

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:	The Cross Hill Consortium
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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:	<input type="text"/>	Policy:	S16.1	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 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"/> |

(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 the attached statement letter
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(Please continue on a separate sheet if necessary)

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.

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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)?

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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:

The extent and nature of the concerns and matters raised in relation to the Pre-Submission Draft Local Plan are considered to require a full debate and discussion to be heard by the appointed Local Plan Inspector at the appropriate hearing sessions.

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Signature:

M. TAYLOR

Date:

26/02/2021

Office Use Only

Part A Reference:

Part B Reference:

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

Paragraph:	<input type="text"/>	Policy:	<input type="text" value="Schedule S16.1 (i)"/>	Site:	<input type="text" value="Omission of Sites"/>	Policies Map:	<input type="text" value="Inset S16b - Shrewsbury"/>
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	Part B Reference:

Signature:

M. TAYLOR

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- (Please tick one box)

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Paragraph:	<input type="text"/>	Policy:	<input type="text" value="Schedule S16.1 (i)"/>	Site:	<input type="text" value="173"/>	Policies Map:	<input type="text"/>
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Paragraph:	<input type="text"/>	Policy:	<input type="text" value="SP2"/>	Site:	<input type="text"/>	Policies Map:	<input type="text"/>
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M. TAYLOR

Date:

26/02/2021

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Part A Reference:

Part B Reference:

26th February 2021



Cambridge House
Henry Street
Bath
BA1 1BT

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

T: 0330 223 1510
planning@chilmarkconsulting.co.uk

Dear Sirs

SHROPSHIRE LOCAL PLAN: REGULATION 19 PRE-SUBMISSION DRAFT OF THE SHROPSHIRE LOCAL PLAN 2016 to 2038 – REPRESENTATIONS ON BEHALF OF THE CROSSHILL CONSORTIUM OF LAND OWNERS OF LAND WEST OF ELLESMERE ROAD, SHREWSBURY

We are instructed by and write on behalf of the Consortium of Landowners of Land to the West of Ellesmere Road, Shrewsbury ('The Cross Hill Consortium') with respect to the *Regulation 19: Pre-Submission Draft of the Shropshire Local Plan 2016 to 2038* (December 2020) ('SHLP').

Context and Background

1. The Cross Hill Consortium has an extensive interest in land to the west of Ellesmere Road, Shrewsbury. The interest comprises land in the ownership of Mr George and Mr William Phillips; the Albrighton Estate; and the Midlands Land Portfolio Limited. A Memorandum of Understanding between the various land owners has been agreed and the land interests are therefore promoted on a collective basis.
2. The Cross Hill Consortium's land is predominantly greenfield in agricultural use to the west of the Ellesmere Road and encompassing the area within which Hencott Pool is situated (see accompanying Site Location Plan appended).
3. The Cross Hill Consortium's land interests are mainly (but not entirely) covered by various Strategic Land Availability Assessment (SLAA) references: SHR163, SHR174, SHR109 and SHR023. The proposed site area available for development is however likely to be contained within the wider land ownership boundaries that are shown in the attached site ownership plan.
4. The proposed Northern West Relief Road (NWRR) road alignment is identified to pass through the Cross Hill Consortium's land.



5. In previous stages of the SHLP plan preparation process The Consortium's land interests have been identified and brought to the Council's attention as part of the suite of representations submitted at each stage.

Pre-Submission Draft Local Plan Representations

6. The opportunity to review and comment on the Pre-Submission Draft Local Plan is welcomed by the Cross Hill Consortium and the matters set out herein should be read in conjunction with and expand upon representations made to the previous SHLP plan stages.
7. We trust that the important matters set out herein will be given detailed consideration and amendments to the Plan made accordingly.

Policy SP2 – Strategic Approach

8. The latest calculation of Local Housing Need (LHN) identifies a need of 25,894 dwellings with an additional 1,500 dwellings to help address unmet housing needs arising from the adjacent Black Country Authorities area.
9. The total housing requirement of 'around' 30,800 dwellings set out in Policy SP2 is therefore supported as a positive and proactive response to meeting the housing needs of Shropshire overall.
10. The total figure should, however, be considered as the minimum level of housing to be delivered in the plan period in accordance with the National Planning Policy Framework at paragraph 60. An increased level of housing provision above the LHN requirement is more likely to result in the actual delivery and completion of sufficient housing in Shropshire and the LHN should not be considered as a cap to future housing growth.
11. This is especially important given the scale of housing required overall and the identified affordable housing needs.
12. The spatial apportionment and distribution of future housing requirements is broadly supported with a clear emphasis, rightly, on the development of future housing (and employment) in and adjacent to Shrewsbury as the largest and most sustainable settlement in Shropshire.



13. The Cross Hill Consortium is however concerned that the Plan proposes significant expansion and development of strategic sites that are not particularly well connected to existing settlements including the development of Green Belt land.
14. This does not, in the Cross Hill Consortium's view represent a sound strategy as it is not justified or effective in light of the evident opportunities to make best use of, and to focus, future housing development needs towards Shrewsbury to capitalise on the existing and proposed infrastructure (including the emerging development proposals for the NWRR).
15. The Cross Hill Consortium concludes that Shrewsbury is capable of sustainably supporting a greater level of future housing growth than that currently proposed in the Plan, particularly in order to support new infrastructure, including the NWRR.
16. Additional land allocations for housing growth should be included in the Plan to address the deficiency of the spatial strategy in Policy SP2. These allocations will need to reflect the challenges presented by heritage and ecological constraints and areas of flood risk.
17. The Plan should therefore be modified in Policy SP2 (and consequentially in other inter-related policies) to identify and allocate additional housing to the Shrewsbury area. This should include making better use of available land and sites such as our client's land to the west of Ellesmere Road (SHR163, SHR174, SHR109 and SHR023).

Policy S16.1 – Shrewsbury Development Strategy

18. The identification of Shrewsbury as the Strategic Centre of Shropshire and the primary focus for development in policy S16.1 is supported.
19. An increased spatial development growth focus on Shrewsbury is appropriate in the context of:
 - a) the town's role and function as the primary, highest order centre in Shropshire which is plain from the findings of the Plan's Sustainability Appraisal and from the analysis underpinning the Settlement Hierarchy;
 - b) the available opportunities for new housing development within the town and through new sustainable urban extensions.



20. It is essential therefore that the Local Plan maximises opportunities for housing development in sustainable locations such as Shrewsbury and its immediate surroundings.
21. It is the Cross Hill Consortium's conclusion that Shrewsbury can and should accommodate additional housing development above the level identified in Policy S16.1 (8,625 dwellings). This is because:
 - a) the town and its immediate hinterland benefits from the highest levels of access to jobs, services and facilities; and
 - b) it is well positioned with respect to existing and proposed / emerging infrastructure, including the new NWRR.
22. The Cross Hill Consortium's land interests to the west of Ellesmere Road are not physically or environmentally encumbered and should form a focus for future housing development allocation in this Plan.
23. The land is capable of sustainable development along with contributions towards critical infrastructure identified in the Settlement Strategy. The focus of growth to the west of the town is supported in principle as set out in S16.1 at bullet 4.
24. There are other sites, including The Cross Hill Consortium's land interests to the West of Ellesmere Road that are suitable, available and achievable, sustainable locations for residential development that would help further support the focus of future growth for Shrewsbury.
25. In this respect, the delivery of the NWRR identified in bullet 7 of policy S16.1 is supported in principle with the proposed road line identified on the Policies Map. Nevertheless, The Cross Hill Consortium does object to the restriction from residential development in bullet 7 and the proposed retention of the development restrictions for housing in Policy SP10 in respect of the land between the proposed NWRR and the existing Development Boundary of Shrewsbury that currently runs along the line of Ellesmere Road. In this respect the Plan as drafted is not effective or justified and is therefore unsound. This is because:
 - a) the implementation of the NWRR in this location is a fundamental change to the landscape character and visual relationship of the countryside to the town in this location;



- b) there is little logical or planning reason to exclude the area contained between the NWRR and the town from being used for appropriate additional residential and commercial development and it is noted that the Plan supports commercial (but not residential development) within this area (as bullet 7 of Policy S16.1 sets out); and
 - c) there is no justification or rationale for restricting this area from providing for residential development and it is clear that the Plan's Sustainability Appraisal and in the previous SHLAA sites assessment evidence that the Consortium's site (and other sites) perform as well as the proposed allocation of site SHR173. It is unclear why SHR173 has been selected in preference.
26. Overall, The Cross Hill Consortium's conclusion is that their land can and should make a positive residential development contribution to the future growth of Shrewsbury particularly in light of the changing character and levels of accessibility to the area provided by the implementation of the NWRR.
27. The Pre-Submission Draft Plan misses an evident opportunity to allow new land for development to come forward before the NWRR is completed and which can assist in helping meet the immediate housing land supply requirements of the Plan period, or in the circumstances that other allocated sites fail to be delivered.

Schedule S16.1 (i) – Site SHR 173

28. The Pre-Submission Draft Plan proposes the allocation of Land West of Ellesmere Road, Shrewsbury (SHR173) (page 274) for the development of 450 dwellings.
29. The Cross Hill Consortium does not object to the principle of development of land to the west of Ellesmere Road for new housing and is indeed supportive of this broad location as a sustainable part of Shrewsbury within which new homes can be provided, particularly in the context of progress towards the implementation of the NWRR.
30. Our client's concern is that the proposed allocation of site SHR173 is not justified. It is not clear how decision has been reached, with reference to the Plan's evidence base, to allocate site SHR173 is the preferred location in the west of Shrewsbury area for new development when there are other available, suitable and achievable development sites including The Cross Hill Consortium's land interests.



31. The Cross Hill Consortium has previously raised concerns as to the evidence base for the Local Plan's proposed allocation of site SHR173 including both the strategic housing land availability assessment and the various stages of the Plan's Sustainability Appraisal (SA) of the potential sites. Those concerns have not been addressed in the Pre-Submission Draft Local Plan.
32. On its own evidence there is very little or substantive difference as between the suitability for residential development of site SHR173 above or in preference to other adjacent / nearby sites including The Cross Hill Consortium's land.
33. It is plainly evident from a side-by-side comparison that the site areas perform well as sustainable locations for new residential development but there is not objective differentiation for the proposed allocation of SHR173 only given the obvious merits of the other sites.
34. It is also evident that the SA analysis for the sites (and indeed others) has been undertaken on an inconsistent basis with very different weight and emphasis applied to the ability to develop the sites; their possible highways / traffic effects and ecological and air quality / noise implications or potential for resolution or mitigation of any adverse effects.
35. It is an approach which fails to adequately consider the relative importance or significance of different SA indicators / measures. And to consider effectively the magnitude of potential environmental effects arising from development. Put simply there is a lack of balance as to the importance or magnitude of the various possible effects arising.
36. In short the assessment of SHR173 appears to be biased in favour of the site's allocation above SHR174, SHR109 and SHR023 in these regards against a baseline position which is very similar in terms of *inter alia*: overall location, access, landscape, ecology and future development of the NWRR.
37. The SA analysis also makes some sweeping and generalised assumptions as to the capacity of the sites and the possible effects of development arising from each.
38. Overall it is concluded that while SHR173 is a sustainable development site (and the Cross Hill Consortium do not object to the principle of its inclusion in the Plan) that there is no objective evidence as to why this proposed allocation is justified for development above other sites including The Cross Hill Consortium's land interests which are equally or indeed better placed to support the



sustainable development of new housing for Shrewsbury. The Pre-Submission Local Plan is therefore considered to be unsound as drafted for this reason.

Objection to Omission of The Cross Hill Consortium's Land

39. Related to the lack of balanced assessment and justification for the proposed allocation of site SHR173, The Cross Hill Consortium objects to the omission of its land interests that are encompassed by site references SHR163, SHR174, SHR109 and SHR023 (land at west of Ellesmere Road, Shrewsbury). The omission is from the Pre-Submission Draft Local Plan including at policy Schedule S16.1 (i) and the relevant Policies Map Inset S16b (Shrewsbury Town).
40. The Cross Hill Consortium (and individual land owner members) have previously provided Shropshire Council with substantial details setting out the availability, suitability and achievability of significant, sustainable residential-led development of the site.
41. The principle of residential development in the area to the west of Shrewsbury is supported in the Pre-Submission Draft Plan and is welcomed by our client. However the failure to identify and allocate The Cross Hill Consortium's land represents a significant omission from the Plan given the level and nature of new housing required in Shrewsbury and in Shropshire overall.
42. The characteristics of the area to the west of Ellesmere Road are anticipated to fundamentally change during the lifetime of the Plan with the confirmed funding and development proposals for the new NWRR infrastructure that will cut through, bisecting The Cross Hill Consortium's land and encompassing a substantial area to the east of the NWRR within a more urbanised character setting at the edge of Shrewsbury.
43. Put simply, there will be a new hard urban edge to Shrewsbury created by the NWRR and which should be used positively in the Plan to form a new, sustainable, residential development area for Shrewsbury.
44. The presence of the new road will, as designed in the emerging planning application (understood to be due for submission and determination in early / mid 2021), effectively transform the landscape and visual character of the surrounding area as well as change the ecological and biodiversity relationship of Hencott Pool Ramsar / SSSI with the surrounding land to the east.



45. The NWRR will also bring new opportunities for improved strategic and local area highway access for land to the west of Ellesmere Road.
46. Set against this substantial change in underlying characteristics, it is not clear why The Cross Hill Consortium's land has been omitted from allocation in the Local Plan when the nearby neighbouring site SHR173 has now been proposed for allocation.
47. As identified above, The Cross Hill Consortium is concerned that the SA and SLAA assessments;
 - a) do not appear to have been undertaken on a consistent or comprehensive basis; and
 - b) fail to reflect the actual physical characteristics of their land interests or the ability of the development of the land to resolve, mitigate or compensate any potential ecological, noise, access or air quality effects (which the SA notes for SHR163, SHR174, SHR109 and SHR023 but downplays substantially in relation to SHR173).
48. Overall, there is no clear evidence why The Cross Hill Consortium's land was not proposed for allocation as it performs equally or better than SHR173 and has the added benefit of being able to positively address the NWRR as part of any future development of the land.
49. The objection to the omission is therefore due to the lack of objective evidence or rational planning arguments for its exclusion from the Local Plan and the inconsistent approach taken to its assessment alongside other sites, including SHR173, in the SA and the SLAA.
50. The Consortium's land is available, acceptable and can be delivered as a sustainable residential-led development within the early part of the Shropshire Plan period. This would provide a positive and proactive response to the changing character and nature of the surrounding area as well as offering a scale of site opportunity that can effectively address landscape and open space infrastructure requirements and deliver ecological and biodiversity benefits above those offered by the new NWRR.

Conclusions

51. The Consortium object to the Pre-Submission Draft Local Plan. As prepared it is unsound for the following reasons:

- **Policy SP2** (Strategic Approach) is not effective as the Plan proposes significant expansion and development of strategic sites that are not particularly well connected to existing settlements including the development of Green Belt land. This is not an effective or justified spatial strategy in light of the evident opportunities to make best use of existing and proposed infrastructure at sustainable locations in and adjacent to Shrewsbury.
- **Policy S16.1** (Shrewsbury Development Strategy) is not effective as there is greater potential for sustainable development and residential growth from suitable sites in Shrewsbury, including The Cross Hill Consortium's land interests. Shrewsbury can and should accommodate additional housing development above the level identified in the policy which would make the Plan more effective and would be justified in relation to the evident Settlement Hierarchy and Shrewsbury's role and function as a high order centre.
- **Schedule S16.1 (i)** (Site SHR 173) the proposed allocation of site SHR173 as opposed to other sites to the west of Ellesmere Road, Shrewsbury is not adequately justified in light of the available evidence including from the SHLAA and the Plan's Sustainability Appraisal (although the Cross Hill Consortium do not object to the principle of allocating SHR173). Furthermore, the omission of other sites to the west of Ellesmere Road (such as SHR163, SHR174, SHR109 and SHR023) has not been justified in light of the Plan's evidence and the availability, suitability and achievability of significant, sustainable residential-led development of that land.

Modifications Required

52. The following modifications to the Local Plan are sought:

- a) Allocation of additional residential growth to Shrewsbury through Policy SP2 and S16.1 in order to reflect the Town's role, function and inherent sustainability within Shropshire. This additional housing allocation will also reflect the substantial investments in committed and new infrastructure including the NWR. Modification to Policy S16.1 (bullet 7) is also sought to allow for residential development in the area to the west of Ellesmere Road with consequential alteration of the existing Development Boundary in this area (as below). The modifications



would provide greater flexibility and resilience for the Plan in respect of the future growth of Shrewsbury.

- b) Allocation of The Cross Hill Consortium's land for residential-led development in the Plan as the sites represent a suitable, available and achievable location for residential development within the changing context and characteristics of the western edge of Shrewsbury.
- c) Modification of the Development Boundary area in relation to Policy SP10 as shown on the Local Plan Policies Map (Shrewsbury Town Inset – S16b) where it covers the Cross Hill Consortium's land and the existing defined boundary to Shrewsbury.

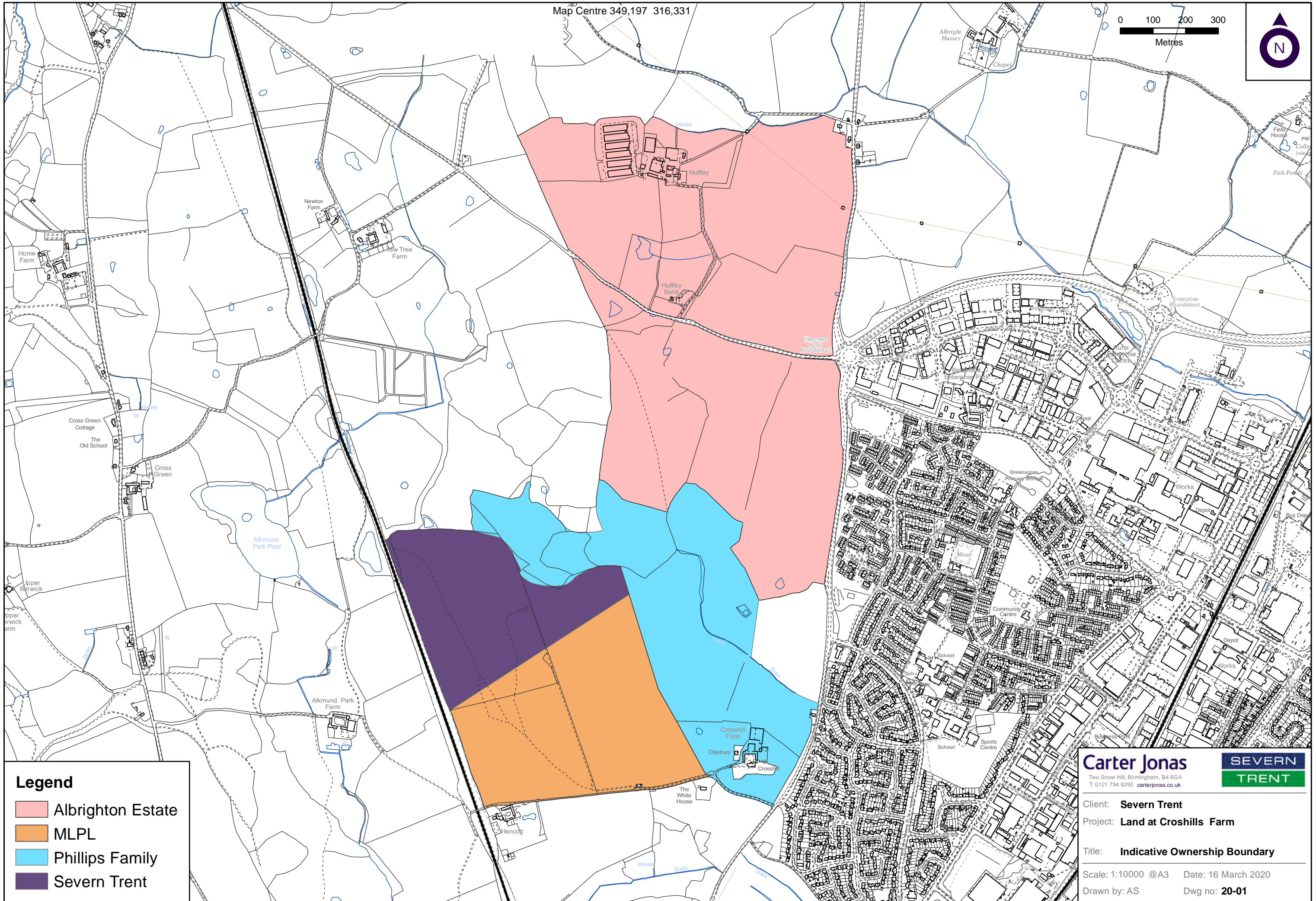
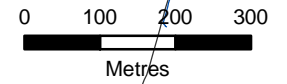
We would be grateful if you will confirm safe receipt of this representation and that it has been duly made.

Yours sincerely,

MIKE TAYLOR BsocSc (Hons) MSc MRTPI MIED
Director, Chilmark Consulting Ltd.

For and on behalf of The Cross Hill Consortium

Map Centre 349,197 316,331



Legend

- Albrighton Estate
- MLPL
- Phillips Family
- Severn Trent

Carter Jonas **SEVERN TRENT**

Two Snow Hill, Birmingham, B4 6GA
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Client: **Severn Trent**

Project: **Land at Croshills Farm**

Title: **Indicative Ownership Boundary**

Scale: 1:10000 @A3 Date: 16 March 2020

Drawn by: AS Dwg no: **20-01**