



# *Hearing Statement for the Shropshire Council Local Plan Examination*

## **Matter 2 – The Duty to Co-operate**

Statement on Behalf of the Stanmore Consortium Ref: A0497

**ID 10**

### **SHROPSHIRE LOCAL PLAN EXAMINATION**

<b>Representor Unique Part A Ref:</b>	<b>A0497</b>
<b>Matter</b>	<b>2</b>
<b>Relevant Question No.s</b>	<b>1-16, 19 and 29-32</b>

**Stage 1 Hearing Statement**

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# 1. Introduction

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- 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.
- 1.2. In 2017 Shropshire Council approached TSC 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 have continued 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 – The Duty to Co-operate

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### General

#### Question 1

**What are the genuinely strategic matters for the Local Plan as defined by S33A (4) of the Planning and Compulsory Purchase Act?**

- 2.1. The Duty to Cooperate is a legal requirement and should this not be met the Local Plan cannot continue in its existing form.
- 2.2. The Shropshire Local Plan is being tested against the National Planning Policy Framework (NPPF) 2021.
- 2.3. Paragraph 24 confirms LPAs ‘are under a duty to cooperate with each other, and with other prescribed bodies, on strategic matters that cross administrative boundaries’.
- 2.4. TSC in its representations in the preparation of the emerging Shropshire Local Plan and within Stage 1 Hearing Statements expresses concerns with matters relating to housing and employment land, in terms of need arising from within the County and outside. TSC has a particular interest in the allocation of sites to accommodate this demand. TSC acknowledges that the implication of matters relating to housing and employment need are likely to raise further genuinely strategic matters including sustainability, climate change, flood risk, infrastructure, highways etc.

### Overall Housing Provision

#### Question 2

**Who has the Council engaged with in terms of overall housing provision and what form has this taken?**

- 2.5. The Council have not confirmed this and the deadline for receiving and publishing Statements of Common Ground with third parties has expired.
- 2.6. Section 33A PCPA 2004 sets out a plan-making authority’s Duty to Cooperate when preparing a Local Plan. S33A(2)(a) requires that the plan maker should ‘*engage constructively, actively and on an ongoing basis*’. TSC is aware of various discussions and Statements of Common Ground with nearby authorities but it is not clear that the Council has met the requirement and continued to engage with other authorities on an ongoing basis. TSC reserve the right to comment on the latest Statements of Common Ground requested by the Inspectors.

### Question 3

**What are the relevant inter-relationships with other neighbouring authorities in terms of migration, commuting and housing markets?**

- 2.7. The Council considers the Shropshire Housing Market Area (HMA); however, it is acknowledged by the Council that due to ‘*existing migration patterns, geographical proximity and physical links*’, the eastern element of the County is closely linked with the Black Country, specifically with Wolverhampton and Dudley.
- 2.8. This inter-relationship is acknowledged by the Council in various evidence base documents<sup>1</sup> and within the Publication Draft. The Council acknowledges that the settlements of Bridgnorth and Shifnal can contribute to meeting the unmet need for housing and employment land arising from the Black Country Local Plan area.

### Questions 4 & 5

**How have these inter-relationships been considered in preparing the Local Plan in terms of identifying the Local Housing Need (LHN) and setting the Local Plan’s Housing Requirement?**

**What is the justification for the allocation of 1500 homes to meet some of the unmet housing need from the Black Country?**

- 2.9. Questions 4 and 5 may be considered together as they relate to the issues at play and the proposed solution.
- 2.10. The inclusion of an allowance of up to 1,500 dwellings and up to 30Ha of employment land in Shropshire to meet the unmet need of the Black Country plan area is acknowledgement of the need for some provision but it’s unclear how this figure has been arrived at.
- 2.11. The unmet need of the Black Country authorities area is exacerbated by a range of factors including geography, environmental constraints and the density of development in the wider West Midlands region. The Black Country authorities area is adjacent to Birmingham which has a significant unmet need in its own right along with other authorities with unmet needs or recently adopted local plans which seek to meet some of the unmet need of their neighbours.
- 2.12. As set out at 8.2 of the Statement of Common Ground between Shropshire Council and the Association of Black Country Authorities (ABCA) (EV041) the unmet need for the Black Country between 2021 and 2039 is 28,239 dwellings and 210Ha of employment land. Annually equating to 1,569 dwellings per year and 11.6Ha of employment land. Shropshire propose providing 1,500 dwellings and 30Ha of employment land in the entire plan period or 83 dwellings and 1.7Ha of employment land per year. The provision within the Plan therefore equates to 5% of

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<sup>1</sup> E.g.:  
[Duty to Cooperate Black Country Authorities Statement of Common Ground - EV041](#)  
[Duty to Cooperate Statement of Compliance - EV042](#)

total housing need or approximately one year of the Black Country's unmet need and 14% of total employment land need or 6.9 years of total unmet need.

- 2.13. While it is accepted that Shropshire cannot be expected to accommodate all the unmet need of four authorities, the provision in the current draft cannot be considered to be an appropriate meaningful contribution to the significant social, environmental and economic pressures faced in the wider region.
- 2.14. The figures of 1,500 dwellings and 30Ha are not clearly and robustly justified in the Plan. The figure of 1,500 dwellings appears only once in the Publication Draft (SD002) at paragraph 3.7 however this is not cross-referenced or justified by evidence. There is insufficient robust, clear evidence in the Core Documents or submission-stage Evidence Base which sets out how the figure of 1,500 dwellings and 30Ha of employment land has been calculated.
- 2.15. The Housing Topic Paper ('HTP') (GC4i) identifies that based on historic migration flows, it anticipates 943 dwellings in total to be required by Black Country migrants within Shropshire in the plan period. This is increased to 1,000 for 'robustness' and adds a further 500 in acknowledgement of the Black Country's additional unmet need. However, 943 dwellings represents 3.25% of the Black Country's unmet need, 1,000 dwellings provides 3.54% of the unmet need and 1,500 provides 5.31% of the unmet need. Given the scale of the unmet need for housing in the Black Country, the supply situation elsewhere in the region and the scale of Shropshire, this is a very low contribution and cannot be considered to contribute to sustainable development in an economic, environmental, or social sense.
- 2.16. The HTP acknowledges there is no nationally prescribed methodology for determining what level of unmet need arising from neighbouring authorities should be accommodated. Therefore, the Council identify a methodology based on historic migration patterns without demonstrating that historic migration patterns are a reasonable barometer of demand or need for housing in a particular place, rather a situation arising as a result of housing being available at an acceptable price in an acceptable location.
- 2.17. There is no analysis of the demographic split of those migrating from the Black Country to Shropshire. The Black Country is dominated by significant urban development with limited rural areas whereas Shropshire is characterised by smaller market towns, villages and countryside. It is not unreasonable therefore to suggest that some of the identified migration is retirees seeking a rural setting for their retirement. Nor does the historic migration account for household income or the sectors in which migrating individuals work (if indeed they remain in the workforce). It is not possible therefore to determine whether higher levels of migration may be limited by lack of available or affordable properties or properties of the appropriate scale.
- 2.18. A significant proportion of the unmet need arising from the Black Country is from working age population and is across a range of demographics, ages and income levels however no analysis of the historic migration figure appears to have been undertaken to identify from which groups historic migrants from the Black Country have arisen and which, if any, groups are being accommodated. If significant proportions of historic Black Country migrants do arise from retirees or more affluent workers who are able to live in rural areas and rely on private cars to commute into the Black Country, further analysis is required to establish why larger elements

of the wider working age population are not also moving to Shropshire and the needs of these groups addressed in the housing need provision of the Shropshire Local Plan.

- 2.19. The years identified in the HTP, in which the Council considered migration patterns, fell within the previous plan period. It is not clear whether the housing targets the Council were seeking to deliver against included any provision for unmet need from other authorities. If this target did not include any provision for unmet need, it should be expected that internal migration from the Black Country, or indeed elsewhere in the UK, was surpassed because the housing demand from such individuals and households was not being planned for or delivered.
- 2.20. It does not follow that because internal migration flows have not been significant in the past, that they would not be in the future and therefore they should not be accommodated at a higher rate. As a 'sense check' exercise, the Council may consider whether the development of, for example, a 1,000 dwelling urban extension or new settlement in the east of the County adjacent to good highways connections and services, such as at Bridgnorth or Shifnal, would see only 3.34% of homes (34no.) taken up by current residents of Black Country authorities?
- 2.21. The HTP considers other evidence/data including Travel to Work Areas (TTWAs). This approach is discounted because of limited overlapping of TTWAs which include the Black Country and Shropshire. However, the Office for National Statistics (ONS) identifies that TTWAs can be flawed as each TTWA is an approximate self-contained labour market for the population as a whole and fails to identify demographic splits<sup>2</sup>. The ONS discusses alternative TTWAs based on various demographics which. These Alternative TTWAs, along with the original TTWAs are shown on an interactive map<sup>3</sup> which shows a more varied picture with significant overlap between Shropshire and the Black Country. Further demonstrating the limitations of the Council's apportionment of unmet need exercise.
- 2.22. The HTP was published in February 2022 which post-dates the submission of the Plan by nearly six months and the Regulation 19 Draft by 14 months. The justification for the figure of 1,500 dwellings is set out, to some extent, for the first time in the HTP. As a result of the increase in figures from the first figure calculated from migration trends which is then rounded up to 1,000 units and bolstered by the addition of 500 units as a means of contributing to meeting the unmet need of other authorities combined with the timing of the HTP, it is understandable that respondents have struggled to understand the justification of the figures provided in the Publication Draft, issued well in advance of the HTP. There appears to be a degree of retrofitting the evidence and justification to match the figures published in the plan.

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<https://www.ons.gov.uk/employmentandlabourmarket/peopleinwork/employmentandemployeetypes/articles/traveltoworkareaanalysisingreatbritain/2016#alternative-travel-to-work-areas>

<sup>3</sup> <https://ons.maps.arcgis.com/apps/MapSeries/index.html?appid=397ccae5d5c7472e87cf0ca766386cc2>

## Question 6

**Are there any other issues of unmet housing needs within the Housing Market Area (HMA) or relating to other authorities? If so, how are these being addressed?**

- 2.23. As set out in Hearing Statement 4 TSC considers there to be housing need arising from within Shropshire which has not been met. Matter 4 Hearing Statement concludes that the housing requirement for Shropshire is not appropriately aligned with forecasted employment growth. Aligning the two would result in an increase from 1400 dwellings per annum to between 2224 to 2537 dwellings per annum.
- 2.24. The Statement of Common Ground with ABCA sets out that ABCA consider it necessary to include provision for an early review of the Shropshire Local Plan in order that unmet need arising from the Black Country be reconsidered as early as possible and safeguarded land be released or additional sites identified. Of the areas best placed to accommodate Black Country unmet demand (i.e., the east of the County closest to the Black Country) only modest areas of safeguarded land are identified in Albrighton, Shifnal and Alveley however none is provided at Bridgnorth. It is important that the full implications of delivering the unmet need is considered given the limited safeguarded land, tight green belt boundary and its ability to endure beyond the plan period.

## Question 7

**Are the Statements of Common Ground (SoCG) with neighbouring authorities and stakeholders still relevant and up to date?**

- 2.25. S33A(2)(a) of PCPA 2004 states that the Duty to Cooperate should be an ongoing process. TSC reserve the right to comment on the updated Statements of Common Ground requested by the Inspectors.

## Question 8

**What is the position of other authorities in the HMA and elsewhere in terms of the planned level of housing in Shropshire? Have specific concerns been raised through duty to co-operate discussions or representations which still are unresolved?**

- 2.26. TSC does not believe the Council has made a meaningful or appropriate contribution to the unmet housing and employment land needs of the Black Country. As set out in the relevant Duty to Cooperate statement, the ABCA requests a formal mechanism is included to allow for an early review of the Plan to reconsider the unmet needs of other authorities. As stated above, the limited amount of safeguarded land included in the plan, there are concerns that the Green Belt release proposed within the plan is insufficient and will not endure beyond the plan period.



## Question 9

In overall terms, has the Council engaged constructively, actively and on an ongoing basis in maximising the effectiveness of the preparation of the Local Plan? What has been the outcome of co-operation and how has this addressed the issue of housing provision?

- 2.27. This is for the Council to answer however we reserve the right to comment following the issue of the Statements of Common Ground.

## Jobs, Growth and Employment Provision

## Question 10

Who has the Council engaged with in terms of jobs growth and employment land provision and what form has this taken?

- 2.28. Whilst it is acknowledged that there has been some engagement with adjacent and neighbouring authorities on the growth and employment provision, TSC reserve the right to comment on the latest Statements of Common Ground requested by the Inspectors, when published.

## Question 11

What are the relevant inter-relationships with other authorities in terms of economic activity, travel to work and the market for employment land and premises?

- 2.29. It is acknowledged in the Employment Topic Paper and the Council's Growth Strategy, that the central and eastern areas of Shropshire, including the settlement of Bridgnorth generally have stronger links to the Black Country than the rest of Shropshire. Therefore, the settlement of Bridgnorth is well placed to accommodate the proposed contributions to unmet employment needs arising within the Black Country.

## Question 12

How have these inter-relationships been considered in preparing the Local Plan in terms of jobs growth and employment land provision?

- 2.30. Regarding housing need, there is a significant element of unmet need for employment land arising from the Black Country authorities. This equates to 210Ha of employment land to 2038 (June 2021). Shropshire proposes accommodating 30Ha of this unmet need, equating to 14.29% of unmet need.

### Question 13

What is the justification for the allocation of 30ha of employment land to meet some of the unmet need from the Black Country?

- 2.31. It is clear in the inclusion of an allowance of up to 30Ha of employment land in Shropshire to meet the unmet need of the Black Country plan area is acknowledgement of the need for some provision but is not clear how this figure has been arrived at.

### Question 14

In overall terms, has the Council engaged constructively, actively and on an ongoing basis in maximising the effectiveness of the preparation of the Local Plan? What has been the outcome of co-operation and how has this addressed the issue of jobs growth and employment land provision?

### Transport Infrastructure

### Question 15

What are the strategic matters and particular issues relevant to the Local Plan?

### Question 16

Who has the Council engaged with? When did this engagement begin, has it been active and ongoing and what form has it taken?

### Question 19

In overall terms, has the Council engaged constructively? What has been the outcome of co-operation and how has this addressed the issue?

- 2.32. Regarding Questions 15 to 19 TCS acknowledge that there has been some engagement with adjacent and neighbouring authorities and National Highways on the transportation issues and reserves the right to comment on the Statements of Common Ground requested by the Inspectors, when these are published.

## Site Allocations

### Question 29

**Are there any cross-boundary issues such as transport, education, health or other infrastructure requirements that arise from the proposed housing and employment site allocations? If so, how have they been addressed through co-operation?**

- 2.33. As set out above the Statement of Common Ground with ABCA sets out that ABCA consider it necessary to include provision for an early review of the Plan in order that unmet need arising from the Black Country, and this to be reconsidered as early as possible and safeguarded land be released or additional sites identified. The eastern part of the County, including Bridgnorth, is best placed to accommodate Black Country unmet demand. ABCA make it clear that only modest areas of safeguarded land are identified in Albrighton, Shifnal and Alveley however none is provided at Bridgnorth. It is important that the full implications of delivering the unmet need is considered given the limited safeguarded land, the tight green belt boundary and its ability to endure beyond the plan period.

## Other Strategic Matters

### Question 30

**Are there any other strategic matters and particular issues relevant to the Local Plan?**

- 2.34. Yes;
- the review of the Green Belt as proposed in in the SAMDev
  - transport implications arising from higher than anticipated unmet need being met in Shropshire,
  - the Strategic Growth Options,
  - the need for an immediate review of the plan,
  - the relatively low provision of safeguarded land and
  - the ability of the Green Belt to endure beyond the plan period.

### Question 31

**Who has the Council engaged with on any other strategic matters? When did this engagement begin, has it been active and ongoing and what form has it taken?**

- 2.35. TSC have concerns regarding the engagement with stakeholders, landowners, and local councils on the proposed strategic direction of growth and the green belt review. The views of local councils have been ignored and engagement with local landowners has been very limited and certainly not on an on ongoing basis. There is also no evidence that the views of major

landowners and employers in the area have been taken into account, including two of the largest employers in Shropshire: Grainger and Worrell and Bridgnorth Aluminium.

## Question 32

**In overall terms, has the Council engaged constructively? What has been the outcome of co-operation and how has this addressed the issue?**

2.36. For the Council to confirm.



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