



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](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:	
Organisation (if applicable):	First City Limited
Address:	19 Waterloo Road, Wolverhampton, WV1 4DY
Email:	Chontell@firstcity.co.uk
Telephone:	01902 710 999

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

Name:	Shrewsbury South Consortium
Organisation (if applicable):	c/o First City Limited
Address:	19 Waterloo Road, Wolverhampton, WV1 4DY
Email:	firstcity@firstcity.co.uk
Telephone:	01902 710 999

## 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:

MD16- Mineral Safeguarding

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

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

<b>Legally compliant</b>	<b>Yes</b>	<input type="checkbox"/>	<b>No</b>	<input checked="" type="checkbox"/>
<b>Sound</b>	<b>Yes</b>	<input type="checkbox"/>	<b>No</b>	<input checked="" 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):

<b>Positively prepared</b>	<input checked="" type="checkbox"/>
<b>Justified</b>	<input checked="" type="checkbox"/>
<b>Effective</b>	<input checked="" type="checkbox"/>
<b>Consistent with National Policy</b>	<input 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).

In connection to this policy we consider the SAMDev document should include a mineral safeguarding area (MSA) plan to accompany the policy. We are aware that there is a plan located within the Core Strategy – Figure 10: Mineral Safeguarding Areas in Shropshire, however, in order to make the SAMDev plan accessible by all, we consider the plan should be located within the SAMDev also.

We consider it is imperative that the wording of policy MD16 - Mineral Safeguarding is amended to take into consideration other designated land uses in the plan and the presence of safeguarded materials should not be the overriding factor.

In accordance with Figure 10 of the Core Strategy, Shrewsbury South SUE is located within an area identified as having Sand and Gravel and Crushed Rock mineral resources. However, it is well documented that Shrewsbury South SUE is an allocation required to help meet the housing and employment needs of Shrewsbury and Shropshire as a whole. The Shrewsbury South SUE is a non-mineral

development and therefore in accordance with policy MD16 would have the risk of not be granted unless it met one of the exception sub policies.

We consider part 1 and 3 of policy MD16 is unduly restrictive and threatens the delivery of this important site. In allocating the site for development under the Core Strategy, the Council should have considered the impact of development on minerals below the surface at that point. If they did not, it should be done now and reflected in the SAMDev document. We consider it is unreasonable for the onus for this assessment to rest with the landowners.

In connection to Shrewsbury South SUE the only items on the exemption list which could be considered appropriate for this site are:

*“iii. applications that are in accordance with the development plan where the assessment of site options took account of potential mineral sterilisation and determined that prior extraction was not required;*

*x. development types already specified in the Local Development Plan as exempt from the need for consideration on safeguarding grounds;*

*xi. applications where there are overriding factors which in the national, regional or local interest must be satisfied;”*

However, this is not being made clear and we consider the development of the Shrewsbury South SUE should be item 13 on the exemption listed due to the significant benefits the development will bring to Shrewsbury and Shropshire as a whole or should be identified as point 1.iv of policy MD16 – Mineral Safeguarding.

The safeguarding of minerals located on the land designated as Shrewsbury South SUE should be secondary to the SUE designation. Please see below for proposed changes.

**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)

In order to ensure the SAMDev is sound we consider Policy MD16 – Mineral Safeguarding should be amended to include the following (additional comments in red underline):

*1. Applications for non-mineral development which fall within Mineral Safeguarding Areas (MSA) and which could have the effect of sterilising mineral resources will not be granted unless:*

*iv. Shrewsbury South Sustainable Urban Extension - The site is identified within the Shropshire Core Strategy and is required to meet the housing and employment land for Shrewsbury. The development of the site will not be restricted by the potential presence of safeguarded minerals.*

AND/OR

*Non-mineral development which is exempt from the requirements of Policy MD16 comprises:*

*xiii. applications in connection to Shrewsbury South SUE.*

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:

**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](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.**

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.