



Association of Black Country Authorities  
Dudley, Sandwell, Walsall and Wolverhampton

Our Ref: HP/CW  
Date: 24 February 2021  
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Shropshire Council  
Via email : [Planningpolicy@Shropshire.gov.uk](mailto:Planningpolicy@Shropshire.gov.uk)

Dear Colleagues

### **Shropshire Local Plan Regulation 19 consultation**

Thank you for giving the opportunity for the Association of Black Country Authorities (ABCA) to respond to the Shropshire Local Plan Regulation 19 consultation. This letter provides our formal response to the consultation following discussion at our meeting on 17<sup>th</sup> February 2021.

The individual Black Country Council's may supplement this ABCA representation to reflect localized views with a focus on the scope and geographical specificity of the much-needed early review mechanism.

#### **Background**

ABCA have engaged actively and positively to the various stages in the preparation of the Local Plan, and we welcome the engagement with Shropshire Council throughout.

Our most recent engagement was our response to the Regulation 18 consultation in September 2020. Our representations addressed three principal issues – housing, employment land and minerals and waste, all associated with the requirement for the Local Plan to address the Duty to Cooperate and specifically to respond positively to help address the identified shortfall of land to meet growth needs arising in the Black Country. We also requested that the Plan should contain a mechanism which would allow the Council to trigger a review of the Plan in the light of the rate and location of housing delivery or in the event of a greater need for additional housing - either associated with meeting the needs of Shropshire, or adjacent housing market areas including the Black Country.

We note the amendments made to the Regulation 18 Plan in responding to our representations around the issue of employment land provision. We also note that the Plan retains the commitment to attribute an element of the housing target to meet Black Country needs. However, the Regulation 19 Plan does not contain any reference to the circumstances that would trigger a review. We consider that this is a significant weakness in the document given the potential for a housing and employment land shortfall to remain following the adoption of the Black Country Plan and progress with other neighbouring Local Plans through the Duty to Cooperate. This is a serious omission and must be addressed in order for the Plan to be sound.

We set out our detailed assessment of these issues below.

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## Housing

We confirm our support for the Plan provision for up to 1,500 homes attributed to meeting needs arising in the Black Country. The allocation of significant levels of development in both Bridgnorth and Shifnall could credibly meet Black Country needs given existing migrations patterns, geographical proximity and physical links.

However, it is likely that there will continue to be a shortfall of land to meet our housing needs even in the light of this contribution and those of other emerging neighbouring Local Plans.

The Black Country has provided detailed evidence in the form of an Urban Capacity Review Update 2019. This study has demonstrated that the Black Country's housing need between 2019 – 2038 is 71,500 homes, of which 44,500 homes can be accommodated in the urban area leaving a shortfall of 27,000. This shortfall is likely to increase by around 5,000 homes as a result of the publication in December 2020 of the new national method to calculate local housing need. The up-to-date shortfall figure, based on housing need and supply data for 2020-2039 and the most recent delivery evidence, will be made available in the UCR Update 2020, which is due to be published in February 2021. The draft Black Country Plan, due to be published for consultation in summer 2021, will be based on the UCR Update 2020 figures.

From this evidence, it is clear that the Black Country cannot accommodate all of its needs in the urban area. We have undertaken discussions with our neighbouring local authorities, as part of our Duty to Co-operate requirements, to determine their ability to accommodate some of the Black Country's unmet need. A number of local authorities including South Staffordshire, Lichfield, Cannock and Shropshire have indicated that they will seek to test their ability to accommodate additional housing needs over and above their own local needs as part of their local plan review process. At this stage, we anticipate that these contributions could accommodate in the region of up to 10,500-12,500 homes and in the best-case scenario, this would leave the Black Country with a significant shortfall of approximately 14,550-16,500 houses, plus some further 5,000 homes added to this shortfall as a result of the new national method outlined above. We are engaging with other local authorities who have a functional relationship with the Black Country and it is possible that further contributions will come forward - these include Telford & Wrekin, Solihull and Bromsgrove.

In terms of non-urban opportunities within the Black Country, we have undertaken a Green Belt and Landscape Sensitivity Assessment, supplemented by comprehensive environmental evidence, including historic landscape characterization and ecological surveys, which severely constrain capacity to deliver large scale development across much of the Black Country.

Whilst we have still to finalise our site assessment, viability and delivery work, we envisage that market deliverability will also limit the capacity of the Black Country Green Belt up to 2039. This assumption is based on the case of the Birmingham Plan, where the Peter Brett Associates (PBA) Delivery Study concluded that market deliverability placed significant constraints on the amount of housing which could be delivered in the Birmingham Green Belt up to 2031. These constraints reduced the actual capacity of the urban extension identified in the Plan consultation from 10,000 to 5,000 homes, over the 15-year period of the Plan.

This assumption was based on a strong housing market recovery scenario in one of the strongest housing markets areas in the West Midlands.

As the majority of the Black Country Green Belt is located primarily in Walsall and, to a lesser extent, in Dudley, these are the two main housing market areas for potential delivery of housing in the Green Belt, with only small amounts of housing potential in Wolverhampton and Sandwell. Therefore, based on a scenario that there was sufficient unconstrained capacity identified in the Black Country Green Belt, a Delivery Study based on similar principles to that completed for Birmingham, may reasonably conclude that the Black Country could only be expected to deliver some 10,000 homes in the Green Belt over the 15-year Plan period, leaving a significant shortfall to be met in neighbouring authorities.

Please note that at this stage the statement does not reflect the findings of any of our key studies or our Green Belt assessment. We will be able to provide a clearer idea of the Black Country's position once we have finalised our evidence base. This will be set out in our Draft Plan, due to be published in late Summer 2021. However, it is clear that on the basis of the maximum capacity of the urban area, the potential contribution of neighbouring local authorities, and the indicative market capacity of the Green Belt, it is likely that the Black Country will be unable to meet its own housing land needs.

We therefore request that the Shropshire Local Plan should recognize that there could continue to be a shortfall of land in neighbouring areas which could be accommodated within the Plan area. This must be recognised in the Plan as the key trigger for an early review of the Local Plan.

This approach has been used in a number of West Midlands Local Plans - most recently in Wyre Forest, Stratford on Avon and North Warwickshire where it was considered that there was sufficient information to progress the Plan at that time, but recognizing that there could be a shortfall of land in neighbouring areas which could be accommodated within that Plan area.

We would welcome the opportunity to discuss the detailed wording of an appropriate early review approach with you.

### Employment

Turning to employment land, the incorporation of 30ha of land within the overall employment land target to meet needs arising in the Black Country is welcomed in principle. The evidential basis for this approach is set out in the Economic Development Needs Assessment (EDNA), which identifies strong labour market linkages with the Black Country and Wolverhampton in particular, and suggests that close co-operation on employment land supply balance is recommended going forward.

The Black Country employment land requirement ranges between 592 ha (baseline growth) and 870 ha (aspirational growth based on West Midlands Combined Authority SEP). Our existing urban employment land supply (including recent completions) provides approximately 305 ha of land, leaving a shortfall of between 263 ha and 500 ha, depending on the growth scenarios applied. As is the case with our approach to housing land, we are considering all opportunities to bring forward additional employment land within the urban area, and land within the Green Belt, but this exercise will not make a significant impact upon addressing our unmet need. Contributions through the Duty to Cooperate are currently limited to 50ha in total (including the 30ha in the Shropshire Local Plan), but this work is

ongoing and will include a proportion of the consented West Midlands Interchange at Four Ashes in South Staffordshire.

In qualitative terms the employment sites in Shifnal and Bridgnorth, given their location, and the functional relationship outlined above could be assumed to be capable of meeting needs arising in the Black Country. The size and accessibility of these sites from the motorway network may limit the range of occupiers who are likely to be attracted to them and so would be unlikely to be attractive to large scale and footloose inward-investment requirements. We note that the EDNA recognizes the proximity of the i54 development at Junction 2 of M54, the potential for this to draw further occupiers into the County, and that consideration will need to be given in regard to whether there will be enough demand to justify an additional development, in addition to that already proposed as part of the i54 extension (para 9.50).

This issue of the demand for large scale occupier requirements will be considered by the West Midlands Strategic Sites Study, commissioned by the three West Midlands LEPs and Staffordshire County Council. The work is considering the need for additional 'strategic' employment sites to serve the needs of the Study area and is anticipated to be completed in early 2021.

In quantitative terms, the employment land requirement identified in the EDNA is between 164ha and 264ha (including the 30ha Black Country contribution). The current supply is some 276ha and the Plan target 300ha. This suggests that there is an oversupply of land of between 138ha and 36ha which is not required to meet local needs and could provide scope to increase the contribution to the Black Country further.

As is the case with housing issues outlined above, in the case of employment land it is possible that there could continue to be a quantitative and qualitative shortfall of land in neighbouring areas which could be accommodated within the Plan area. This must also form a suitable trigger for an early review of the Local Plan.

#### Minerals and Waste issues

Our position on the minerals and waste policies DP29 to DP33 corresponds to that set out in our representations to the Regulation 18 consultation.

In summary, there is evidence that facilities in Shropshire provide for both minerals and waste requirements arising in the Black Country. The availability of aggregates has been in excess above minimum guidelines and the Plan does not propose any additional site allocations. Turning to waste management, existing consented facilities are anticipated to provide sufficient capacity to accommodate forecast throughput negating the need for additional facilities.

#### Summary

In summary, we consider that the Regulation 19 Plan is responding to the Duty to Cooperate, but further clarification is sought in terms of the employment land need.

The most significant outstanding issue relates to a reference in the Plan to the circumstances which would trigger an early review. We therefore request that the Regulation 19 Plan is subject to modifications which firmly commit the Council to continue to work collaboratively with neighbouring authorities to objectively establish the scale and

distribution of any emerging housing and employment shortfalls. In the event that work identifies a change in provision is needed in Shropshire, then an early review of the Local Plan must be brought forward to address this.

We suggest that a meeting is convened as soon as possible to scope out this work by contacting Ian Culley (Lead Planning Manager, Regional Strategy) at the City of Wolverhampton Council. (ian.culley@wolverhampton.gov.uk).

Yours sincerely

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Councillor Mike Bird  
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