

Philip Moren BA(Hons) MRTPI
Planning Consultant &
Technical Author
11 Bishop's Walk
Llangollen
LL20 8RZ

Tel: 01978 869355
Mobile: 07778 485987
Email: philip@moren.demon.co.uk

Planning Policy Team
Shropshire Council
Shirehall
Abbey Foregate
Shrewsbury
SY2 6ND

Your Ref:

My Ref: PM/swanhill

25 April 2014

Dear Sir or Madam

SHROPSHIRE COUNCIL: SAMDEV PRE-SUBMISSION DRAFT PLAN

Please find enclosed a representation form in respect of the above, on behalf of my client CMS JAW Ltd.

A pdf copy will also be sent to you by email.

Yours faithfully

Philip Moren
Enc

Cc CMS JAW Ltd

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:	CMS JAW Ltd
Organisation (if applicable):	
Address:	c/o Agent
Email:	Ditto
Telephone:	Ditto

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

Name:	Philip Moren, Planning Consultant & Technical Author
Organisation (if applicable):	
Address:	11 Bishop's Walk, Llangollen, Denbighshire, LL20 8RZ
Email:	philip@moren.demon.co.uk
Telephone:	01978 869355

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 S8: Ellesmere Area, including Schedule S8.1a: Housing Sites

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

Support

Yes

☐

No

☐

Object

Yes

☒

No

☐

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

☐

No

☐

Sound

Yes

☐

No

☒

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).

Objections are raised to draft Policy S8 on the grounds that it fails to address the urgent objectively assessed need for additional burial land within the town. This is a matter that has been highlighted by planning officers in previous iterations of the emerging local plan, by the Ellesmere Town Council and others, and has been acknowledged in planning documents such as the *LDF Implementation Plan - Ellesmere & surrounding area Place Plan 2012/2013*.

Notwithstanding the S78 decision by the Secretary of State on 27 January 2014 to dismiss an appeal involving the construction of 22 dwellings and extension to existing cemetery on land adjacent to the cemetery, Swan Hill, Ellesmere (PINS Appeal Ref: APP/L3245/A/13/2204997), it is considered that the site edged red on the attached plan is capable of being developed for around 6 low-profile, single-storey dwellings in a manner that would overcome previous objections.

Such a development could provide a substantially enlarged area of additional burial land, at no cost to the local community, with the new houses being set within a significantly enhanced area of landscaping and planting, to mitigate their impact on The Mere and surrounding development. The proposed development would be materially different from that previously rejected, with the greatly enlarged area of additional burial land being sufficient to meet the town's burial needs for at least the next 20 years.

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)

The c.1ha site, as edged red on the attached plan, should be identified for a small-scale housing scheme of around 6 bespoke single-storey dwellings, set within planted/landscaped grounds, with a substantially increased area of land to be used as an extension to the adjoining cemetery. The respondent would be willing to gift this land to the relevant local authorities, subject to achieving a grant of planning permission for the suggested development.

This change would make the plan sound, by being positively prepared, and responding pro-actively to the identified need for additional burial land within the town. It would also make the plan consistent with the NPPF.

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:

In order to explain how a revised proposal could overcome previous objections and the community benefit to be had from additional burial ground.

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	<input checked="" type="checkbox"/>
When the Inspector's Report is published	<input checked="" type="checkbox"/>
When the SAMDev Plan is adopted	<input checked="" type="checkbox"/>

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

You can e-mail it to:

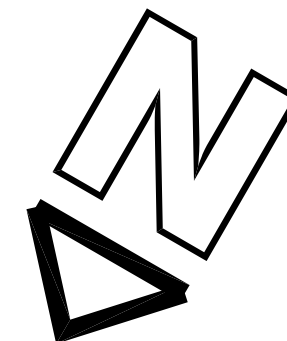
Planning.policy@shropshire.gov.uk

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

Please note, we will acknowledge receipt of representations made by e-mail.

Data Protection Act 1998 and Freedom of Information Act 2000

Representations cannot be treated in confidence. Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012 requires copies of all representations to be made publically available. The Council will place all the representations and the names of those who made them on its website, but will not publish personal information such as telephone numbers, emails or private addresses. By submitting a representation on the Pre-Submission SAMDev Plan you confirm that you agree to this.



CHARTLAND

The Drifthouse Studio
Forton Barns
Montford Bridge
Shrewsbury SY4 1ET

Tel: 01743 851261
www.chartland.co.uk

Client CMS JAW Ltd.

Project Proposed Development off
Swan Hill, Ellesmere.

Drawing Location Plan A3 - 1:1250

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28 April 2014

By email only:
Planning.policy@shropshire.gov.uk

Dear Sir or Madam

SHROPSHIRE COUNCIL: SAMDEV PRE-SUBMISSION DRAFT PLAN

Further to my letter dated 25 April 2014 enclosing a representation form on behalf of my client CMS JAW Ltd, my client has instructed me to submit the attached sketch diagram to illustrate the broad principles behind its revised proposal for 6 single-storey dwellings and additional burial ground for its site next to the cemetery at Swan Hill, Ellesmere.

By way of comparison with the previous proposal for 22 two-storey houses, which was rejected on appeal, I have included a copy of the illustrative masterplan for that scheme, which included only a 5-metre wide strip along the cemetery's north-eastern boundary. You will see that the latest proposal is fundamentally different.

I should emphasise that the attached sketch only sets out the broad principles. The precise boundaries, and the provision of additional planting, is a matter that would be addressed at the design stage, should the principle of a modified development along the lines of that suggested be supported.

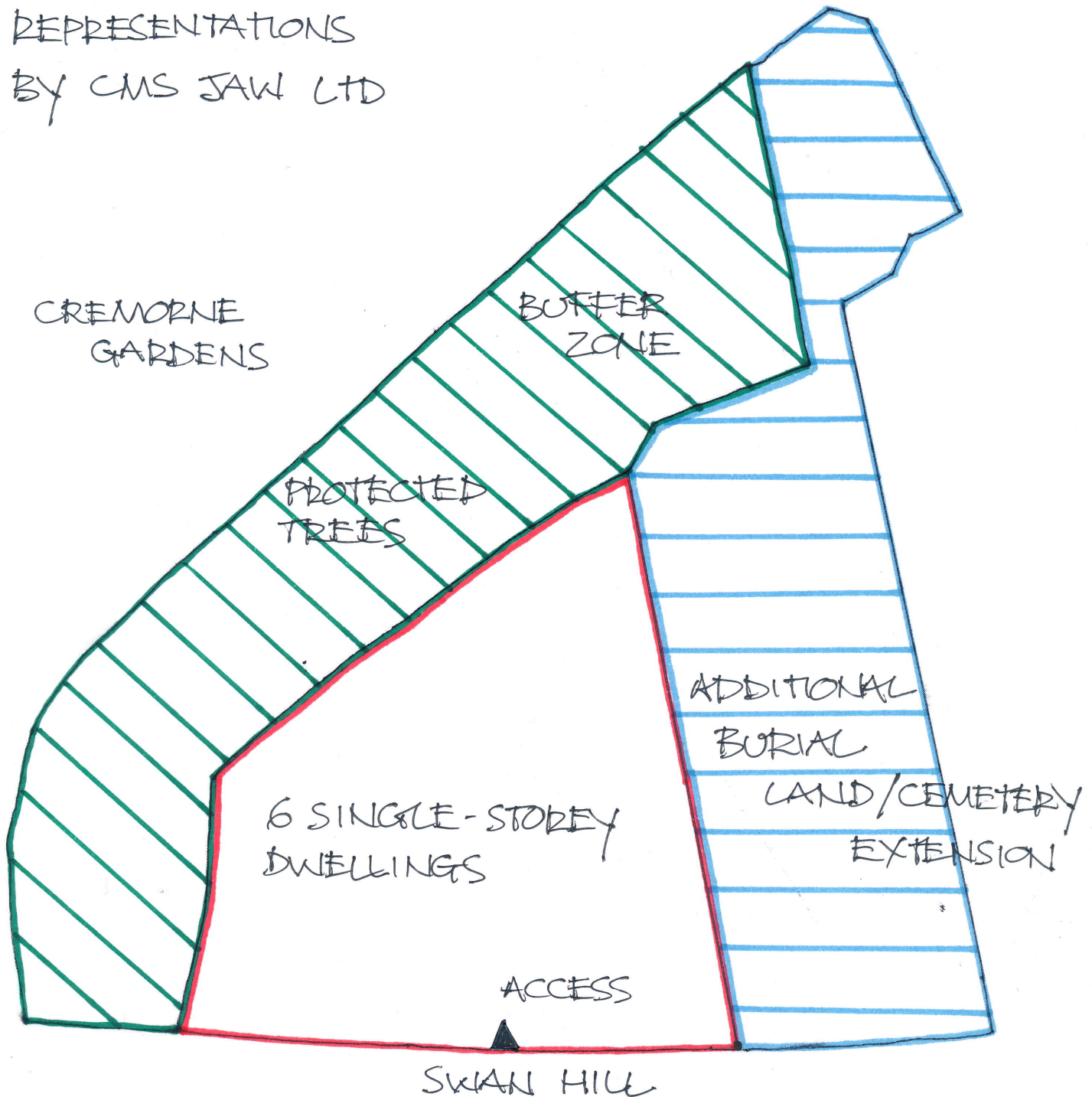
I would be grateful if you would treat this letter and attachment as a supplement to the originally submitted representation form. I apologise for any inconvenience.

Yours faithfully

Philip Moren
Enc

Cc CMS JAW Ltd

SHROPSHIRE SANDREY - PRE-SUBMISSION DRAFT PLAN
REPRESENTATIONS
BY CMS JAW LTD



LAND NEXT TO THE CEMETERY, SWAN HILL
ELLESMERE - REVISED PROPOSAL 2014

PRINCIPLES DIAGRAM

NB. BOUNDARIES ARE
INDICATIVE ONLY

SCALE 1:500

