



For Shropshire
Council use

Respondent
no:

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:	Katherine Burnett
Organisation (if applicable):	Canal & River Trust
Address:	Peels Wharf, Lichfield Street, Tamworth, Staffordshire B78 3QZ
Email:	Katherine.burnett@canalrivertrust.org.uk
Telephone:	

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

Name:	
Organisation (if applicable):	
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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:

S14.2(xi): Weston Rhyn, Rhoswiell, Wern and Chirk Bank

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

Support	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Object	Yes	<input 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 checked="" type="checkbox"/>	No	<input type="checkbox"/>
Sound	Yes	<input checked="" type="checkbox"/>	No	<input 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	
Justified	
Effective	
Consistent with National Policy	

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).

The policy requires that development will be "...subject to design measures which maintain the existing 'green corridor' and respect the setting of the Llangollen Canal." This is welcomed by the Trust as our priorities relate to the canal corridor and land and development within and immediately adjacent to the corridor. We would require any development to; not adversely affect the integrity of the waterway structure, quality of the water, result in unauthorised discharges and run off or encroachment; detrimentally affect the landscape, heritage, ecological quality and character of the waterways; prevent the waterways potential for being fully unlocked or discourage the use of the waterway network. The waterways can be used as tools in place making and place shaping, and contribute to the creation of sustainable communities. We seek any development to relate appropriately to the waterway and optimise the benefits such a location can generate for all parts of the community

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

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

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When the SAMDev Plan has been submitted for examination	X
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When the SAMDev Plan is adopted	X

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

You can e-mail it to:

Planning.policy@shropshire.gov.uk

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We welcome the requirements of the policy for canalside development proposals to enhance the canal's role as a multifunctional resource. The multi-functions of the canals include: an agent of or catalyst for regeneration; a contributor to water supply and transfer, drainage and flood management; a tourism, cultural, sport, leisure and recreation resource; a heritage landscape, open space and ecological resource; sustainable modes of transport; and routes for telecommunications; supporting climate change, carbon reduction and sustainability.

We also welcome the canals and canal lines being protected against other forms of development which conflicts with their multifunctional use or potential for restoration or regeneration. Canals are successfully being used as tools in place-making and place-shaping; in attracting and generating investment; and in improving the quality of life in areas undergoing transformational change through regeneration, renewal and growth.

4.109

We welcome the requirement for marina applicants to also consult the Canal and River Trust at pre-application stage.

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)

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Schedule S8.1c: Leisure/Tourism Sites Site ELL003b
--

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

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

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Justified	
Effective X	
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Whilst a marina development may well satisfy various land-use planning considerations and be appropriate in many respects, in order to be delivered, it would have to successfully pass through the Canal & River Trust's own application process. It would also have to obtain the necessary connection agreement which would permit it to physically connect to the Trust's waterway network.

The acceptability or otherwise of a marina or other offline mooring proposal to the Trust is based primarily on consideration of availability of water resources, navigational safety considerations and potential impacts on SSSIs. For each new applicant in the Trust's process, the assessment of water resources takes account of the other applications in the Trust's process at that time, and the cumulative impact is considered. Over time, schemes may be withdrawn or removed from the process - either voluntarily or by the Trust where there is a lack of progress, which can change the position regarding acceptability of new schemes seeking to enter the Trust's process. Environmental factors, together with new or changes to existing commercial abstractions (such as from farming, utilities companies and other industries) can also impact on the availability of water resources.

Therefore, due to the way in which the Trust's process works, a site may be deliverable in respect of water resources at the time that the plan is prepared by the LPA (if the site is in our process) but may not be deliverable on adoption or during the lifetime of the plan if the applicant has withdrawn or is removed from the process. A site allocated for a marina in a development plan may not be delivered if it comes back into the Trust's process and insufficient water resources were available.

Marina proposals in the Trust's process are confidential until such time as the applicant determines they wish to make the proposal public knowledge, and there may be a number of proposals in the process at any given time on a particular waterway. As waterways (and hydraulic units) may span several local authority boundaries, it is possible that proposals falling within different local authority areas could have implications for site allocations for marina developments in another local authority area.

Consequently, it is difficult for both the Trust and accordingly the LPA, to determine the deliverability of a scheme, given the competing factors and variables between the Trust's own application process, the planning process and the timescales involved in both plan preparation/adoption and actual delivery of marina schemes from initial proposal to commencement of work on site.

The Council appear to have generally addressed this issue by allocating the site for Leisure and Tourism uses and requiring such uses to comply with policy MD11. This is set in the context that policy MD11 seeks to address the matter of the availability of water resources. To ensure effectiveness, in terms of deliverability, we do however feel that it would be more appropriate to provide a potential list of uses for the site. We feel that this can be easily addressed and set this out below.

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Schedule S8.1c: Leisure/Tourism Sites. Site - Land South of Ellesmere. Within the Development guidelines replace the word "*including*" in the following sentence with "*such as*":

"Land allocation is for the purpose of leisure and tourism and comprising various related uses suitable for canalside rather than town centre, ~~including~~ *such as*; hotel, marina, leisure centre, touring caravan and log cabin sites, and a garden centre";

The use of the word including implies a degree of acceptance of deliverability of the marina use despite the provisions of policy MD11 which seeks to address matters relating to water resources. The use of the words "such as" would overcome any issues

relating to deliverability of the marina element and make this matter clearer.

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S11 Market Drayton

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

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We welcome the requirement for "...new development must recognise the importance of safeguarding and where possible enhancing the landscape character and amenity value of the Shropshire Union Canal." Our priorities relate to the canal corridor and land and development within and immediately adjacent to the corridor. We would require any development to; not adversely affect the integrity of the waterway structure, quality of the water, result in unauthorised discharges and run off or encroachment; detrimentally affect the landscape, heritage, ecological quality and character of the waterways; prevent the waterways potential for being fully unlocked or discourage the use of the waterway network. The waterways can be used as tools in place making and place shaping, and contribute to the creation of sustainable communities. We seek any development to relate appropriately to the waterway and optimise the benefits such a location can generate for all parts of the community.

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S14.2(iii): Llanymynech & Pant

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