



# The countryside charity Shropshire

**Examination of Shropshire Local Plan 2016-2038**

**Stage 2 Matters, Issues and Questions**

**Matter 3 – Housing Land Need, Requirement and  
Supply (policy SP2)**

**CPRE Shropshire Submission**

**Representor refs: A0410 and B-A127**

**21 September 2024**

1. Our submission for Matter 3 follows the MIQs as set out in document ID40.

***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***

2. We comment on selected questions only.

*The Housing Need*

***Q1. 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?***

3. Using a base date of 2020 should not impact on the overall housing need, provided any under-provision prior to 2020 is taken into account.

***Q2. What is the identified affordable housing need?***

*The Housing Requirement*

***Q1. 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?***

4. For the reasons set out in our Hearing Statements for Matters 1 and 2 (and all our earlier submissions) we do not consider the High Growth Option is justified, especially when a further addition is made to accommodate uncertainty. The basis should be the 25,894 homes as required by Government. Furthermore, the addition of housing for the Black Country is not adequately justified as we set out in Matter 2, given the uncertainty about the urban shortfall both in the Black Country boroughs and in Birmingham.

**Q2. 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?**

5. The provision for the Black Country is set out in GC45. This includes sites not in the Green Belt. However, when one considers the spatial distribution of sites in the Plan it is unclear why these sites, rather than the ones in the Green Belt, are identified as meeting Black Country needs. All the sites which are identified as meeting Black Country needs (as well as those which would be most obviously attractive to Black Country residents) are in locations which are likely to generate significant traffic, particularly commuting and access to services in the Black Country. As such, we consider any shortfall is better and, more sustainably, met within the conurbation.

The Overall Supply of Housing

**Q4. 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.**

6. Even if the Black Country contribution were accepted the logic for its early provision would not exist. The Black Country Urban Capacity Study of 2021, which informed the now defunct Black Country Plan, included a total supply of 37,481 houses, which was over half the requirement at the time. As we have said, we believe this underplayed the actual supply, particularly from reliable sources of windfalls. Furthermore, there are other local authorities where any shortfall that still exists from the four boroughs' individual plans would be better located than within Shropshire. This potentially includes Birmingham and Telford, which has identified more land than it needs. In other words, there is no need to provide housing in Shropshire early in the plan period, so no need for a trajectory to ensure that happens.

**Q8. Should windfalls be counted as part of the housing supply for years 1-5 and years 11-15?**

7. Yes, that is the correct approach, in our view. We note that Table 10.1 of GC45 which is based on 299 windfall dpa discounts years 1-3, so there is only supply in years 4-5. This is appropriate and usual given that developments for years 1-3 should already be in the system. Our criticism is not with this aspect of the windfall calculation.

**Q9. With regard to paragraph 71 of the Framework, is there compelling evidence that the windfall allowances for large and small sites would represent a reliable source of housing supply? Does the approach to windfall sites avoid double counting?**

8. Yes, there is compelling evidence provided by the Council in GC 45, not just of the historic delivery of windfalls, but of continued windfall opportunities, for example, the sites set out in Table 8.5. This evidence suggests a very large under-allowance for windfalls.
9. Figure 8.1 of GC45 shows that there have been 4,683 windfall completions in the five year period from 2018/19 to 2022/23. If one considers windfalls from 2023-2038 and discounts three years, for windfalls already in the system, as normal, this would amount to 11,239 dwellings, of which there would be 4,005 on small sites based on the 1,669 completions.
10. This compares with a total of only 2,682 for windfall allowances in the whole of the 22-year plan period, as derived from Appendix 5 of the submission version of the Draft Plan.<sup>1</sup> In the Housing Topic Paper dated February 2022 (GC4i), the windfall allowances shown totalled only 1,817. The current figure, given in GC45 (page 76, Table 10.1) is 3,588 in total.
11. However, the sum of windfall allowances by settlement given in Table 8.4 of GC45 (page 57) amounts to 2,022 (2019 draft plan) and now is only 720 (487 with negatives), to which the council proposes adding 289, mainly in Shrewsbury, which has in the last five years already exceeded its total windfall allowance and where the Council, themselves, identify 701 dwellings on known significant windfall development sites in Table 8.5 (page 59). It is hardly credible that no further windfall sites will come forward in Shrewsbury over the plan period.
12. It is therefore apparent that windfalls within the Draft Plan have been under-accounted for. This is true, even if only small windfalls are included.
13. However, the NPPF does not make a distinction in its definition of windfalls, and the evidence (including examples given in Table 8.5 of GC45) would seem to us to suggest all windfalls should be considered. At this time, as said above, this would significantly increase supply, closer to the historic 11,239 figure.

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<sup>1</sup> See Table 4.1 on page 16 of our Regulation 19 submission. Shropshire Council unhelpfully did not total the figures in Appendix 5 of their Regulation 19 Pre-Submission Draft (Core Document SD002)

14. In contrast to that logic, the approach taken in GC45 is not to consider completions across the county, and then remove those from the total before considering individual settlements. Instead the approach is to examine their windfall patterns and single out three settlements which are likely to have additional windfalls (para 8.91, page 69). The 500 additional houses identified (only 289 of which are additions, as opposed to discounting windfalls already built) are then divided between those settlements using a methodology which is opaque.
15. This is clearly a flawed approach. While the evidence identifies specific locations where windfalls are likely to occur, by their nature, the location of windfalls is going to vary, with some locations exceeding expectations. Considering the overall performance across Shropshire would be more likely to balance these effects out and we consider that approach is likely in the end to be more robust.
16. Moreover, the evidence should be considered on its merits and not 'shoehorned' into meeting the figure of 500. If there is good evidence of additional housing from windfalls, that means it is simply not necessary to make as many allocations as are proposed.
17. This conclusion should loop back to impacts on the sustainability assessment of options for meeting housing need but does not because a more realistic windfall allowance is not factored in.

***Q10. 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?***

18. The sites in Table 8.5 are, one assumes, not in a position to be allocated, but if they are in that position they should be included in the allocations (that would not necessarily reduce the windfall potential by the same amount). If not, they still provide corroborative evidence to support the windfall allowance. Clearly, sites with lapsed planning permissions may not come forward, but are some of the sort of sites future windfalls will arise from. The windfall evidence has to come primarily from the historic data and an assessment of opportunities, but by the nature of windfalls, there are inherent unknowns in where they will occur.

19. By dealing with windfalls at the county level, and excluding them from the overall figure before considering settlements, one is more likely to even out variabilities where one town does better than another, and avoids the negatives which arose in Table 8.4 of GC45 (page 57) where one settlement exceeds its allowance, but it is not clear that is carried over to another.

***Q12. What flexibility does the Plan provide if some of the larger sites do not come forward to the Council's estimated timescales?***

20. We consider that the figures so exceed the need, and that the undercounting of windfalls is so significant, that this issue need not arise.