

Statement of Common Ground.

Between Shropshire Council and Barwood Development Securities Limited for Land west of Ellesmere Road, Shrewsbury (Policy S16, Site Ref: SHR173)

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Contents.

1. Introduction	1
2. Site and Background.....	2
3. Land Ownership, Timescales and Disposal	5
4. Masterplanning Work	6
5. Development Guidelines.....	8

Appendices contents.

Appendix A.....	12
Appendix B.....	12



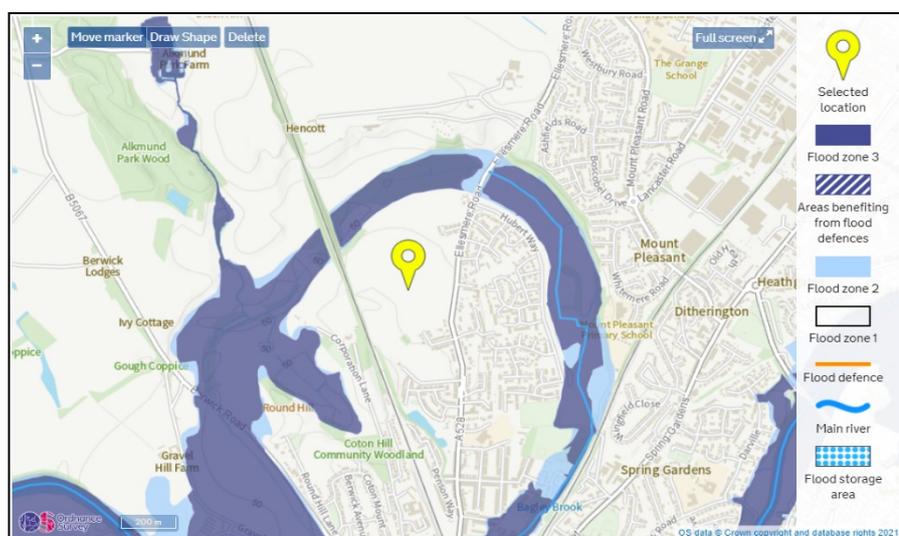
1. Introduction

- 1.1. This Statement of Common Ground (SoCG) has been prepared between Pegasus Group (the 'Agent') on behalf of Barwood Development Securities Limited (Barwood Land) (the 'Promoter') and Shropshire Council (the 'Council').
- 1.2. It relates to land to the west of Ellesmere Road (the 'Site') as shown on Site Location Plan Drawing 8401-L05 (Appendix A). The Site is allocated in the emerging Shropshire Local Plan as submitted to the Secretary of State for examination under Policy S16, Ref: SHR173 for residential development of up to 450 dwellings plus a local centre.
- 1.3. This SoCG sets out the latest agreed position between The Council and the Promoter in respect of the proposed allocation and development of the Site.
- 1.4. This statement is provided without prejudice to other matters of detail that the parties may wish to raise during the examination of any future update to this Statement of Common Ground.

2. Site and Background

- 2.1. The Site is the subject of the site allocation under emerging Local Plan Policy S16, ref SHR173 and extends to approximately 21.5ha. It is currently agricultural land located 2km north of Shrewsbury town centre between Ellesmere Road and the Shrewsbury to Chester railway line.
- 2.2. The majority of the Site falls within Flood Zone 1, at a low risk of fluvial flooding although a very small area in the northern part of the Site falls within Flood Zones 2 and 3, at a medium or high probability of fluvial flooding (see Figure 1 below).

Figure 1: Land at Ellesmere Road Flood Risk Zone Source: <https://flood-map-for-planning.service.gov.uk/>



- 2.3. There are no designated heritage or known archaeological assets within the Site.
- 2.4. Existing site access is off Ellesmere Road, on the Site's eastern boundary and the Site is not publicly accessible, with no rights of way through the Site.
- 2.5. The Shrewsbury-Chester railway line abuts the Site's western boundary, to the east and south are existing residential development and to the north is greenfield land with Hencote Hotel and vineyard beyond. The Site abuts the urban edge of Shrewsbury.
- 2.6. Shrewsbury town centre is accessible from the Site via public transport. There are bus stops along Ellesmere Road, providing access to Service 501 which runs between Shrewsbury Bus Station and Ellesmere to the north of Shrewsbury. There is a bus stop within 500m of the most western part of the Site.
- 2.7. The Site is approximately 1.5km from Shrewsbury train station, with Avanti West Coast, Transport for Wales and West Midlands Trains operating from here, offering services to Aberystwyth, Holyhead, Birmingham International, Birmingham New Street, Milford Haven, Manchester Piccadilly, Crewe, Carmarthen, Cardiff Central and Chester.
- 2.8. The Site has been promoted by The Promoter and their appointed representatives for residential development through the emerging Shrewsbury Local Plan Process since 2017.



- 2.9. This included representations to the various stages of the Plan development, including:
- Call for Sites (2017)
 - Issues and Options Strategic Consultation (2017)
 - Preferred Scale and Distribution of Development (2017)
 - Preferred Sites Consultation (November 2018)
 - Consultation on Strategic Sites (July 2019)
 - Regulation 18: Pre-Submission Draft of the Shropshire Local Plan 2016-2038 (August 2020)
 - Regulation 19: Pre-Submission Draft of the Shropshire Local Plan 2016-2038 (December 2020).
- 2.10. The Site has been identified as a proposed allocation for residential development since August 2020 in the Regulation 18 Pre-Submission Draft of the Local Plan. It was then subsequently included within the Regulation 19 Pre-Submission Draft in December 2020.
- 2.11. On 3rd September 2021 the emerging Local Plan reached the stage of Regulation 22: where the Submission Draft Shropshire Local Plan 2016-2038 was submitted to the Secretary of State for independent examination. The Site remains a proposed allocation for up to 450 dwellings with Local Centre under emerging Policy S16, Ref: SHR173.
- 2.12. An Outline Planning Application for the development of the Site is currently before Shropshire Council for consideration (ref: 22/01432/OUT). The outline application proposes the development of the Site for *'development of the site for up to 450 residential dwellings including local centre of 0.25ha, strategic infrastructure to include; open space, drainage and engineering works with all matters reserved (appearance, landscaping, layout and scale) except strategic access.'*
- 2.13. The application has been supported by a suite of documents that formed an extensive application package comprising:
- Application Forms, Notice, Certificates
 - Planning Statement
 - Site Location Plan
 - Illustrative Framework Masterplan
 - Design and Access Statement
 - Sustainability Statement
 - Waste Audit
 - Acoustics Report
 - Air Quality Assessment



- Transport Assessment
- Travel Plan
- Built Heritage Statement
- Archaeological Desk-Based Assessment
- Geophysical Survey
- Archaeological Trial Trenching Evaluation Report
- Ecological Appraisal and Protected Species Reports
- Biodiversity Offsetting Technical Note and Biodiversity Metric 2.0 Calculation Tool
- Flood Risk Assessment and Drainage Strategy
- Landscape and Visual Assessment
- Arboricultural Assessment

2.14. The Site is in part situated within a Mineral Safeguarding Area (Policy CS20). A Mineral Resource Assessment has been prepared for the Site and submitted to the Council.

2.15. Part of the Site is within a mineral safeguarding area, the Council's site assessment process has recognised and taken this into account in proposing to allocate this site for residential development. Further to this, the Promoter instructed Carter Jonas to produce a Minerals Assessment Report (submitted to Shropshire Council in April 2020) that demonstrates that sand and gravel resources within the Site have been rendered uneconomic to extract by virtue of environmental and access constraints as well as pre-existing sterilisation brought about by the gas pipeline and surrounding residential dwellings.

2.16. The Report also confirms that there are an abundance of sand and gravel deposits within Shropshire County, and the 7 year landbank requirement of the NPPF has been exceeded.



3. Land Ownership, Timescales and Disposal

- 3.1. The Site is in two freehold ownerships. The Promoter has the benefit of agreements with both landowners to enable its promotion through the Local Plan making process and the preparation and submission of relevant planning application/s. That agreement gives control for the land sale / purchase, and for the delivery of residential development in accordance with any planning permission granted.



4. Masterplanning Work

- 4.1. The Promoter has prepared an Illustrative Framework Masterplan, Drawing No. 8401-L-03 (Appendix 2), which has been submitted with the outline planning application that is before the Council.
- 4.2. The Illustrative Masterplan is underpinned by technical surveys and reports that robustly demonstrates how the proposed development could be brought forward, responding to the Site's constraints and opportunities, and meeting the requirements of the draft policy allocation SHR173, as set out in the submitted Draft Shropshire Local Plan (2016 – 2038).
- 4.3. The proposed development of the Site as set out in the current outline planning application (ref: 22/01432/OUT) comprises:
- Up to 450 residential dwellings
 - Affordable housing in-line with Policy DP3
 - Local Centre (0.25ha)
 - Vehicular Access Points
 - Pedestrian and cycle access opportunities
 - Green Infrastructure Network, including open space and Green Buffer to the northern and western site boundaries
 - Proposed Play Areas
 - Green Infrastructure Corridors and Green Spaces
 - Retention of mature trees, hedgerows and priority habitats
 - Delivery of 10% biodiversity net gain
 - Continuation of existing urban form
 - Sustainable urban drainage scheme
- 4.4. The Illustrative Masterplan is currently being consulted on by the Council as a part of the outline application process. In order to fulfil the requirements of the draft Local Plan policy, the Masterplan will be subject to further consultation with members of the public and statutory consultees including Planning Officers. This further public consultation is considered important to ensure a high quality scheme, and subject to its outcome will fulfil the requirements of draft Policy S16.1 (i) to allow it to be endorsed by Officers, and to shape the detailed design of the Site at reserved matters stage.
- 4.5. A Planning Performance Agreement (PPA) between the Promoter and the Council has been agreed between the two parties and is in place in respect of the processing and determination of the outline planning application currently before the Council.
- 4.6. Following the submission of the outline planning application the PPA sets out a number of agreed stages for the processing of the application, which will also address the requirements for the development of a Site Masterplan set out in the draft allocation of the Site within the emerging Shropshire Local Plan ref SHR173. Those stages include:



- Consultation on the Masterplan between March and May 2022 including Design Workshop with Officers to discuss submitted Masterplan
- Submission of revised Masterplan and additional 6 week public consultation during June-July 2022
- Council Officer endorsement of Masterplan by August 2022.



5. Development Guidelines

Masterplan

- 5.1. The Local Plan, Policy S16.1 (i) sets out a number of development guidelines for the development of the Site allocation ref: SHR173.
- 5.2. The outline application before the Council is intended to meet all of the relevant Development Guidelines set out in the draft site allocation., referred to below:

- *To ensure suitable access arrangements are achieved as well as protecting local amenity value on Ellesmere Road, the delivery of this development is directly dependent on the approval and construction of the North West Relief Road. Development on the site will not commence until such time as the North West Relief Road is operational.*

Two vehicular access points will be provided off Ellesmere Road, one in the southern part of the Site and one further north.

- *The quality, design, mix and layout of housing should be informed by site constraints site opportunities, including the site's proximity to the Old River Bed, identified local needs and relevant policies of this Local Plan*

Detailed design and housing mix will be for reserved matters, but site constraints have been identified and mapped as part of the masterplanning work.

The proposed development avoids development in Flood Zone 2 or 3, provides biodiversity enhancements across the Site, retains existing trees and hedgerows and provides pedestrian links through the Site.

- *A local centre is provided on at least 0.25 ha of the site, to be located appropriately to encourage opportunity for pedestrian and cycle access from existing residential areas on Ellesmere Road;*

The outline application and Illustrative Masterplan provides for a Local Centre of 0.25ha in size in the eastern part of the Site adjacent to Ellesmere Road and the proposed northern access point into the Site. This will ensure it is visible, commercially attractive, and available to both those passing the Site and local residents from the eastern side of Ellesmere Road and immediate site surroundings. Pedestrian and cycle links have been incorporated to connect to this destination.

- *Development will create and enhance pedestrian and cycle links within and through the site, utilising the site's proximity to the town centre;*

Pedestrian (and cycle) links through the development from Ellesmere Road toward Cedars Drive can be delivered as part of the detailed design proposals that are brought forward for the Site at reserved matters stage. The introduction of additional toucan and pedestrian crossings, as set out above, will improve the Site's accessibility

- *Green infrastructure corridors will be expected to form an intrinsic component of this development, contributing to the objectives of the Big Town Plan to improve the town's green network, and which provides enhancements to the Old Riverbed Local Wildlife Site and environmental networks in and around the site;*

The northern and western parts of the Site will be Green Infrastructure corridors to protect and enhance onsite wildlife and biodiversity. In particular, these new ecological habitats will provide an extended Great Crested Newt corridor from the pond south of the Site and connect them with the Old Riverbed LWS to the north of the Site. There will also be orchard planting and



drainage basins. The Ecology Assessment and Design and Access Statement identify the environmental matters arising, which the Applicant is seeking to address in the Masterplan.

- *Either on or off site contributions are made towards the delivery of additional playing pitch provision in line with the Council's Playing Pitch and Outdoor Strategy.*

A proportionate Section 106 obligation can be sought for off-site playing pitch provision.

- *Mature trees, hedgerows and priority habitats will be retained, forming part of the green infrastructure network. Where appropriate it will also be enhanced and expanded to create a sustainable juxtaposition between the built and natural form;*

Healthy existing trees and hedgerows within the Site are being retained and enhanced where possible. The veteran tree in the central part of the Site will be retained with root protection areas and enhanced with retained greenspace around it in the central part of the Site. An Arboricultural Survey supports the outline planning application.

- *Site design and layout will reflect and respect the site's heritage and heritage assets within the wider area; Local amenity will be protected through acoustic design, layout, green infrastructure and appropriate building materials will be used to appropriately manage noise, particularly associated with Ellesmere Road.*

The Built Heritage work undertaken to support the outline planning application has informed the Framework Masterplan and ensures that the development has considered all relevant heritage assets in its development including, in particular the Grade I listed Shrewsbury Castle to the south and the non-designated heritage assets of Hencote Farm and Cross Hill Farm to the north.

- *Sustainable drainage and flood risk mitigation measures will be incorporated into the site. 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.*

As set out in the Flood Risk and Drainage Work accompanying the outline planning application, surface water on the Site can be managed without increasing flood risk, through the design of catchment areas and infiltration and conveyance features. Attenuation features include swales and basins, which will be a dry facilities most of the time, and which also propose the provision of multi-functional spaces including benefits for residential amenity and the environment of the Site.

- *Development will also be excluded from the elements of the site located in Flood Zones 2 and/or 3, which will form part of the Green Infrastructure network*

The proposed development avoids development in Flood Zone 2 or 3, provides biodiversity enhancements across the Site, retains existing trees and hedgerows and provides pedestrian links through the Site.

North West Relief Road (NWRR)

- 5.3. The North West Relief Road (NWRR) is currently subject to a planning application (ref: 21/00924/EIA) which is before Shropshire Council as local planning authority to determine (ref: 21/00924/EIA). The description of development is:

'Construction of 6.9km single carriageway (7.3m wide) road; severance of local roads and footpaths; provision of combined footway/cycleway; erection of three bridged structures over carriageway; diversion of existing bridleway/footpath via an underpass; climbing lane on westbound approach; 670m



long viaduct; bridge over railway; two flood storage areas; provision of two new roundabout junctions and improvements to two existing roundabouts; associated traffic calming measures, landscaping and drainage schemes.'

- 5.4. The proposed policy wording of this Site Allocation in the Local Plan, as drafted, states that *"development allocated at Ellesmere Road (SHR173) will only commence when the NWRR is operational..."*
- 5.5. It is the Promoter's position that 150 dwellings of the 450 dwellings allocated to be delivered on the Site could come forward prior to the NWRR being operational without having a severe impact on the highway network. In this regard the outline planning application proposes a phased approach to delivery of the Site. This therefore remains an area of disagreement between the Council and the Promoter
- 5.6. The promoter considers that the Transport Assessment (TA) which supports the current outline planning application for the Site has been prepared in accordance with detailed pre-application discussions with Shropshire Highways Officers, to determine the scope of works that have been undertaken and agree the modelling and specific junction considerations that have informed the TA. Shropshire County Highways has a strategic highways model in place to model cumulative impacts of all development proposed in the emerging Local Plan and have encouraged applicants to use that model in their day-to-day work.

Viability and Deliverability

- 5.7. The Promoter proposes an indicative trajectory for the delivery of the proposed site allocation on the land west of Ellesmere Road as follows:
- Outline Planning Permission granted - 2023
 - Site Sale, Reserved Matters Approvals and Discharge of Conditions - 2024
 - Lead-in and 50 dwellings completed – 2025
 - 100 dwellings completed – 2026 (target NWRR opening year)
 - 100 dwellings completed – 2027 (plus delivery of Local Centre)
 - 100 dwellings completed – 2028
 - 100 dwellings completed – 2029
- 5.8. Shropshire Council has undertaken some detailed Viability work to inform the emerging Shropshire Local Plan. This is included in submission document EV115.01-03) The Promoter made Representations to the Local Plan Delivery & Viability Study pre-consultation draft in February 2020, and notwithstanding those comments, it is the Promoter's view that the Site can be viably delivered.
- 5.9. There are no known impediments to the viability of the Site, subject to the CIL payment and Section 106 contribution negotiations which are unknown at the time of writing.





Appendix A

Site Location Plan

Appendix B

Illustrative Masterplan



**Town & Country Planning Act 1990 (as amended)
Planning and Compulsory Purchase Act 2004**

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