

Shropshire Council Site Allocations and Management of Development (SAMDEV) Plan

**Pre-Submission Draft (Final Plan)
17 March 2014 – 28 April 2014**

Representations Form

Please note you can also make representations to the SAMDev Pre-Submission Draft using our online form via:

www.shropshire.gov.uk/samdev

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Your details: Who is making this representation?

Name:	Matt Smith
Organisation (if applicable):	Marrons Planning
Address:	1 Meridian South, Meridian Business Park, Leicester, LE19 1WY
Email:	matt.smith@marrons-planning.co.uk
Telephone:	0116 281 6952

If you are acting as an Agent, please use the following box to tell us who you are acting for:

Name:	
Organisation (if applicable):	Mactaggart and Mickel
Address:	c/o Agent
Email:	
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Your Representations

Please note, you must use a separate form for each representation you wish to make.

(Please refer to the accompanying Guidance Notes on Making Representations when completing this section)

In the box below please give the policy, paragraph or section of the Policies Map your representation relates to:

Policy MD3 'Managing Housing Development'

Is your representation in support or objection? (please tick as appropriate)

Support	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Object	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>

In respect of your representation on the policy, paragraph or section of the Policies Map, do you consider the SAMDev Plan is:

Legally compliant	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>

If your representation considers the SAMDev Plan is not sound, please say whether this is because it is not (*Please tick all that apply*):

Positively prepared	<input checked="" type="checkbox"/>
Justified	<input checked="" type="checkbox"/>
Effective	<input checked="" type="checkbox"/>
Consistent with National Policy	<input type="checkbox"/>

In the box below please specify your reason for supporting or objecting.

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Do you consider it necessary to attend and give evidence at the examination?

Yes, I wish to give evidence about my representation at the examination.

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No, I wish to pursue my representations through this written representation.

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It is considered these issues are complex and can only be dealt with at the oral examination.

Do you wish to be notified of any of the following? *Please tick all that apply. We will contact you using the details you have given above.*

When the SAMDev Plan has been submitted for examination	✓
When the Inspector's Report is published	✓
When the SAMDev Plan is adopted	✓

Please return this form by 5pm on Monday 28 April 2014

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Planning.policy@shropshire.gov.uk

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Policy MD3 – Managing Housing Development

1. The National Planning Policy Framework (the Framework) requires that local planning authorities “*plan positively to support local development*” (paragraph 16 refers) following the approach of the “*presumption in favour of sustainable development so that it is clear that development which is sustainable can be approved without delay*” (paragraph 15 refers).
2. In this context, Mactaggart and Mickel have concerns over the soundness of ‘Policy MD3 – Managing Housing Development’. Paragraph 4 of Policy MD3 indicates that where a settlement’s housing guideline appears unlikely to be met by the end of the plan period, additional sites beyond the development boundary, that accord with the settlement policy, may be acceptable. Although the inclusion of a mechanism to deal with any future under provision of housing is welcomed, it is essential that an adequate amount of land is allocated within the Site Allocations and Management of Development Plan (SAMDEV Plan) in the first place so that this situation is avoided. As set out in separate representations, this clearly has not taken place in Church Stretton. Further, no timescales are given within the Policy setting out when such sites will be released for development or what ‘triggers’ their release.
3. It is imperative that any sites allocated for development in the SAMDEV Plan are demonstrated to be deliverable over the plan period, thus reducing the chances of any shortfall arising at a later date. Without the deliverability of sites being demonstrated at this stage, the Plan cannot be considered to be ‘positively prepared’ or ‘effective’ as it is not based on the most appropriate strategy.
4. Paragraph 4.20 of the SAMDEV Plan provides additional detail in respect of dealing with settlements that are failing to meet their housing requirement, building on the contents of Policy MD3. Mactaggart and Mickel object to the reference that a “*partial review of the Local Plan*” could be undertaken to provide “*further allocations of land to ensure delivery*”. It should be noted that a partial review of the Plan is a cumbersome process, which will inevitably involve various rounds of consultation and subsequent examination. This will take a considerable period of time and will not solve the shortfall of housing development in the short term, therefore, the inclusion of references to a partial review of the plan

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cannot be considered to be 'positively prepared' or the most appropriate strategy to base the SAMDEV Plan on.

Requested Change

1. To overcome this issue, additional land should be allocated as part of the SAMDEV Plan to ensure that settlements are not reliant on unknown windfalls and exception sites to make up the housing requirement.
2. In short, there should be certainty in the allocations to ensure that the housing requirement can be met. It is only by doing this, that Mactaggart and Mickel consider that the SAMDEV Plan can be considered 'positively prepared' and 'effective'. In order to meet the soundness tests, land at Snatchfield Farm should be allocated for approximately 60-70 dwellings to provide certainty that the housing requirement within Church Stretton can be met over the plan period.

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Policy S5 'Church Stretton Area' (Paragraph 4)

Is your representation in support or objection? (please tick as appropriate)

Support	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Object	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>

In respect of your representation on the policy, paragraph or section of the Policies Map, do you consider the SAMDev Plan is:

Legally compliant	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>

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Policy S5 – Church Stretton Area (paragraph 4)

1. Notwithstanding the representations that have been made in respect of the appropriateness of only providing 380 dwellings in Church Stretton, explanatory paragraph 4 of Policy S5 sets out how this requirement will be delivered over the plan period.
2. It is considered by Mactaggart and Mickel that the approach to delivering the required number of dwellings in Church Stretton, as proposed, is 'unsound'. Particular reference is given to paragraph 182 of the National Planning Policy Framework (the Framework) which states that Local Plans should be prepared based on a strategy which seeks to meet objectively assessment development requirements (positively prepared), based on the most appropriate strategy (justified) and deliverable over its period (effective).
3. Although it is noted that 201 dwellings have been delivered in Church Stretton since the beginning of the plan period, a further 169 dwellings are required over the plan period. It would be reasonable to expect that these dwellings would be allocated as part of the Site Allocations and Management of Development Plan (SAMDEV Plan) providing a degree of certainty over the delivery of housing over the plan period, thereby ensuring the plan is positively prepared and deliverable (effective).
4. It is therefore a matter of concern that allocations are only being made for 100 dwellings. Notwithstanding the merits of the allocated sites, which are discussed as part of a separate representation, there is a shortfall of 69 dwellings over the plan period, even to achieve the inadequate figure of 380. The SAMDEV Plan states that there *"are significant opportunities for the development of windfall sites within the development boundary"*; however, this is not considered to be the case. The supply of windfall sites is infinite and cannot be relied upon to make up the 69 dwelling shortfall. Further, this approach does not provide any certainty that the required amount of housing will be delivered over the plan period. This is not considered to be an 'effective' approach to planning, as set out within the Framework.
5. In addition, the Strategic Housing and Land Availability Assessment (SHLAA), updated in March 2014, only identifies three suitable sites for development within the settlement boundary of Church Stretton. These would only provide for 28 dwellings. However, one of these sites, land at Woodbank House, is not considered to be deliverable. The SHLAA assessment form notes that the site has landownership issues whilst also questioning the

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viability of the site. In view of this, its delivery cannot be relied upon. As a result, it is considered that only 17 dwellings can be provided from SHLAA sites, still leaving a shortfall of 52 dwellings.

6. It is considered that sites which have not been promoted through the SHLAA are unlikely to be deliverable by their very nature. The SHLAA has considered all sites with a capacity of 5 or more dwellings, therefore, in all likelihood, sites which come forward for less than five dwellings will be development within gardens. As set out within paragraph 48 of the Framework, although an allowance can be made for windfall sites, this must have regard to the SHLAA and should not include residential gardens.
7. In view of this, the delivery of the outstanding 52 dwellings through windfall sites cannot be relied upon. This is not considered to be an effective approach in the context of the Framework and it cannot be assumed, as the Council does, that windfall sites will continue to come forward.
8. In order to provide certainty and plan positively for development, allocations should be made for Church Stretton's full housing requirement. Taking account of the proposed requirement of 380, this means that allocations should be made for 169 dwellings, rather than the 100 proposed. However, as set out in previous representations, Mactaggart and Mickel consider that the housing requirement for Church Stretton should be closer to 500 dwellings. In view of this, it is considered that allocations should in fact be made for 299 dwellings.

Requested change

1. To ensure that the SAMDEV Plan is positively prepared and fully effective, additional allocations should be made to ensure that there is certainty that the full housing requirement is provided for over the plan period. Mactaggart and Mickel are of the view that additional land at Snatchfield Farm should be allocated for approximately 60-70 dwellings in the SAMDEV Plan to make up this shortfall. The site is available for development and subject to the granting of planning permission, can be brought forward in the short term. In addition, as highlighted in separate representations, there are no overriding constraints that would prevent development on the site.

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Policy S5 'Church Stretton Area'

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Object	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>

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Policy S5 – Church Stretton Area

1. Notwithstanding the merits of the Core Strategy's housing requirements, which are discussed as part of a separate representation, Church Stretton is identified as a 'Market town and other key centre' within the Core Strategy. These settlements are considered to be:

“more sustainable and self-sufficient settlements, providing the main focus for new housing, employment and infrastructure development and the preferred location for a range of services and facilities to serve the wider needs of their respective hinterlands” (Core Strategy Strategic Objective 2). (My emphasis).

2. In view of this, Core Strategy Policy CS3 sets out an indicative requirement of up to 500 new dwellings to be provided in Church Stretton over the plan period.
3. It is therefore a matter of particular concern that the Site Allocations and Management of Development Plan (SAMDEV Plan) now only seeks to provide 380 dwellings over the plan period, 120 fewer than the Core Strategy allows for (equivalent to 24%). Mactaggart and Mickel consider that the proposed level of housing in Church Stretton is inappropriate as it fails to plan positively for development and does not meet objectively assessed development requirements, as required by paragraph 182 of the National Planning Policy Framework (the Framework). Further, it is considered the level of housing proposed is not justified in the context of the strategy adopted within the Core Strategy.
4. The suitability of Church Stretton to support additional housing was taken into account as part of the Core Strategy Examination process. If it was considered that the settlement could not sustainably support new development, it would have been addressed at this stage of the Local Plan process. It was not, and as a result, the Core Strategy allowed for development of up to 500 dwellings.
5. The SAMDEV Plan seeks to justify the proposed housing requirement by stating that the high quality environment (Shropshire Hills Area of Outstanding Natural Beauty (AONB)) and flood risk to some areas of the town provides a significant constraint to development. It is acknowledged that Church Stretton is within an AONB; however, it is not considered that this designation justifies the significant reduction in the level of housing proposed. This

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opinion is supported by two appeal decisions by the Secretary of State in Tetbury, Gloucestershire (APP/F1610/A/11/2165778 & APP/F1610/A/12/2173305) where despite the appeal sites being located within an AONB, the lack of a five year land supply, and the need to release sites for market and affordable housing, outweighed the impact of development on the AONB.

6. The Strategic Housing and Land Availability Assessment (SHLAA), updated in March 2014, demonstrates that there are sufficient sites with the 'potential for future development' to accommodate 500 new homes within Church Stretton, not least on land at Snatchfield Farm. On this basis, there is no underlying reason why the 500 dwelling threshold for Church Stretton, as set out in the adopted Core Strategy, should not be met as part of the SAMDEV Plan.
7. It should be noted that although a large number of SHLAA sites were 'rejected' for varying reasons, predominately due to the steep topography, the flood plain and the impact on landscape, land at Snatchfield Farm was assessed as having potential for future development and was considered more favourably than other sites in Church Stretton. This is also demonstrated by the Council's allocation of the site as part of the Preferred Options SAMDEV Plan. This is discussed further as part of a separate representation.
8. The Government has made it clear on numerous occasions that it seeks to promote economic growth and development. This is demonstrated in Nick Boles' Written Ministerial Statement (October 2012). In relation to local planning and 'localism', the Statement notes that:

*"The Localism Act has put the power to plan back in the hands of communities, but with this power comes **responsibility: a responsibility to meet their needs for development and growth**, and to deal quickly and effectively with proposals that will deliver homes, jobs and facilities."* (My emphasis).
9. There is also an acknowledged need for new housing throughout the Country to support the growing population. This is emphasised within paragraph 47 of the Framework which requires local planning authorities to *"boost significantly the supply of housing."*

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10. The approach adopted by Shropshire Council in respect of Church Stretton appears to be at odds with the Government's intentions and does not plan positively for development in Church Stretton over the plan period. Paragraph 157 of the Framework states that Local Plans should be "*prepared positively for the development and infrastructure required in the area*". Mactaggart and Mickel consider that the inadequate amount of development now being proposed for Church Stretton is not consistent with national planning policy.
11. The level of housing completions within Shropshire has been falling year on year since 2009, with completions in 2012-13 only reaching 61% of the Core Strategy requirement. In addition, since 2006, only 83% of the required level of housing has been provided. To make up this shortfall, there is pressing need to release land for development through allocations within the SAMDEV Plan. In this context, it is considered inappropriate to further restrict development in the 'market towns and key centres', as proposed in Church Stretton.
12. At Church Stretton, 201 dwellings have been completed since 2006; a significant percentage of which have been provided on rural exception sites. Despite Church Stretton being an attractive and desirable place for people to live, there has been very little market housing brought forward, and as a result, the demand for new housing is clearly not being met as the release of sites continue to be restricted. The level of past delivery between 2006 and 2013 equates to 28.7 dwellings per annum, however, the proposed housing requirement of 380 dwellings means that, taking account of completions and existing commitments, between 2013 and 2026, only 13 dwellings per year will be provided, a significant reduction from current levels. Even if Church Stretton provided 500 dwellings over the plan period, this only translates to 23 dwellings per annum, which is still less than the current rate of delivery per annum. It is considered the approach proposed within the SAMDEV Plan will continue to restrict much needed development in Church Stretton, and therefore, is not consistent with the intentions of the adopted Core Strategy or the requirements of national policy.
13. In this context, it is considered that the proposal to provide 380 dwellings in Church Stretton over the plan period is not consistent with national policy, does not plan positively for development and is not justified.

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Requested change

1. Mactaggart and Mickel consider that the only way for Policy S5 to be considered sound is for it to make provision for additional development within Church Stretton over the plan period which is more in line with the intentions of the Core Strategy (i.e. providing for in the region of 500 dwellings).
2. In the context of Church Stretton, it is only by making provision for additional development that the SAMDEV Plan will have “*sufficient flexibility to adapt to rapid change*” (paragraph 14 of the Framework refers). The SHLAA has identified there is adequate sites, such as at Snatchfield Farm, available to deliver additional dwellings without impacting on the flood plain or the high quality environment.

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Schedule 5.1a 'Allocated Housing Sites'

Is your representation in support or objection? (please tick as appropriate)

Support	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Object	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>

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Schedule 5.1a – Allocated Housing Sites

1. As referred to in separate representations, Shropshire Council have only sought to allocate 100 dwellings in Church Stretton, significantly lower than the number to be provided over the plan period. Notwithstanding the merits of this approach, or the overall housing requirement for Church Stretton, it is considered by Mactaggart and Mickel that the two sites proposed for allocation are not ‘justified’ or ‘effective’ in the context of paragraph 182 of the National Planning Policy Framework (the Framework) based on the evidence currently available. Each of the proposed allocations is commented on below.

CSTR019 – Battlefield to rear of Oaks Road (50 dwellings)

2. Mactaggart and Mickel do not consider that this site accords with the requirements of the Framework, specifically paragraph 173, which states that Local Plans should be “*deliverable*” and pay “*careful attention to viability*.”
3. The Battlefield site cannot be directly accessed from Sandford Avenue. To overcome this constraint, a new road will need to be built across adjoining land, which is itself the subject of other constraints in the form of its topography, ponds and the mature trees, which are the subject of tree preservation orders. It should be noted that the SHLAA assessment for the site where the access is proposed was considered as having “*access constraints*” which would restrict development on site and the route of the proposed road.
4. In an attempt to overcome these constraints, it is proposed to access the site by utilizing helical piles to support sections of the access road; effectively creating an elevated road. It is conceivable that the scale of infrastructure required may have a significant impact on the viability of the development.
5. In addition, it would appear the site is currently being promoted by local landowners rather than a developer or housebuilder. Question marks over the viability of the site, due to large infrastructure costs, could result in the site being seen as unattractive to housebuilders, which raises concern over its longer term delivery over the plan period. Given the unusual infrastructure which is required, no evidence of the site’s viability has been provided. This is crucial if the Site Allocations and Management of Development

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Plan (SAMDEV Plan) is to be considered 'effective'. Paragraph 173 of the Framework states that *"plans should be deliverable"*, and as set out above, they should *"pay careful attention to viability."*

6. The SAMDEV Plan seeks to allocate the site for 50 dwellings, however, material prepared by the promoters of the site, indicates that only 30 family homes will be provided at low density. Lower density development is also identified in the Council's assessment of the site which requires:

"larger plots with significant planting within and native tree planting on site boundaries to soften the overall appearance."

7. The site is only 1.88ha on size. Taking account of landscaping and infrastructure it is reasonable to assume that 70% of this area will be developable. This results in a net developable area of around 1.25ha. Even development at 30 dwellings per hectare, which is considered reasonable taking account of the character of the area and the site's inclusion with the Conservation Area, will only provide for a maximum 37 dwellings. Significantly short of the 50 dwellings which are expected from the site. It is considered that this shortfall should be made up by allocating additional land for development in Church Stretton.

8. Notwithstanding the above concerns, the Council's assessment of the site acknowledges that it is not a sustainable location for development as it *"does not offer acceptable pedestrian and cycle access"* and is not *"within easy walking distance of a bus stop with a regular service, the school, the town centre or the main employment area"*. This is reflected by the fact that based on their own evidence; Council Officers did not include the site as an allocation within the Pre-Submission Draft (Final Plan). The site has been included within the Plan at the request of Members during the Cabinet meeting of 19 January 2014, not because the evidence suggested it was an appropriate site for development. This is confirmed by the minutes of the Cabinet meeting which state the recommendations:

"which were set out in the officer's report were amended at the Cabinet meeting by the Portfolio Holder for Planning and subsequently seconded".

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This included:

“That Cabinet recommends to Council (27th March 2014) the Proposed Submission Plan document for publication subject to minor amendments and editing, and to changes to the proposals for Church Stretton (subject to receipt of satisfactory evidence of deliverability) and Oswestry”.

9. The changes referred to relate to the exclusion of a number of sites from the Plan and the inclusion of the Battlefield site. In the context of paragraph 182 of the Framework, the allocation of the site is not based on the *“most appropriate strategy when considered against the reasonable alternatives, based on proportionate evidence”*, and therefore, cannot be considered to be ‘justified’.

CSTR018 – School Playing Fields Site (up to 50 dwellings)

10. Mactaggart and Mickel have concerns about the delivery of this proposed allocation and whether it accords with the requirements of the Framework. The site is currently in use as school sports pitches and owned by Shropshire Council.
11. As part of the disposal of land, Shropshire Council will be required to go through the proper administrative process, which includes seeking Officers, and Members, comments and/or objections, and if necessary, agreement from Cabinet. At this stage, it is unclear whether this process has taken place, and as a result, the site cannot be considered to be available or deliverable for development.
12. Paragraph 74 of the Framework makes clear that *“existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:*
 - *an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
 - *the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*

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- *the development is for alternative sports and recreational provision, the needs for which clearly outweigh the loss.”*

13. It is considered there is no overriding justification to warrant the development of the existing sports pitches which are located adjacent to the school. Further, no evidence has been provided to justify the development of the site in the context of paragraph 74 of the Framework.

14. A replacement sports facility has been identified by Shropshire Council, however, this is not within their ownership. It is understood that discussions over purchasing the site are on-going, however, until the purchase of the land is agreed, there is no prospect of the proposed allocation coming forward as it is not deliverable. It would therefore be expected as part of the Examination that evidence of the proposed sale of the land for the new sports pitches is provided to demonstrate the deliverability of the allocated site.

15. Without the site's deliverability being demonstrated, it is considered the tests of soundness set out in the Framework will not have been met as the allocation of this site is not *“justified”* or *“consistent with national policy”* (paragraph 182 of the Framework refers).

16. Notwithstanding the above, the area of land which has been identified to provide the replacement sports pitches is located further away from the school (over 100m) than the existing pitches. Although the existing facilities are separated from the school by a farm track, it is reasonable to anticipate that the relocation of the sports pitches to an area much further away from the school will be a matter of concern to Sport England.

17. Even if it is concluded by the Inspector that both of the proposed allocations are to be retained, given the size of the Battlefield site (CSTR019) and the landowner's intention to only provide 30 dwellings there is likely to be a shortfall of some 20 dwellings. This, coupled with the shortfall already identified in respect of the non-allocation of sufficient land to meet the housing requirements and the robustness of the overall requirement for Church Stretton, means that additional land for development is needed within Church Stretton.

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Land at Snatchfield Farm (CSTR020)

18. In view of the concerns over the delivery of the two proposed allocations, and the existing shortfall in allocated sites, Mactaggart and Mickel consider that land at Snatchfield Farm is a more sustainable and deliverable option for development in Church Stretton and should be allocated for approximately 60 to 70 dwellings. This is supported by the findings of a number of technical reports which have been prepared in support of the site, this includes a Transport Appraisal, Ecological Appraisal, 'Landscape and Visual Appraisal and Development Strategy' and a 'Landscape and Visual Urban Appraisal of Snatchfield Farm and land at New House Farm'. Copies of these reports have been submitted alongside this representation.

19. The site was previously allocated as part of the Preferred Options SAMDEV Plan in 2012; however, it was subsequently removed as a result of local objection. It is considered there have been no changes in circumstances that warranted the Council removing the site from the SAMDEV Plan. Indeed, the Council's own intention to allocate the site is an indication of its suitability for development. In this regard, the Preferred Options SAMDEV Plan concluded that:

"recent discussions with the Town Council suggest that this may be one of the more acceptable sites for development in light of the number of significant access and/or environmental constraints on many of the other sites in the town. A carefully designed, low density scheme could thus minimise the impact of development and retain the sense of openness valued by the community".

20. The site is surrounded by existing residential development on three sides making it an excellent opportunity to round off development in the area. The nature, and location, of the site means that the impact on the AONB will be limited, as demonstrated by the 'Landscape and Visual Appraisal and Landscape Development Strategy', which has already been submitted in support of the site. It is concluded within this Appraisal that:

"no public views of the site could be found from the residential areas to the west, north and east. As a result of intervening topography there were no views of the

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study site from the A49 arterial road through the valley or the B4371 Stanford Avenue eastwards out of town.”

21. The submitted Highways Appraisal also demonstrates that an appropriate access can be achieved. The report concludes that:

“The site is suitable for residential development of up to 100 units from a transportation perspective and the local highway authority should have no objections to the principle of such a scheme.”

22. The site at Snatchfield Farm is considered to be deliverable and could, subject to the granting of planning permission, be developed quickly, enabling an early contribution to be made to the need for new homes in the area. It is considered that there are no major constraints to the development of the site and its delivery does not require significant highway works or land assembly. Further, the site is in the control of a developer with a track record of delivering high quality developments.

23. Significant weight should be attributed to the delivery of sites. Footnote 11 of the Framework indicates that *“to be considered deliverable sites should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years and in particular that development of the site is viable.”*

24. In view of this, Mactaggart and Mickel consider that land at Snatchfield Farm is a more sustainable and deliverable option for development in Church Stretton than the sites which are proposed for allocation. In addition, a shortfall in the overall amount of land allocated for housing in Church Stretton has already been identified as part of separate representations. Therefore, the allocation of land at Snatchfield Farm for approximately 60 to 70 dwellings would make a significant contribution towards these identified gaps in provision.

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Requested change

1. In order to address the current shortfall in the number of dwellings planned for over the plan period (as set out above), additional land should be allocated at Snatchfield Farm for approximately 60-70 dwellings. It is only by allocating additional land that the SAMDEV Plan can be considered to pass the tests of soundness set out in the Framework.

Shropshire Council Site Allocations and Management of Development (SAMDEV) Plan

**Pre-Submission Draft (Final Plan)
17 March 2014 – 28 April 2014**

Representations Form

Please note you can also make representations to the SAMDev Pre-Submission Draft using our online form via:

www.shropshire.gov.uk/samdev

This is a formal consultation on the legal compliance and soundness of the Site Allocations and Management of Development (SAMDev) Plan before it is submitted to the Secretary of State for examination by an Independent Planning Inspector. For advice on how to respond to the consultation and fill in this representations form please see the guidance notes available on the Council's website at www.shropshire.gov.uk/samdev.

Your details: Who is making this representation?

Name:	Matt Smith
Organisation (if applicable):	Marrons Planning
Address:	1 Meridian South, Meridian Business Park, Leicester, LE19 1WY
Email:	matt.smith@marrons-planning.co.uk
Telephone:	0116 281 6952

If you are acting as an Agent, please use the following box to tell us who you are acting for:

Name:	
Organisation (if applicable):	Mactaggart and Mickel
Address:	c/o Agent
Email:	
Telephone:	

Your Representations

Please note, you must use a separate form for each representation you wish to make.

(Please refer to the accompanying Guidance Notes on Making Representations when completing this section)

In the box below please give the policy, paragraph or section of the Policies Map your representation relates to:

Policy MD1 'Scale and Distribution of Development'

Is your representation in support or objection? (please tick as appropriate)

Support	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Object	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>

In respect of your representation on the policy, paragraph or section of the Policies Map, do you consider the SAMDev Plan is:

Legally compliant	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Sound	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>

If your representation considers the SAMDev Plan is not sound, please say whether this is because it is not (*Please tick all that apply*):

Positively prepared	<input checked="" type="checkbox"/>
Justified	<input type="checkbox"/>
Effective	<input type="checkbox"/>
Consistent with National Policy	<input checked="" type="checkbox"/>

In the box below please specify your reason for supporting or objecting.

If you are objecting, you should make clear why the document is unsound having regard to the issues of 'legal compliance' or whether the document is not positively prepared, justified, effective or not consistent with national policy (Continue on a separate sheet if necessary).

Please see attached representations

Please use the box below to explain the changes you think should be made to the SAMDev Plan in order to make it legally compliant or sound? You should explain your suggested revisions to the policy, paragraph or section of the Policies Map, and why this change would make the plan legally compliant or sound. Please be as precise as possible (Continue on a separate sheet if necessary)

Please see attached representations

Please be sure that you have provided all the information necessary to support your representations and any changes you are proposing. After this stage you will not be able to make any further representations about the SAMDev Plan to Shropshire Council. Any further submissions will only be possible at the invitation of the Inspector conducting the examination, who may seek additional information about the issues he/she has identified.

Do you consider it necessary to attend and give evidence at the examination?

Yes, I wish to give evidence about my representation at the examination.

☒

No, I wish to pursue my representations through this written representation.

☐

If you wish to attend the examination, please explain why you think this is necessary in the box below:

It is considered these issues are complex and can only be dealt with at the oral examination.

Do you wish to be notified of any of the following? *Please tick all that apply. We will contact you using the details you have given above.*

When the SAMDev Plan has been submitted for examination	✓
When the Inspector's Report is published	✓
When the SAMDev Plan is adopted	✓

Please return this form by 5pm on Monday 28 April 2014

You can e-mail it to:

Planning.policy@shropshire.gov.uk

Or return it to: Planning Policy Team, Shropshire Council, Shirehall, Abbey Foregate, Shrewsbury, Shropshire, SY2 6ND

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Policy MD1 – Scale and Distribution of Development

1. It is acknowledged that Shropshire Council's housing requirement was set out as part of the Core Strategy which was adopted in March 2011, prior to the publication of the National Planning Policy Framework (the Framework) and the revocation of the West Midlands Regional Spatial Strategy (WMRSS). The housing requirement was based on the WMRSS figure of 27,500 dwellings which were to be provided between 2006 and 2026; a figure derived from the 2006 based household projections. The WMRSS has now been revoked and more up-to-date evidence is available which has significant implications for the planning policy context in Shropshire and which therefore needs to be taken into account as part of the preparation of the Site Allocations and Management of Development Plan (SAMDEV Plan).
2. Recent updated evidence includes:
 - 2010 based population projections;
 - 2011 based household projections; and,
 - the results of the 2011 Census.
3. As a consequence, the Core Strategy, and hence the emerging SAMDEV Plan, cannot be said to meet *“the full, objectively assessed needs for market and affordable housing”* as required by paragraph 47 of the Framework. For the plan to be found sound, and to be consistent with national policy (paragraph 182 of the Framework refers), the *“full objectively assessed needs”* of Shropshire should be met.
4. The implications of these changing circumstances, and the publication of new evidence, was acknowledged within paragraph 4.5 of the Core Strategy, which states that a review of the Plan will be required to take account of these changes. In view of this, it is considered inappropriate to base the scale and distribution of housing provision proposed within the SAMDEV Plan on the requirements set out in the adopted Core Strategy when clearly they do not reflect up-to-date evidence. The Framework supports this approach making it clear that Local Plans should be based on *“adequate, up-to-date and relevant evidence about the economic, social and environment characteristics and prospects of the area”* taking full account of market signals (paragraph 185 refers).

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5. It is noted that Shropshire Council have recently prepared an updated Strategic Housing Market Assessment (SHMA), however, this has been undertaken in isolation and has not considered strategic issues with neighbouring local authorities, including Herefordshire, Telford and Wrekin, Cheshire East, Cheshire West and Chester and Powys. In this context, it should be noted that paragraph 159 of the Framework advises local planning authorities to:

*“prepare a Strategic Housing Market Assessment to assess their full housing needs, **working with neighbouring authorities** where housing market areas cross administrative boundaries.”* (My emphasis).

6. Notwithstanding the above, table 7.1 of the SHMA sets out the future housing needs for Shropshire based on the 2010 ONS sub-national population projections. It was concluded that, based on these figures, Shropshire Council will require 39,300 new dwellings between 2011 and 2036; an average of 1,572 dwellings per annum. This is significantly higher than the annual housing requirement set out in the adopted Core Strategy (an average of 1,375 per annum).
7. In view of this, it is considered that the requisite review of the housing requirement need not await a review of the Core Strategy but can, and should, be undertaken as part of the preparation of the SAMDEV Plan. It is only in this way that the Plan will meet all of the tests of soundness and in particular those requiring that it is:
- **positively prepared:** this will not be the case if it is not based on a strategy which meets objectively assessed development requirements; and
 - **consistent with national policy:** which, as explained above, requires that Local Plans meet the full, objectively assessed need for housing.
8. This approach would accord with government policy, as set out in paragraph 153 of the Framework, which states that Local Plans *“can be reviewed in whole or in part to respond flexibly to changing circumstances.”*

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Requested change

1. It is only by allocating additional land for development through the SAMDEV Plan that it can be considered to be positively prepared, meeting Shropshire's full objectively assessed housing needs. In order to meet the soundness tests, additional land for housing needs to be allocated; one suitable site being land at Snatchfield Farm, Church Stretton, which should be allocated for approximately 60-70 dwellings.