

## 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:	Jason Tait of Planning Prospects on behalf of Persimmon Homes and Taylor Wimpey
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#### Q1. To which document does this representation relate?

- Regulation 19: Pre-Submission Draft of the Shropshire Local Plan
- Sustainability Appraisal of the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan
- Habitats Regulations Assessment of the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan
- (Please tick one box)

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

Paragraph:	<input type="text"/>	Policy:	<input type="text" value="DP1"/>	Site:	<input type="text"/>	Policies Map:	<input type="text"/>
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#### Q3. Do you consider the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan is:

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

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

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<p>The Policy requires that residential development will be expected to provide a mix of dwelling sizes, types and tenures in order to meet the identified needs of local communities. It is suggested this should be in accordance with the councils strategic housing market assessment. Specific provisions are made for at least 25% of open market dwellings to be 2 bedroom properties or less; a further 25% of open market housing should be 3 bedrooms or less. We believe that this policy needs to be applied flexibly. Any housing survey relied on needs to be up to date and the policy should highlight this. Consideration should also be given to the expertise of house builders who are the forefront of the housing market and have a strong understanding of housing needs and demands in an area. Equally consideration needs to be given to the urban context and locality as some areas may be more suitable for a particular housing mix in urban design terms than others. Some flexibility needs to apply to consider the relevant planning context for the site and the suitability of the site to accommodate the needs identified.</p>
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Criterion 6 of the policy specifically requires on schemes of 50 dwellings or more an appropriate range of specialist housing for older people. This aspect of the policy is not justified by evidence and is not clear or effective. It is not understood why it only applies to schemes of 50 dwellings or more, or what “appropriate” provision is.

*(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.*

Changes sought

- The policy should allow for additional flexibility to recognise how varying mix could be influenced by other evidence and material planning considerations
- Justification is required for the 50 dwelling trigger and additional precision is required in respect of requirements for older persons specialist accommodation.

*(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:**

Office Use Only	Part A Reference:
	Part B Reference:

**The issues raised in the objections relate to matters of some detail and complexity which would benefit from further explanation and exploration at the Examination for the benefit of the Inspector.**

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Signature:

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Date:

25/02/2021

Office Use Only

Part A Reference:

Part B Reference:

## Representation Form

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### Part B: Representation

Name and Organisation:	Jason Tait of Planning Prospects on behalf of Persimmon Homes and Taylor Wimpey
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#### Q1. To which document does this representation relate?

- Regulation 19: Pre-Submission Draft of the Shropshire Local Plan
- Sustainability Appraisal of the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan
- Habitats Regulations Assessment of the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan
- (Please tick one box)

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

Paragraph:	<input type="text"/>	Policy:	<input type="text" value="DP3"/>	Site:	<input type="text"/>	Policies Map:	<input type="text"/>
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#### Q3. Do you consider the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan is:

- |  |      |                                     |     |                                     |
|--|------|-------------------------------------|-----|-------------------------------------|
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| B. Sound                                 | Yes: | <input type="checkbox"/>            | No: | <input checked="" type="checkbox"/> |
| C. Compliant with the Duty to Co-operate | Yes: | <input checked="" type="checkbox"/> | No: | <input type="checkbox"/>            |
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<p>The approach to simplify the provision of affordable housing to two bands of 10 and 20% across Shropshire is generally welcomed. Reference to viability review is also in line generally with the approach set out within national policy. However, the policy is overly detailed and prescriptive on the type of affordable housing to be provided with elements which would be better included within an SPD.</p> <p>Affordable housing needs change over time and such prescription on tenure split, rent caps and equity share is inappropriate in a Local Plan policy intended to apply for a 22 year plan period. Equally we would highlight the broader definition of affordable housing with the Annex to the Framework and the policy should allow for a more flexible approach to the provision of a wider range of affordable housing. The Government are also consulting on further changes to the provision of wider affordable housing types and the policy should allow flexibility for this and include for this within the affordable housing definition.</p>
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(Please continue on a separate sheet if necessary)

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Changes sought

- The specific requirements within the policy should be deferred to an SPD or further flexibility should be provided for within the policy to ensure the policy remains relevant and appropriate over the plan period

(Please continue on a separate sheet if necessary)

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(Please tick one box)

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Signature:

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25/02/2021

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	Part B Reference:

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- (Please tick one box)

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

Paragraph:	<input type="text"/>	Policy:	<input type="text"/>	Site:	SHR177	Policies Map:	<input type="text"/>
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- |  |      |                                     |     |                                     |
|--|------|-------------------------------------|-----|-------------------------------------|
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The Site Selection process and approach which the Council have taken as part of the plan's preparation as it has assessed and evaluated the land at Weir Hill Phase 3 has been flawed, is objected to and is unsound. Taylor Wimpey and Persimmon have submitted proposals at a number of stages of the Plan's preparation suggesting the allocation of land for housing at Weir Hill Phase 3. The site represents a suitable, sustainable and deliverable site for residential development and a logical extension to the settlement, adjoining the existing residential areas of the town to the north, west and south. Allocation of the site would create a strong and well-defined settlement edge, without extending out into the wider open countryside. The site is now further enclosed by the proposed employment allocation SHR166 to the north east of the site, across the River Severn, which is shown as a "standalone" development boundary.

A Vision Statement for the site has been presented to the Council which sets out Taylor Wimpey's and Persimmon's proposals and has addressed comments and feedback about the proposals which

have been raised through discussions with officers as well as issues and opportunities which have emerged through phases 1 and 2 of the development.

The approach to site selection within the Plan is set out in a number of documents but for housing proposals principally comprises assessments undertaken in respect of potential sites put forward through the Strategic Land Availability Assessment (SLAA) first produced in 2018, alongside a Sustainability Appraisal (SA) published alongside the Regulation 19 Plan.

It is important that these documents comprise a sound site selection process and in respect of land at Weir Hill Phase 3, it is of fundamental concern to Persimmon and Taylor Wimpey that the site has not been fairly assessed as part of this process, the findings of the SLAA and its conclusions about the site have been based on a lack of understanding of the site and its proposals, without evidence to support its conclusions and remarks. Equally the Sustainability Appraisal includes errors and incorrectly scores the proposals for this site in a number of key important aspects.

These concerns are fundamental in respect of the soundness of the site selection process as it relates to the land at Weir Hill Phase 3, resulting in it failing to be allocated in the plan without good and sound planning reasons. This is not least because of the following;

- The Sustainability Appraisal includes scoring for the site which incorrectly underscores the site in a number of key aspects and also fails to take into account aspects of the proposed mixed use components to the proposals which would directly address any perceived deficiencies in local infrastructure or facilities, noting with specific reference to the site assessments in Appendix Q to the SA;
  - The existence of a Tree Preservation Order to the boundary of the site where no trees whatsoever within the Order are affected by the proposed development should not count negatively against the site
  - There is, in fact, a Primary School within 480m of the site
  - The opportunity is proposed within the site for provision of a Doctors Surgery
  - Phase 1 and 2 of the development have facilitated bus access to the site and the site is well served within 480m by a regular service
  - None of the proposed site for housing is in fact within a high risk flood zone and suggestions in the assessment that “much of the it is in flood zones 2 and 3” are completely incorrect
  - Landscape sensitivity and visual impact over stated (see below)
  - Highway access considerations have been judged without evidence and a miss-conception that the London Road link road will not be delivered until much later in the plan period
  - None of the site proposed for development is in fact within the Environmental Network, moreover the proposals respond to opportunities to enhance the river corridor as part of wider objectives of the Council
  - Any suggested expectation of loss of the environmental network is wrong. There is no suggestion whatsoever of any proposals here which would impact on the River Severn which is designated as a LWS. Trees and hedgerows are retained and ecology surveys support the development of the site without any undue harm in the same way as Phases 1 and 2 have been developed.
  - Contaminated land is not a constraint to the site
  - Noise from the railway line to the north is not a constraint to the development of the site
  - The development of the site would not have to await the development of Phases 1 and 2

Office Use Only	Part A Reference:
	Part B Reference:



- The London Road access to Phase 2 is complete and the development could contribute without any delay
- The SLAA conclusions have unduly and incorrectly influenced the assessment of the site in key respects of landscape impacts, transport infrastructure and access, as well as sustainable land uses.

In comparison to the Council’s site assessment, the Vision Document supporting the allocation of the site and other technical supporting reports submitted to the council, confirms that the development can deliver a high quality scheme providing new homes as well as a new local centre with a range of uses which will support the sustainability of this phase and earlier phases of the development. The vision for the site is landscape led with much of the site being dedicated to open space and mixed recreation space with areas close to the river protecting existing ecology interests but also promoting new opportunities for enhanced biodiversity. Community use opportunities are presented in the development with new dedicated parking for local walkers and those enjoying the enhanced country park, as well as community space for local groups including potentially for the Scouts (who need a new facility), wildlife trust or other community groups. As a whole the development completes the final phase of the Weir Hill development with new and enhanced proposals for the existing and new community.

The site is suitable for allocation for around 400 dwellings. Evidential material in support of the allocation in respect of landscape, transport and traffic, ecology, drainage etc have been made available to the council in the past and are fully available on request to ensure that site is duly considered to its full merit.

The Council’s assessment of the site within the sustainability appraisal and site selection process to date has been misconceived and flawed. The Council have not judged the proposals fairly, have misunderstood the delivery of associated infrastructure including the delivery timeframe for the new London Road link which will be in place to serve this phase as well as earlier phases. They have not had appropriate empirical evidence to judge highway implications and traffic. They have also failed to appropriately and fairly consider localised, site specific landscape implications.

The following is particularly highlighted with reference to attached supporting information comprising Vision Document (September 2020), Landscape and Visual Appraisal (PGLA, September 2020) and Transport Technical Note (Croft, September 2020);

**Landscape Sensitivity** – the landscape review undertaken by Gillespies for the Council as part of the Local Plan evidence base, identified the development on this site as an area of landscape medium / high sensitivity. The assessment is not appropriate for the evaluation of small component parts of the wider landscape around the Town. Indeed the study itself highlights that it is “a strategic assessment which provides the context for more detailed studies of individual sites. It does not make judgements on the appropriateness of specific developments on individual sites (and does not consider specific development proposals where these might exist). More detailed studies relating to specific site allocations and development proposals will be undertaken at a local authority level as part of the Development Plan and development management process”. The character area classification of landscape sensitivity is therefore not a definitive factor in assessing site proposals, which have to be done in the context of the specific proposals themselves. Indeed, the Gillespies Report suggests as much in stating “In this study visual aspects are considered in relation to landscape character and quality and not in relation to specific views (although these will be noted where they are a key characteristic of a particular area). This is because views and visibility change over short distance and can only be assessed in relation to a particular development type as part of landscape and visual impact assessment.”

Office Use Only	Part A Reference:
	Part B Reference:

Our own assessment previously submitted to the Council and now further updated as attached in a September 2020 update by PGLA here highlights that the lack of granularity within the parcels of the SLVSA combined with the methodology is providing an assessment with inaccurate and distorted broad brush gradings regarding landscape and visual sensitivity. Further in this context the sensitivity grading is therefore not reflective of the more fine granular nature of the wider character area which means its usefulness and effectiveness as a tool to inform or strongly influence an assessment for a specific site such as this site SHR176 is obviously flawed and will not provide the local authority with an accurate and helpful evidence base for making decisions on site allocations. A more appropriate and focused landscape assessment confirms significantly less sensitivity, less than other sites around the Town which have been selected for allocation. The landscape sensitivity here is not medium high. It is self-evident that by comparison to the Gillespies work (and no criticism of its approach and brief), the landscape assessment work we have submitted as part of our evidence in support of this site does appropriately assess the site and its sensitivity, which is in fact Medium Low and landscape impacts moderate to negligible. This is noting particular proposals including the approach which safeguards open space and landscape planting, those areas which may be more visually sensitive adjacent to the river. If the Officers' assessment has been influenced by the Gillespies broad brush character assessment which it seemingly has and not the circumstances of this particular site and proposed development, then it is undoubtedly unfair and flawed.

**Masterplan/Uses** – Some concern has been expressed about the proposals for Phase 3 (and indeed combined with Phases 1 and 2) not allowing for any additional supporting local social infrastructure, whether that be a local shop, community uses, or other social infrastructure. The development of Phases 1 and 2 will see the completion of 600 dwellings and with this further Phase 3, could see a total of 1000 dwellings coming forward as part of this overall development at Weir Hill. The masterplan and proposals for the site (see Vision Document, September 2020) however provide for a logical location for such community and social infrastructure in the heart of the development, yet not necessarily compete with the facilities which are already at Column, or on Abbey Foregate. The site proposed would provide a valuable addition to the development, providing the opportunity for some small shop units, health use, community space or similar in combination – indeed we have been in discussion with local groups such as the Scouts who also need new provision for community use and have the potential to accommodate their needs within the development either as a standalone facility or with joint provision. This is part of the updated vision for the site which builds on elements within phases 1 and 2, particularly expanding upon and completing the vision for the riverside park with an extensive array of wider mixed components for the park aligning with the Council's own green infrastructure aspirations in the recent study as well as the Big Town Plan. Comments and feedback on matters of ecology have also focused particular proposals for the mixed community uses within the park, with considerable emphasis on biodiversity gains and complementarity with the river and its designation as a local wildlife site. None of the development proposals have ever proposed any development in such proximity to the river to impact on ecology interests, moreover the vision has always seen opportunity for gains. Likewise, that part of the site which adjoins the river and is located within Flood Zones 2 and 3 have never been proposed for development and all built development is within Flood Zone 1. These are all factors which the Council's assessment of the site to date have not fairly considered.

**London Road Access** – a significant concern in the Council's assessment of this site was a misunderstanding that the delivery of the London Road link (through Phases 1 and 2) would be provided much later in the Plan period such that the accessibility and traffic benefits of this link wouldn't be available to Phase 3 in the short term. This is not the case. The delivery of the London Road link is conditioned in the current planning permission issued by the Council for Phases 1 and 2, such that no more than 175 homes within Phases 1 and 2 can be commenced construction and no more than 150 dwellings occupied before the London Road link is fully open to public use. In this

Office Use Only	Part A Reference:
	Part B Reference:

regard, development is well underway in Phase 1 of the development. Reserved Matters have been approved for Phase 2 and its development is progressing. The London Road access and link road has full planning permission as part of the hybrid planning permission and Phase 2 reserved matters and the access is now completed and open to traffic. The road is available to provide access to Phase 3 of the development and previous concerns in this regard are misplaced. Equally no construction access whatsoever would be required to construct Phase 3 using Preston Street, which was a principal concern of the council in establishing the limits to occupations on Phase 1.

Phase 3 is available for very early delivery in the Plan period and will support the plan housing delivery trajectory as other larger schemes will take some time to come forward.

Further transport analysis has been undertaken on potential traffic implications for Phase 3 in the Attached Transport Technical Note (Croft September 2020). It highlights that the site is highly accessible including by non car means; vehicle access is available and safe; an assessment of traffic from the development (including a considered assessment of traffic distribution with the London Road link in place) shows that it would have a minimal impact on Preston Street, or the wider highway network; there will be no requirement whatsoever for construction traffic to use Preston Street as the London Road link will be in place and there is no highway or safety concerns that should prevent the site from being allocated. The Council have prepared or considered no other transport evidence in their assessment of the site which contradicts these findings.

Overall, the Vision for Phase 3 of the Weir Hill development presents a high quality sustainable development which is supportable by clear evidence and should be more fairly and correctly assessed as part of the site assessment process and consequently, we would suggest, would have been allocated in the Local Plan Review.

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

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The assessment process should be re-run to re-evaluate this site and a revised comparative assessment of its merits with others considered in order to soundly evaluate it as a reasonable alternative site. Our view is that this would indicate that the site should be allocated for housing.

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

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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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Previous representations have been submitted on behalf of Taylor Wimpey and Persimmon Homes in respect of previous consultations on the plan with little change, if any, between the Regulation 18 and 19 Plans.

Context here must recognise a fundamental aspect of government policy and initiatives<sup>1</sup> are to seek to boost the supply of housing and support the Government’s regularly stated commitment to delivering 300,000 homes a year by the mid-2020s. The Government has been clear for many years, that housebuilding is critical to boosting the country’s economic growth. This extends through such statements as “Laying the Foundations; A Housing Strategy for England (November 2011)”, “Housing and Growth” a Written Statement to Parliament, (September 2012), and “Fixing the Foundations: Creating a More Prosperous Nation” (July 2015). All contain policies and initiatives which strongly support the necessity for more house building.

The Government’s Housing White Paper (2017) “Fixing Our Broken Housing Market” was a prelude to many of the more recent and on-going planning reforms which are aimed at addressing the housing crisis and the Government’s latest consultation “Planning for the Future” (White Paper) set out proposals to fundamentally reform the planning system in England. The Prime Minister’s forward to the “Planning for the Future” White Paper is clear that a principal reason to reform the planning system in England is because *‘Thanks to our planning system’* there are *‘nowhere near enough homes in the right places’*. The Secretary of State’s forward reiterates the impact that the COVID-19 pandemic is having on delivery of housing, setting out that *‘Reforming the planning system isn’t a task we undertake lightly, but it is both an overdue and a timely reform. Millions of jobs depend on the construction sector and in every economic recovery, it has played a crucial role.’* Its ‘Introduction’ continues by stating that *‘The planning system is central to our most important national challenges: tackling head on the shortage of beautiful, high quality homes and places where people want to live and work... It simply does not lead to enough homes being built, especially in those places where the need for new homes is the highest. Adopted Local Plans, where they are in place, provide for 187,000 homes per year across England – not just significantly below our ambition for 300,000 new homes annually, but also lower than the number of homes delivered last year (over 241,000). The result of long-term and persisting undersupply is that housing is becoming increasingly expensive, including relative to our European neighbours. In Italy, Germany and the Netherlands, you can get twice as much housing space for your money compared to the UK. We need to address the inequalities this has entrenched’*.

The concerns of Government, self-evidently, remain about housing delivery and the Government is as committed as ever to addressing the lack of housing supply. This message could scarcely be stronger and its commitment to deliver 300,000 new homes in England per year remains one of the Government’s key objectives and a fundamental driver behind the drive to an updated standard method and ongoing reforms to the planning system.

This context is a fundamentally important material consideration and backdrop to these representations. These are the principal reason behind many of the reforms that have taken place to planning and sets out a significant context to understanding housing land needs, supply and its aims. The approach is to ensure that housing delivery is used as a tool to positively support and ensure delivery of the homes that people need in line with the Government’s objectives to boost supply to significantly greater levels than seen in the past.

It is essential that the new Plan provides for an appropriate level of housing. Government policy is advocating a step change in the delivery of new housing.

Persimmon and Taylor Wimpey accept and support the requirement for about 30,800 new dwellings for the 22 year plan period 2016 – 2038. In the context of current planning practice guidance, the requirement sets positive levels of growth which paragraph 3.5 and 3.6 of the Plan

<sup>1</sup> A number of economic initiatives also sit alongside planning reforms in order to work towards the same government aims and objectives to see more homes being built including for example Help to Buy, Stamp Duty incentives, Housing Infrastructure Fund and financial guarantees, Right to Buy, Home Building Fund, amongst many others

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states is reflective of the Standard Methodology, meets needs and supports the long term sustainability of the County. It also provides flexibility to respond to future changes to and evidence of need, increases affordable housing provision and other specialist accommodation, as well as supporting diversification of the workforce and increased economic growth and productivity.

Allied to this Taylor Wimpey and Persimmon support the plan proposals to provide for employment growth to deliver around 330 hectares of employment development at an average rate of 14 hectares of employment land per year. In the current economic climate, it is essential that Shropshire provides support to business and opportunities for economic growth consistent with the economic objectives of the Framework. Key to this is adopting a strategy which plans for growth and provides sufficient land and other flexible development opportunities to support economic growth. The approach in the plan supports the overall Economic Growth Strategy for Shropshire. Shropshire has a real opportunity to continue to be a highly attractive location for international and national investment. It is however essential that there is a sufficient workforce available to meet jobs growth associated with the proposed employment development requirement and this must be provided sustainably, reducing the need for in commuting to Shropshire and stemming out commuting. The strategy for employment land delivery must be integrated with and supported by growth in housing provision which will both retain and attract the required workforce.

However, whilst Persimmon and Taylor Wimpey would support the overall housing requirement within the Local Plan Review, they have fundamental concerns that the provisions made within the Plan will not result in the Local Plan housing requirement being met. The housing requirement is expected to be met by a combination of completions since 2019, Sites with Planning Permission, carried forward (yet to be started or completed) SAMDev Allocations without planning permission, new Local Plan Allocations and Windfall, however the extent to which these components of supply will contribute to the level expected is not clear and not supported by evidence.

This is noting especially the following (including with reference to Appendices 5 and 7 of the Local Plan Review);

- **The base date of the 1<sup>st</sup> March 2019 for the Table in Appendix 5 should be updated as it is now nearly two years old – this is in respect of completions and sites with planning permission. Delivery over the past 12 months will have been affected by the Covid-19 pandemic. The number of planning applications coming forward and the issuing of planning permissions has also been curtailed through the last 12 month period. Completions and commitments should be updated, ideally to 1<sup>st</sup> April 2021 which would be the most up to date at the time of the Local Plan Examination.**
- **The contribution from “Commitments” should be critically assessed to ensure they are genuinely expected to be delivered though the plan period. There is always potential for permissions to lapse or developments to stall for various reasons and the overall delivery from this source over the plan period could be considerably less than anticipated. No deductions are made for lapse or non delivery from this source**
- **The contribution from SAMDev Allocations also needs to be critically reviewed. The draft Plan confirms that some 3564 dwellings from this source have yet to gain planning permission. Whilst some of these sites may be making genuine progress towards delivery, others may not and their future contribution to supply and their suitability should be re-evaluated. These are sites which would have originally been expected to have delivered housing by 2026.**

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- **There is an undue and unreasonable reliance upon windfall sites to meet the shortfall in identified sites. The Plan should provide for a greater degree of certainty and specifically plan for the allocation of sites. A greater range and number of sites needs to be allocated and reduce the reliance on windfall provision. The principle of including a windfall allowance for some settlements is supported in helping to provide flexibility on how the housing requirement is delivered. The National Planning Policy Framework at paragraph 70 requires policy for windfall allowance to be based on ‘...compelling evidence that they will provide a reliable source of supply.’. It also confirms that allowances should be ‘...realistic having regard to the strategic housing land availability assessment, historic windfall delivery rates and expected future trends.’ (our emphasis). The Plan should therefore be supported by evidence that the level of windfall allowance proposed is appropriate and justified based on historic delivery rates and robust assessment of the potential for sufficient windfall delivery rates to continue for the duration of the plan period. This is noting that with an up to date plan, the potential for windfall is reduced. Additionally, given the nature of such a precise and tightly drawn plan, the potential for windfall to continue at past rates over the full 22 year plan period is extremely unlikely. Taylor Wimpey and Persimmon consider that, in line with the requirements of the NPPF, the Plan should be revised to reduce the reliance on windfall and allocate a larger number and wider range of sites to increase certainty of housing delivery and create a positive and proactive planning policy context to encourage sustainable patterns of growth.**

The consequence of the above could well be that the residual Housing Requirement to meet the full housing requirement, will be significantly greater. This is likely to result in the need to allocate more sites to ensure the plan requirement is met.

Furthermore, the Plan will need to ensure those sites which are selected for allocation are genuinely deliverable within the Plan period and maintain a positive rolling 5 year supply. In this regard;

- **The Plan does not contain a 5 year supply calculation upon adoption and reflective of the concerns above in respect of the components of supply, should ensure that the calculation is robust and evidences deliverability**
- **The Plan does not contain a clear trajectory for delivery over the plan period, vital to show that the plan requirement will be met, but also important to show maintenance of a 5 year supply over the plan**
- **The Table in Appendix 7 gives some indication of delivery over 5 year bands or phases, but does not provide the evidence of a trajectory for a supply over the plan period, year by year. A more typical graph showing year by year supply would normally be provided as part of a plan to demonstrate a trajectory of delivery through the plan period**
- **Where Allocations are listed in Appendix 7, it is unclear as to what evidence has been used to formulate the expected delivery timeframes. There is nothing in the evidence base for the plan which lists any informed and evidenced delivery assumptions, development delivery programme, infrastructure requirements, constraints and risks to delivery for these sites. Whilst this may be less important for the small to medium sized sites where the delivery at some point during the 22 year plan period is less at risk, it**

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is very important to some of the large site allocation proposals. This is in circumstances where the Council already recognise that a number of the larger sites will not deliver until very late in the Plan period, and even extend beyond the plan period of 2038. Even where the principle of these developments is accepted, a fundamental concern is raised here in respect of the lack of evidence to support the delivery assumptions set out. Failure of some of the larger sites to deliver their required contribution to the plan housing requirement within the plan period, put the delivery of the required housing at significant risk.

- The plan needs to evidence a trajectory for each of the larger sites to ensure the risks to their delivery at the rates suggested is known and understood and their contribution to the Local Plan requirement is supportable. This is required for all sites where delivery is expected late in the plan period, or extends beyond it and would be important also for the strategic sites at Clive Barracks and the Former Ironbridge Power Station

*(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.*

**Changes Sought to make the Plan Sound;**

- The base date of the 1<sup>st</sup> March 2019 for the Table in Appendix 5 should be updated. Completions and commitments should be updated, ideally to 1<sup>st</sup> April 2021 which would be the most up to date at the time of the Local Plan Examination.
- The contribution from Commitments and, SAMDev Allocations should be critically assessed and deductions made for potential lapse and/or non delivery
- The reliance upon windfall sites should be reduced and the Plan should provide for a greater degree of certainty and specifically plan for the allocation of sites.
- A robust 5 year supply calculation upon adoption should be provided, reflective of the components of supply and evidence of deliverability
- A clear trajectory for delivery over the plan period needs to be included to show delivery of the housing requirement
- The plan needs to evidence a trajectory for each of the larger sites to ensure the risks to their delivery at the rates suggested is known and understood and their contribution to the Local Plan requirement supportable.
- Additional sites should be allocated to plug any gaps in delivery of the housing requirement.

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

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	Part B Reference:

**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:**

**The issues raised in the objections relate to matters of some detail and complexity which would benefit from further explanation and exploration at the Examination for the benefit of the Inspector.**

(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:

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	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:	Jason Tait of Planning Prospects on behalf of Persimmon Homes and Taylor Wimpey
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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.

The aims and aspirations of this policy are somewhat confusing. It appears that the policy is aimed at supporting and explaining how the Plan's housing requirements will be delivered over the plan period in line with the settlement hierarchy and strategic settlement policies. It also seeks to provide some flexibility and adaptability to changing circumstances particularly in the context of the Housing Delivery Test.

The Policy appears to resist housing development which would lead to the residential development guideline for a settlement being exceeded. This may be appropriate where disproportionate growth is proposed in less sustainable locations and settlements, but where additional development is proposed in sustainable locations, including for example in Shrewsbury and even exceeds its development guideline, such development which would otherwise be sustainable should not be restricted by the development guideline cap.

The final section of the policy describes circumstances where additional market housing development outside of settlement development boundaries will be strictly controlled but “will only be potentially acceptable where there is clear evidence that the residential development guideline for the settlement appears unlikely to be met over the plan or where specific considerations set out in the settlement policies apply”. This additional flexibility outside of settlement boundaries is welcomed however the policy is still somewhat ambiguous and limited in its application. Giving some flexibility to meet housing needs would make the plan sound.

There are additional circumstances which should allow the council to look more flexibly at proposals for housing outside of Settlement Boundaries and this should include where the council is failing their Housing Delivery Test, the absence of a 5 year supply or generally failure in the plan to deliver the housing requirement within the plan period. In this specific regard, this is not just on an individual settlement allocation basis but Shropshire wide, particularly as shortfalls in delivery in one settlement could still be sustainably be met in another. Such an approach would avoid the need for an early review of the plan and increase its longevity.

*(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.*

Changes Sought

- The policy should be amended to include the additional circumstances suggested.

*(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)

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	Part B Reference:

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

(Please tick one box)

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

**The issues raised in the objections relate to matters of some detail and complexity which would benefit from further explanation and exploration at the Examination for the benefit of the Inspector.**

(Please continue on a separate sheet if necessary)

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Signature:

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Date:

25/02/2021

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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:	Jason Tait of Planning Prospects on behalf of Persimmon Homes and Taylor Wimpey
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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.

The Policy sets out various provisions in relation to the management of development in the countryside which reflect the plans urban focused development strategy. It includes provisions for economic activities as well as other activities appropriate to a rural area. In respect of housing it confirms that new market housing will be strictly controlled outside of development boundaries. However, the policy should cross reference to the flexibility allowed for open market housing in the countryside within policy SP7 if the circumstances of policy SP7 are met.

(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.*

Changes sought
<ul style="list-style-type: none"><li>• The policy should cross reference to the circumstances under Policy SP7</li></ul>

*(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.*

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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:**

<b>The issues raised in the objections relate to matters of some detail and complexity which would benefit from further explanation and exploration at the Examination for the benefit of the Inspector.</b>
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*(Please continue on a separate sheet if necessary)*

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	Part B Reference:

Signature:

Date:

25/02/2021

Office Use Only	Part A Reference:
	Part B Reference: