

Hearing Statement for the Shropshire Council Local Plan Examination

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

Statement on Behalf of the Stanmore Consortium Ref: A0497

SHROPSHIRE LOCAL PLAN EXAMINATION

Representor Unique Part A Ref:	A0497
Matter	2
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Stage II - Hearing Statement

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1. Introduction

- 1.1. This Hearing Statement is on behalf of The Stanmore Consortium (“TSC”) (Apley Estate and Stanmore Properties) and should be read in conjunction with previous representations made on behalf of TSC at the Regulation 18 and 19 Stages, the representations at the Stage 1 Examination Hearings and the updated Topic Papers in April 2024.
- 1.2. As background, Shropshire Council approached TSC in 2017 with a view to delivering proposals for a Garden Community for the future housing and employment needs of Bridgnorth on land owned by TSC.
- 1.3. In November 2018 the Shropshire Local Plan Review: Consultation on Preferred Sites was published with a masterplan mixed use garden settlement at Stanmore, initiated by the Council, as a Preferred Site. This followed extensive discussion between the Council and TSC, public consultation and provision of detailed information requested by the Council.
- 1.4. In April 2020 the Council abruptly changed its position on the Stanmore Garden Community proposal to an alternative on land west of Bridgnorth, not previously promoted nor consulted upon. This alternative was included in the Regulation 18 and 19 Stages of the Local Plan.
- 1.5. TSC continue to promote Stanmore Garden Community as the best option for Bridgnorth and Shropshire.
- 1.6. This Hearing Statement focusses on those specific questions which are directly relevant to TSC’s position.

2. Matter 2 – Development Strategy (policies SP1-10 & SP12-15 – See various MMs

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?

- 2.1. Biodiversity Net Gain introduced by the 2021 Environment Act came into effect on 12 February 2024; this requires developers to demonstrate how they plan to achieve a minimum ten per cent increase in biodiversity with all new developments to obtain planning permission.
- 2.2. The legislation for the statutory framework for biodiversity net gain is principally set out under Schedule 7A (Biodiversity Gain in England) of the Town and Country Planning Act 1990. This legislation was inserted into the 1990 Act by Schedule 14 of the Environment Act 2021 and was amended by the Levelling Up and Regeneration Act 2023. The Biodiversity Net Gain (Town and Country Planning) (Consequential Amendments) Regulations 2024 made consequential amendments to other parts of the 1990 Act.
- 2.3. Planning Policy Guidance on biodiversity net gain (Paragraph: 002 Reference ID: 74-002-20240214) recognises that it is important biodiversity net gain is considered throughout the planning process. The NPPF emphasises that plans should identify and pursue opportunities for securing measurable net gains for biodiversity, and plans and decisions should minimise impacts and provide net gains for biodiversity.
- 2.4. In reconsidering housing and employment allocations the Housing and Employment Topic Paper considers site capacity, site area and density. Whilst the figures issued include the net developable areas having regard to standard infrastructure and open space requirements; the Topic Paper at Page 47 Footnote states “allocations may be subject to further requirements which further reduce the net developable area available. Particularly open space requirements, biodiversity net gain and infrastructure requirements”.
- 2.5. The requirements to meet BNG on major greenfield sites needs to be considered in greater detail. Sensitive landscapes such as Tasley in Bridgnorth, which has a sensitive landscape character, the requirements for meeting BNG will have the potential to impact on the delivery, and therefore will impact on the housing numbers. The developers already acknowledge the red line site boundary could change and therefore might put further pressure on the housing that can be delivered.

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?

- 2.6. The Housing and Employment Topic Paper 2024 (HETP24) was prepared on the basis of the findings of the Sustainability Appraisal 2024, which identifies a need to make a contribution of 1,500 dwellings to the unmet Black Country need (Option 2) and that Option 3b ‘High Growth plus a 1,500 dwelling contribution to the unmet housing need forecast to arise in the Black Country’ is the appropriate reasonable option to pursue as a housing requirement in the local plan.
- 2.7. As well as the additional need arising from the Black Country, the Council is also proposing an uplift of 500 dwellings within the plan. The Council considered that Option 1 ‘Increasing Settlement Guidelines and Windfall Allowances’ is the most appropriate and sustainable means of addressing the 500 dwelling uplift. The Council therefore found that ‘it is not considered necessary to identify any further site allocations to accommodate this proposed uplift’ [paras 2.9 - 2.11 GC45].
- 2.8. The HETP 2024 sets out how the increase in housing need of 500 units is addressed at Chapter 8, as well as the accommodation the 1,500 unit unmet need from the Black Country at Chapter 9.
- 2.9. Chapter 8 sets out that the preferred option for meeting the 500 dwelling uplift is ‘Option 1: Increasing Settlement Guidelines and Windfall Allowances’. This is preferred to ‘Option 2: Densification of Proposed Site Allocations’, ‘Option 3: Increasing Site Allocations’ and ‘Option 4: A Combination of Two or More of the Other Options’.
- 2.10. Chapter 9 of the HETP (2024) explains that the process for identifying sites to accommodate the unmet Black Country need, first sought to establish an appropriate geography in which the need could be accommodated based on geographic proximity to the Black Country, migration patterns, commuting patterns and the interaction between Shropshire and the Black Country with regards to Travel to Work Areas (TTWAs).
- 2.11. The assessment found that the appropriate geographies to accommodate the Black Country unmet need fall within the east and centre of the county within larger existing settlements where housing growth is already proposed in the plan and in strategic settlement sites. The Council then undertook an assessment of all available sites within this geography.
- 2.12. Paragraph 2.13 of the Draft Shropshire Local Plan [SD002] sets out that:

‘Because of the County’s size, the Local Plan uses a series of smaller Place Plan Areas, normally consisting of a main Market Town and its surrounding hinterland. These Place Plan geographies are well established and represent areas with functional relationships with each other and as such have been used to capture the infrastructure needs of Shropshire in a manageable way. For the

purposes of the Shropshire Local Plan they are used to present a series of localised strategies, although they in themselves have no planning status’.

- 2.13. The Council’s approach is unsound as it results in some areas far removed from the Black Country being included in the latter stages of assessment, while settlements which are much closer to the Black Country are excluded due to the market town, on which the relevant Place Plan Area is based, falling outside the Black Country area of influence. The results are irrational e.g. Nesscliffe is a small settlement within the Shrewsbury Place Plan Area, and closer to the Welsh border than Shrewsbury itself. The driving distance to Dudley (part of the Black Country) is 47 miles and over one hour driving time. The corresponding distance from Cleobury Mortimer (Place Plan Area S6) to Dudley is 26 miles and under one hour drive, but Cleobury Mortimer is excluded at the first stage of the assessment.
- 2.14. From Bridgnorth, as commuting is generally to the east of the settlement to employment locations such as Stanmore Business Park, the Black Country conurbation to the east and Telford to the north, a development on the east side of the settlement will significantly reduce the miles travelled by car compared to development on the south or west. Furthermore, by locating housing next to jobs, the need to travel is reduced.

Question 3

Are the areas identified to meet the Black Country unmet housing needs justified and appropriate?

- 2.15. The Council’s approach to determining where the unmet Black Country housing need should be accommodated is fundamentally flawed and does not assess all potential and more sustainable locations.
- 2.16. The approach of allocating significant proportions of housing within already proposed allocations to accommodate the unmet need from the Black Country undermines the wider aims of the plan and the area-specific strategies within the plan. This approach suggests that the Council are retro-fitting the requirement into their existing plan.
- 2.17. As an example, S3. Bridgnorth Place Plan Area, S3.1. Development Strategy: Bridgnorth Principal Centre sets out that:
- ‘Bridgnorth will fulfil its role as the second largest Principal Centre and contribute towards strategic growth objectives in the east of the County, delivering around 1,800 dwellings and making available around 49ha of employment land to create choice and competition in the market. New housing and employment will make provision for the needs of the town and surrounding hinterland, including attracting inward investment and allowing existing businesses to expand’.*
- 2.18. The HETP 2024 has been prepared on the basis of the findings of the Sustainability Appraisal 2024, which identifies a need to make a contribution of 1,500 dwellings to the unmet Black Country need (Option 2) and that Option 3b ‘High Growth plus a 1,500 dwelling contribution to the unmet housing need forecast to arise in the Black Country’ is the appropriate reasonable option to pursue as a housing requirement in the local plan.

- 2.19. In addition to the need from the Black Country, the Council is also proposing an uplift of 500 dwellings within the plan. The Council found (HETP 2024) that Option 1 ‘Increasing Settlement Guidelines and Windfall Allowances’ is the most appropriate and sustainable means of addressing the 500 dwelling uplift. On this basis the ‘the Council **considered it wasn’t necessary to identify any further site allocations to accommodate this proposed uplift**’ [paras 2.9 - 2.11 GC45].
- 2.20. The HETP 2024 sets out how the increase in housing need of 500 units is addressed at Chapter 8 as well as the accommodation the 1,500 unit unmet need from the Black Country at Chapter 9.
- 2.21. Chapter 9 explains that the process for identifying sites to accommodate the unmet Black Country need firstly sought to establish an appropriate geography in which the need could be accommodated based on proximity to the Black Country, migration patterns, commuting patterns and the interaction between Shropshire and the Black Country with regards to Travel to Work Areas (TTWAs).
- 2.22. The Council concluded that the appropriate geographies to accommodate the Black Country unmet need fall within the east and centre of the county within larger existing settlements where housing growth is already proposed in the plan and in strategic settlement sites. The Council then undertook an assessment of all available sites within this geography.
- 2.23. It is considered that the Council cannot reasonably make up this difference by increasing densities and increasing windfall allowances within the area as this measure has already been employed to meet the 500 dwelling uplift also considered as part of the revised SA exercise. In addition, the nature of a windfall allowance means that the location and nature of such development cannot be accurately predicted, or its impacts appraised, undermining the accuracy and value of the SA.
- 2.24. This matter can only be resolved by allocating additional sites to ensure that Bridgnorth maintains a sufficient supply of housing to meet its local need, as well as the unmet need for the Black Country.
- 2.25. The Council’s approach to simply apportioning elements of existing housing allocations to meet the Black Country need has the effect that it displaces housing provision which was originally intended to meet locally arising housing need. The approach also failed to fully assess the environmental impact of accommodating the unmet need from the Black Country. As the Inspectors set out in January 2024 [para 4.1 ID36] the Council failed to *‘look at what the environmental impacts are of meeting some of the unmet needs of the Black Country i.e. 1500 homes and 30ha of employment land, in addition to meeting its own needs. Instead, what the revised SA does is amalgamate the Black Country’s unmet needs into its own growth options and at the same time alter the growth options compared to earlier SA work. This needs to be assessed as a distinct and separate exercise’*.
- 2.26. While the updated SA appears to assess the impact of accommodating the 1,500 dwelling need within Shropshire by apportioning elements of three existing allocations to meet this need, the Council does not allocate additional sites to accommodate the 1,500 units required to meet housing need from within Shropshire. There is therefore a demand for 1,500 units, whether arising in Shropshire, the Black Country or elsewhere, for which there is not a corresponding

allocation and therefore cannot be appraised. This equates to almost 5% of the 31,300 unit demand identified within the plan which are not being appraised. The plan therefore cannot be considered sound in its current form as the SA does not offer a sufficiently robust or thorough consideration of the potential impacts of the plan.

- 2.27. The basis of the current plan being promoted is substantially different to the basis on which it was prepared at previous consultation stages. The current consultation is focussed on four highly technical documents which are likely to be beyond the interest of a casual observer and have little information on how the proposed changes will impact development in Shropshire over the next decade. When considered cumulatively, the changes to the plan since pre-submission stages to that currently being considered have diverged dramatically and, which we consider are not supported by sufficiently robust, thorough, and concise evidence.

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?

- 2.28. As stated above the Council's approach to determining where the unmet Black Country need should be accommodated is fundamentally flawed, on the basis that they have used the Place Plan Areas. Given the large and diverse nature of the County this approach does not assess all potential and most desirable and sustainable locations for accommodating the Black Country's unmet housing need.
- 2.29. The approach of allocating significant proportions of housing within existing proposed allocations to accommodate the unmet need from the Black Country rather than allocating new sites undermines the wider aims of the plan and the area-specific strategies within the plan.
- 2.30. As an example, S3. Bridgnorth Place Plan Area, S3.1. Development Strategy: Bridgnorth Principal Centre sets out that sets out at part one:

'Bridgnorth will fulfil its role as the second largest Principal Centre and contribute towards strategic growth objectives in the east of the County, delivering around 1,800 dwellings and making available around 49ha of employment land to create choice and competition in the market. New housing and employment will make provision for the needs of the town and surrounding hinterland, including attracting inward investment and allowing existing businesses to expand'.

- 2.31. One of the consequences of this approach is that allocating significant proportions of housing within existing proposed allocations to accommodate the unmet need from the Black Country rather than allocating new sites undermines the wider aims.
- 2.32. For example, at Bridgnorth, despite the quantum of housing proposed within allocations and other means of delivery, the Council can no longer provide for 1,800 units for local demand in the towns allocation, as required in their Bridgnorth Place Plan Area commentary, as 600 units, (one third of the units allocated) will now be allocated to demand arising from the Black Country.

- 2.33. The Council cannot reasonably make up this difference by increasing densities and increasing windfall allowances within the area as this measure has already been employed in order to meet the 500 dwelling uplift also considered as part of the revised SA exercise. In addition, the nature of a windfall allowance means that the location and nature of such development cannot be accurately predicted, and its impacts appraised, undermining the accuracy and value of the SA before us.
- 2.34. This matter can only be resolved by allocating additional sites to ensure that Bridgnorth maintains a sufficient supply of housing to meet its local need, as well as the unmet need for the Black Country.



JLL

Landmark
1 Oxford St, Manchester M1 4PB

Mike Hopkins
Director

M: 07792014578

D: 01612387411

mike.hopkins@eu.jll.com