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Dear Edward,

Site Allocations and Management of Development Pre-Submission Draft - Consultation Response

On behalf of our clients LaSalle Investment Management who in turn act on behalf of Coal Pension Properties, please accept this letter as formal consultation response to the Pre-Submission Draft version of the Site Allocation and Management of Development Plan (SAMDev). This letter should be read in conjunction with our previous consultation responses to earlier drafts of the SAMDev document issued in March 2013, September 2013 and January 2014.

It is our consideration that the comments raised in our previous consultation responses still stands and we are disappointed that the Council did not incorporate our recommendations within the final SAMDev plan. However, as this stage of consultation focusses on the test of 'soundness' we have concentrated the issues on this test.

Evidence Base

In the first instance, the SAMDev document is based upon evidence which is out-of-date.

The Shropshire Retail Study Update February 2012 forms the basis of the SAMDev retail strategy and specifically policies MD10a and 10B. However, the Retail Study is based upon the Experian Micromarketer G3 data which includes an estimate of population projected forward to 2011.

In addition to this, the growth projections presented in the Retail Study are based upon Experian Retail Planner Briefing Note 9 which is over 2 years old and was compiled in a significantly more pessimistic period for retail growth projections.

Since the Retail Study was published, both the population projections and retail growth projections have been updated. As such, the Council must be required to update their evidence base to reflect the most up-to-date evidence. The National Planning Policy

Framework (the Framework) states that *“Each local planning authority should ensure that the Local Plan is based on adequate, up-to-date and relevant evidence...”* (Paragraph 158)

Further to this, the National Planning Practice Guidance (the Guidance) states that when approaching submission *“if key studies are already reliant on data that is a few years old, they should be updated to reflect the most recent information available (and, if necessary, the plan adjusted in the light of this information and the comments received at the publication stage)”* (Paragraph: 014 Reference ID: 12-014-20140306).

Until the evidence base is updated, the SAMDev Plan is considered **unsound** as it is **not consistent with national policy**.

Site Allocations

In January 2014, NJL provided the Council with a series of tables which demonstrated that using the latest population and growth data that there is significantly more expenditure available. In accordance with Paragraph 23 of the Framework, the Council are required to meet the identified need for retail floorspace in full:

“It is important that needs for retail, leisure, office and other main town centre uses are met in full and are not compromised by limited site availability. Local planning authorities should therefore undertake an assessment of the need to expand town centres to ensure a sufficient supply of suitable sites.”

At present the SAMDev document only allocates a single site in the form of the Riverside development. This strategy is flawed on two counts.

The first flaw is that the allocation of the Riverside is based upon out-of-date retail evidence and the latest population and growth figures. As demonstrated in our retail tables submitted in January there is considerably more retail expenditure available in the short and medium term. In light of the up-to-date evidence, the Council must be required to allocate additional retail sites to deliver this growth.

As detailed in our consultation documents in March and September, Policies CS2 and CS15 both acknowledge the role of Meole Brace as a retail destination, where there is *“scope for enhancement and expansion, if required”* and *“Shrewsbury’s priorities for the allocation/release of land for development will be... scope for the expansion of Meole Brace Retail Park, if required, and other commercial uses”* (Policy CS2 bullet point 6). This policy framework is further reinforced by the evidence base in the Retail Study which recognises the role and function of Meole Brace and its *“complimentary role to the town centre”*.

The Retail Study also states that:

“Whilst it is imperative that all opportunities for additional comparison goods floorspace within the town centre are pursued, if these opportunities are unlikely to be delivered then there may be a role in the future for the existing retail parks to capture some of this anticipated growth rather than lose it to competing centres further beyond the catchment” (Paragraph 5.19).

It is clear, therefore, that the most suitable location to accommodate additional growth is at Meole Brace Retail Park.

The second flaw in the retail strategy contained in the SAMDev document is that it contains no contingency plan for delivering the objectively assessed needs for retail development in full should the New Riverside Shopping Centre Scheme not be delivered. The Framework states the local authority must “*allocate a range of suitable sites to meet the scale and type of retail... development needed in town centres*” (paragraph 23).

The Guidance provides more detailed advice on what this could entail stating that “*assessing development needs should be proportionate and does not require local councils to consider purely hypothetical future scenarios, only future scenarios that could be reasonably expected to occur*” (Paragraph: 003 Reference ID: 2a-003-20140306).

In this regard, it is entirely reasonable to plan for the eventuality that the New Riverside scheme is not delivered. Detailed planning consent was issued in September 2012 and since this time the developers have stated that the best case scenario would see construction commence in 2015. However, additional announcements have seen the cost of the scheme increase and additional funding being sought elsewhere. There is, therefore, significant doubts that the scheme can be delivered. The Council must include a contingency plan to accommodate the anticipated growth in retail expenditure. As detailed, the most suitable, deliverable and available location is at Meole Brace Retail Park.

This contingency plan does not come at the expense of delivering New Riverside, but merely recognises the reasonable scenario that the scheme is not delivered. Without a range of site allocations and without a contingency plan, the SAMDev document is not sound as it is not **consistent with national policy** and not **justified**.

Conclusion

This letter should be read in conjunction with our previous consultation responses submitted in March 2013, September 2013 and January 2014.

In the first instance the evidence base relied upon in creating the retail strategy in the SAMDev is out of date as it is based upon old population data and old growth expenditure forecasts. In line with the Framework and accompanying Guidance, this evidence must be updated.

In line with this, we have previously provided the most up to date data which demonstrates that there is significantly more retail expenditure available in the short and medium term. The SAMDev plan must be required to allocate additional sites in order to meet the objectively assessed needs in full.

Until the SAMDev Plan allocates additional sites to deliver the increased retail expenditure needed following an update to the population and growth figures the document is unsound as it is not **positively prepared** and not **justified**.

In addition to this, the SAMDev plan currently only allocates a single retail site; however the SAMDev must allocate a range of sites and plan for all future scenarios “*which can be reasonably expected to occur*”. Given the significant doubts surrounding the New Riverside Shopping Centre, the SAMDev must allocate a contingency site to deliver the objectively assessed retail need. In line with the Core Strategy and evidence contained within the Retail

Study, Meole Brace Retail Park is best placed to deliver the large scale retail floorspace that is required to maintain the current market share within Shrewsbury.

Until the SAMDev Plan allocates a range of sites and plans for all reasonable future scenarios, the document is not **positively prepared**, not **effective** and **inconsistent with national policy**.

We trust that the above information is clear and will be taken into account in the consultation process.

Yours sincerely

Ashley Collins

Senior Planning Consultant

For and on behalf of NJL Consulting Ltd