



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

This is a formal consultation on the legal compliance and soundness of the Site Allocations and Management of Development (SAMDev) Plan before it is submitted to the Secretary of State for examination by an Independent Planning Inspector. For advice on how to respond to the consultation and fill in this representations form please see the guidance notes available on the Council's website at www.shropshire.gov.uk/samdev.

Your details: Who is making this representation?

Name: Stuart	Taylor
Organisation (if applicable):	Les Stephan Planning Ltd
Address:	9 Sweetlake Business Village, Longden Road, Shrewsbury, SY3 9EW
Email: stuart@	lesstephanplanning.co.uk
Telephone: 01743	231040

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

Name:	Mr and Mrs B Morgan
Organisation (if applicable):	
Address:	
Email:	
Telephone:	

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:

--

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

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

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

Positively prepared	x
Justified	x
Effective	x
Consistent with National Policy	x

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).

See attached statement

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)

See attached statement

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.

x

No, I wish to pursue my representations through this written representation.

x

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

I reserve the right to attend the examination on this matter depending on the Council's response to this objection.

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

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.

COMMENTS ON SAMDev CONSULTATION

28.04.14

PRE-SUBMISSION DRAFT FINAL PLAN

CONSULTATION 17.03.14 – 28.04.14

SETTLEMENT SPECIFIC OBJECTION: BUCKNELL

On behalf of Mr & Mrs. B. Morgan

LES STEPHAN PLANNING LTD

9 Sweetlake Business Village Longden Road Shrewsbury SY3 9EW
www.lesstephanplanning.co.uk

1.0 COMMENTS ON BUCKNELL

- 1.1 Les Stephan Planning Ltd submitted a generic objection to the SAMDev on 29 April 2014 on the basis that it is unsound and inconsistent with The National Planning Policy Framework (NPPF). This objection cited Bucknell (para. 2.1.7) as an example of how Shropshire Council failed to base SAMDev housing allocations on an objective assessment of housing need and instead formulated the plan based on the wishes of Town and Parish Councils.
- 1.2 This follow-on objection makes specific reference to the unsoundness of the SAMDev in relation to the allocation of housing sites in Bucknell, as discussed with Liam Cowden.
- 1.3 The basis of this objection is that the removal of the Redlake Meadow site (BUCK003) from the SAMDev at the pre-submission draft final plan stage is unsound and contrary to the current NPPF which requires LPAs to place greater emphasis on housing delivery on the basis of an objective assessment of housing need.
- 1.4 In this case, it is acknowledged that the Council Officers carried out an objective assessment of the Redlake Meadow site which led to the allocation of the site in the March 2012 Preferred Options with the following conclusion:-

“..... this site forms a natural extension and is well related to existing residential development on the eastern edge of Bucknell”
- 1.5 However, even at this stage, it was clear that the reliance on a single site to address the housing needs of the settlement was unsound as the overall allocation of 70 dwellings (40 on BUCK003 and 30 windfalls) fell significantly short of the housing target for Bucknell (up to 100).
- 1.6 Given this identified shortfall, the subsequent decision to de-allocate this site (BUCK003) in the July 2013 Revised Preferred Options was difficult to understand.
- 1.7 The reliance on an alternative single site (BUCK001) does not address the housing needs of the settlement as it still relies on the delivery of un-evidenced windfall sites to make up the proposed housing figure in the SAMDev.
- 1.8 It is also at variance with Part 6 of the NPPF which requires LPAs to deliver a “wide choice of high quality homes” and “boost significantly the supply of housing”.
- 1.9 Moreover, whilst there is no objection to the allocation of the BUCK001 site for mixed residential and employment development, the prospects for the delivery of this site, given its long history of receipt of planning permissions which have not been acted upon, indicate it is not a reliable allocation to meet the future need of the settlement. Therefore, the requirements of para 47 of the NPPF are unlikely to be met.
- 1.10 The coal yard/timber yard site (BUCK001) has been promoted for re-development since the mid 1980s, benefitting from two local plan allocations in 1994 and 2004,

and two planning permissions in 1994 and 2011. Despite continuing LPA support for the proposals, in the 30 years since the redevelopment of the coal yard/timber yard was first mooted, there has been NO development on the site.

- 1.11 It would be unwise for the Council to rely on this single site to provide the new employment and residential development for Bucknell, which will be required to comply with the NPPF, Core Strategy Policy CSI and the draft SAMDev when it has proven to be undeliverable.
- 1.12 The NPPF requires sustainable residential development to be brought forward “without delay”. In addition to this, the NPPF requires a significant increase in housing supply - “...we must house a rising population”.
- 1.13 This is now encompassed in case law (Justice Hickinbottom CO/17668/3013) with a requirement that examining Inspectors can only find a plan “sound” if there is no shortfall in housing delivery and the projected delivery is based on “objectively assessed need”.
- 1.14 In the case of Bucknell, the reverse has occurred. An objectivity assessed site, BUCK003, was removed from the plan and replaced by a single site with questionable deliverability credentials - BUCK001 – simply at the discretion of the Parish Council.
- 1.15 This scenario has got other serious implications for the soundness of the SAMDev as the new single site will still not meet the targets for residential development in the Core Strategy as it relies on windfall sites elsewhere in the settlement to make up the published figures. These windfall sites do not meet the criteria for inclusion in the NPPF (para 48) as the Council has not provided the necessary evidence that these windfall sites will come forward.
- 1.16 On the contrary, the Redlake Meadow site, BUCK003, is capable of addressing the NPPF requirement for an increased housing supply as there are no impediments to an early commencement of development, unlike the BUCK001 site.
- 1.17 In addition to this, as a result of the Justice Hickinbottom ruling, the Council should not be proposing a figure for residential development based on the RSS (Core Strategy) figures. The Judge’s decision states that the starting point for this is now housing need identified and assessed initially by a SHMA and then by a more stringent examination of need based on a “greater emphasis of housing provision”.
- 1.18 In Shropshire this is particularly important as the starting point, the SHMA identifies that there has been a significant shortfall in housing delivery since 2010 with actual delivery only expected to catch up with projected delivery towards the end of the plan period. On this basis, the Council’s 5-year supply of housing is likely to fall significantly in the next few years (we understand that it has already fallen to 4.63 years from 4.95 years since September 2013).
- 1.19 It is, therefore, essential to **allocate** sufficient deliverable housing land in settlements such as Bucknell in order to address this need and contribute to the ongoing shortfall of housing in the rural area, particularly South Shropshire, identified in the SAMDev

- 1.20 (i.e. Core Strategy Policy CS1 projections are 4125 dwellings but the SAMDev shows only 2823 – a shortfall of 1302 dwellings).
- 1.21 In conclusion, therefore, the removal of the Redlake Meadow site (BUCK003) from the SAMDev on the basis of the wishes of the Parish Council without an objective assessment will, in my view, inevitably lead to the SAMDev examining Inspector concluding that the SAMDev is not sound and is not in compliance with national policy, particularly in relation to the need for increased housing delivery.

16.05.14 - LSP.