

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

26 February 2021

EP ref: 21-087

John Coxon
T: 01625 442 785
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By e-mail only: Planningpolicy@Shropshire.gov.uk

Dear Sir or Madam

Re: Regulation 19 pre-submission draft – Shropshire Local Plan

This letter sets out the general response of Emery Planning to the current Regulation 19 consultation. Please note that we have provided separate representations on behalf of individual clients under separate cover.

Policy DP1 – Residential mix

We consider that the policy is not justified and is not consistent with national policy. We address the various requirements below.

Housing mix

The SHMA sets out an analysis of housing need to 2036, broken down by sizes, types and tenures (SHMA Part 2, Section 3). However, the demographic-based projections produced by the SHMA fail to consider the full picture and do not accurately reflect market demand. It is therefore essential that Policy DP1 recognises this and is amended to make clear that the dwelling mix set out in the SHMA is a starting point only, and is to be applied flexibly, reflecting local needs and market demand.

Turning to Policy DP2(2)(a), the Council's Right Home Right Place survey is an innovative and positive method for looking at need and demand within parts of the borough. However, we do not consider that it is a sufficiently robust method for determining the mix of 50% of the dwellings on a site,

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particularly larger sites. Policy DP2(2)(b) sets out a precise mix for 50% of the market dwellings (25% 2-bedroom and 25% 3-bedroom) in the event that a Right Home Right Place survey has not been undertaken. It is not clear what justification there is for setting these requirements, and the figures do not ever correlate with the SHMA.

We consider that the policy should be amended to state that, where appropriate, residential development will be expected to provide a mix of dwelling sizes, types and tenures in order to meet the identified needs of local communities, having regard to evidence from the SHMA, market demand and any other local evidence (including the Council's Right Home Right Place survey).

M4(2) standard dwellings

The need for higher accessibility, adaptability and wheelchair housing standards is addressed at paragraphs 6.267 – 6.294 of the SHMA. However, the evidence does not appear to support the proposed requirement for 70% of all new dwellings to meet M4(2) standard. We therefore consider that the evidence and policy should be reviewed, and more realistic assumptions applied.

M4(3) standard dwellings

The proposed policy is inconsistent with the NPPG, which is clear that the requirement for wheelchair accessible homes (i.e. M4(3) standard) should only be applied to dwellings where the local authority is responsible for allocating or nominating a person to live in that dwelling (i.e. certain types of affordable housing). The policy needs to make clear that the 5% requirement only applies to the element of affordable housing.

Specialist housing

The policy states that 'a range' of specialist housing will be provided, but it does not specify how much specialist housing that entails on an individual proposal. But in any event, achieving 'a range' of specialist housing on many sites of less than 200-250 dwellings would be extremely challenging. Most sites within the range of 50-250 dwellings would be acquired and developed by a single developer, which would be unlikely to be able to deliver specialist housing such as a care home or extra care accommodation.

Policy DP2 – Self-build and custom-build houses

We object to the requirement at part 2 of the policy for all sites of 10 or more dwellings to provide 10% of houses as serviced plots for self-build, as a need has not been demonstrated for this type and scale of provision. Table 131 of the SHMA suggests that around 2,390 applications will be made for inclusion on the Self-Build Register during the plan period. However, the evidence at tables 132 and 133 of the SHMA shows that the supply of such units is exceeding additions to the Self-Build Register.

Without prejudice to our in-principle concerns, the draft policy also contains a requirement to market plots for 36 months at a 'fair plot valuation'. We do not consider this to be a reasonable timeframe for marketing the site, as if there is an immediate need then we would expect the plot to require only a very limited marketing period.

Policy DP3 – Affordable housing provision

The policy sets a requirement for 10% in the north and 20% in the south. The figure for the south does not appear to be supported by the Viability Study, which states at paragraph 10.72:

"The remaining development is on the larger sites, with about 40% of the anticipated development in this area to be on sites that are similar to Typology 1 (Green 250) and Typology 2 (Green 120). The results suggest that a 20% affordable housing requirement is more challenging. There are only 5 sites of this type so it is recommended that the Council only includes these in the Plan if there is a confirmation from the landowners or site promoters that these sites are actually deliverable with this requirement."

We are not aware that landowners have been contacted or have confirmed that 20% is deliverable. It should be noted that this could also have implications for existing allocations. We therefore consider that the requirement for larger sites in the south of the borough should be reduced to a level that is demonstrably viable.

Policy DP11 – Minimising carbon emissions

Parts 1(b), 1(c) and 1(d) of Policy DP11 are inconsistent with national planning policy and guidance, which makes clear that the only additional technical requirements exceeding the minimum standards required by Building Regulations that can be sought are the optional technical standards as detailed in the NPPG. These elements of the policy should therefore be deleted.

Policy DP12 – The Natural Environment

Policy DP12(3) requires all developments to 'achieve a 10% net gain in biodiversity in accordance with the Environment Act'. However, the provisions of the Environment Act relating to biodiversity net gain (BNG) have only been consulted upon (numerous objections have been raised) and at this point there is no certainty that it will be carried forward into law.

The Framework sets out a requirement at paragraph 170(d) for planning policies and decisions to contribute to and enhance the natural and local environment by minimising impacts on and providing net gains for biodiversity. Therefore, to be consistent with national planning policy the draft plan should specify that development should achieve a BNG. There is no justification for the figure to be 10%.

We are also concerned as to whether the Council has fully assessed the implications of applying 10% BNG on development within Shropshire, including the impact upon the developable areas of site allocations, and potentially development yield. It is not clear how the Council's assumptions in the Viability Study for achieving a 10% BNG have been derived.

This concludes our representations. We wish to be kept informed of the process and to participate in any future examination. Should you require any further information, please do not hesitate to contact us.

Yours sincerely
Emery Planning

John Coxon

John Coxon BSc (Hons), MRTPI
Director

Representation Form

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- (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:
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Paragraph:	<input type="text"/>	Policy:	DP11	Site:	<input type="text"/>	Policies Map:	<input type="text"/>
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Paragraph:	<input type="text"/>	Policy:	DP2	Site:	<input type="text"/>	Policies Map:	<input type="text"/>
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