



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: | Paul Slater, Senior Planner |
| Organisation (if applicable): | Kemp and Kemp |
| Address: | 1-3 Ock Street, Abingdon on Thames, Oxfordshire OX14 5AL |
| Email: | pslater@kempandkemp.co.uk |
| Telephone: | 01865 240001 |

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

| | |
|----------------------------------|----------------------------|
| Name: | Lands Improvement Holdings |
| 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:

Policy MD16 Mineral Safeguarding

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

| | | | | |
|----------------|------------|-------------------------------------|-----------|--------------------------|
| Support | Yes | <input type="checkbox"/> | No | <input 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 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 | <input type="checkbox"/> |
| Justified | <input checked="" type="checkbox"/> |
| Effective | <input checked="" type="checkbox"/> |
| Consistent with National Policy | <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).

Please see attached representations

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)

Please see attached representations

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:

Lands Improvement Holdings ("LIH") is in negotiations with landowners to purchase land which forms part of the Shrewsbury South Sustainable Urban Extension (SUE) and is currently preparing a planning application for development which is in accordance with the principles set out in the Council's Adopted Masterplan. LIH, therefore, has a significant interest in the Site Allocations and Management of Development Plan and considers it necessary to attend the examination.

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

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.

SHROPSHIRE COUNCIL

**SITE ALLOCATIONS AND MANAGEMENT OF DEVELOPMENT
(SAMDEV) PLAN**

PRE-SUBMISSION DRAFT (FINAL PLAN)

**SUBMISSIONS ON BEHALF
OF
LANDS IMPROVEMENT HOLDINGS**

APRIL 2014



INTRODUCTION

1. This submission is made in response to the Pre-submission Draft Shropshire Site Allocations and Development Management Plan ("SAMDev plan") and is made on behalf of Lands Improvement Holdings ("LIH"). LIH is in negotiations with landowners to purchase land which forms part of the Shrewsbury South Sustainable Urban Extension (SUE) and is currently preparing a planning application for development which is in accordance with the principles set out in the Council's Adopted Masterplan.
2. LIH supports the allocation of the Shrewsbury South SUE in the SAMDev plan and welcomes the support it has received from the Council regarding the bringing forward of proposals to fully deliver the development within the plan period. There are, however, a number of matters arising from the SAMDev plan as drafted on which LIH wish to comment. These are dealt with in the various representations made.

PLAN SECTION: Policy MD16 Mineral Safeguarding

SUPPORT OR OBJECT: OBJECT

SOUNDNESS TESTS FAILED: Not justified, not effective

3. LIH support the allocation of the Shrewsbury South SUE as a key part of the development strategy in accordance with the Core Strategy and Shrewsbury Development Strategy (Policy S16).
4. As currently drafted, Policy MD16 could require the extraction of minerals from the Shrewsbury South SUE site which would threaten the viability and deliverability of the development and the overall development strategy. LIH, therefore, objects to Policy MD16 as by threatening the delivery of the Shrewsbury South SUE the policy is unjustified and ineffective.
5. Core Strategy Figure 10 identifies mineral safeguarding areas in Shropshire. This plan would indicate safeguarded mineral resources within the Shrewsbury South SUE area including Sand and Gravel and Crushed Rock. Minerals safeguarding areas are also shown on the proposed SAMDev policies map and include parts of the Shrewsbury South SUE.
6. In accordance with the proposed Policy MD16, non-mineral development at Shrewsbury South may not be permitted. This is contrary to the adopted Core Strategy (Policy CS2) which identifies the Shrewsbury South SUE as priority of the development strategy.
7. Proposed Policy MD16 also identifies the circumstances whereby non-mineral development within minerals safeguarding areas can proceed. These include where the mineral is not of economic value, the mineral can be extracted prior to the non-mineral development or where the non-mineral development is exempted by the other criteria as set out in the supporting text.
8. LIH consider that the prior extraction of minerals from Shrewsbury South is unlikely to be practical or environmentally acceptable given the presence of dwellings within and adjoining the site. Furthermore, the prior extraction of minerals could significantly

affect the delivery of a high quality development through resultant level changes. Any required backfilling will be costly and threaten the viability of the development.

9. LIH, therefore, consider that it should be made clear that development at the Shrewsbury South SUE falls within the exemption criteria of Policy MD16 to ensure that the overall development strategy can be delivered.
10. The exemption criteria include where development is proposed in accordance with the development plan (criterion iii) and where there are overriding factors which in the national, regional or local interest must be satisfied (criterion xi).
11. Development at Shrewsbury South SUE was considered through the Core Strategy process and found sound. As a sustainable urban extension, the site is identified to deliver a significant proportion of Shrewsbury's housing and employment growth. Non-mineral development at the site is clearly of overriding local and regional interest to secure the delivery of the development strategy.
12. On the contrary, there is no overriding need to extract minerals from the site. SAMDev Policy MD5 make provision for sufficient sites to meet the required supply of sand and gravel. The Core Strategy identifies that sufficient crushed rock aggregate resources are available and no further allocations are proposed in the SAMDev plan. Any requirement for mineral extraction at the Shrewsbury South SUE is not justified.
13. To ensure that the overall development strategy is effective and deliverable, LIH consider that the SAMDev plan requires amendment and clarification to ensure that the Shrewsbury South SUE falls within the exemption criteria of Policy MD16.

Change sought to the plan

14. Amend criterion iii. of paragraph 4.151 as follows:

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