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Our Ref: JBB7287/C2434

28 April 2014

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

Dear Sir

**LAND WEST OF ELLESMERE ROAD, SHREWSBURY - SHROPSHIRE SITE  
ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES DPD CONSULTATION**

Please find attached a copy of the representations made on behalf of Barratt West Midlands Ltd in respect of the above consultation.

As you will be aware, land west of Ellesmere Road (references SHREW118 in the 2014 SHLAA) has been promoted to the Council by RPS at every stage of the Core Strategy and Site Allocations and Development Management (SAMDev) preparation as a sustainable location for new homes. The location is located close to the town centre and within the Northern Corridor Regeneration Area and offers a sustainable location for new homes to be provided within Shrewsbury. The proposal is for 350 dwellings to be provided through an allocation within the current plan period with a second phase of the site being deliverable as a reserved allocation of 450 dwellings.

The representations attached set out a number of objections to the current proposals in the SAMDev document and the omission of the land at west of Ellesmere Road. The SAMDev document principally discounts the inclusion of the site on the basis that it is predicated on the delivery of the Shrewsbury Northern Relief Road. However, this is not the case and evidence is provided in the accompanying Transport Strategy that sets out that 350 dwellings can be provided on the site without a significant impact on the local highway network, and without triggering the need for any strategic relief road. In this context the site is entirely suitable as an allocation for inclusion within the SAMDev document and is located more sustainably than alternative locations.

I trust the attached representations and evidence is sufficiently clear to demonstrate the suitability of the proposal and that the site can appropriately and sustainably be allocated on a phased basis.

Yours sincerely

**C M SACKETT BA MSc MRTPI**  
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CC      R Pitt - Barratt West Midlands Limited  
          G Day - Mosaic Estates

Enc:    Pre-submission SAMDev Representations  
          Ellesmere Road Transport Strategy



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 JBB7287: Ellesmere Road, Shrewsbury**

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

[www.shropshire.gov.uk/samdev](http://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](http://www.shropshire.gov.uk/samdev).

#### **Your details: Who is making this representation?**

Name:	Barratt West Midlands Limited
Organisation (if applicable):	
Address:	c/o Agent
Email:	
Telephone:	

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

Name:	Mark Sackett
Organisation (if applicable):	RPS Planning & Development
Address:	Highfield House, 5 Ridgeway, Quinton Business Park, Birmingham B32 1AF
Email:	mark.sackett@rpsgroup.com
Telephone:	0121 213 5500

## 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 S16.1 (1<sup>st</sup> Rep)

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

<b>Support</b>	<b>Yes</b>		<b>No</b>	<b>X</b>
<b>Object</b>	<b>Yes</b>	<b>X</b>	<b>No</b>	

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

<b>Legally compliant</b>	<b>Yes</b>	<b>X</b>	<b>No</b>	
<b>Sound</b>	<b>Yes</b>		<b>No</b>	<b>X</b>

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

<b>Positively prepared</b>	
<b>Justified</b>	X
<b>Effective</b>	
<b>Consistent with National Policy</b>	

**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).

**Objection is made to the distribution of the allocations in the document as this is not consistent with the Core Strategy Policy CS2**

Policy CS2 of the adopted Core Strategy sets out a clear development strategy for Shrewsbury Town. This is derived from the Shrewsbury Vision and the evidence base that underpins this and the Core Strategy.

Within Policy CS2 exists a direction that in addition to two urban extensions at Shrewsbury West and Shrewsbury South, development should be focused at the Shrewsbury Northern Corridor as a priority and in accordance with the Northern Corridor Regeneration Framework.

The approach set out in the SAMDev document seeks to apply this principle in Draft Policy S16.1 and refers to the Northern Corridor being an area of change in Draft Policy S16.1.6 and section (B) of the policy. However, in practice the principle is not

applied as set out below.

The Northern Corridor Regeneration Framework [EV12] sets out that to be a vibrant and attractive corridor (page 38 refers) it encourages higher value aspirational residential accommodation throughout the corridor to attain a more balanced residential profile. While this principle is referred to in Draft Policy S16.1.6 where it is stated that the area should contain a sustainable and complementary mix of retail, community, employment and residential units, in practice the allocations do not align. There is therefore a 'disconnect' between the policy intentions and the choice of allocations in the draft SAMDev document.

If the text of Draft Policy S16.1 and the principles of the Northern Corridor Regeneration Framework were to be applied, then outside of the two urban extensions to Shrewsbury, sequential priority should be given to selection of sites that contribute to the Heart of Shrewsbury Town Centre and the Shrewsbury Northern Corridor. This would be consistent with emerging SAMDev Policy S16.1 and the adopted Core Strategy.

However, on observing the allocations set out on the Policy Map, the sites proposed (aside from SHRE073) are all on the periphery of the Town and some distance from the Town Centre. Additionally sites SHREW095-115 and SHREW105 which are on the periphery of the town at the most northern tip of the Northern Corridor, only seek to deliver 330 dwellings, which when combined with SHREW073 and SHREW198 only provides 600 dwellings in the corridor. This is compared to circa 1,500 dwellings currently proposed to be allocated outside of the Northern Corridor on the periphery of the town, excluding the 1,700 dwellings in the two proposed urban extensions (3,200 dwellings in total).

Given the considerable difficulties in bringing forward site SHREW073 it is unlikely that this will contribute to housing delivery in the near future, if at all, therein reducing the contribution of the Northern Corridor sites to 450 from SHREW095-115, SHREW198 and SHREW105. This is a total contribution of 12% to the housing allocations. This is not considered consistent with the policy principles set out in Draft Policy S16.1 which prioritises this area. Equally, the allocation of sites principally at the northern most tip of the Northern Corridor Regeneration Framework on the periphery of the town as proposed, is not consistent with the Regeneration Framework which seeks an integrated approach to balancing housing throughout the area.

In summary it is evidenced that while the Council's Draft Policy S16.1 aspirations for the primary focus to be on the Heart of Shrewsbury Town Centre and the Northern Corridor Regeneration Area, in practice there is a 'disconnect' between this and the actual choice of sites for allocation in the Draft SAMDev document. In this context the allocations at present are not justified.

**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 choice of allocations should follow the sequential principle of seeking to focus development on sites close to the Heart of Shrewsbury Town Centre and in the Northern Corridor Regeneration Area, with the choice of sites contributing to these principles. In this context the Policy and supporting text should include references to a further allocation west of Ellesmere Road (SHREW118) for a phased residential development with up to 350 dwellings delivered within the plan period and a reserve allocation of 450. This is in addition to land controlled by Crest Homes west of Ellesmere Road which is the subject of a current planning application which has attracted support from Council Planning Officers despite being outside the proposed settlement boundary for Shrewsbury in the SAMDev (Application Ref. 13/05124/FUL refers).

The land at west of Ellesmere Road is far closer to the Town Centre than any other allocation outside of SHREW073 and can contribute to both the Heart of Shrewsbury Town Centre and the Northern Corridor Regeneration Area. It is also fully consistent with adopted Policy CS2 of the Core Strategy and the principles of S16.1, as they are intended to be applied.

Representations set out elsewhere articulate the particular merits of the site and the manner in which the site can contribute to the Council's housing supply. The site should therefore be included for 350 dwellings as a first phase in Policy S16.1.

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:

The clear articulation of the significant contribution that the omission site can make to the Council's strategy in contrast to those currently selected.

## 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:

S16.1 (2<sup>nd</sup> Rep)

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

<b>Support</b>	<b>Yes</b>		<b>No</b>	<b>X</b>
<b>Object</b>	<b>Yes</b>	<b>X</b>	<b>No</b>	

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

<b>Legally compliant</b>	<b>Yes</b>	<b>X</b>	<b>No</b>	
<b>Sound</b>	<b>Yes</b>		<b>No</b>	<b>X</b>

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

<b>Positively prepared</b>	
<b>Justified</b>	<b>x</b>
<b>Effective</b>	<b>x</b>
<b>Consistent with National Policy</b>	

**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).

**Draft Policy S16.1 contains a suite of allocations to deliver the Council's strategy. As set out in accompanying representations to Policy S16.1, RPS object to the inclusion of a number of allocations in the SAMDev ahead of the consideration of the land to the west of Ellesmere Road.**

These sites are:

- SHREW001: the site is on the periphery of the town is in a less sustainable location compared to more favourable locations closer to the Town Centre, or within the Northern Corridor Regeneration Area. The site is not consistent with the Council's adopted Core Strategy or the principles set out in Draft Policy S16.1;
- SHREW073: the site is subject to a planning consent. However, the site at present is an unviable brownfield site. While it has a longstanding consent, there is no sign of housing being delivered on this site in the short term, if at

all. The site is therefore not a reliable allocation for the purposes of delivering housing, particularly in seeking to stimulate the Northern Corridor's regeneration. Furthermore, it is noted that Draft Policy MD3, dealing with when proposals for renewal of planning consent are considered, requires evidence of the intention to develop the site within three years. On this basis, the Council is establishing a principle for setting down a marker in respect of longstanding planning consents. This principle should be applied to this site to the extent that it is unlikely to deliver new homes in the near future, if at all.

- SHREW016: The site is located on the periphery of the town and more sustainable locations exist closer to the Town Centre, or within the Northern Corridor Regeneration Area. The site is not consistent with the Council's adopted Core Strategy or the principles set out in Draft Policy S16.1;
- SHREW212/09: The site on the periphery of the town and more sustainable locations exist closer to the Town Centre, or within the Northern Corridor Regeneration Area. There is an extensive amount of new housing already proposed to the south and west of Shrewsbury, principally through two urban extensions and further expansion southwards is inconsistent with the town centre and northern emphasis set out in the strategy for Shrewsbury. The site is therefore not consistent with the Council's adopted Core Strategy or the principles set out in Draft Policy S16.1.

The above sites total 395 dwellings which are inappropriately selected as they are inconsistent with the adopted Core Strategy Policy CS2 and Draft Policy S16.1 and where more sustainable sequentially preferable sites exist that are consistent with Policy CS2. The land west of Ellesmere Road is considerably more aligned to the strategy of Policy CS2 and that of Draft Policy S16.1. It also has the capacity to deliver the dwellings inappropriately located on the above sites. It provides the opportunity to locate these 350 dwellings in the first phase of the site that is considerably more sustainable and located close to the town centre, as well as providing local infrastructure to support the development. Providing 395 dwellings across multiple smaller sites on the periphery of the town is not only far less sustainable but will significantly reduce the ability for appropriate levels of infrastructure to be provided in conjunction with planned growth on larger sites within the Regeneration Corridor.

**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)

Sites SHREW001, SHREW073, SHREW016 and SHREW212/09 should be removed as allocations from the plan from Policy S16.1 and SHREW118 (land west of Ellesmere Road) inserted into table S16.1 for 350 dwellings as a first phase with 450 dwellings identified as a reserve allocation in the northern part of the site. This has the capacity to deliver housing in the early period of the plan and contribute significantly to the regeneration of the Shrewsbury Northern Corridor.



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:

The clear articulation of the significant contribution that the omission site can make to the Council's strategy in contrast to those currently selected.

## 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:

S16.1 (3<sup>rd</sup> rep)

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

<b>Support</b>	<b>Yes</b>		<b>No</b>	<b>X</b>
<b>Object</b>	<b>Yes</b>	<b>X</b>	<b>No</b>	

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

<b>Legally compliant</b>	<b>Yes</b>	<b>X</b>	<b>No</b>	
<b>Sound</b>	<b>Yes</b>		<b>No</b>	<b>X</b>

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

<b>Positively prepared</b>	
<b>Justified</b>	<b>x</b>
<b>Effective</b>	<b>x</b>
<b>Consistent with National Policy</b>	

**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).

Draft Policy S16.1.1 and the accompanying Shrewsbury Proposals Map Inset set out the town's proposed boundary. This does not include identified land west of Ellesmere Road by Barratt West Midlands (and adjoining land controlled by Crest Homes). Further representations are made to the SAMDev document setting out the justification for the allocation of the site and the need to provide new homes in this location. The boundary of the town should therefore be extended to accommodate this site.

**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 Shrewsbury Town boundary should be amended to include SHREW118 in its entirety with the first phase of the site at the southern end being capable of delivering 350 dwellings in the plan period additional to the development of land to the south controlled by Crest Hmes.

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:

The clear articulation of the significant contribution that the omission site can make to the Council's strategy in contrast to those currently selected.

## 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:

S16.1 (4<sup>th</sup> Rep)

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

<b>Support</b>	<b>Yes</b>		<b>No</b>	<b>X</b>
<b>Object</b>	<b>Yes</b>	<b>X</b>	<b>No</b>	

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

<b>Legally compliant</b>	<b>Yes</b>	<b>X</b>	<b>No</b>	
<b>Sound</b>	<b>Yes</b>		<b>No</b>	<b>X</b>

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

<b>Positively prepared</b>	<b>x</b>
<b>Justified</b>	<b>x</b>
<b>Effective</b>	<b>x</b>
<b>Consistent with National Policy</b>	

**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 Housing Supply for Shrewsbury Town is not justified, effective or positively prepared. The reconsideration of the allocation of reserve sites to not include such allocations in the SAMDev Document is not justified, inconsistent with the adopted Core Strategy Policy and ineffective. The justification for this of over allocating to boost housing supply and increase flexibility in housing delivery is also a mask for an attempt to arrest a failing housing delivery trajectory that is proposed to worsen through the plan period according to the Council's own March 2014 evidence. This indicates a shortfall of 800 dwellings in the plan period in Shropshire as a whole even with the stated attempt to over-allocate development.**

The emphasis provided in the plan on housing supply and the manner in which the draft allocations contribute to that supply is not consistent with the evidence base on housing supply in the 2014 Strategic Housing Land Availability Document, or the more recent 2014 Strategic Housing Market Assessment.

The Core Strategy sets out 6,500 dwellings will be provided at Shrewsbury Town

over the plan period and that a further reserve pool of up to 15% (circa 1,000) dwellings will be provided. The Core Strategy sets out that the reserve land will be released, if required to maintain a ten year supply of identified sites. This is the Adopted Core Strategy policy position.

The SAMDev document at paragraph 5.151 sets out that this has been 'reconsidered' in light of the National Planning Policy Framework (NPPF) policy of boosting supply. It states that this provides "*maximum flexibility to ensure delivery, and effectively provide for supply beyond 2026*". However, this appears not to be the case and is in fact an attempt to prop up poor housing delivery expected in the current plan period (March 2014 SHLAA page 3.3.2) which is actually predicted to fall below the housing requirement.

While the Council's intention to make modifications to its housing delivery strategy is welcomed, the approach adopted is described as a response to the NPPF and to boost housing supply, whereas a change to allocate significantly more land is actually necessary to seek to regain control of housing supply in the district. However, the measures introduced are not sufficient alone to rectify the problem that is presented. A more comprehensive approach should be followed to avoid a repetition of the current scenario of failing housing delivery. The situation is outlined below that concludes that the Council is currently considerably short in its assumptions on meeting the plan's housing requirement in the SAMDev document.

#### *Delivery and Performance.*

RPS is aware that page 3 of the Council's 2013 Five Year Housing Land Supply position clarifies that housing delivery has been persistently poor in the last five of the seven years of the plan period, and a NPPF paragraph 47 buffer of 20% is applicable. The Council sets out that it has a shortfall of 1,460 dwellings at March 2013 (page 3 Shropshire Five Year Housing Land Supply Statement 2013).

In respect of Shrewsbury Town the requirement is 325 dwellings per annum which for the period 2006 to 2013 requires 2,275 dwellings. The amount of housing completed in this period is 1,582 which results in a shortfall of circa 700 dwellings at March 2013.

It is evident therefore that within the SAMDev document the authority needs to not only boost housing supply both for Shrewsbury Town and Shropshire as a whole, but also make up for a significant backlog in unmet housing delivery. The backlog should be met sooner rather than later.

Paragraph 3.3.2 of the March 2014 SHLAA sets out the context to this shortfall and for addressing the housing supply position. It states that "*the shortfall is projected to continue to worsen until delivery rises above the target. Consequently a substantial increase in delivery is required over the plan period to deliver the Core Strategy housing requirement by 2026. Even with ambitious projections for over 1,600 dwellings per annum from 2020, the trajectory is that a cumulative shortfall of at least 800 dwellings will remain by the end of the plan period in 2026*".

The above situation is also referred to in the March 2014 SHMA (Chart 7.1, page 122)

To address this situation, the SAMDev document at paragraph 5.151 sets out that the Council is seeking to boost housing supply with the over allocation of housing rather than rely on reserve sites which will provide new homes for the plan period and beyond. As a result it is proposed that there is now no requirement to retain or identify reserve sites for beyond the plan period. However, the reserve site

allowance is in fact now being used to prop up and address poor historic under-delivery and address failing housing supply, which according to the March 2014 SHLAA housing trajectory and March 2014 SHMA will still result in a shortfall of housing in the plan period of 800 dwellings. Therefore, while the Council provides the impression that it is over allocating land and there is no need for reserve sites, when one observes the expected delivery rates from the over allocations, the actual trajectory information is evidence that this is not the case, and that there is a significant shortfall that still needs to be addressed within the plan period, let alone beyond it.

The principle of focusing growth on Shrewsbury Town and the use of reserve sites is therefore now more pertinent than ever. Rather than remove the reserve site allocation process, and attempt to present a situation where the authority is over-allocating land, the Council needs to rapidly address the situation within its site allocations document and proactively ensure that it provides additional capacity to come forward within and beyond the plan period (as required by Core Strategy Policy CS2). This will ensure that the housing trajectory evidence demonstrates that there is no housing shortfall within and at the end of the plan period.

There is an acute difference between (a) allocating sites and counting the capacity of the site and (b) establishing realistic delivery from those sites and what can be delivered in the plan period. In this context, the Council's statements of over allocation are misleading. A shortfall exists within the plan period and there is little by way of additional land available from current allocations (or reserve sites) to maintain a ten year supply of housing in accordance with the adopted Core Strategy and, indeed, deliver the requirements of adopted Core strategy Policy CS2.

#### *Housing Need*

It is observed that the Core Strategy was adopted in 2011 (prior to the NPPF in 2012), and in particular the requirement to identify and meet the Objectively Assessed Need (OAN). Furthermore, it has been clarified through the courts that the OAN cannot be a roll forward of previous plan targets, especially where they have been derived through the application of constraints outside of the provisions of the NPPF. Given this, and despite the housing requirement being in an adopted plan, because this pre-dates the NPPF it is not an objectively assessed figure for the purposes of the NPPF and the Core Strategy housing requirement is out of date. While RPS is aware of paragraph 211 of the NPPF in respect of policies predating the NPPF not considered out of date because they simply pre-date the NPPF, the courts have determined that in respect of the OAN, paragraph 211 does not apply and that this can be independent of adopted plan targets. The current housing requirement is therefore not an OAN figure.

It is noted that the March 2014 SHMA has undertaken some initial housing projection work and while it is some way short of the methodology set out in the National Planning Policy Guidance on establishing the OAN it does contain evidence that the household growth for the period of 2011 to 2026 could be in the region of 28,500 new households (Table 7.1, page 121 refers). This is considerably higher than the remaining provision of the plan (20,229 dwellings) and would be reflective of the starting point for establishing an OAN for Shropshire in respect of paragraph 47 of the NPPF.

There is a clear need to ensure that not only plan targets are met, but that the Council makes a clear effort to deliver against its need for homes. A supply of housing within the SAMDev document that fails to deliver some 800 dwellings in the plan period will not only fail against the plan's housing requirement but be significantly lower than the most recent evidence on housing need.

### *Housing supply*

Based upon the evidence above, it is evident that the authority has a serious undersupply situation and is seeking to address undersupply through over allocating development sites but without cognisance of the actual housing delivery that takes place in the plan period. At present the evidence (2014 SHMA and 2014 SHLAA) state categorically that the housing supply will be short by some 800 dwellings during the plan period. The over allocation of greenfield sites is an attempt to address this but it is understood from the SHLAA that this is not sufficient to address the 800 dwelling deficit, nor halt the rapidly increasing shortfall projected over the period to 2020/21 at least.

There is therefore a significant need to not only identify additional housing land that can come forward in the short term, but also ensure that there are further strategic sites available which are capable of delivering housing over a sustained period of time throughout the plan period.

There is also clear justification for additional reserved land to be allocated to assist housing supply in the context of both the NPPF and the Core Strategy's requirement to identify reserve land to maintain a 10 year housing land supply. The justification for this is clearly set out in the Council's SHMA and SHLAA that states the decline in housing supply will not be arrested in the short term, nor will the authority see a full supply of housing by the end of the plan period, let alone maintain a ten year supply of housing.

In this context, there is no over allocation of land in real terms, only evidence of a significant under provision of housing delivery and no sound solution to resolving the position.

**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)

Policy S16.1 should contain a suite of deliverable sites to establish a plan led system that is capable of delivering a 5 year housing land supply position for the authority alongside a longer term 10 year supply of housing consistent with the requirements of the adopted Core Strategy. This should also include the identification of reserve allocations as has been examined as a sound and logical approach within the Core Strategy examination. It is not within the remit of the SAMDev to amend the principal policies of the Core Strategy or the manner in which they have been adopted.

The evidence contained in the 2014 SHMA and 2014 SHLAA indicate that there is a shortfall in housing delivery over the plan period to 2026, despite the Council's statement of over allocation. This should be addressed through the identification of additional housing land and the inclusion of the land at west of Ellesmere Road in Policy S16.1 as an allocation for a 350 dwellings in the first phase. The site has the capacity to deliver the shortfall of 800 dwellings in total as identified in the 2014 SHLAA within the plan period, in a sustainable location within the Northern Corridor Regeneration Area. The second phase should be identified as a reserve allocation of 450 dwellings under Core Strategy Policy CS2 and the reasoned justification.

Draft Policy S16.1 should also retain the adopted Core Strategy policy requirement of identifying reserve allocations to meet a 10 year housing land supply position and for additional requirements beyond 2026. This is particularly pertinent given that the SAMDev document is not expected to be adopted until 2015, some 5 years post adoption of the Core Strategy in 2011, and only having an operative remaining plan period of 11 years.

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:

The clear articulation of the significant contribution that the omission site can make to the Council's strategy in contrast to those currently selected.



## 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:

S16.1.9

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

<b>Support</b>	<b>Yes</b>		<b>No</b>	<b>X</b>
<b>Object</b>	<b>Yes</b>	<b>X</b>	<b>No</b>	

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

<b>Legally compliant</b>	<b>Yes</b>	<b>X</b>	<b>No</b>	
<b>Sound</b>	<b>Yes</b>		<b>No</b>	<b>X</b>

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

<b>Positively prepared</b>	<b>x</b>
<b>Justified</b>	<b>x</b>
<b>Effective</b>	
<b>Consistent with National Policy</b>	<b>x</b>

**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).

**RPS objects to the inclusion of bullet 9 within Draft Policy S16. It states that development on land west of Ellesmere Road will not be permitted unless co-ordinated with and helping to fund the construction of Shrewsbury North West Relief Road.**

**The statement of policy is not justified or founded on any evidence and is prejudicial to the delivery of much needed new homes in Shrewsbury and Shropshire as a whole. It is also not positively prepared in the context of the NPPF.**

The Council has set out in its adopted Core Strategy that Shrewsbury should deliver 6,500 new homes over the plan period, with a reserve allocation of circa 1,000 dwellings. The Core Strategy set out that this can be delivered. It identified two urban extensions to the town to contribute and deferred the location of the

remainder to the SAMDev document under the principle of directing development to the Heart of the Town Centre and the Northern Corridor Regeneration Area.

However in doing so, there is no statement in the Core Strategy that states that there is a strategic need for the North West Relief road to accommodate the 6,500 dwellings plus 1,000 reserve dwellings, nor a direction that development in particular areas of Shrewsbury (particularly the Northern Corridor Regeneration Area) are dependent on the North West Relief Road.

In fact, conversely, the Core Strategy identifies the Northern Corridor area of Shrewsbury as the priority location for investment and development of economic and residential uses as well as the Heart of the Town Centre area. The focus of the Core Strategy is therefore clearly directing development to the northern quadrant of the town without the need for the North West Relief Road to be in place. It is therefore contrary to the Core Strategy to state that a single site within the northern part of the town cannot come forward for development unless it singularly contributes to funding the North West Relief Road.

It is accepted that the North West Relief Road remains a long term aspiration for the authority. However, the scheme is a strategic road, not one that is triggered by a single site. In this context, the Draft Policy does not relate to any other development area / site and only refers to land west of Ellesmere Road despite proposing development in locations that could all equally impact upon the need for a North West Relief Road.

Furthermore the amendments to the CIL Regulations and the structure of S106 Agreements now requires contributions to infrastructure to be specifically related to mitigating the impact of development and to meet the now statutory tests of the CIL Regulations, which are:

- necessary to make the development acceptable in planning terms
- directly related to the development
- fairly and reasonably related in scale and kind to the development

It has not been established by the Council in any evidence supporting the SAMDev or Policy S16.1.9 specifically, on how the need to part fund the North West Relief Road is necessary to make the development acceptable, or is fairly and reasonably related in scale and kind to a development of 350 dwellings at west of Ellesmere Road in consideration of other strategic allocations.

It is therefore unreasonable for the authority effectively to seek to 'ransom' a single site from coming forward within the northern area of the town where the Council has identified its priority for investment and development which can contribute to the Council's much needed need for housing, based upon a long term desire to deliver a North West Relief Road for which there is no funding in place or scheme established.

Reference in this regard is made to paragraph 5.164 of the SAMDev document that states that the *"the provision of the Shrewsbury North West Relief Road remains a Council ambition, although it is recognised that there is little prospect of the delivery of the road in the immediate future and so it is not should on the proposals map"*. It is noted that the Council's preferred route is contained on the Key Diagram but despite this, there is no development plan policy or proposal upon which to base a policy. In this context the policy is predicated on a Council ambition and not fact or evidence. It is therefore not justified in the context of the NPPF or any local derived evidence.

It is noted that in consideration of a planning application by Crest Homes on land west of Ellesmere Road outside the proposed settlement boundary, the Council's planning and transport officers have not objected to the principle of housing development, contrary to emerging Policy S16.1.9. It is important that there is consistency in decision making and decisions are made on the basis of robust evidence.

**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)

Draft Policy S16.1 should be amended as below:

- omit/delete bullet point 9
- include SHREW118 in the policy for the delivery of 350 dwellings as a first phase with an additional reserve allocation of 450 dwellings (both in addition to the allocation of land west of Ellesmere Road, Shrewsbury to the south of SHREW118 the subject of a current planning application by Crest Homes - 13/05124/FUL).

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:

The clear articulation of the relationship between land west of Ellesmere Road and the Council's aspiration for a Shrewsbury North West Relief Road.

## 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:

Paragraph 5.164

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

<b>Support</b>	<b>Yes</b>		<b>No</b>	<b>X</b>
<b>Object</b>	<b>Yes</b>	<b>X</b>	<b>No</b>	

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

<b>Legally compliant</b>	<b>Yes</b>	<b>X</b>	<b>No</b>	
<b>Sound</b>	<b>Yes</b>		<b>No</b>	<b>X</b>

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

<b>Positively prepared</b>	<b>x</b>
<b>Justified</b>	<b>x</b>
<b>Effective</b>	
<b>Consistent with National Policy</b>	

**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).

Paragraph 5.164 sets out the justification for Draft Policy S16.1.9 stating that

*"New development on land west of Ellesmere Road, which could have significant adverse impacts on this major approach to the town centre, is not considered desirable pending the construction of the North West Relief Road, with any development needed to be co-ordinated with, and helping to fund, the road".*

RPS contests that this is sufficient evidence to justify the Policy text contained in S16.1.9.

First, the statement is not clear that development on land west of Ellesmere Road will have significant adverse effects and only states that this '*could have*' impacts. There is no evidence provided or cited to substantiate this assumption/contention. Equally, the statement sets out that this is '*not considered desirable*'. Again no conclusive evidence is provided by the Council on what the impacts are of the location coming forward for new homes.

It would appear that the Council is therefore seeking to ransom the site from coming forward unless the North West Relief Road is provided on the basis of little or no conclusive evidence on the potential impacts of the site.

In this context and to aid the examination process, Barratt West Midlands Ltd has provided alongside this representation transportation evidence for the site west of Ellesmere Road (SHRE118). This clearly articulates that the development will not have a significant impact on the local highway network to necessitate or trigger the need for a North West Relief Road and that the potential impacts of the site can be mitigated through normal infrastructure provision satisfactorily, as would be required of any other site allocation.

The initial phasing of the site is concluded that up to 350 dwellings can be delivered on the site with minimal impact on the local highway network with good opportunities to improve the public transport along the Ellesmere Road Corridor. There is no requirement for a strategic North West Relief Road for this development site.

As a strategic scheme, the benefit of the North West Relief Road is for the benefit of the wider capacity within the network that it releases and of strategic nature rather than a local issue to be addressed by land west of Ellesmere Road.

It is noted that in consideration of a planning application by Crest Homes on land west of Ellesmere Road outside the proposed settlement boundary, the Council's planning and transport officers have not objected to the principle of housing development, contrary to emerging Policy S16.1.9 and paragraph 5.164. It is important that there is consistency in decision making and decisions are made on the basis of robust evidence.

On the basis of the evidence presented, the land to the west of Ellesmere Road at Site SHREW118 is entirely deliverable within the normal realms of mitigating transportation impacts and there is no evidence contrary to this. The Council's purported justification and Policy S16.1.9 is therefore unjustified and unsound.

**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)

References to land west of Ellesmere Road being predicated on the delivery of the North West Relief Road should be removed from paragraph 5.164 along with the text at S16.1.9.

Land west of Ellesmere Road (SHREW118) should be included within Policy S16.1 for the delivery of 350 in the first phase and a reserve allocation identified for 450 dwellings.

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.

<b>x</b>
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No, I wish to pursue my representations through this written representation.

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

The clear articulation of the transportation impacts and mitigation of the land west of Ellesmere Road.
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**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	x
When the Inspector's Report is published	x
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](mailto: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.**