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## Emerging Local Plan Representation – Site Allocations and Management of Development (SAMDev) – Pre-Submission Draft Consultation

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**Prepared for CR & GM Woollam & Son**

April 2014  
Jo Lovelady

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## 1. Introduction

The following representation is submitted on behalf of CR & GM Woollam & Son in support of the identification of part of Park Hall as a settlement where future growth should be delivered and the allocation of two sites for residential development, referred to as “land adjacent to Park Hall” aka ‘Park004’ and “additional land adjacent to Park004” for development respectively. The latter is a new site which has therefore no ‘Park’ reference as yet.

This document sets out our comments regarding the emerging Shropshire Local Plan Site Allocations and Management of Development (SAMDev) Pre-Submission Draft Plan (March 14)

It firstly provides an update on Park Hall’s established housing need which is required to be delivered in accordance with Paragraph 14 of the National Planning Policy Framework (NPPF).

The report then assesses where growth should be delivered around Park Hall, focusing on the Authority’s current proposed sites and comparing with ‘Park004’ (and ‘land adjacent to Park004’) to provide a full picture of the two sites’ acceptability in comparison to others around the settlement.

The results of this assessment are concluded and a series of recommendations are set out to ensure that the SAMDev is found sound at examination (Paragraph 182 of the NPPF).

## 2. SAMDev Pre-Submission Draft – Park Hall

### 2.1 Housing Need

This section sets out housing need and proposed delivery within Park Hall.

We consider that Park Hall needs to deliver more houses than currently planned and consider that there is capacity to acceptably accommodate further growth around the settlement boundary.

Policy CS1 of the adopted Shropshire Core Strategy (2011) stipulates the need to deliver between 5,775 and 6,325 new dwellings within the North West Shropshire Spatial Zone. However, at present, a total of 4,393 dwellings are proposed for delivery in the North West Shropshire Spatial Zone. This figure takes into account proposed dwellings identified for delivery within the area’s market town and key centres (Oswestry and Ellesmere), community hubs (of which there are eight identified) and also community clusters (of which there are nine identified). Whilst this level of identified growth is an increase from last year’s SAMDev Revised Preferred Options Consultation (July 2013), it does not go far enough to achieve the housing needs of North West Shropshire identified in the Core Strategy.

This leaves between 1,382 and 1,932 dwellings to be delivered in accordance with the adopted Core Strategy but which are not identified for delivery within the SAMDev Pre-Submission Draft. This is particularly pertinent, since the SAMDev Policies MD7a and MD7b contain a strong resistance to new build dwellings proposed within the open countryside, only allowing for conversion schemes and rural worker dwellings.

Therefore, to ensure that the SAMDev meets the Core Strategy policies, additional housing growth (between 1,382 and 1,932 new dwellings) needs to be identified within North West Shropshire.

To help to deliver this shortfall additional sites should be identified within North West Shropshire spatial zone. A strategy to achieve this would be to deliver additional site allocations within identified hubs, clusters, market towns or key centres.

We have assessed where this additional growth should be met. We consider that the degree of growth already focussed towards Ellesmere (800 dwellings) and Oswestry (2,600 dwellings) has been maximised. In addition, considering their relative size and environmental constraints (for example, flood risk), it is unlikely they have the capacity to accommodate further growth. The best approach is to share the required dwellings (between 1,382 and 1,932) amongst the new SAMDev areas, hubs and clusters. For the purposes of defining how much growth should be directed to the hubs and clusters, we have firstly identified a mid-range of dwellings of 1,657 required for delivery the Core Strategy (mid-range between 1,382 and 1,932 dwellings). Dividing this required number between the hubs and clusters results in a delivery of 97 new dwellings per hub and cluster. We recognise that, due to the sustainability and size of the identified eight hubs, a higher proportion of this surplus number of dwellings should be identified within the settlements. However, it is clear that a proportion of the surplus dwellings would also need to be delivered within the identified clusters to ensure that there is an even spread of growth within the Authority and to ensure that the sustainability of rural settlements is secured.

We consider that the cluster of Park Hall, Hindford, Babbins Wood and Lower Frankton should accommodate a proportion of the required 1,657 dwellings (circa 97 dwellings or more) and we assess below where additional growth within this cluster is best achieved.

### **2.2 Community Cluster Settlement – Park Hall, Hindford, Babbins Wood & Lower Frankton**

Policy S14.2 (ix) of the Pre-Submission Draft states that the above settlements are a community cluster which will provide for new housing growth of around 50 dwellings during the plan period to 2026. New housing will be delivered through a specific site allocation at Park Hall for 20 dwellings. No specific site allocations are proposed in the other settlements and only limited infill and conversions will be appropriate, therefore, within the development boundary. Improvements to rural transport links will be sought for these villages.

From reviewing the settlement of Hindford, Lower Frankton and Babbins Wood, it is clear to see why the Parish Council and Local Authority are not proposing any sites for allocation since these settlements are clearly significantly smaller in size than Park Hall, with Hindford and Lower Frankton mainly comprising a hamlet of scattered houses and farmsteads. In terms of Babbins Wood, we agree with the Authority's assessment that the settlement boundary should be maintained because any development to the north or south of the settlement would result in further linear development. In particular, the extension of Babbins Wood to the north creates a danger of coalescence with Whittington, which should be strongly resisted.

It is important to note that whilst Policy S14 infers that 30 dwellings are achievable within the cluster through infill and conversions, it is questionable as to whether any land within Hindford and Lower Frankton would be deemed infill due to the degree of separation between existing properties (i.e. largely fragmented development). Moreover, we consider that opportunities for conversion are very limited within Babbins Wood and Park Hall. Accordingly, the Authority need to allocate additional land for development within Park Hall.

Out of the four settlements within the identified Community Cluster, we consider Park Hall has the most opportunity to deliver further acceptable growth and, in particular, help deliver the identified overall surplus of around 1,657 houses for North West Shropshire Spatial Zone. This is on the basis that Park Hall is of sufficient critical size to accommodate further growth (for example, there are approximately seven roads within Park Hall which have existing dwellings along them). Park Hall is the closest of the settlements to Oswestry which contains a full range of amenities and services. The settlement is also well connected to the local transport system with bus stops along North Drive and Inglass Road. In terms of local services the following are available:

- Park Hall Stadium - 0.37km.
- Park Hall The Countryside Experience - 0.36km.
- Robert Jones & Agnes Hunt NHS Hospital - 0.44km.
- Derwen College - 0.78km.

The settlement is also well placed for connection to the A5 (0.7km) which provides a strategic link to Wrexham and Chester to the north and Shrewsbury to the south.

Importantly because Park Hall has a significant previously developed site, there is opportunity for its strategic regeneration or new housing. From an initial review of the other settlements within the cluster, opportunities for new housing to be delivered through the regeneration of previously developed sites appears to be more limited.

This section confirms that, out of the settlements within this cluster, any further growth required should be located to Park Hall because of its sustainability merits, critical mass and ability to deliver the strategic regeneration of a previously developed site which presently detracts from the character of Park Hall and the surrounding countryside.

### **3. Park Hall – Proposed Allocation Site**

This section assesses housing need and growth distribution within North Shropshire, concluding where growth should be specifically focused within Park Hall.

This section includes a review all sites considered for development allocation within Park Hall (i.e. Park001 to Park009). We then provide a detailed comparison between the currently preferred site, Park001, and Park004 and land adjacent to Park004.

The plan at Appendix A shows the location of sites considered (Park001 to Park009).

#### **3.1 Stage 1 Assessment**

Stage 1 assessment reviews overall site potential. The Stage 1 assessment for Sites 1 to 9 demonstrates that, from an initial review of protected areas and designations within Park Hall, the settlement is relatively unconstrained. This has led to sites 1, 3, 4, 5 and 9 being progressed to

Stage 2 assessment whilst Sites 2, 6 and 7 were deemed more acceptable for employment use considering that, whilst these sites do not relate well to the existing development boundary, they are close to existing business sites. We, therefore, agree with the Authority's assessment not to include these sites for residential development allocation. Site 8 is the only site which is not progressed to Stage 2 on the basis that the site is not well related to either the settlement boundary or an existing business use. Overall, we agree with the Authority's Stage 1 assessment results.

### 3.2 Stage 2a Assessment

Stage 2a assessment assesses each site's ability to meet sustainability criteria, such as being within a set distance from a bus route or a local park. Stage 2A also examines each site's sensitivity and constraints, for example, in terms of landscape impact, impact upon a Conservation Area or whether the land comprises best and most versatile agricultural land. Every site is tested against each criteria, resulting in a score of either positive, negative or neutral. This enables a quantitative result to be compiled, theoretically summarising the sustainability and acceptability of development at each site.

We have quantified the result of Stage 2a Assessment and, in order of most acceptable sites for development; sites 6 and 7 are most acceptable. However, we note that these are more acceptable for employment use instead of residential, considering their location away from the existing properties within Park Hall and their proximity to existing business uses. The next most acceptable sites are sites 2 and 3, although we note that site 2 is more acceptable for employment use. Sites 1, 4, 9 and then 7 are next best in the results set.

### 3.3 Stage 2b Assessment

Stage 2b assessment provides a descriptive detailed assessment of each site ending in an overall summary and reasoning why the site is either proposed for allocation or discounted. In this section, we have reviewed sites 1, 3, 4, 5 and 9 in more detail to establish in our view which are most acceptable for residential development.

#### 3.3.1 Park001

The Authority's overall assessment of this site is that it fits well with the built up area of Park Hall and there are no access issues with a number of potential points of access into the site. Positively, it is part brownfield (former military camp) and is a well contained, logical site which would provide development of a scale that matches the Parish Council's aim for the community cluster.

#### 3.3.2 Park003

The Authority consider that although potentially developable, this site is less suitable in scale, location and in terms of landscaping than sites closer to the main residential area and there is also a heritage issue as a medieval park boundary runs through the centre of the site.

#### 3.3.3 Park004

The Authority recognises that this site is largely brownfield, close to the main residential area of Park Hall and as such it has redevelopment potential. However, the Authority consider that this site is less suitable in scale and location to Park001 having regard to the amount of development sought by the Parish Council within the cluster.

#### 3.3.4 Park005

Similar to Park003's assessment, again, the Authority state that this site is not well related to the main residential area of Park Hall and although potentially developable other sites are considered

more suitable in scale and location. This site also has a heritage issue in the form of a medieval park boundary running through the centre of the site.

### 3.3.5 Park009

As with the assessment for Park004, the Authority states that whilst this site has residential development potential being close to the main residential area of Park Hall with no major constraints, it is, however, considered less suitable in scale and location to Park001 immediately to the west, having regard to the amount of development sought by the Parish Council in the proposed cluster.

### 3.3.6 Summary

The Authority's assessment of sites 1, 3, 4, 5 and 9 results in all sites being discounted for residential development apart from Park001 which is proposed for allocation, predominantly on the basis that it would provide residential development on a scale that matches the Parish Council's aims for the community cluster.

The results of Stage 2b assessment clearly show that the Authority considers Park001 to be most preferable for residential development but also acknowledges that Park004 and Park009 are potentially acceptable for residential development if further housing was required within Park Hall.

Accordingly, we have reviewed Park001, Park004 and Park009 in more detail below to assess the order of preference for which sites should come forward if there is sufficient housing need.

## 3.4 **Comparison Assessment**

### 3.4.1 Park001

We acknowledge that the site is a logical extension of the settlement; the site has good access from the existing road network and is generally unconstrained.

However, we note from the planning history section of the Stage 2b Assessment, that the site was allocated for development in the 1990 Oswestry Rural Area Local Plan and in the March 1996 Deposit Draft of the Oswestry Borough Local Plan. The site has also been granted planning permission twice. On 21<sup>st</sup> April 1993, an outline planning permission was granted for residential development (88/5937) and an outline planning permission for residential development (restricted to 19 units - 93/8170). This, therefore, brings into considerable doubt the deliverability of this site which is a fundamental requirement for Local Authority's to be able to demonstrate when taking their emerging Local Plan to examination.

Paragraph 182 of the NPPF states that a Local Planning Authority should submit a plan for examination which it considers is sound, namely, that it is 'effective' (i.e. the plan should be deliverable over its period). Clearly the fact that, (despite being allocated for development in previous Local Plans and being granted planning permission on two occasions) development on the site has still not been implemented, poses considerable risk as to whether the plan will be found sound at examination. This is on the basis that this site does not have a realistic chance of being delivered. Indeed, when an Inspector was considering the March 1996 Deposit Draft of the Oswestry Borough Local Plan, he suggested removal of the site and we consider there is strong chance that the Inspector will, again, recommend that it is not allocated for residential development within the SAMDev.

Despite the predominant reason for the site being proposed for allocation, (i.e. it would provide development of a scale that matches the Parish Council's aims for the community cluster), the

community consultation response for the Stage 2b Assessment states that *“Whittington Parish Council suggested the village should have a development boundary and a small number of housing allocations which would help to reach the Parish Council's ambition of 10 to 15 new homes”*. This indicates that the Parish Council's original position was that a few sites were allocated for development other than Park Hall and not one singular site, thus bringing into question the primary justification for this site being proposed (i.e. on the basis of matching the Parish Council's aims for the cluster.)

It is crucial to highlight that, although the assessment for Park001 states that the site is partly brownfield, the individual assessment (i.e. brownfield or greenfield criteria) states that the site is wholly brownfield. We note that the site's overall appearance and character is now greenfield, with grassland and perimeter trees around its boundary

### 3.4.2 Park004

As a brief overview of the Stage 2b Assessment states that:

- the site is within a Mineral Safeguarding Area;
- the topography is flat, slightly sloping in the south of the site;
- the site is adjacent to residential dwellings;
- access is acceptable;
- landscape site sensitivity is moderate;
- there are local facilities in Whittington village and leisure and recreation facilities in Park Hall;
- the site adjoins the existing village;
- there are no heritage constraints;
- it is not located next to any particular biodiversity designations; and
- trees and hedges will be a limiting constraint, there is no water course in or within 50m of the site boundary.

We wish to highlight that the individual comments against each criteria for Park004 do not notably differ from the criteria comments for Park001. The only possible positives of Park001 over Park004 is that there is a medium risk of ground water flooding for Park001, whereas for Park004 there is a high risk of ground water flooding. Although conversely, Park001 is on a minor aquifer of high vulnerability, whereas Park004 is not. Overall the sites are comparable in overall accessibility.

In contrast to Park001 (a greenfield site), Park004 is clearly previously developed (i.e. brownfield) comprising a significant area of hard standing, a number of buildings and a collection of scrap vehicles and builders waste. The site is clearly detrimental to the landscape character of the area and its rural location adjacent to the open countryside. The site's allocation for residential development and subsequent housing development will deliver strong regeneration benefits, dramatically improving the site's appearance adjacent to the Park Hall settlement and its wider view from the open countryside. In particular, we note at present the site can be viewed along sections of



North Drive and the road adjacent to the Robert Jones & Agnes Hunt Hospital. Therefore, we consider that a housing development would be more attractive and in-keeping with the site's landscape and open countryside setting.

The site's allocation for housing would provide for the site's full remediation, thus improving the environmental status of the site.

The NPPF provides more support for allocation Park004 than Park001, stating within the Core Planning Principles that Authority's should *"encourage the effective use of land by reusing land that has been previously developed (brownfield land) provided that it is not of high environmental value....allocations of land for development should prefer land of lesser environmental value where consistent with other policies in this Framework"*. This text highlights the need to recognise the intrinsic character and beauty of the countryside. This provides clear direction from central government to steer the allocation over Park004 over Park001, since Park001's character and appearance is, overall that of the countryside and Park004's character and appearance is, overall that of previously developed land of lesser environmental value than Park001.

Park004 should also be proposed for allocation over Park001 on the basis that, despite Park001 being previously identified for allocation and gaining planning permission twice, it still has not been implemented. Therefore, on grounds of deliverability Park001 should be discounted for allocation and Park004 allocated instead, considering its location directly adjacent to Park001 and being of the next most relevant size which the Authority deems matches the Parish Council's aims for the community cluster.

### 3.4.3 Park009

In comparison to Park001 (which measures circa 1.1ha) and Park004 (which measures around 2.8ha), Park009 is substantially larger measuring approximately 12 hectares. This site also has planning permission for 18 affordable dwellings on the area of land closest to Drenwydd, which we understand is currently being constructed. Whilst this increases the site's acceptability for further development at the rear portion of Park009, the remaining part of this site is still substantial in size, measuring approximately 11.9 hectares. Our understanding is that a watercourse runs through Park009 and the Surface Water Management Interim Guidance for Developers requires modelling to assess the extent of any flooding which may occur (Page 43 of Background Evidence: Park Hall Housing Site Assessment), thus bringing into question the acceptability of this site due to its potential vulnerability to flooding.

### 3.4.4 Assessment Conclusion – Park001, 004 and 009

We consider that Park004 is clearly the most acceptable site for proposed allocation in comparison to Park001 and Park009. This is on the basis of the significant merits that development on this site would generate including redevelopment of a previously developed site which currently detracts from Park Hall's character and semi-rural location adjacent to the open countryside. This fundamentally makes it a more acceptable site for development than Park001 and Park009, whose character and appearance is greenfield (i.e. grassland), being of more environmental value and contributing to the visual amenity of the open countryside and landscape to a higher degree.

In terms of the next most acceptable sites for development, the fact that Park001 has still not been developed raises significant questions over its deliverability. On this basis, we consider that, on balance, Park009 may be a more acceptable site for development in comparison to Park001, although we note that Park001 spatially relates better to the existing settlement.

#### 4. Conclusion of Housing Need and Site Acceptability

##### 4.1 Housing Requirement

We have highlighted that an additional number of houses (approximately 1,657) needs to be identified within North Shropshire to deliver the proposed level of housing stated within the Core Strategy. Whilst the level of additional growth that Oswestry and Ellesmere could deliver is restricted, the hubs and clusters within North Shropshire, in principle, have more capacity to deliver this surplus. Therefore, dividing the surplus of 1,657 dwellings evenly between the eight hubs and nine clusters, results in the need to deliver 97 dwellings per hub and cluster.

In terms of the “Park Hall, Hindford, Babbins Wood and Lower Frankton” Community Cluster, it is clear that the ability for the settlements to deliver increased growth is much more limited within Hindford, Babbins Wood and Lower Frankton in comparison to Park Hall where we consider additional growth could be more acceptably accommodated. This assessment is made considering it's critical mass, ability to deliver development which is in keeping with the character of the settlement and also noting the settlement's proximity to Oswestry in comparison to the more remote and smaller settlements (Lower Frankton for example).

It is questionable as to whether the other settlements in the cluster could acceptably deliver the remaining 30 dwellings currently identified within the SAMDev (e.g. due to limited opportunities for strict infill development). It is more than reasonable that land around Park Hall should be identified to deliver at least 97 additional new houses to help meet the housing needs of North Shropshire.

In terms of identifying acceptable sites within the settlement, the Authority needs to firstly select those which limit the degree of environmental impact and provides opportunity for enhancement to the area next considering other sites which relate well spatially to the existing settlement.

The above assessment confirms that, in comparison to the currently preferred site, Park004 will limit adverse environmental impact (in accordance with the NPPF) and provide significant enhancement to the area in terms of improving the locality's landscape character and appearance adjacent to the open countryside. Therefore, Park004 should be the first and most preferable site for residential development allocation within Park Hall.

The Stage 2b Assessment of Park004 states that it has an indicative capacity of 94 dwellings and thus, in principle, this site would generally match the amount of housing deemed reasonable for Park Hall. However, if the Authority felt that a lower density of housing would be more acceptable on this site, we wish to highlight that our client also owns land directly adjacent to Park004 (shown on the plan in Appendix B) which could be delivered for housing in tandem with Park004 at the same time or as a second phase of development. Allocating this additional area of land for development could also help the delivery of Park004 if any potential issues of viability arise, perhaps relating to remediation costs for Park004 (although at present we have no evidence to suggest that remediation of Park004 would affect the site's viability).

Due to the well documented deliverables of developing Park004 stated throughout this report, this site and land adjacent within our client's ownership should be preferred for allocation with Park009 and Park001 being considered thereafter, respectively, for the Authority to meet their housing requirements for North Shropshire.

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## SAMDev Representation – Land Adjacent to Park Hall

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If the Authority do not change the proposed site allocation from Park001 to Park004 we believe there is considerable risk of the SAMDev being found unsound at examination. This is on the basis (in accordance with the NPPF) it will not be:

- (a) justified (i.e. the most appropriate strategy based on reasonable alternatives);
- (b) consistent with national policy (i.e. failing to encourage the effective use of land by reusing land that has been previously developed);
- (c) effective (i.e. it will not be deliverable over its period).

In addition, if the Authority do not increase site allocations within North Shropshire there is also significant risk that the plan will be found unsound on this basis as the plan will not be positively prepared, that is, it will not be based on a strategy which seeks to meet objectively assessed development requirements.

## Background Evidence: Park Hall Housing Sites Assessment



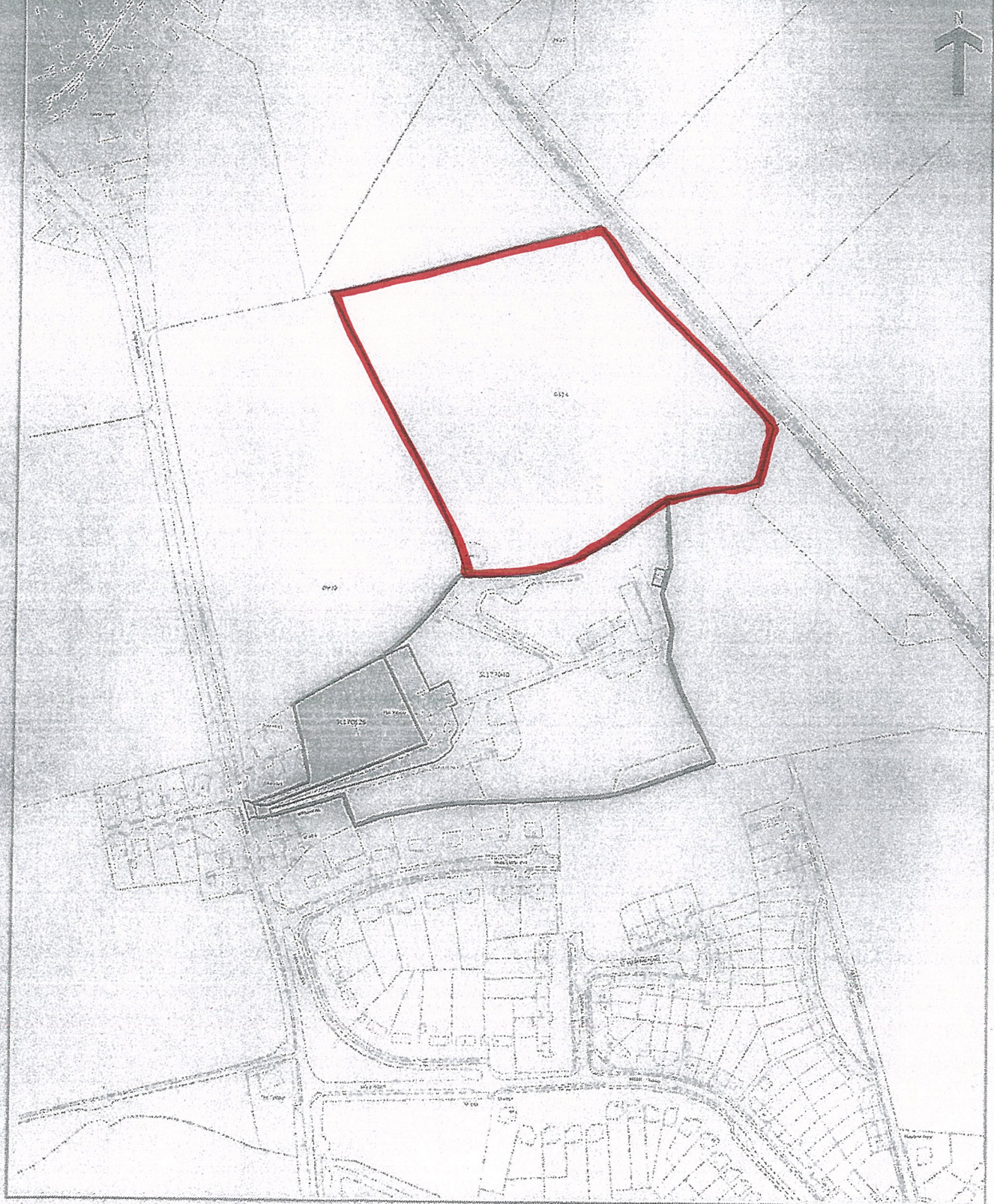


Land Registry  
Current title plan

Title number SL156454  
Ordnance Survey map reference SJ3132SW  
Scale 1:2500  
Administrative area SHROPSHIRE



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## APPENDIX B

This is a print of the view of the title plan obtained from Land Registry showing the state of the title plan on 12 February 2010 at 09:16:04. This title plan shows the general position, not the exact line, of the boundaries; it may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground. See Land Registry Public Guide 7 - Title Plans.

This title is dealt with by Land Registry, Telford Office.