

SHROPSHIRE LOCAL PLAN EXAMINATION

Stage 1 Hearing Statement

| | |
|--|----------------|
| Representor unique Part A Ref * | A0633 |
| Matter | 4 |
| Relevant questions nos | 1,3,7,8 |
| | |

*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/>

Matter 4 Hearing Statement A0633

4.1 The Council accepts a housing need of only 25894, stating that the additional 4906 proposed is required for flexibility. There is little evidence provided to justify how a 15% flexibility has been arrived at or justified. The Council failed to provide any rebuttal evidence to my Reg 19 objection, simply stating that they considered their proposal was appropriate without detailing how.

4.2 In their response to my Reg 19 comments, the Council state that the 30800 allowance not only includes local housing need and flexibility to respond to changes to this need, but that it also includes 1500 houses for the Black Country. When the Plan was originally proposed for 2016-36, the housing total was 28750. The Council then upped this to 30800 when extending the Plan period to 2038. They stated at that time that the increase was solely to meet the additional 2 year period ie. the total was proposed to meet the Council's local housing need plus flexibility in that need. It is inconsistent, therefore, for the Council to first claim that the 30800 was required to meet its own needs, then state that it will also include 1500 to meet in-migration and unmet Black Country needs. Either the Council's reasoned justification for the 30800 was incorrect and therefore the figure was unjustified and unsound in the first place, or if their reasoning was sound, then housing total should have been increased to reflect the 1500 additional allocation.

4.3 Similarly, the Council originally proposed 300ha employment land provision to meet the local needs of the Plan area. Yet by stating that the Black Country employment allocation will be accommodated within the existing figure rather than as additional, the Council is in effect accepting that it could not justify 10% of that 300ha allocation as originally stated. Either the Council's original reasoned justification for the 300ha was incorrect and therefore the figure was unjustified and unsound in the first place, or if their reasoning was sound, then the employment total should have been increased to reflect the 30ha additional allocation

4.4 National planning policy paragraph 61 refers to taking any unmet need from another authority as being "in addition to local housing need". The Council have not taken their Black Country allocations as addition but say that this is to be incorporated as part of their local housing and employment need. This is contrary to national planning policy.

4.5 There is inconsistency in the actual number of houses and employment land proposed to be allocated for the Black Country. Both within a document itself and between documents, the Council state "around 1500 houses", "up to 1500", and "specific contribution of 1500 houses". Similarly, there is "30ha" employment land and "up to 30ha". "Around could mean significantly more than 1500; "up to" could mean significantly less than 1500 or 30ha. In EV041, it is stated that the Council has "accepted the principle of meeting a proportion" of the unmet need, but no evidence was given when the allocations were proposed in the public consultation stages, why they had accepted or how they came up with the proportions.

4.6 There is similar inconsistency and lack of clarity in the actual unmet need that the Council is seeking to help meet. EVO 42 refers to "indicate" an unmet need, "unlikely" to be met, it is "understood" there is an unmet need, "forecast" of need. The Black Country Authorities say they are seeking "appropriate" contributions from

other authorities but give no indication what is “appropriate”. They also state (EVO41) that after their Plan consultation stages and confirmation from other authorities that there “could” continue to be a shortfall or it is “possible” that there would continue to be a shortfall. It is clear, therefore, that there is too much uncertainty about the level of unmet need for the Council to consider allocating such large amounts in their Plan.

4.7 At the time that the Council agreed to take up these allocations, there was minimal evidence of the amount of unmet need, other nearer adjoining authorities had not yet assessed their abilities to meet any need, and no testing of the need had yet been subject to public consultation. In view of the significant impact that the Council’s allocation will have on Shifnal, Bridgnorth and the Green Belt, it is considered that agreeing to take some of an unmet need that has not yet been tested, agreed and without knowing how much other nearer Councils can take, is unjustified.

4.8 Since the end of the Reg 19 consultation, in documents submitted on the Council’s website (EVO 42 and 41), the Black Country Authorities state that their **draft** plan would not be published until August-October 2021, that they were still to publish up-to-date shortfall figures and that they were still engaging with other Councils and some still had to test their ability to take additional allocations. They also state that evidence to support any forecast housing and employment shortfall is to subject to further consultations on the Black Country Local Plan at Reg18, 19 and Examination stages. The Housing Topic Paper confirms that the level of unmet need has not yet been tested nor alternative authorities ability to meet need through their local plans. Since the Reg19 consultation, the Government have announced increased funding in the Black Country to enable greater brownfield redevelopment, and the impact of Covid and new work from home employment patterns have occurred. The BCLP will, therefore, need to consider these new material considerations during the consultation stages of their Plan, so it is far too early to assess the likely quantity of unmet need that may now arise, or the ability of those Councils adjoining the Black Country to meet that need.

4.9 National policy paragraph 61 refers to meeting any needs that “cannot” be met. As stated above, there is still much uncertainty about the level of any shortfall and the ability of adjoining authorities to meet such shortfall and none of this has yet been tested through statutory consultation stages. The allocation by the Council of such a large proportion of an as yet uncommitted figure is considered to be contrary to national planning policy guidance. It is considered, therefore, that the Council has failed to firstly justify an “identified unmet need” of the Black Country and secondly, failed to justify its provision of 1500 houses and 30ha.

4.10. By simply stating that the allocated housing and employment totals will be incorporated into the existing Plan housing and employment totals and strategies, the Council has not shown that this provision will be effectively delivered and sustainable without having significant adverse impacts on delivery of its own local needs.

4.11 The Council and the Black Country comments (not rebutted by the Council), state that these additional allocations will be met in Shifnal and Bridgnorth; the Council also states that the allocations will be delivered through existing strategies.

The Council's housing strategy proposes a percentage proportion of the total housing to principal and key centres. Shifnal and Bridgnorth were allocated 1500 and 1800 houses respectively to meet their local needs before any Black Country allocations were added. The addition of 1500 houses to these two settlements represents a 45% increase in their housing allocations and increases the percentage share of the total housing figure going to principal and key centres, contrary to the Council's own housing strategy. This conflict is considered contrary to national policy and confirms the unsoundness of the Plan in respect of the Black Country allocations.

4.12 EVO41 makes it clear that the Council and the Black Country assume that the housing and employment allocations will be met in Shifnal and Bridgnorth. It is stated that it will be accommodated within already planned developments in those two towns. However, before accepting these allocations, the Council had already planned the developments for Shifnal and consequential need to release Green Belt, on the argument that the developments were required to meet Shifnal's own sustainable needs. As a significant proportion of the 1500 houses and 30ha employment land is proposed for Shifnal, how can this in-migration simply be accommodated within planned developments stated to be solely to meet Shifnal's needs. Either the Council was wrong in its Shifnal needs analysis and original allocations for the Town, greatly exceeding taking land out of the Green Belt, or the Black Country allocations can only be met by proposing additional land for development around the town, which can only be met by release of Green Belt. Because of the Green Belt constraints around Shifnal and concerns expressed by the local community about the sustainability of the existing employment allocation, it is not considered that the Council has demonstrated how the additional Black Country allocations can be met sustainably in the town in accordance with national policy.

4.13 The Council refer in the Employment Topic Paper to their earlier topic paper EV112, an Employment Needs Assessment EV043 and the Annual Monitoring Report (AMR) (EV012) as being key elements of the evidence base behind the proposed 300ha employment land figure. However, these documents were published after the conclusion of the Reg19 consultation: as the 300 ha was part of the Reg 19 Plan, these documents could not have been used by the Council to justify the rationale behind the 300ha figure as they were not prepared at the time the 300ha was originally proposed, nor were they subject to public consultation and scrutiny as part of the consultation process. The Council cannot justify its original allocation on the basis of retrospective evidence as it cannot prove that this evidence was not unduly influenced by what had already been decided.

4.14 The Employment Topic Paper states that the employment strategy is for 24% employment development to be allocated to key centres and 3% strategic settlements. However, the Paper also states that these two areas have 96ha of employment land which equates to a 32% proportion not 27%. There appears, therefore, to be an inconsistency between the overall employment strategy and actual allocations.

4.15 The Council refer to the AMR published after the Reg19 consultation and state that this shows an employment plot ratio of 26% not 40% and that this requires a

reassessment of employment land requirements. This raises two points – firstly, the AMR was not available to the public during the consultation stages and so has not been tested or its findings subject to detailed analysis and challenge on the robustness of the report: so it is considered that minimal weight should be given to it as key evidence backing what has already been decided. Secondly, the Council has not reassessed the employment land requirement. It is still maintaining a 300ha requirement which was based on its original 40% plot ratio figure. If its original reasoning for a local need of 300ha was correct (excluding the subsequent Black Country allocation), then if the AMR is now to be used as key evidence and a 26% plot ratio used, the employment land figure should be considerably higher than 300ha. The Council cannot have it both ways.

4.15 As stated in my Reg 19 comments, the employment figures and justification put forward for the 300ha fail to take into account the employment allocated in the Plan for RAF Cosford. The Council on the one hand are quoting exceptional circumstances for taking this land out of the Green Belt to meet proposed future employment developments at the site, but then fail to take account of this additional employment in its assessment of employment land requirements related to the 300ha.

4.15 As an aside, it is noted that footnote 6 on page 3 of the Employment Topic Paper gives a direct website link for accessing the Annual Monitoring Report. However, the link is to the Evidence Base site and the AMR is not on that site. Anyone wanting to access the AMR would be confused that the stated link does not go to the AMR. Similarly, paragraph 1.6 (and footnote 7) refer to an Employment Land Review EVO044). However, the link to the Evidence Base file has EVO044 as the Economic Growth Strategy and not Employment Land Review.

4.16 There also appear to be inconsistencies in figures between those given in Table 10 GC4n and Figure 18 GC4i. The numbers given in the former document are stated as being hectares but appear to be the total number of dwellings not the housing land supply acreage.

4.17 In view of the amount of additional documentation the Council submitted post Reg 19 consultation, it is incumbent on the Council to at least provide accuracy in where the public can access supporting information referred to in documents and in its description and referencing of documents. The fact the public have to search for information and information is incorrectly labelled, is contrary to case law on public access to information on consultation processes.