

ID 10

SHROPSHIRE LOCAL PLAN EXAMINATION

Representor unique Part A Ref *	Respondent Reference ID: A0379
Matter	Matter 4
Relevant questions nos	Questions 7 and 8

Stage 1 Hearing Statement

*Your unique reference can be found in the Schedule of Respondents (Schedule 3 of document SD014.01) at:

<https://shropshire.gov.uk/planning-policy/local-planning/local-plan-review/draft-shropshire-local-plan-2016-2038-examination/examination-library/earlier-regulation-18-plan-making-stages-of-consultation/regulation-19-pre-submission-draft-of-the-shropshire-local-plan-consultation/>



EXAMINATION OF THE SHROPSHIRE LOCAL PLAN

HEARING STATEMENT - MATTER 4

Housing and Employment Land Needs

On behalf of:
Manor Oak Homes
Respondent Reference ID: A0379

Date:
May 2022

Reference:
01518/LP Examination Matter 4

1.0 Introduction

- 1.1 This statement is prepared on behalf of Manor Oak Homes in relation to **Matter 4 – Housing and Employment Land Needs** and provides their response to **Questions 7 and 8** raised by the Inspectors in respect of the way in which employment land need has been identified and the growth strategy set. As set out in Manor Oak Homes' response to the Regulation 19 plan their principal concerns relate not to the overall employment land targets for the plan period but the way in which its policies seek to ensure an appropriate and responsive pipeline of supply.
- 1.2 This submission is made in the context of Manor Oak Homes' own land at Battlefield Farm (SHR197a), a site that was previously identified as a draft employment allocation in the Regulation 18 draft of the plan and one which is therefore demonstrably suitable and deliverable for employment uses. As will be explained in this statement, our client's accompanying statement relating to Matter 3 and their future submissions to the later Stage 2 matters on specific sites, the plan as drafted constrains the delivery of a site (and others like it) which has been consistently marketed for employment uses since mid-2020 and has during this time generated significant interest from prospective investors. As such, and in doing so, it constrains the effectiveness of its own employment strategy.
- 1.3 The progression of an eminently suitable and attractive employment site such as our clients to a planning application submission and the economic benefits this would generate has been hindered by the erroneous choices made by the Council in arriving at its proposed development strategy, for the Shrewsbury Place Plan Area in particular. As will be made clear at the later Stage 2 hearings our client's land represents a clear and favourable alternative to the demonstrably undeliverable employment allocation proposed by the draft plan on land to the west of the A49 (Site SHR166) by virtue of the critical concerns of Historic England.

2.0 Response to the Inspectors' Questions

Issue: Whether the Local Plan has been positively prepared and whether it is justified, effective and consistent with national planning policy in relation to the overall provision of housing and employment land.

- 2.1 Our response in respect of the issue set out above focusses on two key matters considered by Inspectors' Questions 7 and 8, namely: the merits of the "*balanced growth*" approach which seeks to match the pipeline of housing land with the pipeline of new jobs; and whether the current employment land strategy will be effective in meeting the residual needs of the Black Country.
- 2.2 Employment growth at Shrewsbury is central to achieving both objectives. This is due to the strategic importance of the town as both the focal point of growth across Shropshire but also as a strategic location with clear functional links with the Black Country due to each growth point comprising one end of the M54/A5 corridor. In this respect there is crossover in our answer to each question as they essentially seek responses to a single issue, this being whether the plan has set a sufficient growth target to meet the needs of both Shropshire and the Black Country and whether the preferred strategy will be effective in meeting these needs.

Question 7: Is the preferred "balanced growth" approach and the resulting employment land requirement set out in Policy SP2 of around 300 hectares (14ha per annum) over the plan period of 2016 to 2038 justified, positively prepared and consistent with national policy?

- 2.3 Firstly, we do not seek to contest the level of need identified by the plan nor do we have any significant concerns around where these needs are to be met. The minimum 300-hectare employment land target is evidence-led and underpinned by clear cooperation with the Black Country Authorities. The plan's economic development strategy (Policies SP12, SP13 and SP14) sets out a broad hierarchy of locations for new employment growth, placing Shrewsbury and the 'Strategic Corridors' at the top. These locations as a focus for growth is appropriate. Further, we do not have any significant concerns regarding the proposed "*balanced growth*" approach that seeks to match the delivery of employment land with the delivery of housing – all too often the focus of a plan's development strategy can be principally on housing delivery with limited regard afforded to the jobs needed to support these new homes.
- 2.4 Our concerns relate more to the way in which these needs are to be achieved over the plan period with a likely deficit in delivery at Shrewsbury in particular. One of the principal concerns of our client is that the provision of employment land identified in the Regulation 19 draft Plan is inadequate to meet the strategic needs of the town and by extension Shropshire considering Shrewsbury's strategic importance. This was an issue that dogged the plan through the early part of the review process and one we had

thought had been largely resolved following the allocation of 9ha of our client's land for employment uses at the Council's request as part of the Regulation 18 draft of the plan.

2.5 The quantitative need for employment land for both Shropshire and Shrewsbury identified in the submission draft of the Local Plan was first identified at the outset of consultation. This was based on a starting point of a minimum of 300ha of employment land over the plan period derived from the Growth Forecast, prepared by Oxford Economics and published in 2016 (a document that is not included in the examination evidence library but is referred to in other evidence documents such as EV043 and EV044). Drawing on this information, the quantitative employment need for both the plan area and Shrewsbury was first confirmed in the Council's 'Preferred Scale and Distribution of Development' document, published in October 2017. Since this time both the spatial strategy for the plan area, the role of Shrewsbury as a focal point for growth and the quantum of development required has essentially remained unchanged. Rather the challenge faced by the Council has been how to meet this need.

2.6 Shrewsbury has consistently been identified as the main Growth Area in the District and over the plan period is expected to deliver a large proportion of Shropshire's residential and economic growth. In total some 8,600 dwellings and a minimum of 100ha of employment land is to be delivered in the town between 2016 and 2036 from a combination of existing commitments and new allocations. This has necessitated in the identification of a residual requirement of at least 3,600 dwellings and a minimum of 50ha of employment land to be secured by way of additional allocations.

2.7 The current draft of the Local Plan highlights the importance of the existing urban extensions to the south and west of Shrewsbury to deliver the growth required by the town. At the same time, it makes it clear that further balanced growth must be facilitated through the allocation of additional suitable and deliverable sites on the fringes of the urban area. We have not identified any significant concerns around the deliverability of the proposed housing allocations at the town. There is no reason these cannot come forward at pace and on the basis of the trajectory indicated by Schedule A7 of the Local Plan document. **However, to achieve the "balanced approach" described by Policy SP2 it is critical that the delivery of sufficient employment land can match this trajectory to ensure that housing growth is unfettered, and sustainable and complementary growth can be achieved.** To this end our review of the shortcomings in the Council's employment land strategy for Shrewsbury and the way it will inevitably contribute to a deficit in supply set out in response to Question 8 is relevant.

Question 8: What provision is made within the Local Plan to fulfil the identified unmet employment needs of the Black Country, and will the Local Plan's approach be effective in addressing this sustainably within the plan period, in accordance with national policy?

2.8 Like our general position to Question 7 we do not seek to contest the level of additional employment land required across Shropshire to meet the needs of the Black Country Authorities. The 30ha requirement of

the Black Country has been identified through what we consider to be a robust Duty to Cooperate process and is of a proportionate level when the level of linkage between the two economic areas is recognised. Where we once again raise concerns is in respect of the Council's employment land strategy and the way in which it will likely fail to meet the needs of the Black Country in a sustainable and timely fashion over the plan period.

- 2.9 As outlined at the beginning of this statement the role that Shrewsbury must play in meeting the needs of not only Shropshire, but the Black Country cannot be underestimated. The Council first identified its favoured growth strategy across the settlement network of Shropshire in November 2018 as part of its 'Preferred Sites' document. This included the first indication of proposed quanta and locations for development. It included a specific section covering Shrewsbury, entitled the 'Shrewsbury Place Plan Area', which set out the strategy that officers considered would best meet the needs of the town described in the October 2017 consultation document. Specific to employment uses the document confirmed that to meet the minimum 50ha shortfall of employment provision in the town and match the demands generated by housing growth it was intended to allocate approximately 65ha (gross) of new commercial land. This was to be split between two sites – 20ha as part of one of the strategic urban extensions to the west of the town at Mytton Oak (Sites SHR060, 158 and 161) and a further standalone site of 45ha on land to the west of the A49 (Site SHR166).
- 2.10 At this stage in the review process our client's site (SHR197a) was being promoted as a mixed use urban extension, including approximately 7.5ha of employment land. Following the consultation, and despite the omission of the site as a predominantly residential allocation in the first 'Preferred Sites' document, officers invited our client to make an amended submission comprising only the employment element of the site in response to concerns regarding the potential deficit in supply in Shrewsbury and the likelihood that the plan would miss its supply target for the town. This prompted us to focus in greater detail on the town's pipeline of employment land, research which corroborated the Council's concerns.
- 2.11 **To confirm: any shortfall in supply at Shrewsbury is of direct relevance to the Inspectors' Question 8 due to the town's strategic location in respect of the Black Country Authorities, lying as it does at the western end of the vital M54/A5 corridor which links the two growth points.** Along with Bridgnorth, Shrewsbury enjoys the strongest functional links with the Black Country area and therefore it is inevitable that the latter's needs will principally be met at the two towns. This places increased importance on the Council's ability to secure a consistent and assured pipeline of deliverable commercial land in Shrewsbury.
- 2.12 In this context, it is important to consider the deliverability of the Council's proposed employment allocations at the town, both of which are subject to site-specific constraints which will impact the pace at which they can be delivered and indeed their net developable area.

2.13 Firstly, and of greatest concern, the land west of the A49 (Site SHR166) is significantly constrained by a variety of heritage and environmental factors including likely Roman remains and the encroachment of the River Severn floodplain. The table that accompanied paragraph 19.13 of the Regulation 18 'Preferred Sites' consultation document showed that whilst the allocation extends to some 45ha it will likely yield only 18ha of developable employment land. This gross to net analysis was not repeated in either the Pre-Submission draft of the plan nor the current Regulation 19 draft. Such a low yield does, however, accord with our own analysis of the constraints of the site summarised below. **More likely, and in reference to the definitive response of Historic England (HE) to the Regulation 19 consultation, the site is undeliverable in its entirety due to the presence of a Roman Marching Camp on the site and its candidacy as a Scheduled Ancient Monument.**

2.14 The full range of constraints are identified in a combination of the Council's Sustainability Appraisal and Site Assessment papers. A summary of each constraint, and the extent of any likely mitigation, is set out below:

- **Viability:** For a development of this size there would be a need for a new roundabout on the A49 trunk road which would likely be deliverable at significant cost.
- **Flooding:** The site comprises low lying ground immediately adjacent to the River Severn and partially within its flood plain. The strip of the land nearest the river – in Flood Zones 2 and 3 - is undevelopable with portions of the wider site susceptible to surface water flooding.
- **Ecology:** The site abuts a Local Wildlife Site (the River Severn corridor). Any development would have a heightened impact on local biodiversity. It is not clear whether the site has been subject to any ecological surveys and whether it potentially supports foraging, nesting or migration;
- **Loss of Agricultural Land:** The site comprises Grade 2 farmland, defined as 'best and most versatile land' in the National Planning Policy Framework (NPPF). Footnote 53 of the Framework states that where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of higher quality;
- **Landscape Impact:** The visual prominence of the site is identified as a constraint in both the Sustainability Appraisal and Site Assessment papers. Both identify it as having a high landscape sensitivity in respect of employment development requiring the provision of significant buffers which will erode its developable area;

- **Sustainable Travel:** The site is entirely detached from the urban area of Shrewsbury by the River Severn and its corridor. This severs it both visually and physically from the town. It therefore fails to benefit from any existing footpath, cycle or road links from the town;
- **Heritage Impact:** This is the most critical constraint at the site and the one which we anticipate will result in its removal as a draft allocation following the Stage 2 hearings. The Site Assessment paper identifies that the land may affect the setting of Haughmond Hill and Queen Eleanor’s Bower ringwork, both Scheduled Ancient Monuments lying to the east of the site. These likely impacts are corroborated by the response to the Regulation 19 consultation by HE which has presented significant opposition to its identification as a development site. HE confirms that “development of the proposed location would be likely to cause substantial harm (in NPPF terms) to the large Roman Marching Camp sited in the loop of the river which is recorded in the Historic Environment Record HER00124”. HE goes on to state that *“the development of this site could result in the loss of a non-designated heritage asset, and its setting, that is demonstrably of equivalent significance to a scheduled monument”*. In addition, it is observed that the development of the site would affect the significance of Haughmond Hill. On this basis HE recommended in no uncertain terms that **“Site SHR166 should be removed from the Local Plan as a proposed employment allocation”**.

2.15 Despite the Council suggesting that it was seeking to reach a resolution with Historic England in its initial response to the Inspectors’ Questions (Document GC4, dated 11th February 2022) this hope was quickly dashed by Historic England’s own submission to the examination (Document OD001, dated 18th February 2022) which forcefully restates its objection to the allocation of the site in principle. This now appears to be an irreconcilable position.

2.16 Even in the unlikely event it is concluded that some development can take place on the site without causing significant harm to heritage assets due to the nature of the archaeological interest in the site and without the benefit of a substantial scheme of upfront archaeological assessment, it remains a possibility that there may be a need to preserve these remains in situ. This would require a bespoke design solution on site which would further limit the net developable area. Irrespective, the objection of HE is clear and the onus is now on the Council to demonstrate how such a fundamental objection can be overcome to allow the preservation of the allocation.

2.17 Our concerns in respect of the other employment allocation at Shrewsbury – part of the Mytton Oak Urban Extension Sites 060, 158 and 161) are less fundamental, and relate to when (rather than if) the employment element will be delivered. The identified 5ha of employment land (in itself a reduction from the 20ha in the Regulation 18 draft) comprises part of a mixed-use urban extension to the southwest of the town, which in total will provide for around 1,500 dwellings. Development will be guided by an agreed masterplan yet to be produced. The Preferred Sites consultation document, which assessed each potential

allocation at length, stated that due to the scale of the allocation it is likely delivery will continue beyond 2036 and into the next plan period. It does not provide any indication of a phasing strategy and at what point the employment land is expected to come forward. There is therefore no guarantee that this will be delivered pre-2036.

- 2.18 In which case, and based on the above, the Council is currently proposing an employment land strategy for Shrewsbury which offers absolutely no certainty of additional supply prior to 2036, functionally linked land which is essential in meeting the residual needs of the Black Country. Specifically, it was identified that even following the inclusion of these allocations there would be a deficiency of approximately 9ha of employment land in Shrewsbury.
- 2.19 Of course, we have strenuously pointed towards this likely deficit of supply in each of our client's submissions towards the Preferred Sites plan, the Regulation 18 draft of the plan and the Regulation 19 submission consultation. It was on this basis, and the best-case scenario identified in our client's submission towards the Preferred Sites consultation of a 9ha deficit, that the Council sought to allocate a corresponding 9ha of our client's land at Battlefield Farm in the Regulation 18 draft plan. This represented a positive response to the deficiencies in the Council's delivery strategy and would have ensured that the plan observed the requirements of paragraph 81 of the NPPF in respect of employment land provision in that it sought to *"set criteria, or identify strategic sites, for local and inward investment to match the strategy and to meet anticipated needs over the plan period"*. Accordingly, our client responded to the Pre-Submission consultation with a substantial package of information demonstrating the availability and deliverability of the land along with its compliance with all other emerging policies.
- 2.20 Considering the long-established quantitative need for at least 90ha of employment land in Shrewsbury, 50ha by way of new allocations, the decision to since delete our client's site as a draft allocation is strongly questioned. This is particularly so given the level of employment land required at the town is now 100ha as stipulated by Policy S16.1. This was increased from 90ha in earlier drafts of the plan due to the additional need to deliver the 30ha of employment land required to meet the needs of the Black Country.
- 2.21 **The employment land strategy as currently presented will fail to be effective in fulfilling either the unmet needs of the Black Country or indeed the more locally specific needs of Shrewsbury. Drawing on our client's Regulation 19 submission this deficiency could be partially remedied through the reallocation of their site at Battlefield Farm (Site SHR197a); a site that was previously found to represent a suitable and sustainable location for employment and worthy of allocation for such.**