



Eddie West
Local Plan Team Leader
Shropshire Council
Shirehall
Abbey Foregate
Shrewsbury
SY2 6ND

By email only:
Planningpolicy@Shropshire.gov.uk

Our Ref: SA39855/ST/ML
Date: 1st February 2021

Dear Eddie,

Shropshire Local Plan – Regulation 19 consultation

Our client, Mr John Pritchard, has the following comments on the emerging Shropshire Local Plan. For your ease of use these are also replicated on the attached forms:

Part A: Consultees' details

Part B: representations on:

- Policy: Strategic Policy SP2 'Strategic Approach'
- Policy: Settlement Policy S14.1 - 'Development Strategy: Oswestry Principal Centre'
- Policy Map: Inset S14 – 'Oswestry'

Strategic Policy SP2 'Strategic Approach'

This policy's aspiration to accommodate, "investment and new development that contributes to meeting needs and making its settlements more sustainable" is supported.

The identification of Oswestry as a Principal Centre accords with the Local Plan's vision in this regard, given that Oswestry is the second market town in the County role, is a principal employment, commercial and administrative centre in the north west of the County and is strategically located on the A5 corridor with excellent road and rail connections to the Northern Powerhouse through Cheshire and Mid / North Wales.

Settlement Policy S14.1 – ‘Development Strategy: Oswestry Principal Centre’; and Inset S14 – ‘Oswestry’

- *Q4. Why the Plan is unsound*

The designation of Oswestry as a Principal Centre settlement in Policy S14.1 is strongly supported as this designation reflects the town’s role, status and location. It is also seen as vital to ensuring the town’s long-term future.

In this regard, we note that paragraph 3.142(e) specifically identifies Oswestry as a Principal Centre on a Strategic Corridor and that Policy SP14: Strategic Corridors states that the “Shropshire Economic Growth Strategy seeks to deliver a ‘step change’ in the capacity and productivity of the local economy. To contribute to this aim, ‘Strategic Corridors’ along the principal rail and strategic road routes through the County will be the primary focus for major development especially along ‘strategic corridors’ with both rail and road connectivity”. It is evident, therefore, that Oswestry should be a significant centre for growth in Shropshire, both socially and economically.

However, Policy S14.1 and, as a consequence, Inset S14 identify that Oswestry’s housing needs during the Plan period will be delivered through a combination of saved SAMDev allocations, Local Plan allocations at Park Hall, windfall residential development within Oswestry’s development boundary and appropriate cross-subsidy and exception sites. Schedule A5(i) of the Plan details that of the residential guideline of 1,900 dwellings, 428 have either been completed or benefit from planning permission and, of the remaining 1,472, 1,127 are to be provided on saved SAMDev allocations, 240 on Local Plan allocations at Park Hall and 105 on windfall sites.

There is therefore a significant reliance on windfall development and housing allocations that are located in the settlement of Park Hall.

Given the strategic importance of growth being directed to Oswestry such a reliance on unplanned windfall development and allocations outside of the town is considered inappropriate given the opportunity to direct some of this growth to identifiable sites in sequentially more appropriate (sustainable) locations within the town.

The ‘Regulation 18’ Pre-submission Draft of the Local Plan included a proposed housing allocation ‘Land at Trefonen Road, Oswestry’ (site reference OSW017) for 30 dwellings (identified on an extract of the ‘Regulation 18’ inset map at figure 1, below). The allocation of site OSW017 would provide greater certainty over the deliverability of the housing requirement for Oswestry, whilst also directing growth to a sustainable location that benefits from good pedestrian links to the services and facilities within the town.

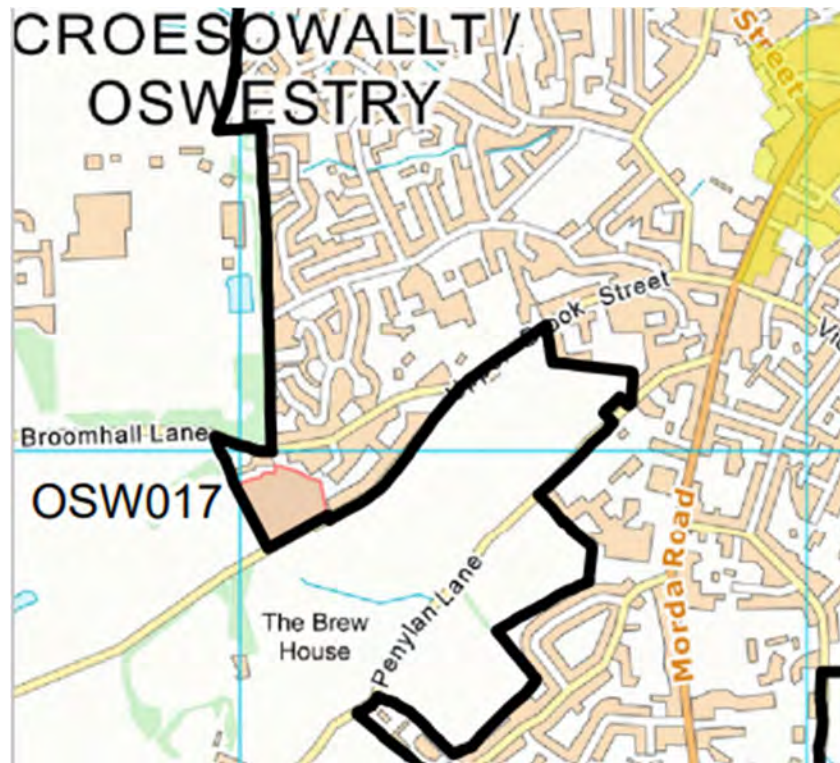


Figure 1: Extract of ‘Regulation 18’ inset map for Oswestry with site OSW017 identified.

The report which went before Shropshire Council’s Cabinet on the 7th December 2020, seeking Cabinet approval for the ‘Regulation 19’ Pre-Submission Draft Shropshire Local Plan, details within paragraph 5.11 the reason for the omission of site OSW017 from the ‘Regulation 19’ plan. The report states that “*following consideration of comments made to the draft Plan, officers acknowledge there are localised highway issues, which although are not considered to be severe, have been re-considered as part of the overall balance of considerations. These considerations have included the site’s potential contribution to the overall housing supply in the town, which has been judged to be minimal over the plan period*”.

In response, the assessment of the site contained within the ‘Oswestry Place Plan Area Site Assessments’ (December 2020) identifies that the Local Highway Authority has stated that if the existing highway at access point is not suitable, it can reasonably be made so through the extension of the existing speed limit on Trefonen Road and appropriate traffic calming / gateway treatment. In addition, the LHA has identified that development of the site could occur without off-site works.

As Trefonen Road is a C-class route leading to the rural hinterland of Oswestry, we consider that the route carries only a reasonably low number of daily vehicle movements. Therefore, we do not conceive that the traffic arising from a reasonably modest development would lead to a significant local impact, in terms of highway capacity or safety. Traffic from the development would be able to access Upper Church Street and Salop Street to the east to gain connectivity to the wider network, including

the Strategic Road Network. Traffic signal-controlled junctions are provided at both junctions with these routes and the signals provide an effective level of local traffic and non-motorised user control.

We would agree with the earlier view taken by the highway authority on site OSW017 and we confirm that an appropriate adoptable access can be provided for the development on to Trefonen Road. We see no reason why appropriate speed management mitigation works could not be carried out on the existing highway to extend the existing 30mph speed limit to encompass the development access and any visible frontage.

Whilst it is recognised that site OSW017 makes a relatively small contribution towards the overall housing requirement for Oswestry during the Plan period, attention is drawn to the National Planning Policy Framework, which identifies that:

- Small and medium sized sites can make an important contribution to meeting the housing requirement of an area, and are often built-out relatively quickly (paragraph 68); and
- In assessing sites that may be allocated for development in plans it should be ensured that appropriate opportunities to promote sustainable transport modes can be taken up (paragraph 108).

In addition, the allocation of a smaller site than the combined Local Plan land allocation proposed at Park Hall for 240 dwellings, where the development guidelines for the site require 'a comprehensive development', will provide an opportunity in Oswestry for the SME housebuilder sector.

Conclusion

For the reasons set out above, including the strategic importance of growth being directed to Oswestry, the over-reliance on windfall development in the settlement, the uncertainty over delivery of housing in the short to medium terms and the availability of alternative unconstrained, developable and deliverable housing sites in sequentially more appropriate sustainable locations (i.e. within the town), means Policy S18.1 fails the 'positively prepared', 'justified', 'effective' and 'consistent with National Policy' tests of soundness.

- ***Q5 Modifications necessary to make the Plan sound***

To make the Plan 'sound' requires the allocation of additional land in the town of Oswestry to deliver housing.

Policy S18.1 and the Oswestry Policies Map should therefore be amended to include our client's land (site reference OSW017), within the development boundary of the settlement and allocated for residential development.

The allocation of this land would result in a greater level of certainty that the overall housing requirement for Oswestry will be met, that housing will be delivered in the short to medium terms and that housing is delivered in sequentially the most appropriate (sustainable) locations within the town.



Next Stages

I trust you will take these representations into account. If you have any queries whatsoever, please don't hesitate to contact me to discuss.

Yours sincerely,

Stuart Thomas BA(Hons) MA MRTPI
Head of Planning
For and on behalf of Berrys
DDI: 01743 267069
stuart.thomas@berrys.uk.com

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: Mr Stuart Thomas (BERRYS) on behalf of Mr John Pritchard

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: No:
- B. Sound Yes: No:
- C. Compliant with the Duty to Co-operate Yes: No:

(Please tick as appropriate).

Q4. Please give details of why you consider the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Please see overleaf

Q4. Why the Plan is unsound

The designation of Oswestry as a Principal Centre settlement in Policy S14.1 is strongly supported as this designation reflects the town's role, status and location. It is also seen as vital to ensuring the town's long-term future.

In this regard, we note that paragraph 3.142(e) specifically identifies Oswestry as a Principal Centre on a Strategic Corridor and that Policy SP14: Strategic Corridors states that the "Shropshire Economic Growth Strategy seeks to deliver a 'step change' in the capacity and productivity of the local economy. To contribute to this aim, 'Strategic Corridors' along the principal rail and strategic road routes through the County will be the primary focus for major development especially along 'strategic corridors' with both rail and road connectivity". It is evident, therefore, that Oswestry should be a significant centre for growth in Shropshire, both socially and economically.

However, Policy S14.1 and, as a consequence, Inset S14 identify that Oswestry's housing needs during the Plan period will be delivered through a combination of saved SAMDev allocations, Local Plan allocations at Park Hall, windfall residential development within Oswestry's development boundary and appropriate cross-subsidy and exception sites. Schedule A5(i) of the Plan details that of the residential guideline of 1,900 dwellings, 428 have either been completed or benefit from planning permission and, of the remaining 1,472, 1,127 are to be provided on saved SAMDev allocations, 240 on Local Plan allocations at Park Hall and 105 on windfall sites.

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Policy S18.1 fails the 'positively prepared', 'justified', 'effective' and 'consistent with National Policy' tests of soundness.

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Q5. Please set out the modification(s) you consider necessary to make the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Q4 above.

Please note that non-compliance with the duty to co-operate is incapable of modification at examination. You will need to say why each modification will make the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Please see above.

(Please continue on a separate sheet if necessary)

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Q6. If your representation is seeking a modification to the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan, do you consider it necessary to participate in examination hearing session(s)?

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

- No, I do not wish to participate in hearing session(s)
 Yes, I wish to participate in hearing session(s)

(Please tick one box)

Q7. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

In order to participate in, and therefore assist in ensuring, comprehensive consideration of the appropriateness of the planned level and distribution of residential growth in Oswestry during the Plan period.

(Please continue on a separate sheet if necessary)

Please note: The Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

Signature: S. Thomas

Date: 01/02/2021

Office Use Only

Part A Reference:

Part B Reference:

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)**.

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- (Please tick one box)

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

Paragraph:	<input type="text"/>	Policy:	<input type="text" value="SP2"/>	Site:	<input type="text"/>	Policies Map:	<input type="text"/>
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Q3. Do you consider the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan is:

- | | | | | |
|--|------|-------------------------------------|-----|--------------------------|
| A. Legally compliant | Yes: | <input type="checkbox"/> | No: | <input type="checkbox"/> |
| B. Sound | Yes: | <input checked="" type="checkbox"/> | No: | <input type="checkbox"/> |
| C. Compliant with the Duty to Co-operate | Yes: | <input type="checkbox"/> | No: | <input type="checkbox"/> |

(Please tick as appropriate).

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<p>This policy's aspiration to accommodate, "investment and new development that contributes to meeting needs and making its settlements more sustainable" is supported.</p> <p>The identification of Oswestry as a Principal Centre accords with the Local Plan's vision in this regard, given that Oswestry is the second market town in the County role, is a principal employment, commercial and administrative centre in the north west of the County and is strategically located on the A5 corridor with excellent road and rail connections to the Northern Powerhouse through Cheshire and Mid / North Wales.</p>

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