

SHROPSHIRE LOCAL PLAN EXAMINATION

Stage 1 Hearing Statement

Representor unique Part A Ref *	A0633
Matter	6
Relevant questions nos	2,3,5,6,7,8,10

*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 6 Hearing Statement A0633

6.1 The Council in their Green Belt topic paper state that the process involved consideration of all reasonable alternative options and was informed by careful consideration of best available evidence including sustainability appraisal. My Reg19 comments gave detailed arguments as to how this was not carried out in respect of the allocation of the Shifnal Employment Site, Safeguarded Land at Shifnal, and the release of Green Belt at RAF Cosford. None of the subsequent comments from the Council have provided detailed rebuttal evidence to the specific supporting points raised in the Reg19 response.

6.2 The Shifnal Employment Site was allocated before a sustainability appraisal of it was carried out; only a retrospective appraisal was carried out subsequent to its allocation. Thus the Council cannot say that its release from the Green Belt was “informed” by sustainability appraisal nor that it could be reasonably compared with other possible sites as no comparable appraisals were done at the same time. The Council simply decided to allocate the site and gave no detailed reasons why other sites proposed by objectors which had better sustainability and less adverse Green Belt impacts (as confirmed in the Green Belt Review) were discounted. Rather than, as required by policy, using Green Belt assessment and sustainability appraisal to consider alternative sites, the Council made up its mind that it was going to allocate this site and then used subsequent retrospective documentation to support what it had already decided. This is not giving “careful consideration” to all alternative options and sites as required as claimed by the Council, but constitutes a prejudgement in advance of such consideration and then seeking to justify this through subsequent evidence.

6.3 The Council has failed to satisfactorily provide exceptional circumstances for releasing this site from the Green Belt as opposed to other sites put forward by objectors which on clear Green Belt review assessment and sustainability grounds, would have far less impact both on Green Belt and sustainable access than the proposed site. The Council refer as an exceptional circumstance that the site is proposed by a “developer with a proven track record of delivery and resources to bring forward a site in a location where other interest has been expressed”. The local community has sought details of this developer from the Council and what “other interest” there is to justify this site compared to more appropriate sites, but the Council has declined to provide such information.

6.4 The statement provided by the Council as exceptional circumstance cannot be tested, therefore, and without giving such details, the Inspectors cannot accept this as being good reason within national policy for releasing such a large amount of Green Belt when other options are available. The Council have provided no evidence or proof to justify their assertions in support of taking the site out of the Green Belt. How do we know the developer has a proven record when we have no knowledge of who they are to be able to check the Council's claims?

6.5 It is also of relevance that land is allocated in a Plan for a specific use not to a specific developer. There is no guarantee, therefore, that if this large Green Belt site is released for development, it would actually be developed by the unknown developer, as no policy can restrict who implements developments once allocated in

the Plan. So again, this further rebuts the exceptional circumstances claim made by the Council.

6.6 The Council in its Infrastructure Plan(again only made available to the public after the end of the Reg19 consultation) refers to the considerable infrastructure costs in developing this site. As the ability of sites to meet infrastructure needs is a policy requirement, the local community have sought information from the Council on what assessment of these costs has been carried, what evidence they have that the site can viably meet these costs and how will these be brought forward and funded. The Council have not responded, they just say that delivery will be a “development guideline”. Considering the scale of release of Green Belt, without such assessments at the outset, there can be no reasonable guarantee that the development is viable to justify the proposed loss of Green Belt.

6.7 The Council also refer to “other interests” being expressed in support of the loss of Green Belt here. Yet again, the local community has sought details of this from the Council (as referred to in my Reg19 response) to support this claim, but none has been received. My Reg 19 response also provides details of previous evidence provided by the Council that contradicts their current claim of interest in employment development in the town – none of this has been rebutted in detail by the Council and no explanation given as to why what they said, and made planning decisions on, over the past few years has now suddenly changed.

6.8 As the Inspectors do not want previous Reg19 comments reiterated, I will just draw the attention of the Inspectors to the detailed objections raised regarding the size of the employment site proposed and the inadequacy in the Council’s case in trying to support why they changed their original proposal from an additional 14ha to around 39ha (I would also refer to the queries raised about inconsistencies in the amount of land proposed to be removed from the Green Belt, as again, in its post Reg19 comments, the Council has not explained these inconsistencies).

6.9 On Safeguarded Land, The Council state that such land is not allocated at the present time. However, the land at Shifnal is proposed for a specific development, which is in effect tantamount to an allocation. The Council also say that alternative options have been considered. On both these issues, my Reg 19 response gave very detailed evidence to the contrary; the Council have not responded to those detailed technical and legal arguments as required.

6.10 The Council put forward reasons for taking the proposed Shifnal Safeguarding Land out of the Green Belt. The local community provided very detailed rebuttal evidence showing that none of these reasons could be substantiated and so could not be taken as exceptional circumstances. Again, the Council in its post Reg19 documents, has failed to provide any evidence to disprove the evidence response from the local community.

6.11 The Council refers to national policy 143(e) that Green Belt should not need to be altered at the end of the plan period ie, the safeguarding land should provide for the longer term development needs of the town. However, in its consultation stage when the Shifnal Safeguarded Land was proposed, the Council specifically stated the Land may need to come forward before the end of the Plan period, which would inevitably mean that further Green Belt would need to be removed at the end of the

Plan period. The Council's post Reg19 comments have not rebutted their previous statement and so they have not demonstrated the exceptional circumstances for the allocation of this land.

6.12 The Council have also given no evidence to justify the amount of Green Belt being removed as Safeguarded Land or how this was arrived at. As with the Employment Site allocation, it appears that the Council have simply gone along with one landowners request for such allocation, and then sought to come up with retrospective evidence to try to justify what it has already decided, as opposed to doing a full quantitative and qualitative analysis of all the data and a full comparison of all option sites before deciding both on the amount and location of the Safeguarded Land. The local community in their Reg19 responses put forward alternative options with reasoned evidence why they would be more appropriate and sustainable in complying with other aspects of the Council's plans for Shifnal. The Council has simply dismissed these without giving any detailed comments rebutting this evidence

6.13 It is considered that the Council has failed to assess the impact of its proposed Black Country allocations on the Green Belt around Shifnal. From statements submitted by both the Council and the Black Country authorities post Reg19 consultation stage, the assumption is that the 1500 houses and 30ha employment will be located in Shifnal and Bridgnorth. From their comments about strategic corridors and links comparing Shifnal to Bridgnorth, it also seems inevitable that the majority of this would fall to Shifnal rather than Bridgnorth. The Council state that the Black Country allocations will be accommodated within existing housing and employment allocations and planned sites.

6.14 However, at each consultation stage, and especially in regards to the Shifnal employment site and its justification for removal of Green Belt, the Council has stressed that the housing and employment allocations are solely required to meet the Town's own local needs and balance sustainability. As a significant proportion of the Black Country 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. (There are also concerns about the principle and amount of unmet need as set out in my hearing statement on Matter 2).

6.15 National planning policy paragraph 61 refers to taking any unmet need from another authority is "in addition" to local housing need". The proposal of the Council is to include these allocations within existing needs not as additions which is contrary to national policy. This will have a likely effect that lthough the Council may claim that this will be accommodated within existing allocations, once approved, it is inevitable that developers will challenge this and seek permissions on Safeguarded Land or Green Belt on grounds that the Council failed to satisfactorily demonstrate that this additional in-migration on top of local needs, could be met within planned development limits (using national policy about it being additional, to support their case).

6.16 EVO41 also says that the Black Country housing and employment will “respect the character” of the area. As Shifnal is a relatively small market town and in their Plan, the Council note that this is a particular feature of the town that the local community want to retain, it is inevitable that the only way a significant proportion of the housing and employment allocations can be met is by significant expansion of the town into the surrounding countryside/Green Belt. This will in no way respect the character of the town or meet the objectives of the local community (it is noted that in its proposed Levelling Up Bill, the Government is seeking to give greater planning influence over developments in their areas to the local community – the proposed allocations are contrary to the evidence given at all consultation stages by the local community on how they want to see their town develop in the future). Further Green Belt will inevitably have to be released to meet the Black Country allocations.

6.17 On the loss of Green Belt at RAF Cosford, the Council refer to this being necessary to support the role, vitality and long term sustainability of the existing site and occupiers, and will support and facilitate an extensive range of development identified for the RAF. The removal of RAF Cosford from the Green Belt to meet RAF and Museum associated needs was considered when the former Bridgnorth District Local Plan was under consideration. Similar arguments for removal were made then as now put forward by the Council. The Inspector discounted those arguments then and accepted that to retain planning control over the site, it should remain in the Green Belt with an appropriate policy to enable the type of developments that the Council now say would need to be facilitated by Green Belt removal. Since then, major new developments for the RAF and the Museum have been permitted and completed despite the site being in the Green Belt. The evidence is clear that the site’s inclusion in the Green Belt has had no adverse impact on the effectiveness of the RAF and Museum to develop the range of developments referred to by the Council as constituting exceptional circumstances. There has been no change in policy since the matter was previously considered through the local plan process to now justify releasing the site from the Green Belt to meet RAF “identified” needs as claimed by the Council.

6.18 The Council also proposed taking land out of the Green Belt to meet the needs for a new Air Ambulance base. However, they have recently granted permission for the new base in the Green Belt as an exceptional circumstance and construction is under way. There is, therefore, no longer any exceptional circumstance to remove this land from the Green Belt as the development is already under way. The fact that in their exceptional circumstances case, the Council argue that Green Belt removal is required to facilitate the development of the base, yet have managed to still permit the scheme whilst it is still in the Green Belt shows the fallacy in their exceptional circumstances evidence and is further proof that there is no Green Belt obstacle to facilitating any of the identified RAF and Museum development needs outlined in the Council’s evidence. The Council in their post Reg19 comments and since their permission for the new Air Ambulance base, have failed to explain why it is still necessary to remove the land from the Green Belt when the development is already under way.

6.19 The Council state that removal of the Green Belt here is the most effective means to facilitate military and charitable activities on the site. However, it is clear from the evidence given above and the Council’s decision to grant permission for the

charitable Air Ambulance whilst still in the Green Belt, that this exceptional circumstance used by the Council is unsustainable and unjustified by the specific evidence from past planning decisions on the site. Similarly, even if there was considered to be an overwhelming case for removing the land from the Green Belt to meet these specific military and charitable needs, this could simply be done by removing the site from the Green Belt for these development purposes. The fact that the Council have gone much further and want not only to remove the site from the Green Belt but to name the site as a Strategic Site, shows that their development aspirations for the site go much further than those specified as the reason for its removal.

6.20 Indeed, the Council refer to also allowing “appropriate new development”, though they fail to explain what they mean by “appropriate”. Proposing the land released from Green Belt as a Strategic Site, would enable the Council to allow a wide range of non-military/charitable “non-identified” developments at its will. The Council’s clear intention for removing the site from the Green Belt and then giving it Strategic Site status is not just to allow for the military/charitable identified developments put forward as exceptional circumstances, but to give the Council the flexibility to allow it to permit as being within policy, any employment development it wanted.

6.21 The Strategic Site allocation is in effect proposing the site as an employment site, giving unrestricted planning power to the Council to allow non-military/charitable employment development as this would be permitted under the other employment policies in the Plan. No justification has been given by the Council for this aspect of the removal of the site from the Green Belt and its subsequent designation as a Strategic Site which conflicts with their other arguments for Green Belt removal. As such, it is not considered that exceptional circumstances have been adequately demonstrated for the removal of the site from the Green Belt for its designation as a strategic development site.

6.21 There is a further uncertainty and inconsistency in the Council’s intended proposals for taking this land out of the Green Belt. In GC4 paragraph 242, the Council say “although with an allowance for the Strategic Settlements and Strategic Site, which are considered to represent future urban areas”. As Cosford is the only Strategic Site, it is clear from this that the Council are seeking to develop Cosford as a future urban area, which means substantial housing, employment, retail etc, which it can only achieve by taking the land out of the Green Belt. However, they have not given this as an exceptional circumstance, simply referring to military and charitable developments, as they know that they cannot justify removing the land from the Green Belt for development as an urban area at this time, so they are using the military/charitable argument as a means to get their wider urban area aim for the site achieved through the back door once the land is no longer Green Belt.