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Dear Sirs

PRE SUBMISSION DRAFT (FINAL PLAN) SITE ALLOCATIONS AND MANAGEMENT OF DEVELOPMENT (SAMDEV) PLAN

I am writing to make submissions on behalf of Balfours in relation to the above pre submission draft. We object to the following policies within the document.

We consider that the document not to be sound.

Policy MD1 – Scale and distribution of development

In paragraph 1 of this policy it makes reference to policies CS.1 and CS.2 in the adopted Core Strategy.

Policy CS.1 States "The Site Allocations and Management of Development (SamDev) DPD will make provision for housing and employment needs in the towns, key centres and rural areas having regard to the differing pressures, opportunities and constraints in the spatial zones. Broadly this means:-

In Central Shropshire 8,250 – 8,800 dwellings
In North West Shropshire 5,775 – 6,325 dwellings
In North East Shropshire 5,500 – 6,050 dwellings
In South Shropshire 3,575 – 4,125 dwellings
In East Shropshire 3,025 – 3,575 dwellings"

With the provision of up to 1,000 dwellings if required for returning military personnel.

These proposed figures total 26,125 – 28,875 plus the additional housing for the military personnel. The Pre Submission Draft SamDev makes provision for 21,244 houses (see attached spreadsheet). Therefore there is a significant shortfall from what CS.1 states what the SamDev will provide.

Shropshire Council's Core Strategy Policy CS1 sets out the framework for the settlement hierarchy but did not specify which rural centres had sufficient services to be considered as Community Hubs or Community Clusters. The decision on whether rural settlements should be considered Hubs or Clusters was left to Parish Councils, many of which have opted to be neither but to be open countryside.

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Policy CS1 allocates the split of housing between the hierarchy of settlements as follows:-

- Shrewsbury 25%
- Market Towns and Key Centres 40%
- Rural Areas 35%

The aim of this was to improve sustainability of the rural areas through a “rural rebalance” approach. Of the 21,244 dwellings proposed in the SamDev, 31% are in Shrewsbury, 57% are in Market Towns and Key Centres and only 12% in Hubs and Clusters (see attached spreadsheet).

Clearly the Core Strategy’s strategic approach as set out in CS.1 for a “rural rebalance” has not happened. The Council should specify the settlements they considered to be sustainable and therefore which are regarded as Hubs or Community Clusters. This can be determined using objective criteria which is thus transparent and consistent. The debate in Parish Council meetings will then be where development should be sited rather than whether Parishes should have development. This will ensure the rural rebalance happens helping to retain and promote local services, ensure sustainable growth and expansion of rural businesses and a good mix of affordable housing being available to rural communities.

Therefore we do not consider this policy positively prepared, effective, or in line with the Council’s adopted policies.

Policy MD3 - Managing Housing Development

Policy MD3.3 makes reference to the settlement housing guideline figures in the SamDev. The individual settlement policies differ on their approach to whether or not the settlement housing target includes existing extant consents or whether the housing guidelines are in addition to existing extant permissions. This would appear to depend upon what approach individual Parish Council’s have made in their submissions. Therefore an inconsistent approach across the whole plan is leading to confusion and a lack of clarity.

It is also unclear as from when housing completions should be considered, for example is this 2006 or from the adoption of the SamDev documents? This policy would also appear to override the presumption in favour of development put in place by a development boundary which the SamDev looks to set for most settlements. Clearly there needs to be control of housing numbers where settlements have a housing guideline figures but no settlement boundary.

Policy MD3.4 allows for housing sites beyond the development boundaries which accord with settlement policy to be acceptable where settlement housing guideline figures are unlikely to be met by the end of the plan period. Of the 21,244 dwellings proposed in the SamDev over 11,152 houses are not on allocated sites and rely on windfalls coming forward within the defined development boundaries or in clusters where no development boundary has been proposed. Most of the development boundaries proposed have been rolled forward from previous local plan documents with amendments to include the site specific housing allocations made in the SamDev. Therefore over 50% of the proposed housing in the SamDev has to be met through development within the historic development boundaries. If market forces were going to provide the housing development within these boundaries, it would have done so during the last housing boom before the recession. The expectation of the market delivering these sites we believe is flawed. This would appear to be recognised by Paragraph 4 and means that sites could be coming forward which will not be subject to the scrutiny of the allocated sites in the current draft SamDev.

Therefore we do not believe that this policy has been positively prepared, justified or effective.

We proposed that amendments are made to Paragraph 3 to only apply the settlement housing guideline figures as a threshold to settlements without development boundaries.

To address our concerns regarding Paragraph 4, we proposed that the development boundaries should be reviewed and greater provision made to meet the 11,000 + proposed windfalls within the redefined settlement boundaries. If this is not done then Policy MD3 Paragraph 4 should be amended so it reads "where a settlement 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 other than for the requirement to be within the development boundary may be acceptable subject to criteria in paragraph 3 above".

Policy MD7 Managing Housing Development in the Countryside

Policy MD7a Paragraph 2a makes reference to affordable dwellings and other buildings which may have been recently sold. The adopted SPD on Type and Affordability of Housing 2012 makes reference to a time frame of three years. Therefore Policy MD7 is inconsistent with the adopted SPD and the SPD applies a objective rather than the subjective criteria proposed in the SamDev. The policy should be amended to include reference to a three year period.

Policy MD7a Paragraph 2b requires that where there is not permanent residential accommodation "the relevant financial and functional tests are met". The NPPF only applies the criteria of "essential need". Therefore this provision is not in line with the National Policy and there is no need to consider any financial test. This view is further reinforced in Paragraph C which for an additional dwelling does not look to impose any financial tests but only a functional need. Reference to a financial test should be removed.

The Policy then goes on to state in the final paragraph of MD7a.2 "Any existing dwellings associated with the rural enterprises may also be subject to occupancy restrictions, where appropriate". Whilst it is recognised that it may be necessary to impose restrictions on existing dwellings where new dwellings are being consented subject to occupancy restrictions, it is inappropriate to require that at some point in the future an affordable housing contribution if the occupancy restrictions are lifted on the original dwelling which prior to the consent of the new dwelling was unrestricted. This policy would also be at odds with the remainder of this paragraph which makes reference to primary and additional rural workers dwellings permitted prior to the adoption of the Core Strategy. With reference to primary and additional rural workers dwellings, it is assumed that this reference relates to the phrases used in Paragraphs B and C of the policy, which if this is the case, would not look to impose recovery of the affordable housing contribution on original farm dwellings which were not originally subject to an occupancy condition until such time as an additional rural workers dwelling was consented, prior to the adoption of the Core Strategy.

MD7a.5c states "the use will preserve heritage assets that meet the criteria in Policy CS5 in relation to conversions and an affordable housing contribution is made in line with requirements set out in Core Strategy CS11".

However, the SPD on Type and Affordability of Housing which was adopted in 2012 looks to impose an affordable housing contribution greater than that required for the conversion of a heritage asset into an open market dwelling, as it looks to calculate the contribution based on the total floor area of the holiday let and not impose a cap of 100m² which would be the case for an open market conversion. Therefore the SPD needs to be amended to bring it in line with the draft SamDev policies although no reference is made to this in the SamDev.

Therefore we do not believe that this policy has been positively prepared, justified, effective or in line with National Planning Policy.

Policy MD10b – Town and Rural Centre Impact Assessments

Policy MD10b.1(iii) looks to impose a threshold over which an application with a gross floor space greater than the threshold stated would require the preparation of an impact assessment for new retail, leisure and office proposals. The thresholds specified for principal centres and district centres of 300m² and 200m² respectively are lower than those specified under Class M of the General Permitted Development Order to allow agricultural buildings to be converted to various uses (which imposes a threshold of 500m²). If the viability and vibrancy of town and rural centres would have been threatened by schemes of less than 500m² then one must assume a lower cumulative floor area threshold would have been imposed. Therefore it seems at odds to impose a lower figure in the SamDev which will apply to non agricultural buildings than would apply to agricultural buildings under the General Permitted Development Order.

There also seems to be some confusion over the use of terms such as village centre and other rural centres in Paragraph iii. Is one to assume that a village centre or other rural centre is to mean hub or cluster as other settlements have opted to remain as open countryside.

If the SamDev is to be consistent, then reference to the village centres and other rural centres should be clarified.

In MD10b.2 the policy states “the Council will not permit proposals which have a significant adverse impact on town centres” If the Council are only going to judge proposals against the impact on town centres, why is it necessary to consider the impact on other locations other than the town centres?

MD10b.1.1(iii)c refers to “district centres (identified in CS15)”. District Centres are not defined in CS15 but Key Centres are. We suggest that reference to District Centres is removed and replaced with Key Centres.

Therefore we do not believe that this policy has been positively prepared, justified, effective or in line with National Planning Policy.

Policy MD11 Tourism Facilities and Visitor Accommodation

Paragraph 28 of the NPPF states that Local Plans should “support the sustainable growth and expansion of all the types of business and enterprise in rural areas, both through the conversion of the existing buildings and well designed new buildings”. CS5 supports “conversion of rural buildings giving equal priority to the following uses: small scale economic development/employment generated uses including live/work proposals and tourism uses”

MD11 seeks to resist holiday let development in the countryside that does not conform to the legal definition of a caravan. This policy also recognises that caravans “have a greater impact on the countryside”. A consequence of this policy will be to restrict farm diversification into tourism accommodation. Provision needs to be made to avoid the inclusion of schemes for the conversion of traditional buildings and heritage assets into holiday let accommodation within the restrictions imposed by MD11.8.

MD11.11 states “to retain the economic benefit to the visitor economy, the Council will apply appropriate conditions to restrict applications for visitor accommodation to tourism uses.”. This statement is incoherent and possibly contradictory. Suggest this wording is amended to read “to retain the economic benefit to the

visitor economy, the Council will apply appropriate restrictions to restrict new applications for visitor accommodation being subsequently changed to non tourism uses”.

Therefore we do not believe that this policy has been positively prepared, justified, effective or in line with National Planning Policy.

Policy MD13 The Historic Environment

This policy makes reference to the Historic Environment SPD. The Historic Environment SPD does not currently exist and we are not aware a draft has been published.

Therefore the reference to the Historic Environment SPD should be deleted as yet it is not known the guidance within this document may contain.

I do not wish to give evidence in person at the examination. Please inform me when the SamDev Plan is submitted for examination, when the Inspectors Report is published and the SamDev is adopted.

Yours sincerely

for and on behalf of Balfours LLP

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Enc

Settlement Area		Total Allocation		Provision Allocated
Albrighton		250		200
Bishops Castle		150		40
Bucknell	h	100		70
Chirbury	h	30		30
Clun	h	70		60
Lydbury North	h	20		20
Brompton, Marton, Middleton, Pentreheyling, Priest Weston, Stockton adn Rorrington	c	20		0
Abcot, eckjay, Clungunford, Hopton Heth, Shelderton and Twitchen	c	15		0
Hope, Bentlawnt, Hopesgte, Hemford, Shelve, Gravels, Pentervin, Bromlow, Middleton, Meadowtown and Lordstone	c	15		0
Snailbeach, Stiperstones, Pennerley, Tankerville, Black Hole, Crows Nes and The Bog	c	15		0
Wentnor and Norbury	c	25		0
Worthen, Brockton, Little Worthen, Little Brockton, Binweston, Leigh, rowley, Aston Rogers and Aston Pigott	c	30		0
Bridgnorth		1,400		500
Ditton Priors	h	26		12
Neenton	c	7		7
Acton Round, Aston Eyre, Monkhopton, Morville and Upton Cressett	c	15		0
Broseley		200		0
Church Stretton		370		100
Cleobury Mortimeer		350		19
Kinlet, Button Bridge, Button Oak	c	30		20
Hopton Wafers and Doddington	c	12		0
Oreton, Farlow and Hill Houses	c	12		0
Silvington, Bromdon, Louhton and Wheathill	c	12		0
Stottersdon, Chorley and Bagginswood	c	12		0
Craven Arms		500		350
Aston on Clun, Hopesay, Broome, Horderley, Beambridge Long Meadow End, Rowton, Round Oak	c	15		0
Bache Mill, Boulton, Broncroft, Corfton, Middlehope, Peaton, Seifton, Sutton, Westhope	c	45		0
Stoke St Milborough, Hopton Cangeford, Cleestanton, Cleedownton	c	10		0
Ellesmere		800		250
Cockshutt	h	50		20
Duddleston Heath/Elson	h	40		20
Duddleston and Street Dinas	c	10		0
Tetchill, Lee and Whitemere	c	20		10

Welsh Frankton, Perthy, New Marton and Lower Frankton	c	30	15
Welshampton and Lyneal	c	25	0
Highley		200	30
Ludlow		875	280
Burford	h	40	0
Clee Hill	h	30	0
Onibury	h	25	8
Market Drayton		1,200	400
Adderley	h	14	0
Cheswardine	h	11	0
Childs Ercall	h	10	0
Hinstock	h	60	38
Hodnet	h	80	50
Stock Heath	h	25	25
Woore, Irelands Cross and Pipe Gate	h	15	0
Tyrley, Woodseaves	c	15	0
Marchamley, Peplow and Wollerton	c	15	0
Bletchley, Longford, Longslow and Moreton Say	c	20	0
Minsterley and Pontesbury		260	125
Much Wenlock		0	0
Buildwas	c	10	0
Oswestry		2,600	1,417
Gobowen	h	200	110
Knockin	h	20	15
Llanymynech and Pant	h	100	67
Ruyton XI Towns	h	15	0
St Martins	h	90	80
Whittington	h	100	80
Kinnerley, Maesbrook, Dovaston and Knockin Heath	c	50	33
Ilanyblodwel, Porthywaen, Dolgoch, Llyncllys and ryn Melyn	c	15	15
Park Hall, Hindford, babbinswood and Lower Frankton	c	50	20
Selattyn, Upper/Middle/Lower Hengoed and Pant Glas	c	5	0
Weston Rhyn, Rhoswel, Wern and Chirk Bank	c	71	45
Shifnal		1,250	465
Shrewsbury		6,500	3,760
Baschurch	h	200	135
Bayston Hill	h	60	0
Bomere Heath	h	50	30
Nesscliffe	h	30	15
Albrighton	c	5	0
Bicton and Four Crosses	c	15	0
Dorrington, Stapleton and Condover	c	65	50
Fitz, Grafton and New Banks	c	6	0
Great ness, Little Ness, Wilcott, Hopton/Valeswood, Kinton and Felton Butler	c	15	0

Hanwood and Hanwood Bank	c	30		25
Longden, Hook a Gate, Annescroft, Longden Common and Lower Common/Exfords Green	c	50		0
Montford Bridge West	c	10		0
Mytton	c	5		0
Uffington	c	5		5
Walford Heath	c	6		0
Weston Lullingfields, Weston Whart and Weston Common	c	20		0
Wem		500		110
Shawbury	h	50		50
Myddle and Harmer Hill	c	20		0
Whitchurch		1,200		733
Prees and Prees Higher Heath	c	100		70
Whitchurch Rural, Ightfield and Calverhall	c	100		63
TOTAL		21,244		10,092
Shrewsbury		6,500		31%
Market Towns and Key centres		12,105		57%
Hubs and Clusters		2,639		12%
		21,244		