

# SHROPSHIRE LOCAL PLAN EXAMINATION

## Stage 1 Hearing Statement

<b>Representor unique Part A Ref *</b>	<b>A0377</b>
<b>Matter</b>	<b>4 – Housing and Employment Land Needs</b>
<b>Relevant questions nos</b>	<b>1, 3, 7, 8</b>
<p><b>1 - Is the preferred approach to housing growth and the housing requirement set out in Policy SP2 of 30,800 dwellings (1,400 dwellings per annum) over the plan period of 2016 to 2038, justified, positively prepared and consistent with national policy?</b></p> <p>The Black Country Authority's (BCAs) are satisfied that the housing requirement is justified. The 30,800 requirement is based on the local housing need figure plus 1,500 provision to meet needs arising in the Black Country. This approach is consistent with para 61 of the NPPF which states:</p> <p>'In addition to the local housing need figure, any needs that cannot be met within neighbouring areas should also be taken into account in establishing the amount of housing to be planned for.'</p> <p>We discuss the evidential basis for this contribution below in response to question 3.</p> <p><b>3 - What provision is made within the Local Plan to fulfil the identified unmet housing 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?</b></p> <p>Subject to the inclusion of an early review mechanism in the Plan, the BCAs are satisfied that the approach towards meeting housing needs arising in the Black Country is sound.</p> <p><b>The 1,500 contribution towards needs arising in the Black Country is justified.</b> The SoCG with ABCA sets out the functional relationship between the Black Country and Shropshire and this is explained in significant detail in the Housing Topic Paper. It is acknowledged that Shropshire is a separate HMA to the GBBCHMA but that there are close functional relationships based on migration and commuting flows between East Shropshire and the West Black Country, particularly Wolverhampton and Dudley.</p>	

Although Shropshire and the GBBCHMA are separate entities, neither are hermetically sealed. Given the close functional relationship referred to above between parts of the Black Country and Shropshire it makes sense that part of its unmet need is met there. For example, the functional relationship between the Black Country and Shropshire is well established and stronger than the functional linkage between the Black Country and the eastern extreme of the GBBCHMA, for example Stratford on Avon.

There is no specific policy guidance on how to determine the extent of any shortfall which should be met. It is, therefore, a matter of judgement for plan making authorities to agree what is appropriate.

The Housing Topic Paper examines past migration and commuting flows between the two areas to ascertain an appropriate contribution. More weight is given to migration flows than commuting flows; this is supported as migration data is more contemporary than migration data which is derived from the 2011 Census. The 1,500 contribution is based on migration flows increasing in line with uplifted past trends, support for this by ABCA at various stages is acknowledged in the Housing Topic Paper and endorsed in the SoCG.

Whilst supporting the 1,500 uplift, it is stressed that this is a minimum and based on current migration flows. The implication being that should the requirement be increased further through the examination process, then the additional growth identified must contribute to the GBBCHMA / Black Country shortfall. A failure to acknowledge this will lead to double counting.

Our principal concern is that the Plan should recognise that **it may be appropriate for Shropshire to accommodate additional levels of housing over and above the 1,500 contribution over the lifetime of the Plan**. This is because while significant progress is being made to address the housing shortfall, there is a strong possibility that following the current round of Local Plan reviews across the West Midlands, a shortfall will remain. The current status of these contributions is set out in a letter issued by the BCAs to all Local Plan within the GBBCHMA and neighbouring areas (including Shropshire) areas in April 2022, attached as **Appendix 1**.

Para 12 of this letter states that in the event of contributions being secured at the higher end of the range of potential scenarios, the Black Country shortfall could be some 11,500 homes to 2039.

The letter goes on to outline a programme of work to address strategic housing issues across the whole of the GBBCHMA, having regard to the Black Country shortfall and the anticipated shortfall arising in Birmingham through the preparation of the Birmingham Local Plan (paras 21-25). This programme of work may recommend that it is appropriate for Shropshire to bring forward additional land to meet housing needs, potentially through the early release of safeguarded land or opportunities considered

at earlier stages of the Plan making process. There is currently no mechanism in the Plan to facilitate this and we consider this to be a significant flaw.

Other Local Plans in the West Midlands are addressing this issue in a positive manner. The most up to date example is North Warwickshire (adopted September 2021) where the Local Plan includes a clear commitment to an early partial / full review (para 1.7) in the event of evidence produced through collaborative working across the housing market areas within which the Borough falls. This in the context of recognising that there was sufficient information available at the time to justify the contribution made towards meeting wider needs and for the Plan to proceed. These same circumstances apply in the case of Shropshire where a contribution to wider needs is being made.

Further afield, Policy S8 of the Aylesbury Vale Local Plan (also adopted September 2021) contains a robust framework which commits the Council to a review of the Plan and for proposals for alternative sustainable sites to come forward subject to a number of criteria – these criteria include ‘evidence established through another local planning authority’s Local Plan process show that its unmet need can only be accommodated in Aylesbury Vale’. This approach was supported by the Local Plan Inspector who concluded at para 290 of their Report that ‘this policy is soundly conceived and would be effective in ensuring that a plan rendered out of date by unexpected events would not be a bar to appropriate development taking place.’

In the case of Shropshire, the events that would trigger an early review or release of non-allocated sites are not necessarily unexpected, but more the case that their detailed implications are not sufficiently progressed to inform site allocations or levels of growth at this moment in time. This should not be a bar to prevent the Plan from progressing, subject to an appropriate mechanism as was the case in North Warwickshire and Aylesbury Vale.

Our suggested Policy to address this deficiency is attached as **Appendix 2**. This is based on the adopted Aylesbury Vale Policy referenced above, but also referring to evidence produced through joint working with local authority’s across a wider geographical area as an additional trigger for an early review / early release of additional sites.

**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?**

As is the case with housing issues set out in our response to question 3, the Black Country Authority’s (BCAs) are satisfied that the employment land requirement is justified. The 300 requirement includes a contribution

of 30ha towards meeting needs in the Black Country and the evidential basis for this figure is set out in the Employment Topic Paper.

**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?**

Subject to the inclusion of an early review mechanism in the Plan, the BCAs are satisfied that the approach towards meeting employment land needs arising in the Black Country is sound.

**The 30ha contribution towards needs arising in the Black Country is justified.** The SoCG with ABCA sets out the functional relationship between the Black Country and Shropshire and this is explained in significant detail in the Employment Topic Paper. It is acknowledged that Shropshire is a separate FEMA to the Black Country but that there are strong physical and functional relationships between the two areas as evidenced through analysis of commuting patterns, migration data and travel to work areas.

As is the case with housing matters, there is no specific policy guidance on how to determine the extent of any shortfall which should be met. It is, therefore, a matter of judgement for plan making authorities to agree what is appropriate.

The Employment Topic Paper (paras 6.63-6.95) provides a robust justification for the 30ha contribution, assisting with the strategic objective of Shropshire achieving 'net commuting balance' while at the same time providing employment land development opportunities in locations accessible from the Black Country.

Our principal concern is that the Plan should recognise that it may be appropriate for Shropshire to **accommodate additional levels of employment land** over and above the 30ha contribution over the lifetime of the Plan. This is because while significant progress is being made to address the employment land shortfall, there is a strong possibility that following the current round of Local Plan reviews across the West Midlands, a shortfall will remain. The current status of these contributions is set out in a letter issued by the BCAs to all Local Plan within the GBBCHMA and neighbouring areas (including Shropshire) areas in April 2022, attached as Appendix 1.

Para 16 of this letter states that current and anticipated contributions from neighbouring Local Plan areas (including Shropshire) could reduce the employment land shortfall to some 108ha to 2039. The preparation of the South Staffordshire Economic Development Needs Assessment (EDNA) and Regulation 19 Local Plan is likely to reduce this shortfall further by

confirming the extent to which South Staffordshire has a surplus of employment land to meet its own needs and which may be available to provide for needs arising in the Black Country. The 2018 South Staffordshire EDNA calculated this oversupply to be some 19ha.

The April 2022 letter goes on to outline a programme of work to address strategic employment issues and focusses on the need to progress the recommendations of the 2021 West Midlands Strategic Employment Sites Study (WMSESS). There is a strong appetite within the 2021 Study area to commission this work and a brief is in the advanced stages of preparation. The 2021 Study highlighted the north Black Country / southern Staffordshire area as a 'broad location' for identifying new strategic employment sites given the current limited supply of such sites to meet market demand.

While Shropshire was outside the Study area, the Report does reference land at M54 Junction 3 as having the potential to meet needs arising within it, and could contribute towards the supply of strategic employment sites. The BCAs recognise that there are a number of potential opportunities within the broad location outlined in the 2021 Study, and so it is crucial that the additional work which the Report recommends is progressed in a timely manner.

Additional strategic employment opportunities brought forward through the WMSESS work could therefore provide a critical source of additional land supply to meet both Black Country needs and strategic investment requirements across a wider geographical area. It is critical that the Local Plan provides a positive Policy framework that would not preclude suitable opportunities coming forward, and we consider that this is best achieved through the inclusion of a mechanism in the Plan which commits the Council to either an early review of the Plan, or the bringing forward of additional sites.

We have given examples of how this mechanism has been applied in North Warwickshire and Aylesbury Vale in response to question 3, and this approach would be entirely appropriate to respond to the employment land issues outlined above.

**Appendix 1 – Correspondence from the Black Country Councils April 2022**

## **Appendix 2 – suggested Monitoring and Review Policy**

### **Suggested Monitoring and review Policy for Shropshire Plan (based on Aylesbury Vale S8)**

The policies in the Plan will be monitored at least annually to ascertain whether or not they are fulfilling their aims.

The Plan will be reviewed, or proposals for alternative sustainable sites including the early release of safeguarded land shall be considered favourably (subject to compliance with other policies in the Plan), in any of the following circumstances:

- a. The overall Plan requirement is unlikely to be met through site allocations, committed sites and windfall sites are not coming forward at the rate anticipated in the housing trajectory, leading to development not being delivered at the rate expected in the Plan.
- b. Evidence established through another local planning authority's Local Plan process including the monitoring of that Plan show that it is appropriate for identified development needs to be accommodated in Shropshire.
- c. Evidence established through joint working with local authorities across a wider geographical area (where there is a functional relationship) show that it is appropriate for identified development needs to be accommodated in Shropshire and where this need cannot be accommodated by forecast supply or allocations.
- d. Changes in national planning policy and guidance that mean one or more of the policies in the Plan are not up to date, or
- e. Evidence in the monitoring report shows that one or more of the policies in the plan are not achieving the Plan's objectives or is working contrary to effective planning in Shropshire.

Irrespective of the above criteria, the Plan will have undergone a review within five years of the adoption of this plan.