Shropshire Council: Shropshire Local Plan

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:	Nigel Thorns Planning Consultancy Ltd on behalf of Burbury Investments Ltd

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:	ELL008 ELL033	Policies Map:	Ellesmere

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

	Yes:	No:
A. Legally compliant	☑	☐
B. Sound	☑	☐
C. Compliant with the Duty to Co-operate	☑	☐

(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.

See attached

01 supporting statement
02 Heritage Assessment
03 LVIA
04 Archaeological Report
05 Transport Assessment
06 Tree Report
07 Protected Species Report
08 Flood Risk Assessment

(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.

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

None

(Please continue on a separate sheet if necessary)

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

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

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

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

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

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

(Please tick one box)

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

We have no need to attend if there are no participants making representations against the allocation at the Examination.

However if there are participants at the Examination which seek to make representations against the site, we would wish to attend to respond and answer any questions raised

(Please continue on a separate sheet if necessary)

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

Signature: Date: 22/02/2021

Office Use Only	Part A Reference:
	Part B Reference:

SUPPORTING STATEMENT

Regulation 19 Pre-Submission Draft Local Plan Response February 2021

Land South of A495 Oswestry Road, Ellesmere

Local Plan Review Allocation ELL008 and ELL033

Prepared by
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1. Introduction

1.1 This representation is made on behalf of Burbury Investments Ltd.

1.2 Site ELL033 is owned by Burbury Investments Ltd and this forms part of the previous planning permission 14/04047/OUT - application for mixed development of a hotel, boating marina, leisure complex, pub/restaurant, residential, holiday cabins and touring caravans with associated infrastructure to include access

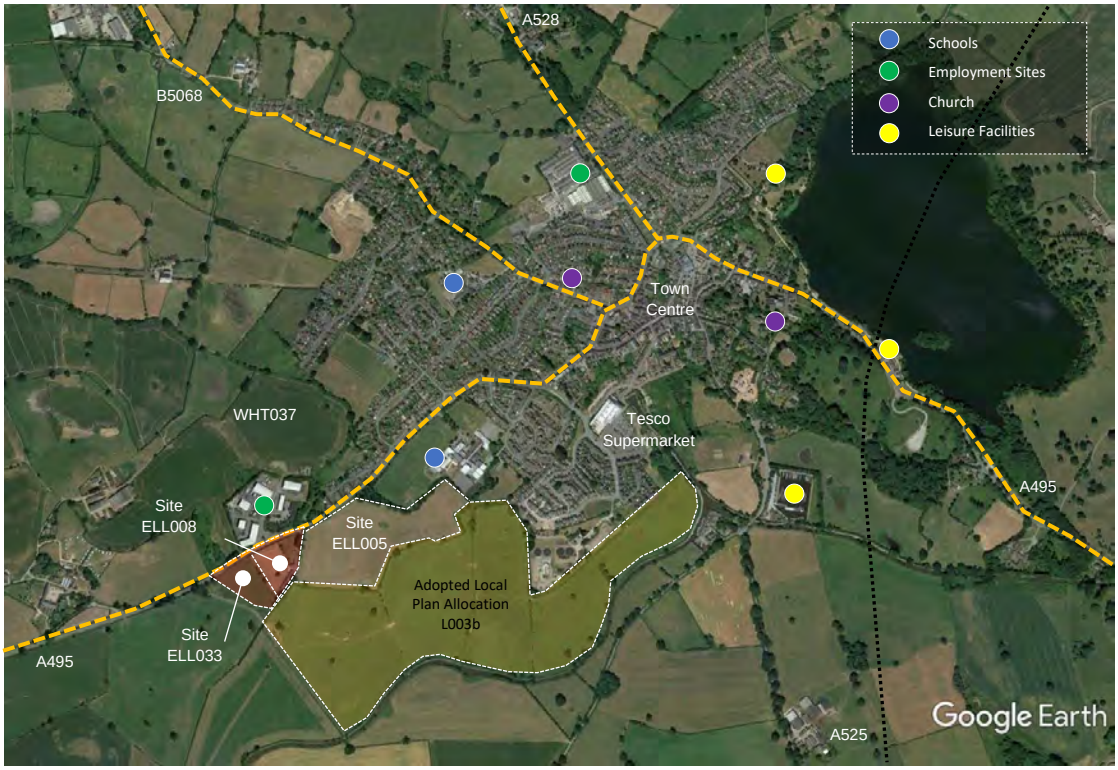
1.3 Burbury Investments on Friday 19th February 2021 purchased the allocated site ELL008.

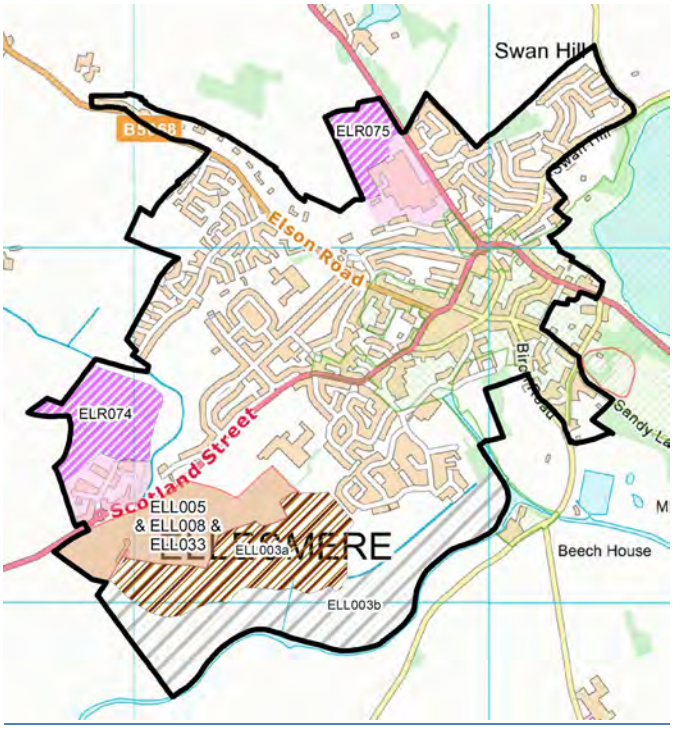
1.4 The 2 allocated sites to which this representation relates (ELL008 and ELL033) are shown below.

1.5 This response seeks to **SUPPORT** the allocation of sites ELL008 and ELL033 which are included within the Regulation 19 Pre-Submission Draft

2. Site Context

2.1 The context of the site is shown below along with an extract of the Local Plan Map for Ellesmere





3. Development Guidelines for sites ELL005, ELL008 and ELL033

3.1 The current Regulation 19 Consultation suggests within the Development Guidelines that:

Site Allocation	Land South of A495 Oswestry Road, Ellesmere
Provision	170 Dwellings

Comprehensive masterplan required for the site.

Access into each component of the site and the existing allocation to the south should be complementary. An appropriate pedestrian crossing facility over the A495 is required.

Any necessary improvements to the local and strategic road network will be undertaken, informed by consultation with Highways England and an appropriate Transport Assessment (including consideration of cumulative impact).

Mitigation measures required to remove any adverse effects from development of the site on the integrity of internationally designated sites.

The site will incorporate appropriate sustainable drainage, 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. Development will also be excluded from the portions of the site located in Flood Zones 2 and/or 3. Flood and water management measures must not displace water elsewhere.

Open space provision should link to green spaces within the development to the south and the surrounding area, with the intention of creating a circular route for pedestrians, dog-walkers and cyclists. This should link to existing public rights of way on and around the site, which will be retained and enhanced. It should also link to public rights of way, including the nearby canal towpath.

The potential to de-culvert Newnes Brook should be investigated and if possible implemented. An appropriate buffer (minimum 10m) to Newnes Brook should be provided to create an environmental corridor.

Existing tree cover should be retained and enhanced.

Design and layout should minimise noise impact from adjacent road.

4. Sustainability

4.1 The site lies within a highly sustainable location close to Whitchurch town centre and its services and facilities

5. Background Information

5.1 Various reports were provided at the time of the previous planning permission 14/04047/OUT - application for mixed development of a hotel, boating marina, leisure complex, pub/restaurant, residential, holiday cabins and touring caravans with associated infrastructure to include access. These relate to site ELL033 but are also relevant to site ELL008 and are attached for reference as follows:

02 Heritage Assessment

03 LVIA

04 Archaeological Report

05 Transport Assessment

06 Tree Report

07 Protected Species Report

08 Flood Risk Assessment

6. Availability

6.1 A site can be considered available for development, when, on the best information available (confirmed by the call for sites and information from landowners and legal searches where appropriate), there is confidence that there are no legal or ownership impediments to development. For example, land controlled by a developer or landowner who has expressed an intention to develop may be considered available.

6.2 In this case the sites ELL008 and ELL033 are owned by Burbury Investments Ltd who have via Local Plan consultations and the submission of planning applications for development confirmed their intention to develop the site at the earliest opportunity.

6.3 The site is available for development.

7. Deliverability

7.1 Plan-makers will need to assess whether a site can be considered deliverable within the next five years, or developable over a longer period.

7.2 Once the land is formally allocated the land will be made available for development. At this stage it is anticipated that the sites will come forward in the 'Short Term' (2020 to 2025) with completion in the 'Medium Term' (2025 to 2030)

7.3 The site is deliverable

8. Conclusion

8.1 The site lies in a highly sustainable location on the built up edge of Ellesmere and sits comfortably within the existing pattern of development.

8.2 The land is available, viable and deliverable and will be brought forward at the earliest opportunity.

8.3 The Landowner requests that the site allocations ELL008 and ELL033 be supported and retained within the Local Plan

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