

## 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:	Richborough Estates c/o Pinnacle Planning
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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:

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- A. Legally compliant Yes:  No:
- B. Sound Yes:  No:
- C. Compliant with the Duty to Co-operate Yes:  No:
- (Please tick as appropriate).

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4.1 Bayston Hill is the tenth largest settlement in Shropshire, with a population of 5,156, with only three of the proposed Key Centres being larger. It is also worth noting that Bayston Hill is nearly three times the size of Bishops Castle, which is the smallest of the proposed Key Centres.

4.2 The settlement provides a wide range of services which meet not only the day to day needs of its residents but also those of the surrounding rural and urban catchment. Bayston Hill clearly performs very well in the settlement assessment using the Council's methodology. There are multiple convenience stores in the settlement as well as a post office and several pubs. There are also a range of social facilities including places of worship, a library and areas of public open space with play equipment.

4.3 Oak Meadow Primary School is a two form entry school, assessed by Ofsted to be 'Good' and to be 'larger than average'. Over 400 pupils attend the school and which clearly serves the surrounding villages, and suburbs of Shrewsbury, as well as just residents of Bayston Hill.

4.4 The Beeches Medical Practice is a large NHS medical practice located in the centre of Bayston Hill. There are 6,228 registered patients and the catchment extends as far south as Woolstaston (over 8 miles away). The practice also provides an asthma clinic, a physiotherapy service and undertakes minor surgery. Beeches Medical Practice clearly provides a service which meets the needs of the surrounding hinterland.

4.5 Bayston Hill quarry is located immediately adjacent to the settlement. It is owned by Tarmac Lafarge and is a significant local employer with over 100 people employed directly by the quarry. This excludes contractors such as cleaners, haulage drivers and other local suppliers. The 57ha site is one of the largest in the UK and produces approximately 850,000 tonnes a year of high-PSV red and grey gritstone (greywacke), and around 250,000 tonnes a year of coated materials. This is a significant local employer which provides jobs for people across the surrounding area.

4.6 Bayston Hill is a well contained settlement, with the majority of services located within a defined centre.

4.7 Given the level of services available and the surrounding countryside, as well as the proximity of additional working opportunities in Shrewsbury, it is clearly an attractive place to live. There is unmet housing need within Bayston Hill which could be fulfilled either through its designation as a Key Centre or the identification of an appropriate development guideline.

#### Affordable Housing Need

4.8 The Council's latest Strategic Housing Market Assessment (SHMA) (Part 2) was published in September 2020 and provides further detail on the needs of different groups in the community. Section 4 relates to affordable housing and confirms that there are in excess of 5,000 households on the housing register that nearly 800 affordable homes per annum will be required through the plan period.

4.9 The 2020 version of the SHMA does not provide statistics on the need for affordable homes at a settlement level. Right Home Right Place reports (Local Housing Need Surveys) are being completed for relevant settlements but due to disruption caused by Covid-19, the assessment for Bayston Hill has not yet been published.

4.10 Until this is available, the latest available information is provided in the previous SHMA, which dates from March 2014. This document highlights the following statistics for Bayston Hill which are quoted from the 'Housing Register by Parish' data (January 2014):

- the affordable housing stock for Bayston Hill comprises 78 dwellings.
- from June 2009 to January 2014 there were 30 lettings in Bayston Hill.
- between June 2009 and January 2014 there was an average of 68 bids per affordable property.

4.11 An Affordable Housing Statement was prepared by Tetlow King in 2017 for Richborough. and was submitted as part of the previous application on our client's site (17/02561/OUT). This concluded that in Bayston Hill village there has been an average delivery of just one net affordable home per annum over the course of the previous 11 years, when delivery in Meole Brace (which falls within the Parish of Bayston Hill but lies within the settlement boundary of Shrewsbury) is discounted. The Statement also identified that between 2008/09 and 2014/15, only 1,728 affordable dwellings were delivered in Shropshire, which equates to 247 affordable dwellings per annum across the seven-year period. This fell significantly short of the objectively assessed housing needs across the same period.

4.12 Table 37 of the SHMA 2020 is provided below and shows that after the adoption of the SAMDev in 2015, overall completions increased along with affordable housing delivery.

Source: SHMA (2020), Shropshire Council

4.13 However, even during years of comparatively very high housing completions, the level of affordable delivery is still well below identified need figure of 800 dwellings per annum. This provides further justification for the identification of allocations in higher market areas where affordable housing is viable and will be delivered.

4.14 There is an obvious need for additional affordable housing within Bayston Hill which could not be met by adopting a 'guideline' of 50 to 60 dwellings over the Plan period, similar to that which was included in the SAMDev. This justifies a development guideline of at least the 200 dwellings which has been identified for Bayston Hill in the PSDSLP.

#### Development Strategy

4.15 The development strategy for Bayston Hill confirms that over the period from 2016 - 2038 it is proposed that 'around 200 dwellings' are provided, including existing commitments.

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Part A Reference:

Part B Reference:

Appendix 5 of PSDSLP confirms that in the first three years of the plan period 39 dwellings were either completed or committed, and that a further 161 dwellings will need to be identified on new housing sites to support the housing growth objectives of the Local Plan Review. It is confirmed that this will provide an opportunity to deliver a range of accommodation types to help meet local housing needs, and support investment in community facilities and infrastructure improvements.

4.16 Whilst our client supports the identification of a development guideline for Bayston Hill they maintain that 200 dwellings should be the minimum figure for consideration. This scale of development will enable the provision of much needed affordable housing and market housing in an area which is attractive to developers. There are also less sustainable Community Hubs with larger development guidelines than Bayston Hill.

4.17 It is important to remember that these development guidelines are not ceilings or maximums, they are intended to provide guidance. Table 16.2 states that the residential guideline for Bayston Hill is "around 200 dwellings". In order to significantly boost the supply of new homes, and avoid potentially under delivering on the identified requirements, the wording should be amended to "at least 200 dwellings". Any provision over and above these guidelines should therefore be considered on its own merits and whether it comprises sustainable development. It is specifically the use of "around" in regard to the development guidelines for all Community Hubs with which our client disagrees and objects to. The approach as currently drafted is not positively prepared and is therefore not sound.

*(Please continue on a separate sheet if necessary)*

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Yes, I wish to participate in hearing session(s)

(Please tick one box)

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Policy DP3 2.24 Policy DP3 relates to the provision of affordable housing and establishes the criteria for the level of provision to be provided as part of new residential developments, including the relevant tenures. Our client supports the need to deliver affordable housing and fully recognises the obligations on site promoters to assist in meeting such needs. 2.25 In relation to DP3 (1)(d), the policy states that where affordable housing is to be secured on site, its tenure should comprise 70% social or affordable rent accommodation and 30% intermediate or other affordable housing, unless evidence of local need indicates otherwise. However, there is no clarity provided in either the policy or the supporting text on whether "other affordable housing" includes First Homes or the other tenures included in the definition provided in the Glossary to the NPPF. The stated approach is currently not justified or consistent with national policy and therefore unsound. The approach should be amended to ensure consistency with the Government's policy changes. 2.26 In relation to DP3 (1)(e), the policy seeks to restrict affordable rents to 80% of market rent, noting that this should not exceed the Local Housing Allowance Housing Benefit. It is
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currently unclear whether this policy allows for annual rent increases on both social rent and affordable rent properties. It is often the case that affordable rent properties are capped on first let which prevents rents increasing in line with Government policy. Preventing such inflation can have critical impacts on Registered Providers, as rising costs would give the effect of a rent cut for these businesses. There is a significant concern that this scenario could potentially threaten the delivery of affordable housing in the borough. As currently worded the policy is not justified or consistent with national policy and therefore unsound. The approach should be amended to ensure consistency with the Government's policy on rents for social housing.

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Signature: M. O'Brien

Date: 26/02/2021

Office Use Only

Part A Reference:

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<p>Policy SP2</p> <p>2.5 Policy SP2 is titled 'Strategic Approach' and encompasses several key matters including the spatial vision, establishing development needs and the settlement hierarchy.</p> <p>2.6 Point 1 of the policy reiterates the aims which are set out in the Vision, as well as the Shropshire Test, and are supported.</p> <p>2.7 Point 2 of the policy confirms that over the plan period 2016 to 2038, around 30,800 new dwellings and 300ha of employment land will be delivered, which equates to around 1,400 dwellings and 15ha of employment land per annum. The supporting text to the policy confirms that in regard to housing, the overall figure comprises an increase of nearly 5,000 dwellings on the standard method figure, which represents the minimum number of homes needed. Our client supports the principle of adopting a housing requirement which seeks to significantly uplift the minimum figure and considers the approach to be sound.</p> <p>2.8 Paragraph 3.6 of the PSDSLP confirms that the flexibility provided by the increase in the housing figure allows for the delivery of family and affordable housing to meet local needs and support new families coming into Shropshire. Our client supports the delivery of quality</p>
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family housing in sustainable locations and acknowledges the role this can play in attracting new families to the County. It is important that the future growth aspirations are aligned with housing policy and that enough of the right types of housing are built to ensure that the labour force and skills the economy needs will be attracted to and retained in Shropshire.

2.9 Point 3 of the policy acknowledges that the delivery of affordable housing remains a key priority in Shropshire and confirms that the Plan aims to deliver around 7,700 affordable dwellings. The supporting text confirms that there are in excess of 5,000 households on the housing register and the SHMA has identified that nearly 800 affordable homes per annum will be required through the plan period.

2.10 Our client supports the focus on delivery of affordable housing and acknowledges the pressing need within Shropshire. In this regard it is important that viability and the market attractiveness of settlements and sites are taken into consideration when allocating sites. There is little value in allocating land in settlements where there is no market interest, or sites which are overly constrained. Such allocations may either remain undeveloped and undelivered or fail to viably deliver affordable housing.

2.11 Point 6 of the policy references the importance of ensuring the long-term sustainability of rural communities through allocating new development within Community Hubs. Our client strongly supports the acknowledgment that Community Hubs comprise significant service centres. It is imperative that a sufficient level of growth is directed to such settlements in order to sustain day to day facilities and secure continued vitality. Many rural settlements provide homes for several generations of the same family and new development will help younger people find homes in the communities in which they grew up. Similarly, new housing will also assist in allowing older people to downsize.

2.12 As acknowledged in the PSDSLP the county of Shropshire has a rural character and network of villages and small towns which serve a wide hinterland as well as its resident population. It is important that the contribution of these settlements is recognised and the key role they play in not only supporting their own rural communities but also the urban conurbations too. For instance, Bayston Hill is located less than 1 mile from the settlement boundary of the County Town of Shrewsbury. Development within Bayston Hill will help to sustain and grow the vitality of both settlements.

#### Schedule SP2

3.1 As part of the Local Plan Review, Shropshire Council has undertaken a reassessment of the settlement tiers and the categorisation of settlements across the borough. This is in order to inform the potential of settlements to accommodate new development.

3.2 The methodology and the results of this exercise were originally summarised in a document titled Hierarchy of Settlements (2017), which was approved by Shropshire Council Cabinet in October 2017.

3.3 This document was consulted upon as part of the Preferred Scale and Distribution of Development consultation, which took place at the end of 2017. The assessment included four stages:

- Stage 1: Identification of settlements
- Stage 2: Screening of Settlements
- Stage 3: Assessment of Screened-In Settlements
- Stage 4: Categorisation of Settlements

#### Previous Representations

3.4 Our client made extensive representations to this document, having analysed the methodology in detail. In relation to Stages 1 and 2 our client was broadly in support.

3.5 Stage 3 related to the assessment of settlements and sought to gain a greater understanding of how they function. As set out in the consultation document the methodology involved consideration of factors including:

- the range of services and facilities;
- high speed broadband provision;
- employment opportunities; and
- availability of public transport links.

3.6 Whilst these four categories provide a useful indicator for assessment, our client's representation made the case that population was a factor which should be included in the analysis. This was justified on the basis that larger settlements are generally more sustainable as a greater range of services and facilities can be supported.

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Part A Reference:

Part B Reference:

3.7 Stage 4 of the methodology sought to use the outputs of the earlier stages to rank settlements based on functionality within one of the following categories;

- Strategic centre;
- Principal and Key Centres;
- Community Hub Settlements; and
- Other Rural Settlements.

3.8 Each of the specific categories highlighted above were formally defined and provided with a general description. Our client made representations to justify the division of Principal and Key Centre category on the grounds that they perform a different role with Principal Centres serving a much wider catchment. The argument was put forward that each of these tiers should be provided with their own tailored description.

3.9 The final part of the methodology involved the formal categorisation of the settlements which was informed by the assessment of services but was ultimately determined through use of professional judgment. In order to provide clarity to this approach a series of thresholds for each category of settlement were identified within paragraphs 5.39, 5.40 and 5.41 of the Hierarchy of Settlements (2017).

3.10 Paragraph 5.40 specifically related to the lower threshold for Key Centres and the upper threshold for Community Hubs. This established that Principal/Key Centres should be well dispersed with reasonable rural hinterlands between them and the strategic centre and other centres. It was specifically highlighted in the consultation document that some Community Hubs, particularly some of the higher scoring community hubs are satellites to larger settlements classified as either a strategic or principal/key centre.

3.11 Our client made representations on this specific point highlighting that settlements should be assessed based on the level of services that are provided as well as the size of the population. The fact that a centre is located close to a larger centre is not a factor which should impact on the categorisation of settlements. Our client highlighted examples in Cheshire East where categorised settlements were located immediately adjacent to one another and highlighted that the smaller settlements were also capable of meeting the needs of the resident population, as well as the rural and urban hinterland which surrounds them.

3.12 Our client remains of the view that failing to recognise certain settlements which are of significant size and contain key services is not sustainable. Smaller settlements which are close to larger towns are extremely sustainable places to live, given the services available, and there is demand for people to live there. Indeed, the residents of Bayston Hill are about the same distance from Shrewsbury Town Centre as those living in Battlefield or Bicton Heath/Shelton; the only difference being that Battlefield and Bicton Heath/Shelton are within the development boundary of Shrewsbury, whereas Bayston Hill is not. Sustainable development cannot be determined on the basis of a line on a plan.

3.13 As set out elsewhere in this document our client supports the identification of development guidelines for named Community Hubs. The identification of these housing figures clearly seeks to acknowledge the sustainability of Community Hubs and the requirement to meet the needs of small settlements for new housing and in order to sustain the existing services. The identification of appropriate development guidelines for the most sustainable Community Hubs goes some way to addressing the concerns of our client, which were raised at the consultation on Preferred Scale and Distribution of Development.

3.14 Shropshire Council updated the Hierarchy of Settlements document in 2018 and again for this consultation in 2020. This has included undertaking a repeat of Stage 3 of the assessment, which involves re-scoring all the settlements based on the function scoring table. Despite this re-assessment, the overall hierarchy has remained the same as concluded in the 2017 document.

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Paragraph:	<input type="text"/>	Policy:	<input type="text" value="SP3"/>	Site:	<input type="text"/>	Policies Map:	<input type="text"/>
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- |  |      |                                     |     |                          |
|--|------|-------------------------------------|-----|--------------------------|
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<p>Policy SP3</p> <p>2.13 SP3 and the related Policy DP11 acknowledge the need to integrate renewable and low carbon energy systems into all residential developments. DP12 expands on this by stating that 10% of the predicted energy needs of a development needs to come from these two sources on-site; with it also requiring a minimum 19% improvement in the energy performance requirement of the 2013 Part L Building Regulations.</p> <p>2.14 Paragraph 4.108 describes the five stages of the energy hierarchy and that energy options should be pursued in the following order:</p> <ol style="list-style-type: none"><li>Reduce the need for energy;</li><li>Use energy more efficiently;</li><li>Use renewable energy;</li><li>Use low carbon sources; and</li><li>Use conventional energy</li></ol>
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2.15 The Council is correct to use the energy hierarchy but then they appear to circumnavigate it by jumping straight to renewable and low carbon sources. The primary aim should be to reduce energy use; it should not matter if that can be achieved through a fabric first approach. A more sophisticated approach is needed than is currently being suggested.

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Richborough Estates have a strong track record of bringing sites through the local plan system and they believe they can assist the Inspector in exploring the issues with the most up to date information and therefore wish to participate orally in the EiP.

*(Please continue on a separate sheet if necessary)*

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Signature: M. O'Brien

Date: 26/02/2021

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)**.

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:	Richborough Estates c/o Pinnacle Planning
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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:  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.

<p>Policy SP8</p> <p>2.16 Policy SP8 is titled 'Managing Development in Community Hubs', and highlights that the settlements are significant service centres, where appropriate development will be permitted on allocated sites within the development boundary. Our client supports the acknowledgement that Community Hubs are significant centres and the inclusion of site allocations for development within the Plan.</p> <p>2.17 Paragraph 3.59 of the PSDSLP confirms that in order to recognise the diversity of the settlements each Community Hub has been provided with an identified residential development guideline. The text highlights that the figure has been informed by consideration of the characteristics of each Community Hub and aims to provide greater certainty to local communities and the development industry.</p> <p>2.18 The SAMDev was adopted in December 2015 and specifically identified Bayston Hill as a Community Hub with a Development Guideline of only 50-60 dwellings for a twenty year plan period (2006-2026). At the time Shropshire Council considered that this could be achieved through infill development and without identifying any specific allocations. This level</p>
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of housing delivery has failed to sustain the delivery of much needed affordable housing within Bayston Hill, and the approach has had similar impacts in other Community Hubs.

2.19 The PSDSLP has identified a residential guideline for Bayston Hill of 200 dwellings which is to be met principally by two allocations. Our client supports the higher level of development directed to sustainable Community Hubs and the acknowledgment that site allocations provide certainty for all parties.

2.20 The Council's Hierarchy of Settlements paper (August 2020) reviews all settlements within the county and establishes a settlement hierarchy based upon the sustainability of all settlements. As part of this assessment, settlements are assessed for their provision of primary and secondary services, transport and employment opportunities.

2.21 In this assessment Bayston Hill clearly emerges as a highly sustainable settlement and is acknowledged to have good access to services. Overall, the Hierarchy of Settlements study scores Bayston Hill 80 out of a possible 116 total points for sustainability.

2.22 Market attractiveness should also be a factor in assessing settlements, as there is little value in allocating land in settlements where there is no market interest, such sites will remain undeveloped and undelivered. This issue has already been identified by Shropshire Council who has set up Cornovii Developments, a housebuilding company to tackle a shortfall in commercial house building in the county. Two of the developments they are currently taking forward are located in Ifton Heath and St. Martin's, which are relatively isolated settlements, where private housebuilders may not look to develop. This demonstrates the importance of allocating sufficient land in areas of the borough which are viable and attractive to market housebuilders because very clearly the Council's Cornovii Developments cannot deliver the entire housing requirement.

2.23 Our client supports the identification of development guidelines for named Community Hubs. The housing figures clearly seek to acknowledge the sustainability of Community Hubs, as well as the requirement to meet the needs of small settlements for new housing and sustain the existing services.

*(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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*(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.

Office Use Only	Part A Reference:
	Part B Reference:

**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:**

Richborough Estates have a strong track record of bringing sites through the local plan system and they believe they can assist the Inspector in exploring the issues with the most up to date information and therefore wish to participate orally in the EiP.

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Signature: M. O'Brien

Date: 26/02/2021

Office Use Only

Part A Reference:

Part B Reference:

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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:	Richborough Estates c/o Pinnacle Planning
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- 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:	<input type="text"/>	Site:	BAY039	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 type="checkbox"/> | No: | <input checked="" type="checkbox"/> |
| C. Compliant with the Duty to Co-operate | Yes: | <input 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.

<p>Land off Lyth Hill Road Background</p> <p>5.1 This section of the representation provides details of the site within our client's interests. It sets out the site location, accessibility, a summary of technical matters and concludes that the site comprises a sustainable location and is suitable and appropriate for residential development.</p> <p>Site and Surroundings</p> <p>5.2 Bayston Hill is the largest village in Shropshire. It is approximately 5km south of the centre of Shrewsbury Town Centre, although the settlement boundaries of both are just 1km apart. Telford is located some 23km to the east of Bayston Hill.</p> <p>5.3 The site lies within the administrative area of Shropshire Council and is on the southern boundary of Bayston Hill. An aerial image of the site shown at Figure 5.1 below.</p> <p>Figure 5.1: Site Location (approximate site boundary denoted in red)</p>
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5.4 The site comprises approximately 6.1 hectares (15.07 acres) of relatively flat unremarkable agricultural land immediately adjoining the settlement boundary, between Lythwood House to its south and the rear of dwellings on Amblecote Drive.

5.5 The site is to be accessed from Lyth Hill Road from the eastern boundary – there is already an existing field gate in this location. The north western and western boundaries of the site are tree lined with countryside extending beyond that. Land to the north of the site comprises residential areas. Figure 5.1 above shows that there are two distinct sections to the site that are clearly separated by a hedgerow.

#### Accessibility

5.6 As explained above, the site is to be accessed from Lyth Hill Road – a residential street with pavements on both sides which stop approximately 60m north of the proposed access point, near to the junction with Grove Lane. As part of development proposals, the pavement will be extended on the western side of Lyth Hill Road into the site and this is to be achieved within highway land.

5.7 At the site's eastern extent is a public footpath and a connection will be made to this path where it emerges between the houses on Yew Tree Drive and Grove Lane. Footpaths will therefore provide access between the site and the services/facilities in the village centre, as well as to local bus stops. Buses provide links to Shrewsbury.

5.8 The nearest railway station to the site is Shrewsbury, approximately 7.4km to the north and is accessible by the bus services identified above. Shrewsbury Railway Station provides connections to Manchester, Birmingham, Swansea, Wrexham and Aberystwyth.

#### Concept Masterplan

5.9 A development layout has been produced for the site and is appended to these representations. This indicates that 115 dwellings can be accommodated on the site, with all matters being satisfactorily addressed and at a gross density of 19.8 dwellings per hectare.

5.10 Table A5.5 within the PSDSLP provides an update on commitments and completions for Bayston Hill and confirms that there is an outstanding windfall allowance of 14 dwellings. Taking this shortfall into consideration, the proposed scheme could broadly be accommodated within the overall guideline for Bayston Hill. As demonstrated by the lack of development in the village over the previous plan period there may be limited opportunities for windfall development in Bayston Hill to accommodate the full guideline figure. Furthermore, if several small windfall sites come forward, to meet the outstanding 14 unit figure, these are likely to be below the 10 unit trigger for affordable housing. Allowing for a higher figure on the subject site would therefore maximise the level of affordable housing in Bayston Hill over the plan period. It would also make for the most efficient use of land, as required by paragraph 122 of the NPPF.

#### Draft Allocation – Development Guidelines

5.11 The Table titled Schedule S16.2(i) within the of the PSDSLP confirms that the Land at Lyth Hill Road is the subject of a draft allocation for approximately 100 dwellings. Richborough has two concerns with the term "approximately 100 dwellings". Firstly, the use of the word 'approximately' lacks certainty and is not positively prepared. It has already demonstrated that the use of the word 'around' in relation to the overall requirement for Bayston Hill is not appropriate and needs to be amended to "at least 200 dwellings". The same therefore follows that the word 'approximately' must be replaced by 'at least' in the site-specific policy wording.

5.12 Secondly, as noted, Richborough's design work has shown the site can accommodate 115 dwellings, taking account of all technical and design standards. The existing reference in the draft policy therefore needs amending to reflect the 115 dwellings. Even though the use of 'at least' would prevent anybody arguing the capacity should be less than 100 (which could be done if 'approximately' was retained), it would be irrational not to quote the new quantum for the site in the policy when the evidence confirms this number of dwellings; especially when best use should be being made of all greenfield sites. As the policy wording currently stands an objection is made to "approximately 100 dwellings" and it should be replaced by "at least 115 dwellings".

5.13 The allocation includes a series of 'Development Guidelines' which the future development of the site must consider. These are addressed in turn.

The development will incorporate an appropriate access and make any necessary improvements to the wider highway network. The development will incorporate an appropriate access and make any necessary improvements to the local and strategic road network,

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informed by consultation with Highways England and an appropriate Transport Assessment (including consideration of cumulative impact).

5.14 Access to the site is proposed off Lyth Hill Road and will be provided in the form of a priority T-junction with 5.5m carriageway width and 6.0m junction radii. We have undertaken capacity analysis at the site access junction and it is shown to operate well within capacity at an appropriate assessment year.

5.15 A potential improvement has also been identified for the A49/Lyth Hill Road junction to the north of the development that will not only offset the minor impact of the development traffic, but also reduce delays for existing traffic movements from Lyth Hill Road and The Common. The improvement is currently undergoing technical review and will be the subject of a Stage 1 Road Safety Audit. A signalled crossing of the A49 is already provided to the north of the A49/Lyth Hill Road junction.

A review of traffic speeds along Lyth Hill Road will be undertaken and any necessary interventions implemented.

5.16 An Automatic Traffic Count (ATC) carried out on Lyth Hill Road in the vicinity of the proposed access indicates 85th percentile dry weather speeds of 36.7mph northbound and 37.3mph southbound as per revised guidance in CA 185 Vehicle Speed Measurement. In accordance with guidance within Manual for Streets, the required stopping sight distances based on these speeds would be 58.5m to the north of the access and 56.9m to the south. The required visibility splays can comfortably be accommodated to/from the proposed access junction.

A footpath will be provided along the sites eastern road frontage and continue up to Grove Lane.

5.17 Currently, there are no footways present along the site frontage with Lyth Hill Road. As part of the development proposals, a footway will be provided on the western side of Lyth Hill Road, from the proposed site access junction, connecting to the existing footway further to the north at Grove Lane.

Strong and significant natural site boundaries will be provided and green infrastructure corridors, including effective native planting, will form an intrinsic component of this development.

5.18 At the outset of the project, our client's landscape consultants identified the initial landscape opportunities and constraints for the site. This work was intended to guide the development of a scheme within the site and identify key landscape features/elements to be retained, enhanced and introduced as part of a 'landscape-led' development proposal. This included providing development offsets and enhancements to existing hedgerows and treed boundaries, provision of new soft landscaping (including space for effective native planting, structure planting and GI corridors) and retention and enhancement of ecological features.

5.19 Our client's landscape consultants have subsequently undertaken an assessment of the site's Landscape and Visual Impact and have also produced a Strategic Landscape Masterplan for the site. In response to this work, the development of a scheme has sought to retain the existing natural field pattern hedgerow network and boundary trees, provide development offsets to allow for green infrastructure corridors that connect existing and proposed vegetation, provide open spaces which allow for new planting (both native and ornamental), which includes an area of scattered tree planting with grasses/meadow to the north-western edge and includes opportunity for ecological enhancement. The use of native species has been identified as a key component within the Strategic Landscape Masterplan to offer a more suitable replacement of the Lombardy Poplar trees that exist within the site, increase the ecological resource of the site and provide structure to a hierarchy of characteristic planting. The watercourse running along the sites northern boundary will be appropriately buffered and form a green infrastructure east-west corridor. The main hedgerow within the site will form the focus for a north-south green infrastructure corridor.

5.20 The initial opportunities and constraints work and subsequent Strategic Landscape Masterplan for the site allows for a development offset and shows buffering along the site's northern boundary and the introduction of additional planting. This is designed to ensure the retention and enhancement of this edge. It is intended that the boundary separating the two fields of the site would be enhanced to create a focussed north-south green link and this existing hedgerow and woodland is placed within an area of open space to ensure the retention of these features. These will preserve existing habitats and provide opportunities for ecological gain.

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Trees and hedgerows on the site will be retained and enhanced and if possible, the watercourse will be deculverted.

5.21 The Arboricultural Survey and Report for the site identifies that the majority of the tree population occurs in the field boundaries between hedgerows and that trees are often in associated groups. These trees and hedgerows are to be retained and strengthened where possible as identified within the landscape consultants work undertaken to date.

5.22 The potential for de-culverting the watercourse is being explored by the applicant. The preferred option is for the existing culvert that runs through the adjacent field to be daylighted, creating an open channel corridor around the perimeter of the site and along the northern boundary of the adjacent field. Early discussions with Shropshire LLFA have been positive, providing that the works do not increase risk elsewhere. It is noted that there is an existing flooding issue to several properties around Yew Tree Drive, where, historically, surface water has been shown to convey from the adjacent field towards properties. An open watercourse along the northern boundary of this field therefore has the potential to offer benefit as a means of capturing run off from the neighbouring field.

A central green space/pocket park suitable for recreational use by residents and connected to the green links will be provided.

5.23 The Strategic Landscape Masterplan and emerging Masterplan for the site provides for a policy compliant level of greenspace which is to be located optimally within the site. This area will be well overlooked in order to provide natural surveillance and minimise opportunities for crime, increasing the safety of residents. The layout has been designed to allow for circular walks around the northern and western edges of the development, which will also link with existing pedestrian connections. The creation of this central green space is designed to provide opportunities for play, recreational use and a visual focal point, whilst providing opportunity for new tree, hedge and shrub planting.

The site will incorporate appropriate sustainable drainage and attenuation ponds, informed by a sustainable drainage strategy. Any residual surface water flood risk will be managed by excluding development from the affected areas of the site, which will form part of the Green Infrastructure network. Flood and water management measures must not displace water elsewhere.

5.24 Above ground attenuation will be in accordance with the SuDS applicability map available in the Shropshire LLFA Surface Water Management; Interim Guidance for Developers (Appendix B) document. The pond/basin will be designed to accommodate additional runoff from a 1 in 100yr + 35% climate change storm with the appropriate allowance for urban creep. The site will discharge into the open watercourse at greenfield QBAR rate. Exceedance routes will be managed to minimise risks to people and property. Ponds have the potential to enhance the aesthetic amenity of the development and provide valuable habitats for the local wildlife.

5.25 The Environment Agency (EA) Flood Map for Planning confirms that the site is located entirely within Flood Zone 1 (Low Probability), which is land defined as having less than a 1 in 1000 annual probability of river or sea flooding. There is a smaller ditch ('Ordinary Watercourse' system) along the boundary of the site in the Northwest most site extent. The ditch is culverted from the northern site boundary and this culvert runs diagonally across the neighbouring parcel of land and continues on to Yewtree Drive. A review of historic mapping shows that the majority of the site forms part of the natural catchment to this ordinary watercourse system.

5.26 The Site Framework sets out development parcels that are outside the 1,000 year flood risk zone.

5.27 The attenuation pond provides the opportunity to create an ecology and amenity benefit, by softening the feature with riparian tree planting and wet meadow seed mixes. As part of the Strategic Landscape Masterplan process, planting proposals for this are identified to be designed as relatively 'open', informal and characteristic of the surrounding landscape to avoid introducing an overly formal character.

#### Summary

5.28 Our client's site is available for development, suitable, sustainably located and development here would be achievable with the scheme being completed in full within five years. Moreover, there are no known viability issues and any scheme would provide a policy compliant suite of planning obligations in respect of affordable housing as well as providing on site open space for the benefit of new and existing residents. Such benefits would have a significant material positive effect on the local community.

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5.29 The land is capable of being delivered in accordance with Site Guidelines highlighted in the PSDSLP, but at a higher density with a yield of 115 dwellings. It is specifically the figure of 100 dwelling guideline figure for BAY039 and the use of 'approximately' with which our client disagrees. The approach as currently drafted is not positively prepared and is therefore not sound. Richborough having a strong track record of bringing sites through the local plan system and they believe they can help the Inspector explore the issues and therefore wish to participate orally in the EiP

*(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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Richborough Estates support the allocation of BAY039 and have taken on board the development guidelines but believe the quantum of development (approximately 100 dwellings) is not sound and therefore the policy wording should be amended from "approximately 100 dwellings" to "at least 115 dwellings".

*(Please continue on a separate sheet if necessary)*

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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:**

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Signature: M. O'Brien

Date: 26/02/2021

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Part A Reference:

Part B Reference:

# Shropshire Council Local Plan Review: Pre-Submission Draft

Representations by Richborough Estates  
Limited

Land at Lyth Hill Road, Bayston Hill

February 2021

# Contents

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**Client**

Richborough Estates

**Our reference**

PP0003

26 February 2021

# 1. Introduction

- 1.1 This representation is prepared by Pinnacle Planning on behalf of our client Richborough Estates Limited (hereafter referred to as Richborough or “our client”). It provides representations to Shropshire Council in respect of the Local Plan Review: ‘Regulation 19’ Pre-Submission Draft (December 2020) (PSDSL) document, which is currently the subject of public consultation.
- 1.2 The PSDSL is accompanied by a wide range of background evidence base documents including:
- Overarching Policies Map
  - Area Inset Maps
  - Sustainability Appraisal (December 2020)
  - Place Plan Area Site Assessments (December 2020)
  - Habitat Regulations Assessment (December 2020)
  - Strategic Land Availability Assessment (November 2018) (SLAA)
  - Strategic Housing Market Assessment - Part 1 (March 2020) (SHMA part 1)
  - Strategic Housing Market Assessment - Part 2 (September 2020) (SHMA part 2)
  - Hierarchy of Settlements Report (August 2020)
  - Level 2 Strategic Flood Risk Assessment (July 2020) (SFRA)
  - Landscape and Visual Sensitivity Study (November 2018) (LVSS)
  - Shropshire Open Space and Recreation Needs Assessment (September 2018)
- 1.3 These and other relevant background and evidence base documents are referred to throughout this representation, as necessary.

## **Background**

- 1.4 Richborough Estates is a privately owned land promotion company operating nationally. They work in partnership with landowners, councils and stakeholders to secure residential planning permission on suitable sites, which are then delivered by an appropriate partner - At present 10 different housebuilders are developing out their sites, all of which have been delivered in an expedient manner following the grant of planning permission.
- 1.5 The landowners Richborough Estates work with include private individuals, companies, charities, trusts and estates departments at public sector bodies. They typically promote sites of 100 to 300 homes. Richborough’s role in promoting land through the planning system, with all its attendant complexities and risks, is an important step along the way to the delivery of much needed new homes. Land promoters like Richborough are

responsible for 41% of homes secured through outline planning permission; providing an important source of 'oven ready' land with planning permission for housebuilders to pick-up and build-out. Richborough Estates has brought forward sites for 3,000 new homes, including over 700 affordable dwellings. Richborough Estates is a strong advocate of a plan-led system and is committed to promoting land for residential development through local and neighbourhood plans.

### **Adopted Local Plan**

- 1.6 Shropshire Council formally adopted the Core Strategy Development Plan Document (DPD) on 24 February 2011. It sets out the strategic planning policy for Shropshire, including a spatial vision and objectives. It also sets out a development strategy identifying the level of development expected to take place in Shropshire up until 2026.
- 1.7 The SAMDev Plan was adopted by Shropshire Council on 17 December 2015. It set out proposals for the use of land and policies to guide future development in order to help deliver the Vision and Objectives of the Core Strategy for the period up to 2026.

### **Local Plan Partial Review**

- 1.8 Shropshire Council are undertaking a partial review of the Local Plan, consistent with the National Planning Policy Framework (NPPF). Paragraph 33 of the NPPF requires that Local Plans are reviewed at least once every five years and should take into account changing circumstances affecting the area, or any relevant changes in national policy.
- 1.9 Richborough Estates previously made representations to the Preferred Scale and Distribution of Development consultation in December 2017; the Preferred Sites Consultation in January 2019; and the Regulation 18 Pre-Submission Draft Local Plan consultation in September 2020, in respect of its land interests at Lyth Hill Road, Bayston Hill.
- 1.10 The Council are currently undertaking the sixth stage of consultation in relation to the Local Plan Partial Review which comprises the statutory Regulation 19 stage prior to submission of the draft to the Secretary of State. The PSDSLP was published for consultation on 18 December 2020 until 5 February 2021.
- 1.11 The PSDSLP consultation document represents a full draft Local Plan and identifies a vision and framework for the future development of Shropshire to 2038. Specifically, it contains:
  - Draft strategic policies which set the priorities and framework for the Local Plan
  - Draft 'strategic' implementation policies and more 'detailed' draft policies for managing development
  - Draft settlement policies which provide strategies and guidelines for the settlements of Shropshire, including where appropriate identifying proposed site allocations
  - Draft strategic settlement and draft strategic site policies which identify these proposed sites and provide strategies and guidelines for their development.

1.12 The PSDSLP will be subject to an independent examination into its soundness and legal compliance. The tests of soundness are presented in paragraph 35 of the National Planning Policy Framework (NPPF). This notes that Local Plans are sound only if they are:

- ***Positively prepared*** - providing a strategy which, as a minimum, seeks to meet the area's objectively assessed needs and is informed by agreements with other authorities, so that unmet need from neighbouring areas is accommodated where it is practical to do so and is consistent with achieving sustainable development;
- ***Justified*** - an appropriate strategy taking into account reasonable alternatives, and based on proportionate evidence;
- ***Effective*** - deliverable over the plan period and based on effective joint working on cross-boundary strategic matters that have been dealt with rather than deferred, as evidenced by the statement of common ground; and
- ***Consistent with national policy*** - enabling the delivery of sustainable development in accordance with the policies in this Framework.

1.13 In this context, Shropshire Council will be aware that Richborough has an interest in land at Lyth Hill Road on the southern edge of Bayston Hill, hereafter referred to as "Lyth Hill Road" or "the Site". The Site is identified and described in this report and is proposed for allocation under Site Reference BAY039 of the PSDSLP.

1.14 Richborough supports the draft allocation and can demonstrate the site is capable of delivering a minimum of 115 dwellings which will meet the needs and aspirations of the area and the benefits which new development might be able to provide. It will make an important contribution to meeting the needs of Bayston Hill. It can also offer benefits to the area, including affordable homes, opportunities for leisure and recreation, and/or new highways infrastructure. Richborough is keen to work collaboratively with Shropshire Council, the local community and other stakeholders to explore, expand and refine the potential development opportunity.

## **Structure of Representations**

1.15 Richborough's representations to the PSDSLP consultation are comprised of the following documents:

- Written representation to the PSDSLP (this report)
- Indicative Masterplan

1.16 This report is structured as follows:

- Chapter 2 considers the Strategic Policies of the PSDSLP.
- Chapter 3 addresses the Hierarchy of Settlements.
- Chapter 4 examines the sustainability and needs within Bayston Hill.

- Chapter 5 discusses the Land at Lyth Hill Road.
- Chapter 6 assesses the alternative sites within Bayston Hill
- Chapter 7 concludes this representation.



## 2. Strategic Policies

### Plan Period

- 2.1 Previous consultations on the Local Plan Review have been based upon a twenty-year plan period covering 2016 to 2036. However, as acknowledged in paragraph 2.17 of the PSDSLP, the NPPF requires that from adoption the strategic policies of the Local Plan should look ahead over a minimum of 15 years. Given that it is currently envisaged that the Local Plan will be adopted in 2022 the plan period has been extended until 2038. Our client is generally supportive of this extension but would request that all supporting evidence clearly demonstrates that development requirements and targets have been increased accordingly.

### Spatial Vision and Shropshire Test

- 2.2 Paragraph 2.31 of the PSDSLP establishes the Vision for Shropshire in 2038. This makes reference to all residents being able to access well-designed, decent and affordable homes in the right location. It also notes that economic productivity will be maximised through greater investment and that natural assets will be protected and enhanced.
- 2.3 The Vision is broadly supported by our client. The economic aims and ambitions that are set out in the plan should be endorsed by all and it is imperative that the housing and infrastructure which support growth are delivered.
- 2.4 Policy SP1 establishes the Shropshire Test and suggests that this is a 'gateway' policy which highlights the most important issues in supporting growth in Shropshire. Part one of the policy emphasises that development will contribute to meeting local needs, making settlements more sustainable and providing the right mix of housing. Whilst this is generally supported by our client, the reference to meeting 'local' needs may result in the economic aspirations of the Plan not being met. If Shropshire is to grow, then the development should look to meet 'identified' needs and the policy should be amended as such. This would be in line with the part two of the Policy which references the need for development to reflect the Local Economic Growth Strategies.

### Strategic Approach

#### Policy SP2

- 2.5 Policy SP2 is titled 'Strategic Approach' and encompasses several key matters including the spatial vision, establishing development needs and the settlement hierarchy.
- 2.6 Point 1 of the policy reiterates the aims which are set out in the Vision, as well as the Shropshire Test, and are supported.
- 2.7 Point 2 of the policy confirms that over the plan period 2016 to 2038, around 30,800 new dwellings and 300ha of employment land will be delivered, which equates to around 1,400 dwellings and 15ha of employment land per annum. The supporting text to the policy confirms that in regard to housing, the overall figure comprises an increase of nearly 5,000 dwellings on the standard method figure, which represents the minimum number of

homes needed<sup>1</sup>. Our client supports the principle of adopting a housing requirement which seeks to significantly uplift the minimum figure and considers the approach to be sound.

- 2.8 Paragraph 3.6 of the PSDSLP confirms that the flexibility provided by the increase in the housing figure allows for the delivery of family and affordable housing to meet local needs and support new families coming into Shropshire. Our client supports the delivery of quality family housing in sustainable locations and acknowledges the role this can play in attracting new families to the County. It is important that the future growth aspirations are aligned with housing policy and that enough of the right types of housing are built to ensure that the labour force and skills the economy needs will be attracted to and retained in Shropshire.
- 2.9 Point 3 of the policy acknowledges that the delivery of affordable housing remains a key priority in Shropshire and confirms that the Plan aims to deliver around 7,700 affordable dwellings. The supporting text confirms that there are in excess of 5,000 households on the housing register and the SHMA has identified that nearly 800 affordable homes per annum will be required through the plan period.
- 2.10 Our client supports the focus on delivery of affordable housing and acknowledges the pressing need within Shropshire. In this regard it is important that viability and the market attractiveness of settlements and sites are taken into consideration when allocating sites. There is little value in allocating land in settlements where there is no market interest, or sites which are overly constrained. Such allocations may either remain undeveloped and undelivered or fail to viably deliver affordable housing.
- 2.11 Point 6 of the policy references the importance of ensuring the long-term sustainability of rural communities through allocating new development within Community Hubs. Our client strongly supports the acknowledgment that Community Hubs comprise significant service centres. It is imperative that a sufficient level of growth is directed to such settlements in order to sustain day to day facilities and secure continued vitality. Many rural settlements provide homes for several generations of the same family and new development will help younger people find homes in the communities in which they grew up. Similarly, new housing will also assist in allowing older people to downsize.
- 2.12 As acknowledged in the PSDSLP the county of Shropshire has a rural character and network of villages and small towns which serve a wide hinterland as well as its resident population. It is important that the contribution of these settlements is recognised and the key role they play in not only supporting their own rural communities but also the urban conurbations too. For instance, Bayston Hill is located less than 1 mile from the settlement boundary of the County Town of Shrewsbury. Development within Bayston Hill will help to sustain and grow the vitality of both settlements.

### **Policy SP3**

- 2.13 SP3 and the related Policy DP11 acknowledge the need to integrate renewable and low carbon energy systems into all residential developments. DP12 expands on this by stating that 10% of the predicted energy needs of a development needs to come from these two

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<sup>1</sup> Paragraph 60, NPPF

sources on-site; with it also requiring a minimum 19% improvement in the energy performance requirement of the 2013 Part L Building Regulations.

2.14 Paragraph 4.108 describes the five stages of the energy hierarchy and that energy options should be pursued in the following order:

- a. Reduce the need for energy;
- b. Use energy more efficiently;
- c. Use renewable energy;
- d. Use low carbon sources; and
- e. Use conventional energy

2.15 The Council is correct to use the energy hierarchy but then they appear to circumnavigate it by jumping straight to renewable and low carbon sources. The primary aim should be to reduce energy use; it should not matter if that can be achieved through a fabric first approach. A more sophisticated approach is needed than is currently being suggested.

### **Policy SP8**

2.16 Policy SP8 is titled 'Managing Development in Community Hubs', and highlights that the settlements are significant service centres, where appropriate development will be permitted on allocated sites within the development boundary. Our client supports the acknowledgement that Community Hubs are significant centres and the inclusion of site allocations for development within the Plan.

2.17 Paragraph 3.59 of the PSDSLP confirms that in order to recognise the diversity of the settlements each Community Hub has been provided with an identified residential development guideline. The text highlights that the figure has been informed by consideration of the characteristics of each Community Hub and aims to provide greater certainty to local communities and the development industry.

2.18 The SAMDev was adopted in December 2015 and specifically identified Bayston Hill as a Community Hub with a Development Guideline of only 50-60 dwellings for a twenty year plan period (2006-2026). At the time Shropshire Council considered that this could be achieved through infill development and without identifying any specific allocations. This level of housing delivery has failed to sustain the delivery of much needed affordable housing within Bayston Hill, and the approach has had similar impacts in other Community Hubs.

2.19 The PSDSLP has identified a residential guideline for Bayston Hill of 200 dwellings which is to be met principally by two allocations. Our client supports the higher level of development directed to sustainable Community Hubs and the acknowledgment that site allocations provide certainty for all parties.

2.20 The Council's Hierarchy of Settlements paper (August 2020) reviews all settlements within the county and establishes a settlement hierarchy based upon the sustainability of all settlements. As part of this assessment, settlements are assessed for their provision of primary and secondary services, transport and employment opportunities.

- 2.21 In this assessment Bayston Hill clearly emerges as a highly sustainable settlement and is acknowledged to have good access to services. Overall, the Hierarchy of Settlements study scores Bayston Hill 80 out of a possible 116 total points for sustainability.
- 2.22 Market attractiveness should also be a factor in assessing settlements, as there is little value in allocating land in settlements where there is no market interest, such sites will remain undeveloped and undelivered. This issue has already been identified by Shropshire Council who has set up Cornovii Developments, a housebuilding company to tackle a shortfall in commercial house building in the county. Two of the developments they are currently taking forward are located in Ifton Heath and St. Martin's, which are relatively isolated settlements, where private housebuilders may not look to develop. This demonstrates the importance of allocating sufficient land in areas of the borough which are viable and attractive to market housebuilders because very clearly the Council's Cornovii Developments cannot deliver the entire housing requirement.
- 2.23 Our client supports the identification of development guidelines for named Community Hubs. The housing figures clearly seek to acknowledge the sustainability of Community Hubs, as well as the requirement to meet the needs of small settlements for new housing and sustain the existing services.

### **Policy DP3**

- 2.24 Policy DP3 relates to the provision of affordable housing and establishes the criteria for the level of provision to be provided as part of new residential developments, including the relevant tenures. Our client supports the need to deliver affordable housing and fully recognises the obligations on site promoters to assist in meeting such needs.
- 2.25 In relation to DP3 (1)(d), the policy states that where affordable housing is to be secured on site, its tenure should comprise 70% social or affordable rent accommodation and 30% intermediate or other affordable housing, unless evidence of local need indicates otherwise. However, there is no clarity provided in either the policy or the supporting text on whether "other affordable housing" includes First Homes or the other tenures included in the definition provided in the Glossary to the NPPF. The stated approach is currently not justified or consistent with national policy and therefore unsound. The approach should be amended to ensure consistency with the Government's policy changes.
- 2.26 In relation to DP3 (1)(e), the policy seeks to restrict affordable rents to 80% of market rent, noting that this should not exceed the Local Housing Allowance Housing Benefit. It is currently unclear whether this policy allows for annual rent increases on both social rent and affordable rent properties. It is often the case that affordable rent properties are capped on first let which prevents rents increasing in line with Government policy. Preventing such inflation can have critical impacts on Registered Providers, as rising costs would give the effect of a rent cut for these businesses. There is a significant concern that this scenario could potentially threaten the delivery of affordable housing in the borough. As currently worded the policy is not justified or consistent with national policy and therefore unsound. The approach should be amended to ensure consistency with the Government's policy on rents for social housing.

## 3. Hierarchy of Settlements

### Background

- 3.1 As part of the Local Plan Review, Shropshire Council has undertaken a reassessment of the settlement tiers and the categorisation of settlements across the borough. This is in order to inform the potential of settlements to accommodate new development.
- 3.2 The methodology and the results of this exercise were originally summarised in a document titled Hierarchy of Settlements (2017), which was approved by Shropshire Council Cabinet in October 2017.
- 3.3 This document was consulted upon as part of the Preferred Scale and Distribution of Development consultation, which took place at the end of 2017. The assessment included four stages:
  - Stage 1: Identification of settlements
  - Stage 2: Screening of Settlements
  - Stage 3: Assessment of Screened-In Settlements
  - Stage 4: Categorisation of Settlements

### Previous Representations

- 3.4 Our client made extensive representations to this document, having analysed the methodology in detail. In relation to Stages 1 and 2 our client was broadly in support.
- 3.5 Stage 3 related to the assessment of settlements and sought to gain a greater understanding of how they function. As set out in the consultation document the methodology involved consideration of factors including:
  - the range of services and facilities;
  - high speed broadband provision;
  - employment opportunities; and
  - availability of public transport links.
- 3.6 Whilst these four categories provide a useful indicator for assessment, our client's representation made the case that population was a factor which should be included in the analysis. This was justified on the basis that larger settlements are generally more sustainable as a greater range of services and facilities can be supported.
- 3.7 Stage 4 of the methodology sought to use the outputs of the earlier stages to rank settlements based on functionality within one of the following categories;
  - Strategic centre;

- Principal and Key Centres;
- Community Hub Settlements; and
- Other Rural Settlements.

- 3.8 Each of the specific categories highlighted above were formally defined and provided with a general description. Our client made representations to justify the division of Principal and Key Centre category on the grounds that they perform a different role with Principal Centres serving a much wider catchment. The argument was put forward that each of these tiers should be provided with their own tailored description.
- 3.9 The final part of the methodology involved the formal categorisation of the settlements which was informed by the assessment of services but was ultimately determined through use of professional judgment. In order to provide clarity to this approach a series of thresholds for each category of settlement were identified within paragraphs 5.39, 5.40 and 5.41 of the Hierarchy of Settlements (2017).
- 3.10 Paragraph 5.40 specifically related to the lower threshold for Key Centres and the upper threshold for Community Hubs. This established that Principal/Key Centres should be well dispersed with reasonable rural hinterlands between them and the strategic centre and other centres. It was specifically highlighted in the consultation document that some Community Hubs, particularly some of the higher scoring community hubs are satellites to larger settlements classified as either a strategic or principal/key centre.
- 3.11 Our client made representations on this specific point highlighting that settlements should be assessed based on the level of services that are provided as well as the size of the population. The fact that a centre is located close to a larger centre is not a factor which should impact on the categorisation of settlements. Our client highlighted examples in Cheshire East where categorised settlements were located immediately adjacent to one another and highlighted that the smaller settlements were also capable of meeting the needs of the resident population, as well as the rural and urban hinterland which surrounds them.
- 3.12 Our client remains of the view that failing to recognise certain settlements which are of significant size and contain key services is not sustainable. Smaller settlements which are close to larger towns are extremely sustainable places to live, given the services available, and there is demand for people to live there. Indeed, the residents of Bayston Hill are about the same distance from Shrewsbury Town Centre as those living in Battlefield or Bicton Heath/Shelton; the only difference being that Battlefield and Bicton Heath/Shelton are within the development boundary of Shrewsbury, whereas Bayston Hill is not. Sustainable development cannot be determined on the basis of a line on a plan.
- 3.13 As set out elsewhere in this document our client supports the identification of development guidelines for named Community Hubs. The identification of these housing figures clearly seeks to acknowledge the sustainability of Community Hubs and the requirement to meet the needs of small settlements for new housing and in order to sustain the existing services. The identification of appropriate development guidelines for the most sustainable Community Hubs goes some way to addressing the concerns of our client, which were raised at the consultation on Preferred Scale and Distribution of Development.

3.14 Shropshire Council updated the Hierarchy of Settlements document in 2018 and again for this consultation in 2020. This has included undertaking a repeat of Stage 3 of the assessment, which involves re-scoring all the settlements based on the function scoring table. Despite this re-assessment, the overall hierarchy has remained the same as concluded in the 2017 document.

## 4. Bayston Hill

### Background

- 4.1 Bayston Hill is the tenth largest settlement in Shropshire, with a population of 5,156, with only three of the proposed Key Centres being larger. It is also worth noting that Bayston Hill is nearly three times the size of Bishops Castle, which is the smallest of the proposed Key Centres.
- 4.2 The settlement provides a wide range of services which meet not only the day to day needs of its residents but also those of the surrounding rural and urban catchment. Bayston Hill clearly performs very well in the settlement assessment using the Council's methodology. There are multiple convenience stores in the settlement as well as a post office and several pubs. There are also a range of social facilities including places of worship, a library and areas of public open space with play equipment.
- 4.3 Oak Meadow Primary School is a two form entry school, assessed by Ofsted to be 'Good' and to be 'larger than average'. Over 400 pupils attend the school and which clearly serves the surrounding villages, and suburbs of Shrewsbury, as well as just residents of Bayston Hill.
- 4.4 The Beeches Medical Practice is a large NHS medical practice located in the centre of Bayston Hill. There are 6,228 registered patients and the catchment extends as far south as Woolstaston (over 8 miles away). The practice also provides an asthma clinic, a physiotherapy service and undertakes minor surgery. Beeches Medical Practice clearly provides a service which meets the needs of the surrounding hinterland.
- 4.5 Bayston Hill quarry is located immediately adjacent to the settlement. It is owned by Tarmac Lafarge and is a significant local employer with over 100 people employed directly by the quarry. This excludes contractors such as cleaners, haulage drivers and other local suppliers. The 57ha site is one of the largest in the UK and produces approximately 850,000 tonnes a year of high-PSV red and grey gritstone (greywacke), and around 250,000 tonnes a year of coated materials. This is a significant local employer which provides jobs for people across the surrounding area.
- 4.6 Bayston Hill is a well contained settlement, with the majority of services located within a defined centre.
- 4.7 Given the level of services available and the surrounding countryside, as well as the proximity of additional working opportunities in Shrewsbury, it is clearly an attractive place to live. There is unmet housing need within Bayston Hill which could be fulfilled either through its designation as a Key Centre or the identification of an appropriate development guideline.

### Affordable Housing Need

- 4.8 The Council's latest Strategic Housing Market Assessment (SHMA) (Part 2) was published in September 2020 and provides further detail on the needs of different groups in the community. Section 4 relates to affordable housing and confirms that there are in



excess of 5,000 households on the housing register that nearly 800 affordable homes per annum will be required through the plan period.

4.9 The 2020 version of the SHMA does not provide statistics on the need for affordable homes at a settlement level. Right Home Right Place reports (Local Housing Need Surveys) are being completed for relevant settlements but due to disruption caused by Covid-19, the assessment for Bayston Hill has not yet been published.

4.10 Until this is available, the latest available information is provided in the previous SHMA, which dates from March 2014. This document highlights the following statistics for Bayston Hill which are quoted from the 'Housing Register by Parish' data (January 2014):

- the affordable housing stock for Bayston Hill comprises 78 dwellings.
- from June 2009 to January 2014 there were 30 lettings in Bayston Hill.
- between June 2009 and January 2014 there was an average of 68 bids per affordable property.

4.11 An Affordable Housing Statement was prepared by Tetlow King in 2017 for Richborough. and was submitted as part of the previous application on our client's site (17/02561/OUT). This concluded that in Bayston Hill village there has been an average delivery of just one net affordable home per annum over the course of the previous 11 years, when delivery in Meole Brace (which falls within the Parish of Bayston Hill but lies within the settlement boundary of Shrewsbury) is discounted. The Statement also identified that between 2008/09 and 2014/15, only 1,728 affordable dwellings were delivered in Shropshire, which equates to 247 affordable dwellings per annum across the seven-year period. This fell significantly short of the objectively assessed housing needs across the same period.

4.12 Table 37 of the SHMA 2020 is provided below and shows that after the adoption the SAMDev in 2015, overall completions increased along with affordable housing delivery.

**Table 37: Open Market and Affordable Housing Completions in Shropshire**

Year	Total Housing Completions (Net)	Affordable Housing Completions (Net)	Percentage of Total Housing Completions that are Affordable (Net)
2014/15	1,155	324	28.1%
2015/16	1,402	227	16.2%
2016/17	1,910	445	23.3%
2017/18	1,876	459	24.5%
2018/19	1,843	260	14.1%
<b>5 Year Total:</b>	<b>8,186</b>	<b>1,715</b>	<b>21.0%</b>

*Source: SHMA (2020), Shropshire Council*

4.13 However, even during years of comparatively very high housing completions, the level of affordable delivery is still well below identified need figure of 800 dwellings per annum. This provides further justification for the identification of allocations in higher market areas where affordable housing is viable and will be delivered.

- 4.14 There is an obvious need for additional affordable housing within Bayston Hill which could not be met by adopting a 'guideline' of 50 to 60 dwellings over the Plan period, similar to that which was include in the SAMDev. This justifies a development guideline of at least the 200 dwellings which has been identified for Bayston Hill in the PSDSLP.

### **Development Strategy**

- 4.15 The development strategy for Bayston Hill confirms that over the period from 2016 - 2038 it is proposed that 'around 200 dwellings' are provided, including existing commitments. Appendix 5 of PSDSLP confirms that in the first three years of the plan period 39 dwellings were either completed or committed, and that a further 161 dwellings will need to be identified on new housing sites to support the housing growth objectives of the Local Plan Review. It is confirmed that this will provide an opportunity to deliver a range of accommodation types to help meet local housing needs, and support investment in community facilities and infrastructure improvements.
- 4.16 Whilst our client supports the identification of a development guideline for Bayston Hill they maintain that 200 dwellings should be the minimum figure for consideration. This scale of development will enable the provision of much needed affordable housing and market housing in an area which is attractive to developers. There are also less sustainable Community Hubs with larger development guidelines than Bayston Hill.
- 4.17 It is important to remember that these development guidelines are not ceilings or maximums, they are intended to provide guidance. Table 16.2 states that the residential guideline for Bayston Hill is "around 200 dwellings". In order to significantly boost the supply of new homes, and avoid potentially under delivering on the identified requirements, the wording should be amended to "at least 200 dwellings". Any provision over and above these guidelines should therefore be considered on its own merits and whether it comprises sustainable development. It is specifically the use of "around" in regard to the development guidelines for all Community Hubs with which our client disagrees and objects to. The approach as currently drafted is not positively prepared and is therefore not sound.

## 5. Land off Lyth Hill Road

### Background

- 5.1 This section of the representation provides details of the site within our client's interests. It sets out the site location, accessibility, a summary of technical matters and concludes that the site comprises a sustainable location and is suitable and appropriate for residential development.

### Site and Surroundings

- 5.2 Bayston Hill is the largest village in Shropshire. It is approximately 5km south of the centre of Shrewsbury Town Centre, although the settlement boundaries of both are just 1km apart. Telford is located some 23km to the east of Bayston Hill.
- 5.3 The site lies within the administrative area of Shropshire Council and is on the southern boundary of Bayston Hill. An aerial image of the site shown at Figure 5.1 below.

**Figure 5.1: Site Location (approximate site boundary denoted in red)**



- 5.4 The site comprises approximately 6.1 hectares (15.07 acres) of relatively flat unremarkable agricultural land immediately adjoining the settlement boundary, between Lythwood House to its south and the rear of dwellings on Amblecote Drive.
- 5.5 The site is to be accessed from Lyth Hill Road from the eastern boundary - there is already an existing field gate in this location. The north western and western boundaries of the site are tree lined with countryside extending beyond that. Land to the north of the site comprises residential areas. Figure 5.1 above shows that there are two distinct sections to the site that are clearly separated by a hedgerow.

## **Accessibility**

- 5.6 As explained above, the site is to be accessed from Lyth Hill Road - a residential street with pavements on both sides which stop approximately 60m north of the proposed access point, near to the junction with Grove Lane. As part of development proposals, the pavement will be extended on the western side of Lyth Hill Road into the site and this is to be achieved within highway land.
- 5.7 At the site's eastern extent is a public footpath and a connection will be made to this path where it emerges between the houses on Yew Tree Drive and Grove Lane. Footpaths will therefore provide access between the site and the services/facilities in the village centre, as well as to local bus stops. Buses provide links to Shrewsbury.
- 5.8 The nearest railway station to the site is Shrewsbury, approximately 7.4km to the north and is accessible by the bus services identified above. Shrewsbury Railway Station provides connections to Manchester, Birmingham, Swansea, Wrexham and Aberystwyth.

## **Concept Masterplan**

- 5.9 A development layout has been produced for the site and is appended to these representations. This indicates that 115 dwellings can be accommodated on the site, with all matters being satisfactorily addressed and at a gross density of 19.8 dwellings per hectare.
- 5.10 Table A5.5 within the PSDSLP provides an update on commitments and completions for Bayston Hill and confirms that there is an outstanding windfall allowance of 14 dwellings. Taking this shortfall into consideration, the proposed scheme could broadly be accommodated within the overall guideline for Bayston Hill. As demonstrated by the lack of development in the village over the previous plan period there may be limited opportunities for windfall development in Bayston Hill to accommodate the full guideline figure. Furthermore, if several small windfall sites come forward, to meet the outstanding 14 unit figure, these are likely to be below the 10 unit trigger for affordable housing. Allowing for a higher figure on the subject site would therefore maximise the level of affordable housing in Bayston Hill over the plan period. It would also make for the most efficient use of land, as required by paragraph 122 of the NPPF.

## **Draft Allocation - Development Guidelines**

- 5.11 The Table titled Schedule S16.2(i) within the of the PSDSLP confirms that the Land at Lyth Hill Road is the subject of a draft allocation for approximately 100 dwellings. Richborough has two concerns with the term "approximately 100 dwellings". Firstly, the use of the word 'approximately' lacks certainty and is not positively prepared. It has already demonstrated that the use of the word 'around' in relation to the overall requirement for Bayston Hill is not appropriate and needs to be amended to "at least 200 dwellings". The same therefore follows that the word 'approximately' must be replaced by 'at least' in the site-specific policy wording.
- 5.12 Secondly, as noted, Richborough's design work has shown the site can accommodate 115 dwellings, taking account of all technical and design standards. The existing reference in the draft policy therefore needs amending to reflect the 115 dwellings. Even though the use of 'at least' would prevent anybody arguing the capacity should be less

than 100 (which could be done if 'approximately' was retained), it would be irrational not to quote the new quantum for the site in the policy when the evidence confirms this number of dwellings; especially when best use should be being made of all greenfield sites. As the policy wording currently stands an objection is made to "approximately 100 dwellings" and it should be replaced by "at least 115 dwellings".

- 5.13 The allocation includes a series of 'Development Guidelines' which the future development of the site must consider. These are addressed in turn.

**The development will incorporate an appropriate access and make any necessary improvements to the wider highway network. The development will incorporate an appropriate access and make any necessary improvements to the local and strategic road network, informed by consultation with Highways England and an appropriate Transport Assessment (including consideration of cumulative impact).**

- 5.14 Access to the site is proposed off Lyth Hill Road and will be provided in the form of a priority T-junction with 5.5m carriageway width and 6.0m junction radii. We have undertaken capacity analysis at the site access junction and it is shown to operate well within capacity at an appropriate assessment year.

- 5.15 A potential improvement has also been identified for the A49/Lyth Hill Road junction to the north of the development that will not only offset the minor impact of the development traffic, but also reduce delays for existing traffic movements from Lyth Hill Road and The Common. The improvement is currently undergoing technical review and will be the subject of a Stage 1 Road Safety Audit. A signalled crossing of the A49 is already provided to the north of the A49/Lyth Hill Road junction.

**A review of traffic speeds along Lyth Hill Road will be undertaken and any necessary interventions implemented.**

- 5.16 An Automatic Traffic Count (ATC) carried out on Lyth Hill Road in the vicinity of the proposed access indicates 85th percentile dry weather speeds of 36.7mph northbound and 37.3mph southbound as per revised guidance in CA 185 Vehicle Speed Measurement. In accordance with guidance within Manual for Streets, the required stopping sight distances based on these speeds would be 58.5m to the north of the access and 56.9m to the south. The required visibility splays can comfortably be accommodated to/from the proposed access junction.

**A footpath will be provided along the site's eastern road frontage and continue up to Grove Lane.**

- 5.17 Currently, there are no footways present along the site frontage with Lyth Hill Road. As part of the development proposals, a footway will be provided on the western side of Lyth Hill Road, from the proposed site access junction, connecting to the existing footway further to the north at Grove Lane.

**Strong and significant natural site boundaries will be provided and green infrastructure corridors, including effective native planting, will form an intrinsic component of this development.**

- 5.18 At the outset of the project, our client's landscape consultants identified the initial landscape opportunities and constraints for the site. This work was intended to guide the development of a scheme within the site and identify key landscape features/elements to

be retained, enhanced and introduced as part of a 'landscape-led' development proposal. This included providing development offsets and enhancements to existing hedgerows and treed boundaries, provision of new soft landscaping (including space for effective native planting, structure planting and GI corridors) and retention and enhancement of ecological features.

- 5.19 Our client's landscape consultants have subsequently undertaken an assessment of the site's Landscape and Visual Impact and have also produced a Strategic Landscape Masterplan for the site. In response to this work, the development of a scheme has sought to retain the existing natural field pattern hedgerow network and boundary trees, provide development off-sets to allow for green infrastructure corridors that connect existing and proposed vegetation, provide open spaces which allow for new planting (both native and ornamental), which includes an area of scattered tree planting with grasses/meadow to the north-western edge and includes opportunity for ecological enhancement. The use of native species has been identified as a key component within the Strategic Landscape Masterplan to offer a more suitable replacement of the Lombardy Poplar trees that exist within the site, increase the ecological resource of the site and provide structure to a hierarchy of characteristic planting.

**The watercourse running along the site's northern boundary will be appropriately buffered and form a green infrastructure east-west corridor. The main hedgerow within the site will form the focus for a north-south green infrastructure corridor.**

- 5.20 The initial opportunities and constraints work and subsequent Strategic Landscape Masterplan for the site allows for a development offset and shows buffering along the site's northern boundary and the introduction of additional planting. This is designed to ensure the retention and enhancement of this edge. It is intended that the boundary separating the two fields of the site would be enhanced to create a focussed north-south green link and this existing hedgerow and woodland is placed within an area of open space to ensure the retention of these features. These will preserve existing habitats and provide opportunities for ecological gain.

**Trees and hedgerows on the site will be retained and enhanced and if possible, the watercourse will be deculverted.**

- 5.21 The Arboricultural Survey and Report for the site identifies that the majority of the tree population occurs in the field boundaries between hedgerows and that trees are often in associated groups. These trees and hedgerows are to be retained and strengthened where possible as identified within the landscape consultants work undertaken to date.
- 5.22 The potential for de-culverting the watercourse is being explored by the applicant. The preferred option is for the existing culvert that runs through the adjacent field to be daylighted, creating an open channel corridor around the perimeter of the site and along the northern boundary of the adjacent field. Early discussions with Shropshire LLFA have been positive, providing that the works do not increase risk elsewhere. It is noted that there is an existing flooding issue to several properties around Yew Tree Drive, where, historically, surface water has been shown to convey from the adjacent field towards properties. An open watercourse along the northern boundary of this field therefore has the potential to offer benefit as a means of capturing run off from the neighbouring field.

**A central green space/pocket park suitable for recreational use by residents and connected to the green links will be provided.**

- 5.23 The Strategic Landscape Masterplan and emerging Masterplan for the site provides for a policy compliant level of greenspace which is to be located optimally within the site. This area will be well overlooked in order to provide natural surveillance and minimise opportunities for crime, increasing the safety of residents. The layout has been designed to allow for circular walks around the northern and western edges of the development, which will also link with existing pedestrian connections. The creation of this central green space is designed to provide opportunities for play, recreational use and a visual focal point, whilst providing opportunity for new tree, hedge and shrub planting.

**The site will incorporate appropriate sustainable drainage and attenuation ponds, informed by a sustainable drainage strategy. Any residual surface water flood risk will be managed by excluding development from the affected areas of the site, which will form part of the Green Infrastructure network. Flood and water management measures must not displace water elsewhere.**

- 5.24 Above ground attenuation will be in accordance with the SuDS applicability map available in the Shropshire LLFA Surface Water Management; Interim Guidance for Developers (Appendix B) document. The pond/basin will be designed to accommodate additional runoff from a 1 in 100yr + 35% climate change storm with the appropriate allowance for urban creep. The site will discharge into the open watercourse at greenfield QBAR rate. Exceedance routes will be managed to minimise risks to people and property. Ponds have the potential to enhance the aesthetic amenity of the development and provide valuable habitats for the local wildlife.
- 5.25 The Environment Agency (EA) Flood Map for Planning confirms that the site is located entirely within Flood Zone 1 (Low Probability), which is land defined as having less than a 1 in 1000 annual probability of river or sea flooding. There is a smaller ditch ('Ordinary Watercourse' system) along the boundary of the site in the Northwest most site extent. The ditch is culverted from the northern site boundary and this culvert runs diagonally across the neighbouring parcel of land and continues on to Yewtree Drive. A review of historic mapping shows that the majority of the site forms part of the natural catchment to this ordinary watercourse system.
- 5.26 The Site Framework sets out development parcels that are outside the 1,000 year flood risk zone.
- 5.27 The attenuation pond provides the opportunity to create an ecology and amenity benefit, by softening the feature with riparian tree planting and wet meadow seed mixes. As part of the Strategic Landscape Masterplan process, planting proposals for this are identified to be designed as relatively 'open', informal and characteristic of the surrounding landscape to avoid introducing an overly formal character.

## **Summary**

- 5.28 Our client's site is available for development, suitable, sustainably located and development here would be achievable with the scheme being completed in full within five years. Moreover, there are no known viability issues, and any scheme would provide a policy compliant suite of planning obligations in respect of affordable housing as well as

providing on site open space for the benefit of new and existing residents. Such benefits would have a significant material positive effect on the local community.

- 5.29 The land is capable of being delivered in accordance with Site Guidelines highlighted in the PSDSLP, but at a higher density with a yield of 115 dwellings. It is specifically the figure of 100 dwelling guideline figure for BAY039 and the use of 'approximately' with which our client disagrees. The approach as currently drafted is not positively prepared and is therefore not sound.



## 6. Assessment of Alternative Sites

### Background

- 6.1 In addition to the land at Lyth Hill Road, Shropshire Council have considered the potential of other sites around Bayston Hill for allocation in the PSDSLP. The detail of this assessment is included in the following evidence base documents:
- Shropshire Council Local Plan Review 2016 - 2038 Preferred Sites Sustainability Appraisal (December 2020)
  - Site Assessments: Shrewsbury Place Plan Area (December 2020)
  - Shropshire Council Strategic Land Availability Assessment (November 2018)
- 6.2 On behalf of our client, we have undertaken an assessment of these documents with a specific focus on sites which have been identified as 'Long Term Potential SLAA Residential Sites' within the Strategic Land Availability Assessment (SLAA).
- 6.3 A summary of the evidence compiled for each alternative site is provided in this section of the Representation.

### Context of Bayston Hill

- 6.4 The SAMDev was adopted in December 2015 and specifically identified Bayston Hill as a Community Hub with a Development Guideline of only 50-60 dwellings for a twenty year plan period (2006-2026). It was considered that this could be achieved through infill development and without identifying any allocations.
- 6.5 The relevant policy for Bayston Hill (S16.2(ii)) within SAMDev states:
- “The retention of the gap of undeveloped land between Bayston Hill and Meole Brace, Shrewsbury remains an important objective of the strategy for the village. The development of the village is also constrained by the presence of the A49 running through the village and the major quarry to the east.”*
- 6.6 It is therefore very clear that the Council are of the view that development around Bayston Hill is particularly constrained to the north and to the east.
- 6.7 The matter of developing in the gap, on a site north of Pulley Lane, was also considered in an appeal<sup>2</sup> dating from 2016. In dismissing the appeal the Inspector concluded that *“the appeal site forms part of the recognised open gap between Bayston Hill and Meole Brace, and its development would materially erode the visual and physical qualities of the gap contrary to SAMDev Policy S16.2(ii).”*
- 6.8 The strategic objective of retaining the gap was clearly given significant weight by the Inspector.

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<sup>2</sup> APP/L3245/W/16/3146986

6.9 Reference to Bayston Hill within the PSDSLP is included at paragraph 5.229 and states:

*“Bayston Hill is a large urban village located to the south of Shrewsbury. Due to the proximity between these settlements, consistent with Community Hub Policy SP8, the retention of the Green Gap to the north of Bayston Hill is a key priority. Two Local Plan residential allocations have been identified in Bayston Hill, one of which represents the redevelopment of a former school, the other is located to the south of the existing built form.”*

6.10 This suggests that there will continue to be a presumption against sites in the gap.

6.11 The Development Guideline for Bayston Hill is currently proposed to be 200 dwellings, over a 22 year plan period (2016-2038). This represents a significant increase on the 50-60 dwellings in the SAMDev. The PSDSLP document confirms that after completions and commitments have been identified, there is a requirement to identify a further 161 dwellings. It is proposed to allocate two sites to meet this need, one of which is Land off Lyth Hill Road, which accounts for 100 of the 147 dwellings to be allocated. The second allocation is located within the village on the former school site which is already the subject of planning permission. The PSDSLP suggests that the remaining balance of dwellings will be met by windfall development.

## **Bayston Hill Sites**

### **BAY039 - Land off Lyth Hill Road**

6.12 BAY039 is controlled by our client. In order to fully appraise the alternative sites, it is considered necessary present the evidence for the allocated site.

6.13 Within Stage 2 of the Site Assessment, the site is considered ‘achievable’, ‘available’ and ‘viable’. The assessment concludes that the site is well related to the built form of development and benefits from well-defined hedgerow boundaries. Furthermore, the site presents an opportunity to provide a high quality area of open space in an area of the village with limited provision. The site does not suffer from any overriding constraints and is therefore proposed for allocation.

6.14 Within the Sustainability Appraisal the site scores ‘fair’, however this assessment is binary in nature and fails to acknowledge that the location of Oak Meadow Primary School, Lythwood Sports Complex and two areas of accessible natural green space are located within walking distance of the site, but outside the stipulated 480m distance. Were these to be positively assessed in the Sustainability Appraisal, the site would be likely to score -1 and therefore be considered ‘good’ in sustainability terms.

6.15 The potential alternative sites are now considered in turn.

### **BAY005 - North East of Gorse Hill**

6.16 Within the Sites Assessment it is concluded that the site’s location within the green gap between Bayston Hill and Shrewsbury renders it not ‘suitable’ for development. It is stated that ‘a key local priority is the maintenance of the separate identities of these settlements and the green gap between them’.

- 6.17 Notwithstanding the above, the SLAA also highlighted concerns regarding the potential requirement for further highways investigations, and the need to respect TPOs present on site were also identified as issues.
- 6.18 BAY005 was marked down in the Sustainability Appraisal due to its relationship to existing services, and the potential for development to displace a viable Waste Management option.
- 6.19 The site's position within the undeveloped gap renders it not suitable for allocation in the emerging Local Plan Review. The physical and planning constraints affecting the site further enforce this position.

#### **BAY008 - East of New House, Hereford Road**

- 6.20 Despite investigation from Shropshire Council Officers it has not been possible to ascertain whether BAY008 is available, and has therefore not been considered for residential allocation, as identified through Stage 2 of the Sites Assessment.
- 6.21 Even if available, the site is subject to several significant constraints which indicate that it is not suitable for allocation. Firstly, the site has a poor relationship to the existing built form and does not share any strong boundaries with existing development.
- 6.22 The site is within 1km of a Ramsar site and as such would need to demonstrate necessary ecological mitigation were development to be proposed. Additionally, there is both a Scheduled Ancient Monument and Grade II Listed Building within 300m of the site, which has impacted on the Sustainability Appraisal scoring.
- 6.23 The site has a number of physical and planning constraints which, even if the site was available, may cause it to be unsuitable for development.

#### **BAY009 - North of Allotments, East of Hereford Road**

- 6.24 This site's availability for development is unknown and therefore it has been dismissed at Stage 2 of the Sites Assessment.
- 6.25 Nevertheless, the site is subject to a number of constraints which would impact development. These include the site lying partially within Flood Zones 2/3, being located within the green gap between Bayston Hill and Shrewsbury and its proximity to heritage assets. Additionally, it is within 1km of a Ramsar site which may require ecological mitigation.
- 6.26 The above listed constraints impact on the scoring in the Sustainability Appraisal. Coupled with its distance and connectivity from / with existing services, the site is given 'poor' rating in the Sustainability Appraisal.
- 6.27 The site has a number of physical and planning constraints which, even if the site was available, may mean that it is unsuitable for development.

#### **BAY011 - Hollies Drive North East**

- 6.28 The site's location within the green gap between Bayston Hill and Shrewsbury resulted in the site not being considered for residential development. The Council have identified the maintenance of the gap as key in retaining the separate identities of each settlement.

- 6.29 The site scores well in the Sustainability Appraisal, mainly due to its proximity to key services and lack of physical constraints, however its location in the green gap overrides these positive conclusions.

#### **BAY022 - Lythwood Grange East**

- 6.30 The site's availability for residential development is unknown and it has therefore not been considered beyond Stage 2 of the Sites Assessment.

- 6.31 Additionally, the site is somewhat isolated and only benefits from minimal contact with the existing development boundary. Access to the site is constrained as the existing track to the north west is referenced as requiring further assessment to determine its suitability. It is likely to require the use of third party land as noted and explored in further detail within the Site Assessment for BAY026.

- 6.32 The site scores well in the Sustainability Appraisal, with good proximity to local services, although loses points due to the loss of higher grade agricultural land.

- 6.33 The site is not suitable for residential development due to likely access constraints and the requirement for the use of third party land. This however, is secondary to the lack of availability of the site.

#### **BAY026 - Glebe Road South West**

- 6.34 The Sites Assessment for BAY026 confirms that Shropshire Council consider the site to be available, achievable and suitable for residential development. However, the site has been incorrectly assessed and should not be considered suitable for residential development due to identified access constraints. Our client questions whether the site should be considered 'suitable' given the requirement for unidentified additional land to access the site. Our client therefore encourages the Local Authority to reconsider its conclusions on BAY026 in this regard.

- 6.35 It is assumed that site reference BAY019 is considered to be an option to provide access into the subject site. However, this is not made clear and, in any case, this site is referenced as having unknown availability and within public use. It cannot therefore be considered as a suitable location for access to BAY026.

- 6.36 Furthermore, as identified within the SLAA but not the Sites Assessment, the site lies within a Mineral Safeguarding Area and is subject to medium - high visual impact. It also has no defined physical boundary to the south ensuring development would not be contained.

- 6.37 The site scores 'good' in the Sustainability Appraisal and is located in close proximity to existing services. However, this is secondary to the points set out above and should not influence the decision as to whether this site is suitable for residential development.

- 6.38 As stated within the Site Assessment, there are preferable sites within the settlement with better relationships to the settlement, more well-defined site boundaries, and which can satisfactorily access the highway network.

### **BAY036 - Chestnut Drive North**

- 6.39 The availability of the site for residential development is unknown and it has therefore not been considered beyond Stage 2 of the Site Assessment.
- 6.40 The location of the site within the green gap between Bayston Hill and Shrewsbury, should also render the site unsuitable for development. The SLAA does make reference to the location of the site within the gap and this should have been picked up in the Sites Assessment.
- 6.41 The SLAA also notes the site is located in close proximity to a Scheduled Ancient Monument and Listed Building and these would need to be considered as key constraints.
- 6.42 Whilst the site scores relatively well within the Sustainability Appraisal this does not override the above referenced constraints.

### **BAY037 - Pool View North**

- 6.43 The availability of the site for residential development is unknown and it has therefore not been considered beyond Stage 2 of the Sites Assessment.
- 6.44 BAY037 is located in the green gap between Bayston Hill and Shrewsbury as identified within the SLAA. Additional constraints are also identified such as proximity to a Special Area of Conservation, Scheduled Ancient Monument and Listed Building. The site is also located within an Air Quality Management Area.
- 6.45 These issues combined with the distance from local services ensure that the site scores poorly in the Sustainability Appraisal. Putting aside the site's unknown availability, the physical and technical constraints identified ensure that it is unsuitable for residential development.

### **BAY040 - Betley Lane East**

- 6.46 BAY040 is considered available and achievable within the Stage 2 Site Assessment. The site is significantly larger than other SLAA sites with an indicative capacity of over 500 dwellings. The site is therefore too large for consideration as an allocation and if split in two, the central and southern areas would have a lesser relationship with the existing built form of the settlement. Connectivity is also highlighted as an issue.
- 6.47 The site is considered to have high visual sensitivity due to its position on the side of a valley slope. Off-site highways works are also required and the assessment considers that these are unlikely to be achievable. There are also concerns raised within the Site Assessment with regard to ecology and heritage.
- 6.48 The Sustainability Appraisal scores the site accordingly, although it does benefit from the northern section of the site being close to some existing services.

### **BAY043 - Gorse Lane End and West**

- 6.49 BAY043 is carried forward to Stage 3 of the Sites Assessment, with no reference made within Stage 2 to the fact that the site is located within the green gap between Bayston Hill and Shrewsbury. Despite this the site is considered available, achievable and viable and is thus carried forward for further assessment.

- 6.50 The site is located in a rural location with a poor relationship to the existing settlement. The Site Assessment concludes that there are preferable sites within the settlement, with better relationships to the existing built form.
- 6.51 The site is scored extremely poorly by the Sustainability Appraisal for a number of reasons including distance to existing services, the location of the site within Flood Zones 2/3, the presence of TPOs on site and the potential displacement of a Waste Management option.
- 6.52 For the above reasons BAY043 is not considered suitable for development.

#### **BAY048 - White House, Lyth Hill Road**

- 6.53 BAY048 is located adjacent to land controlled and promoted by our client. The difference between the two sites is stark due to the landform of this area. Although considered within Stage 3 of the Sites Assessment, it is concluded that the site is not suitable for residential development due to overriding constraints such as its high visual sensitivity and the potential requirement for buffers to a watercourse which would reduce developable area. The site is also in close proximity to a non-designated heritage asset.
- 6.54 The SLAA references the need to manage both heritage and access constraints, whilst the site is not considered within the Sustainability Appraisal and therefore cannot be thoroughly assessed in this regard.
- 6.55 The site's visual, ecological and heritage constraints ensure the site is not considered suitable for residential development by the Site Assessment.

#### **Summary**

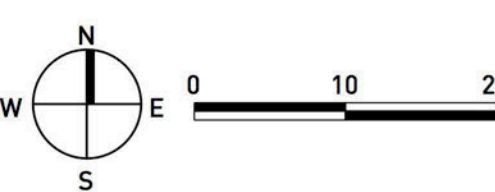
- 6.56 Based on the published evidence base which supports the Local Plan Review we have undertaken an analysis of all of the Long Term Potential SLAA Residential Sites within Bayston Hill. In light of the importance of the strategic gap to the north; the environmental constraints prevalent elsewhere in the settlement; highways and access issues; the land at Lyth Hill Road represents the most sustainable and suitable site for allocation within Bayston Hill.

## 7. Conclusion

- 7.1 Shropshire Council is currently undertaking a partial review of the Local Plan, and the current consultation relates to the Regulation 19 Pre-Submission Draft. Pinnacle Planning has been instructed by Richborough Estates Limited in respect of its land interests at Lyth Hill Road, Bayston Hill.
- 7.2 Having reviewed the document our client is largely supportive of the PSDSLP, and the proposed development strategy and the strategic policies. The principle of planning for a housing target which seeks to significantly uplift the minimum figure should be supported.
- 7.3 The identification of Community Hubs as significant rural service centres which comprise the focus for rural development is welcomed. The need to ensure the long-term sustainability of rural communities through the identification of significant levels of residential and economic development is also supported by our clients. The allocation of specific sites within Community Hubs, such as Bayston Hill, will provide the community with certainty over development and the security that much needed affordable housing as well as other benefits will be delivered. This approach clearly seeks to acknowledge the sustainability of Community Hubs and the requirement to meet the needs of small settlements for new housing as well as sustain the existing services.
- 7.4 Our client also agrees with the approach to the allocation of sites for Bayston Hill, which confirms that the land at Lyth Hill Road is the most suitable for allocation. This site represents a deliverable development site in a sustainable location which would assist the Council in delivering much needed homes, including affordable housing. Richborough support the draft allocation of BAY039 and the highlighted site guidelines for the site are broadly supported except they object to the quantum of approximately 100 dwellings and consider this needs to be amended to at least 115 dwellings to make the policy sound.

## Appendix 1: Indicative Masterplan





Issues

ACCOMMODATION SCHEDULE				
HOUSE TYPE	NUMBER	SQFT	BED	TOTAL SQFT
<b>OPEN MARKET</b>				
TYPE A	26	750	2	19500
TYPE B	21	930	3	19530
TYPE C	8	1000	3	8000
TYPE D	5	1125	3	5625
TYPE E	3	1275	4	3825
TYPE F	8	1350	4	10800
TYPE G	7	1375	4	9625
TYPE H	4	1475	4	5900
TYPE I	10	1525	4	15250
	<b>92</b>			<b>98055</b>
<b>AFFORDABLE</b>				
TYPE S1	8	570	1	4560
TYPE S2	8	870	2	6960
TYPE S3	4	1029	3	4116
TYPE S4	3	1032	3	3096
	<b>23</b>			<b>18732</b>
<b>OVERALL TOTAL =</b>	<b>115</b>			<b>116787</b>
		ACRES	HECTARES	
GROSS REDLINE AREA (TBC)		<b>14.32</b>	<b>5.79</b>	
NET AREA		<b>7.75</b>	<b>3.19</b>	
COVERAGE		<b>14743</b>	<b>36395</b>	
DENSITY		<b>14.8</b>	<b>36.1</b>	
OPEN SPACE		<b>5.72</b>	<b>2.32</b>	

- KEY**
- SITE LOCATION (TBC)  
14.32 ACRES / 5.79 HECTARES
  - PROPOSED RESIDENTIAL DEVELOPMENT  
**115** NO. DWELLINGS @ 36 DPH
  - PROPOSED OPEN MARKET DWELLINGS
  - PROPOSED AFFORDABLE DWELLINGS
  - SURVEYED TREES FROM TOPOGRAPHICAL SURVEY DRWG NO: 15-955-1A
  - TOPOGRAPHICAL SURVEY DRWG NO: 15-955-1A
  - VEGETATION TO BE REMOVED TO ALLOW FOR ACCESS
- \*SITE ACCESS TAKEN FROM DWG NO. T15554-001-SITE ACCESS HUB\*

**DRAFT FOR APPROVAL**

