rebased date. This is perhaps one of the reasons why the Council is seeking to resist any change to the plan period.

- 1.5 In this scenario, consideration should be given to increasing the supply to account for the fall in committed supply, in order to maintain the level of flexibility currently planned for in the Plan that would otherwise be lost.

Housing Requirement

- 1. Is the approach to calculating the housing growth and the housing requirement set out in the Council's Updated Housing and Employment Topic Paper – April 2024 (GC45) of a minimum of 31,300 dwellings over the plan period of 2016 to 2038, justified, positively prepared and consistent with national policy?**

- 1.6 No.

- 1.7 As we set out in paragraphs 2.7 – 2.25 of our submission to additional consultation, we contend the housing requirement should be modified to 33,895 dwellings (2016-2040). This is to ensure the Plan is positively prepared and consistent with national policy, in particular to ensure the Plan looks sufficiently ahead over a 15 year period from adoption.

- 2. What provision is made within the Plan to fulfil the identified unmet housing needs of the Black Country, and will the Plan's approach be effective in addressing this sustainably within the plan period, in accordance with national policy?**

- 1.8 We do not object to the provision for 1,500 dwellings in the Plan towards the unmet housing need from the Black Country. The Plan, subject to main modifications, includes provision on three sites in order to fulfil the identified unmet housing needs of the Black Country.

- 1.9 However, we do not consider that the provision made in the Plan would achieve this provision by assigning a proportion of the unmet need to particular locations, notably Ironbridge Power Station (IRN001). This approach as a whole is not effective, and thus is not soundly-based.

- 1.10 We have highlighted in our submissions on the additional consultation (paras 3.3 – 3.23) and under our Matter 1 (para 1.9) and Matter 2 statements (response to question 3) our soundness concerns with this approach.

- 1.11 To reiterate our position, the Council has identified the Ironbridge Power Station site as a preferable location to accommodate 40% of the Black Country contribution at the expense of other locations, notably Albrighton which is more accessible and better connected to the Black Country,

¹ <https://www.shropshire.gov.uk/media/20175/authority-monitoring-report-amr-2020.pdf>

in particular benefiting from regular and direct public transport links between these areas. This would provide those households migrating from the Black Country relatively convenient and frequent access to the Black Country, to access for example existing jobs and other services they currently rely on. It's relationship to the Black Country is acknowledged in the Council own evidence (the Updated SA) in sustainability and proximity to the Black Country as being 'Good'. In contrast, the Ironbridge Power Station is located within Shropshire but lies to the south of the River Severn on land outside of the southern boundary of Telford & Wrekin. It's relationship to the Black Country is acknowledged as being 'Poor'.

- 1.12 In terms of mitigation to address these issues, neither the Plan nor the additional work has identified any practical measures or proposals to promote sustainable travel patterns back to the Black Country from the Ironbridge Power Station site. Consequently, it is not clear how effective the Plan will be in providing for the 600 households from the Black Country sustainably, in accordance with national policy².
- 1.13 On this basis, the choice of Albrighton as a suitable location in sustainability terms is clearly logical and appropriate. On the other hand, the choice of Ironbridge Power Station is not shown to be effective, but is also not justified or consistent with national policy. It is not soundly-based.

The overall supply of housing

4. How will the supply and delivery of housing to meet the identified unmet needs of the Black Country be undertaken? Does this need identifying separately in a trajectory i.e. the expected delivery on the sites (BRD030, SHR060 and IRN001), identified to meet the unmet needs on a yearly basis?

- 1.14 We set our objections to the proposed distribution of the 1,500 dwelling contribution (we accept the scale of contribution proposed) elsewhere in our additional consultation submission and in our other matter statements submitted at Stage 2 of the examination.
- 1.15 Under MM259:Sub-Schedule 3 of the main modifications document (GC4m) , an additional monitoring criteria has been inserted (3.) as follows:

“3. Dwellings completed on sites identified to contribute towards the unmet housing need forecast to arise in the Black Country – 600 of the dwellings on BRD030; 300 of the dwellings on SHR060, SHR158 & SHR161; and 600 of the dwellings on the Former Ironbridge Power Station Strategic Settlement.”

- 1.16 In terms of how such provision is to be undertaken, of the 3,625 dwellings proposed to be delivered during the plan period on the three sites 2,125 completions will meet Shropshire's need and 1,500 will address the Black Country's unmet need (subject to adoption). In our view, it is critical that the proportion or quantum of delivery on those sites that goes towards addressing the

² NPPF 2021, paras 104-105

Black Country need and local (Shropshire) need is properly accounted for in the Plan and through the annual monitoring exercise.

- 1.17 In particular the Plan should, through appropriate main modifications, make clear that the number of annual completions on each site are monitored and recorded separately in line with the proportional split (by local need v unmet need from the Black Country) adopted in each site-specific policy and in Schedule A4: Delivery and Monitoring of Local Plan Policies in the monitoring section of the Plan. This is to ensure that in relation to the annual land supply assessment, which is expected to be re-introduced under the current NPPF reforms³, there is clarity on the proportion of completions and forward supply (for local need and Black Country need) that relates to each site so this can be adequately monitored against the adopted policies in each year of the Plan (usually at the end of March every monitoring year).
- 1.18 We summarise the breakdown in supply proposed on the three sites, for illustration, in the table below (*please note: We do not object to the proposed capacity figures for each of these sites in the Plan as submitted for examination. The figures below do not seek to prejudice other parties submissions on specific site allocations, including the quantum of development allocated appropriate to each site. Consequently, the figures shown below are for illustration purposes to aid the Inspectors understanding of our recommendation on effectiveness of the Plan, as we do not yet know what the final figures will be for these sites*).

Table 1 – Proportional split across the three Black Country ‘contributor’ sites

Site Allocation reference	SLP Policy	Total proposed allocation	Completions meeting local need	Completions towards BC need	% BC contribution on each site
BRD030	S3.1	1,050	450	600	57
SHR060/SHR158/SHR161	S16.1	1,500	1,200	300	20
IRN001	S20	1,075	475	600	56
Total provision in Plan		3,625	2,125	1,500	

- 1.19 Consequently, we do not agree with MM259 in the proposed main modifications highlighted above. The modification is imprecise and does not provide sufficient clarity on the quantum of annual completions and forward supply that is addressing local or Black Country need. The MM259 is not effective in this regard. It follows that an ‘annual trajectory’ to account for the Black Country contribution would assist the Council in monitoring progress on these sites, but would also assist in the annual land supply assessment as mentioned above.
- 1.20 This should be an issue for further discussion at the subsequent hearing session on housing land supply matters.

³ Open consultation: Proposed reforms to the National Planning Policy Framework and other changes to the planning system Updated 2 August 2024 (Chapter 3, paragraphs 18-21 deal with policy on housing land supply)

10. Table 8.5 (page 59) of the Council’s Housing and Employment Topic Paper (GC45) contains information described as ‘Known Significant Potential Windfall Development Opportunities’. Can they be classed as ‘windfalls’ if they are already known? Should these sites be allocated in the Plan? How likely are they to come forward during the Plan period as some have had planning permission in the past which has now lapsed??

- 1.21 Paragraph 8.78 of the HETP (GC45) refers to a list at Table 8.5 listing what the Council claim to be ‘...*significant potential windfall development opportunities identified within the Strategic, Principal, Key Centres and Strategic Settlements following consideration of these sources*’.
- 1.22 The Inspectors rightly point out that many of these sites had benefited previously from planning permission in the past, but had since lapsed. The Council provides no evidence to demonstrate these sites are likely to come forward during the plan period.
- 1.23 In addition, we count 33 sites in the list where the reference is made to,
- “[Site reference] identified as a potential windfall opportunity within the Site Assessment process. It is considered this site would have capacity for around [x] dwellings.”*
- 1.24 The Council has identified sites through the site assessment process where these are claimed to have ‘potential for windfall development’. This is shown in the site assessment appendices dated December 2020 (under Appendix B of the submission version of the SA) (SD006). However, at no point in the assessment process have any of these been assigned as ‘significant’. The word ‘significant’ appears to have been inserted after the assessments have been carried out, which we can only assume is the Council’s attempt to alter their importance to the Plan. Why this has been done, we don’t know. Maybe the Council can explain to representors exactly the reason for this late but, nonetheless, material change in emphasis.
- 1.25 Furthermore, the Council describes the sites as being ‘potential windfall sites’ but this description can be legitimately ascribed to virtually any site as being a windfall’ when it is not specifically allocated in a development plan (in accordance with the definition in the NPPF glossary). Indeed, windfall sites can be appropriate for the intended use even when they are not considered to be in accordance with the development plan, for example where material considerations indicate otherwise, in line with section 38(6) of the Town and Country Planning Act 1990.
- 1.26 We also note some discrepancies in the evidence base underpinning Table 8.5. For example, the ‘potential’ for some sites listed in Table 8.5 (ALB003, for 6 dwellings) have only recently changed following publication of the updated SA (GC44) compared to the previous version that it superseded (GC29) which listed the site as having ‘no potential’. Furthermore, other sites are listed (BIS016, for 15 dwellings, BIS020 for 13 dwellings) but were previously discounted at an earlier assessment stage because they were to be considered through the neighbourhood plan process instead (SD006.04). Similarly, some sites (CRA001, for 26 dwellings) are identified now that were not assessed in the updated SA and were discounted at the previous stage 3 assessment (SD006.09). This demonstrates, by way of examples, that the sites totalling at least

60 dwellings listed in Table 8.5 are not supported by robust evidence and their allocation in the Plan would not be soundly-based.

- 1.27 On this basis, we do consider that any of these sites should be allocated in the Plan because the Council's site assessment process has concluded they are not suitable for allocation and, in any event, there are clear question marks regarding the robustness of the evidence related to them.