

## Representation Form

Please complete a separate **Part B Representation Form** (this part) for each representation that you would like to make. One **Part A Representation Form** must be enclosed with your **Part B Representation Form(s)**.

We have also published a separate **Guidance Note** to explain the terms used and to assist in making effective representations.

### Part B: Representation

Name and Organisation:	Sam Silcocks – Harris Lamb on behalf of Persimmon Homes (West Midlands) Ltd.
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#### Q1. To which document does this representation relate?

- Regulation 19: Pre-Submission Draft of the Shropshire Local Plan
- Sustainability Appraisal of the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan
- Habitats Regulations Assessment of the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan
- (Please tick one box)

#### Q2. To which part of the document does this representation relate?

Paragraph:  Policy:  Site:  Policies Map:

#### Q3. Do you consider the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan is:

- |                                          |                                          |                                         |
|------------------------------------------|------------------------------------------|-----------------------------------------|
| A. Legally compliant                     | Yes: <input checked="" type="checkbox"/> | No: <input type="checkbox"/>            |
| B. Sound                                 | Yes: <input type="checkbox"/>            | No: <input checked="" type="checkbox"/> |
| C. Compliant with the Duty to Co-operate | Yes: <input checked="" type="checkbox"/> | No: <input type="checkbox"/>            |
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Signature:	Sam Silcocks	Date:	25/02/2021
Office Use Only		Part A Reference:	
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Office Use Only		Part A Reference:	
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Our Ref: P1574/JP  
Date: 25<sup>th</sup> February 2021

Shropshire Council  
Planning Policy & Strategy Team  
Shirehall  
Abbey Foregate  
Shrewsbury  
Shropshire  
SY2 6ND

**BY EMAIL:** [Planningpolicy@Shropshire.gov.uk](mailto:Planningpolicy@Shropshire.gov.uk)

Dear Sirs/Madam

**Re: The Regulation 19: pre-submission draft of the Shropshire Local Plan Response by Persimmon Homes (West Midlands) Ltd.**

We are instructed by Persimmon Homes (West Midlands) Ltd ('PH') to submit representations to the Pre-Submission Draft of the Shropshire Local Plan and welcome the opportunity to do so at this time. PH is a national residential developer comprising 31 operating businesses building over 16,000 homes per year nationwide and has extensive land interests in Shropshire, including land at Liverpool Road, Whitchurch that benefits from a draft allocation for around 70 dwellings. PH has commented previously on the emerging Plan expressing its support for the draft allocation at Liverpool Road as well as the on soundness of the plan more generally.

PH are, therefore, generally supportive of the urban-focused spatial strategy put forward in the plan and the Council's general decision to plan for new homes above the minimum Local Housing Need (LHN) figure using the standard methodology. Notwithstanding our general support for the Plan, PH are also promoting additional land immediately adjacent to the draft allocation at Liverpool Road, Whitchurch as a housing omission site, which could contribute an additional 30 dwellings to the Council's housing supply. Our comments should be read with these objectives in mind.

**Policy SP2. Strategic Approach**

Policy SP2 sets out the Council's strategic approach to new development across the County over the Plan Period confirming that 30,800 dwellings and 300 hectares of employment land will be delivered. PH do not object in principle to the proposed housing requirement of 30,800 dwellings. It has been derived having regard to the standard method as required by the Framework, which provides a starting point for determining the minimum housing need for an area. The minimum housing need for Shropshire using the current standard method is 25,894 dwellings. The Council have then made an upward adjustment to the housing requirement of approximately 13% or an additional 3,406 dwellings to meet the Council's needs. In addition, 1,500 dwellings are to be made available to meet the needs of the Black Country. Whilst the additional 'headroom' that the Council has proposed over and above its minimum requirement

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is welcomed, PH question whether this is sufficient and whether a greater allowance should be made for the following reasons.

### ***Meeting the Needs of the Black Country***

The supporting text to the policy at paragraph 3.7 confirms that the overall housing requirement of 30,800 dwellings includes an allowance of 1,500 dwellings to support the housing needs of the emerging Black Country Plan. The Black Country Authorities acknowledge that there is a significant housing requirement that needs to be delivered in the emerging Black Country Plan. The Black Country authorities have advised that there is a requirement for a minimum of 75,000 dwellings to meet the growth requirements of the Black Country in the period up to 2039. It has, however, only been possible to identify land for approximately 48,000 dwellings within the Black Country urban area leaving a significant shortfall of 27,000 homes. This issue has been further compounded by the inclusion of Wolverhampton as one of the 20 largest Cities that the Government is proposing should accommodate an additional 35% of housing over and above the current standard method figure.

Furthermore, the current situation in the wider Birmingham HMA and specifically the inability of Birmingham City to meet its housing needs in full, resulting in the need for the other HMA authorities to make provision for 37,900 dwellings to meet Birmingham's needs is also well established. The potential overspill of unmet need, as it stands, arising in both Birmingham and the Black Country authorities stands at just under 65,000 dwellings. Birmingham, like Wolverhampton, is also one of the 20 largest Cities that is expected to deliver an additional 35% of housing so combined the current unmet need could in fact be much less than what will actually be required.

In light of the above we welcome the fact that the Council are proposing to make provision to meet some of the Black Country's needs but do not consider that 1,500 dwellings is a sufficient contribution in light of the shortfall that is currently identified both in the Black Country and Birmingham. Currently we understand, only South Staffordshire are proposing to make land available for approximately 4,000 dwellings to meet the needs of the Black Country, which when combined still leaves a shortfall of over 20,000 dwellings to be found. We are not aware at present that any other Local Authorities are intending or currently proposing to make any land available to meet the needs of the Black Country.

Clearly Shropshire does have a functional relationship with the Black Country and wider Birmingham conurbation and as such, PH contend that the proportion of unmet need that it is proposing to accommodate should be significantly greater than 1,500 dwellings.

Furthermore, the delay with the Black Country Plan which is now not expected to be published in draft until summer 2021, and therefore after the Shropshire Plan has likely been submitted for Examination, will mean that there will be little opportunity for the Black Country authorities to seek any increase in the quantum of housing that the Council is to make available to meet their needs. In light of this, has sufficient support been secured by the four Black Country authorities to confirm that they are happy with the number of dwellings that are now proposed by the Council. There does not appear to be a signed Memorandum of Understanding between the five authorities included within the evidence, nor does there appear to be anything from South Staffordshire confirming that they are also in agreement with the level of housing that

is proposed, particularly as they are the authority that stands to be hit hardest due to their close geographical proximity to the Black Country.

Notwithstanding the intention of the Plan to make land available to deliver 1,500 dwellings for the Black Country, we do not consider that this is a sufficiently robust approach and does not appear to fully discharge the requirements of the duty to cooperate either with the Black Country authorities or other authorities in the Greater Birmingham HMA.

In order to address our concern and to make the Plan sound we suggest that further negotiation is undertaken by the Council with the Black Country authorities in order to agree whether any additional housing is needed to be made in available in Shropshire to meet their needs and if so, to agree what this increase should be. Entering into a signed MOU with the four Black Country authorities would demonstrate that agreement has been reached and the Council's duties under the duty to cooperate have been discharged.

### ***Market Signals***

The supporting text to draft Policy SP2 at paragraph 3.6 sets out the reasons for planning for growth over the LHN figure and these are effectively to retain flexibility in the land supply, increase the delivery of affordable housing and other specialist housing types and to underpin economic growth. Notwithstanding the Council's intentions, the Plan notes at paragraph 3.15 that there are over 5,000 households on the housing register requiring affordable housing and that the SHMA (2020) highlights a need for 799 affordable dwellings per year to meet needs. Policy SP2.3 confirms that the Plan intends to deliver 7,700 affordable dwellings over the Plan Period which is approximately 10,000 dwellings less than what is actually needed as evidenced by the SHMA. Clearly this represents a significant need for affordable housing that is not going to be met through the Plan. One way to try and address the shortfall in provision against what is needed is to plan for more housing in the first place.

In light of the above, we do not consider the Plan is sound having regard to the four tests in paragraph 35 of the Framework. It is not positively prepared in that it does not adequately plan to accommodate sufficient housing need to meet the unmet needs arising from the Black Country and that by not agreeing to accommodate a larger proportion than the housing needs of the Black Country will go unmet. We would seek that the Council entered into a Memorandum of Understanding that confirmed that the proposed 1,500 dwellings is acceptable to all parties. If not, then this raises the issue of whether the Council will need to agree a higher figure with the Black Country authorities for them to confirm their agreement. In the absence of a Memorandum of Understanding it is not clear where the wider housing needs of the Black Country and Greater Birmingham will be met in full. This in our view also has serious implications for whether the duties imposed on the Council by the duty to cooperate have been met. Furthermore, the Council's own evidence highlights worsening market signals, particularly with regard to the provision, and delivery, of affordable housing, and that these in our view have not been adequately addressed in the Council's strategy.

In the absence of clarity over the provision of 1,500 dwellings to meet the needs of the Black Country we do not consider the plan will be effective.

## ***Spatial Strategy for Development***

Policy SP2 sets out the spatial strategy for development with the focus for new development being in and around Shrewsbury as the main strategic centre in the County. Following this Principal and Key Centres are expected to accommodate significant and well-designed new housing and employment development. The policy states that *“Growth within these diverse settlements will maintain and enhance their roles, support key services and facilities and maximise their economic potential”*. In light of PH’s land interests in Whitchurch, we support the role that Whitchurch as a Principal Centre is expected to perform in terms of accommodating new development and contend that it is well placed to do so, with a good range of existing shops, services and facilities present to service new residents. This accords with paragraph 103 of the NPPF which states that *“Significant development should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes.”*

In light of PH’s land interests in Whitchurch we support the draft allocation at Liverpool Road and consider that Whitchurch is suitable to accommodate further residential development. We return to this point below.

## ***Settlement Hierarchy***

Policy SP2 sets out a settlement hierarchy, which identifies Whitchurch as a Principal Centre. This is informed by the August 2020 “Hierarchy of Settlements” paper. The Paper sets out a consistent methodology for ranking settlements according to their relative sustainability through assessing the services and facilities available within each of these settlements. We would note that Whitchurch scores highly in this assessment, 110 out of a possible 116 points, and that therefore its classification as a second-tier settlement is justified in relation to the methodology as set out in the paper and the evidence base more generally. Persimmon therefore fully supports the identification of Whitchurch as a Principal Centre and agrees that it is suitable to accommodate new residential development to meet the needs of the County going forward in a sustainable manner.

## **Policy DP1: Residential Mix**

### ***Housing Mix***

Part 2 of Policy DP1 sets out that on sites of five or more dwellings at least 50% of the market dwelling housing mix must reflect the profile of the Local Housing Need Survey where one has been undertaken and endorsed by Shropshire Council. Persimmon understands the need for a mix of house types, sizes and tenures but it is important that any policy in this regard is effective and ensures that housing delivery will not be compromised or stalled due to overly prescriptive requirements.

The Strategic Housing Market Assessment (SHMA) is a critical part of the plan’s evidence-base that will be subject to consultation and independent examination. Amongst other things, the purpose of the SHMA is to identify the detailed profile of housing needs arising over the plan period. We are concerned that Policy DP1 will allow the findings of the SHMA to be effectively overruled on a settlement-by settlement basis outside of the normal plan-making exercise. This will add significant uncertainty for developers, stakeholders and decision-makers. If a settlement-specific approach to housing mix is justified by the evidence, then this

should be incorporated as part of a duly made Neighbourhood Development Plan rather than a housing needs survey that would not be consulted upon or independently tested.

PH, therefore, objects to Part 2 a. of Policy DP1 as it is unsound as it is not considered effective. It should therefore be deleted.

### ***Specialist Housing***

Part 6 of Policy DP1 sets out that on sites of 50 dwellings or more an appropriate range of specialist housing should be provided to meet the needs of older people and those with disabilities and special needs. Whilst PH recognises the need for such specialist housing, the overall scale of need for such housing types must be understood in order to facilitate planning for them through the local plan process. We cannot see from the supporting text to Policy DP1 or the Plan's evidence base how the threshold of 50 dwellings has been arrived at and how it responds to the quantum of need for such housing types over the plan period. The only justification provided is that Shropshire, in common with England as whole, has an aging population.

In respect of people with disabilities, virtually no information has been provided regarding the need arising over the plan period or how the threshold of 50 dwellings has been arrived at. In addition, Policy DP1 does not specify exactly what proportion sites over 50 dwellings should offer in terms of specialist housing. Again, such quantification should relate to the need arising for these types and tenures over the plan period. The lack of such information adds considerable uncertainty for developers, stakeholders and decision makers. Similarly, there is no mention of viability nor is it clear how the requirements of Policy DP1 have been viability tested.

For the above reasons, Persimmon considers Part 6 of Policy DP1 to be unsound as it is not justified and not effective. It should be deleted.

### **Policy DP15: Open Space**

Policy DP15 relates to the provision of open space through new developments. Part 2 of the policy states that new development should provide on-site open space provision equivalent to 30 square metres per person (assuming one person per bedroom). Whilst it is recognised this approach is very much a continuation of the standards set out in Policy M2 of the Site Allocations and Management of Development Plan (2015), Policy M2 implicitly allows for the possibility of delivering this need through off-site financial contributions.

Policy DP15 does not continue this flexibility as Part 2 references that new development must provide "on-site" open space provision. Mandating such a high requirement without any regard to local variation in need and provision and seemingly no option to make off-site contributions in lieu of on-site provision could have a significant effect on site capacity and therefore upon the delivery the plan's identified requirement for market and affordable housing.

For these reasons, PH objects to Part 2 of Policy DP15 on the basis that it is not justified and not effective.

To address our concerns we suggest the policy is re-worded to allow local need to be taken into account and that the phrase "on-site" be deleted from the policy.

## **S18. Whitchurch Place Plan Area**

As noted above PH supports the identification of Whitchurch as a Principal Centre and the town acting as a focus for significant development over the plan period. The identification of Whitchurch as a Principal Centre is consistent with the Plan's evidence base and focusing significant growth on Whitchurch is consistent with the plan's urban-focused spatial strategy that outperforms reasonable alternatives considered through the Sustainability Appraisal process.

In light of PH's land interests we support the allocation of Land at Liverpool Road, Whitchurch (WHT014) for 70 new homes. The site is deliverable, sustainable and would complement the draft Plan's spatial strategy and can be brought forward in a manner that delivers the aspirations contained in the draft policy.

We note from the Plan's evidence base that the Strategic Land Availability Assessment (November 2018) has assessed WHT014 and came to the view that the site has development potential subject to further detailed assessment. The constraints specifically mentioned include access and proximity to a conservation area. In both regards, the Council will be aware that Land at Liverpool Road has been subject to two planning applications for circa 70 dwellings. In terms of the most recent planning application lodged in June 2016 under reference 16/02742/FUL, permission was refused predominantly on issues of principle given the site's location beyond settlement boundaries as established at that time.

In terms of access, Officers reached the view that the accesses onto Liverpool Road were acceptable and that there were no wider issues arising on the road network that required mitigation. In terms of heritage impacts, Whitchurch conservation area is clearly some distance from Land at Liverpool Road and impact on this heritage asset was not an issue raised in consideration of the previous application at the site.

In response to the progress of the Local Plan review, PH has produced a refreshed illustrative masterplan (Copy attached) based on updated technical information which shows how the site could be developed in a manner than avoids adverse impacts and complies with the provisions set out in Schedule S18.1(i) whilst maximising the efficiency of the site to deliver the balance of the allocation. Additional highways work has shown that the principal site accesses are deliverable and that opportunities exist to deliver further opportunities to support pedestrian/cycle connectivity to and from this highly sustainable location. Updated ecology has shown that the site is dominated by poor semi-improved grassland with field boundaries comprising species-poor hedgerows and fencing. eDNA samples tested nearby ponds within 500m of the site and these are negative for Great Crested Newts. As such, the site poses no fundamental ecological constraints to its development. The site is not, therefore, subject to any technical, physical or environmental constraints that would prevent its development.

In terms of deliverability, the site is in the sole control of PH who are committed to bringing it forward for development and intend to submit a planning application upon adoption of the Local Plan. Following approval of the planning application, we expect the site to yield approximately 50 dwellings per annum within the early part of the Plan Period.

The site is suitable, available and achievable and, therefore, deliverable.

### **Omission Site – Additional Land at Liverpool Road, Whitchurch**

Notwithstanding PH's support for the allocation of the land at Liverpool Road, Whitchurch (WHIT014), we object to the omission of an additional 1.36 hectares of land located immediately to the west of the draft allocation that is also within PH's control. The land in question provides the potential to "round off" the allocation providing approximately an additional 30 homes. Attached is a plan that shows the additional land edged in blue adjacent to the emerging masterplan for the balance of the site that is currently allocated as a draft allocation. PH has prepared an illustrative masterplan (copy attached) showing how the additional land can be developed alongside the main allocation in a comprehensive manner and in a way that complies with the detailed aspirations of the draft policy. Also attached are visuals illustrating how the site can be developed comprehensively to deliver a high standard of design and amenity. As an example, the green infrastructure corridor separating the developable areas from the properties fronting Alkington Road can be extended providing an attractive link through the site integrating with the other areas of open space. The additional land would rely on accesses already proposed on to Liverpool Road as part of the main allocation.

As shown by the illustrative masterplan, it can also be delivered in a way that would link through seamlessly to the wider site taking advantage of its highly sustainable location in one of Shropshire's higher order settlements. With the proposed allocation as it currently stands, the additional land to the west would be enclosed on three sides by the developable areas of the allocation and by the existing properties to the south fronting Alkington Road. Squaring off the allocation by including the omission land would enable a comprehensive development to be created resulting in the efficient use of the site and an improvement to the overall layout of the site to be achieved.

Finally, the omission site to the west of the proposed allocation is deliverable and can make a noticeable contribution to housing delivery in the early years of the plan period.

In light of the comments that PH have made above about the quantum of housing that the Council are making available to meet the unmet needs of the Black Country and whether sufficient affordable housing will be delivered over the Plan Period, if there is a need to identify additional sites, then we consider that the additional land immediately adjacent to one of the Council's preferred draft housing allocations should be considered. The site, like the draft allocation, is free from any technical, physical or environmental constraints that would prevent its development.

Furthermore, PH do have some concerns over two key sites that are included in the Plan that have the benefit of planning permission and which were allocations in the SAMDEV Plan. These are sites WHIT009 Land at Tilstock Road and WHIT021 Alport Road. Both sites have the benefit of planning permission but neither of which are making any contribution to the supply of housing in Whitchurch to date. The two sites in question account for 600 units of the supply in Whitchurch. We do, therefore, have concerns of their deliverability and in light of this, PH consider that additional sites and land in Whitchurch should be identified in order to provide a buffer and ensure that the housing requirement for the town is met. Due to the proximity of the omission site next to the WHIT014 draft allocation this presents a sensible opportunity to enlarge the allocation without having an adverse impact on adjoining residents.

In light of the above, whilst the general strategy for directing new development to Whitchurch is supported, and in particular the WHIT014 allocation, we do have concerns over some of the other proposed allocations that are carry overs from the SAMDEV Plan. In order to provide a buffer and incorporate some additional flexibility in the supply of land for housing in Whitchurch we contend that a further allocation of land at Liverpool Road, extending to 1.36 hectares, should be included to the WHIT014 allocation. In doing so, this would ensure a healthy supply of land for housing in town and ensure the housing needs of the town were met in full over the Plan Period.

In order to address our concern, we contend that the additional land at Liverpool Road should be considered for an allocation either in addition to or instead of current allocations or sites that have been carried forward from the SAMDEV Plan, in order to meet housing needs in town in the early part of the Plan Period.

We trust that you take our comments into consideration and we confirm that it will be our attention to participate the Examination Hearing Sessions in due course. Should you require any clarification on any of the above points please do not hesitate to contact me.

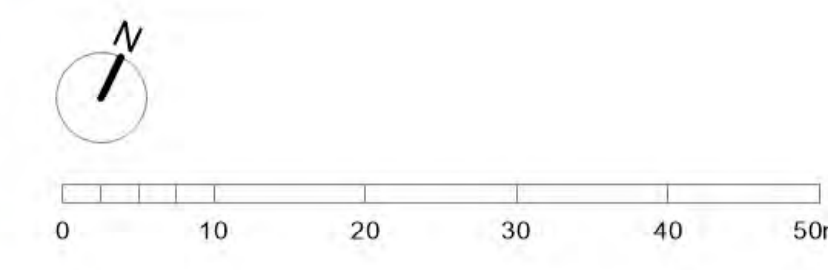




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- KEY**
- Application site boundary 2.19 ha
  - Land under control of applicant
  - Proposed residential development 70 dwellings at 41 dpha 1.71 ha
  - Public open space (30m² per person at 2.3 persons per dwelling) 0.48 ha
  - Proposed 2.5m wide mixed native hedgerow (as part of public open space)
  - Existing trees and hedgerows
  - Existing trees / hedgerows removed
  - Existing public right of way
  - ➔ Proposed site access
  - ★ Proposed play area with 20m offset
  - Proposed trees
  - Proposed 2m wide landscaped verge connecting Public Open Spaces
  - Proposed SuDS (indicative only)
  - ➔ Possible pedestrian/ cycle connection
  - ➔ Possible future vehicular connection

rev	date	description	dm / chkd
B	24.02.2021	Layout orientation amended.	JDD / EAF
A	28.08.2020	Possible ped/ cycle link added to Hillewood Ave. Dwellings close to Hillewood Ave revised	JDD / EAF
-	21.08.2020	First Issue	JDD / EAF

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 environmental assessment •  
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client  
**Persimmon Homes Midlands**

project  
**Liverpool Road  
 Whitchurch**

drawing title  
**Illustrative Masterplan**

scale  
 1:500 @ A1

drawn / checked  
 JDD / EAF

revision date  
 24 February 2021

drawing number  
**6594-A-01**

rev  
**B**

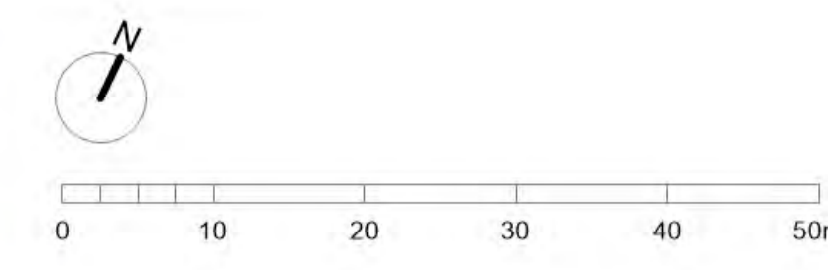
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




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- KEY**
-  Application site boundary 3.55 ha
  -  Proposed residential development c. 100 dwellings at 39 dpha 2.58 ha
  -  Public open space (min. 30m<sup>2</sup> per person at 2.3 persons per dwelling) 0.97 ha
  -  Proposed 2.5m wide mixed native hedgerow (as part of public open space)
  -  Existing trees and hedgerows
  -  Existing trees / hedgerows removed
  -  Existing public right of way
  -  Proposed site access
  -  Proposed play area with 20m offset
  -  Proposed trees
  -  Proposed SuDS (indicative only)
  -  Possible pedestrian/ cycle connection
  -  Green Infrastructure Link

rev	date	description	dwn / chkd
B	01.09.2020	Green Infrastructure Link added.	JDD / EAF
A	29.08.2020	Revised design to retain central hedge.	JDD / EAF
-	21.08.2020	First Issue	JDD / EAF



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client  
**Persimmon Homes Midlands**

project  
**Liverpool Road  
 Whitchurch**

drawing title  
**Illustrative Masterplan**

scale  
 1:500 @ A1

drawn / checked  
 JDD / EAF

revision date  
 01 September 2020

drawing number  
**6594-A-02**

revision  
**B**

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KEY PLAN



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Persimmon Homes Midlands  
Liverpool Road  
Whitchurch

## VISUAL 1 (NORTH-EAST)

NTS@A3  
23 September 2020 HJL / EAF  
6594-L-10 rev A

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