



**Shropshire Council Site Allocations and Management of Development (SAMDEV)**

**Main Modifications consultation**

**1 June 2015 – 13 July 2015**

**Main Modifications Consultation Form**

For Shropshire  
Council use

Respondent  
no:

The SAMDev Plan Schedule of Main Modifications includes a series of changes to the published SAMDev Plan. These suggested changes are being consulted on for a period of six weeks. For advice on how to respond to the consultation, and how to fill in this form please see the guidance notes on the Council's SAMDev Plan website at:

<http://shropshire.gov.uk/planning-policy/samdev-examination/main-modifications-consultation/>.

**Submitting comments:**

Please fill in this form and return:

- Via email to: [Programme.Officer@shropshire.gov.uk](mailto:Programme.Officer@shropshire.gov.uk)
- By posting to: Daphne Woof - Programme Officer  
c/o Planning Policy Team  
Shropshire Council  
Shirehall  
Abbey Foregate  
Shrewsbury  
SY2 6ND
- Comments must be received by **5pm on 13 July 2015**. **Comments received after this time will not be accepted and will not be considered by the Inspector.**
- Please fill a separate for each Main Modification you are commenting on.
- Please clearly identify which Main Modification your comments refer to using the reference (i.e. MM1, MM2 etc) in the SAMDev Plan Schedule of Main modifications.
- Please do not repeat your previous comments as these have already been considered by the Planning Inspector. **Comments will only be considered that refer to a change as shown in the SAMDev Plan Schedule of Main Modifications.**
- All comments received on the proposed changes within the time period will be considered by the Planning Inspector as part of the examination of the SAMDev Plan. The Inspector may wish to contact you to discuss your comments and concerns, prior to concluding the formal examination into the Plan.
- The personal information will only be used for purposes related to the consultation and the SAMDev Plan examination. 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. However other information will be shared with the Planning Inspector.
- The information relating to your comments on the Main Modification (Part B) will be published on the Shropshire Council SAMDev Plan examination webpage.

**A) Your details:**

Shropshire Council SAMDev Plan Main Modifications Response Form

**1) Who is making this representation?**

Name:	Andy Boddington
Organisation (if applicable):	
Address:	
Email:	
Telephone:	

Client's details (only applicable if you are acting as agent on behalf of another person or business)

Name:	
Organisation (if applicable):	
Address:	
Email:	
Telephone:	

**B) Your representations: What do you wish to object to/support?**

Please use a separate form for each Main Modification you wish to comment on. Only comments relating to a proposed Main Modification will be considered.

**1) Please give the Main Modification reference your comment relates to.**

Main Modification reference - MM7: Design

**2) Do you consider the proposed Main Modification addresses the following issues in relation to the policies concerned?**

	Yes	No
Legally compliant	<input type="checkbox"/>	<input type="checkbox"/>
Positively prepared	<input type="checkbox"/>	X <input checked="" type="checkbox"/>
Justified	<input type="checkbox"/>	X <input checked="" type="checkbox"/>
Effective	<input type="checkbox"/>	X <input checked="" type="checkbox"/>
Consistent with national policy	<input type="checkbox"/> X	<input checked="" type="checkbox"/>

**3) If you have answered 'no' to any of the above please specify your reason for objecting below. You should make clear why the Main Modification is either not legally compliant and/or unsound having regard to whether the modification is not: positively prepared; justified; effective; or, not consistent with national policy. Please see guidance notes for explanation of these terms:**

It is proposed that the phrase “achieve local aspirations for design” is replaced with “respond positively to local design aspirations”. This weakens the commitment to design which is emphasised in NPPF57-58.

The expectation was that Shropshire standards for design would be set out in a Sustainable Design SPD. [Part 1 of this SPD](#) which deals with sustainability has been adopted. But Part 2, which will cover design standards, has been omitted from the July 2014 version of the Local Development Scheme. In the current environment of cutbacks to planning policy staff, it seems unlikely that Part 2 will now be produced or adopted.

Many of our communities have strong design aspirations; for example Church Stretton has published a town design statement. Other communities could be inspired to develop design statements but they will expect planners to have regard to them. Shropshire’s Core Strategy is strong on the sustainability aspects of design but notably weak on architectural, landscape and streetscape elements of design.

Weakening the text of SAMDev MD2 would reduce aspirations of communities, planners and planning committees to champion good design.

Continue on a separate sheet if necessary

**4) Please set out what change(s) you consider necessary to make the SAMDev Main Modification legally compliant and/or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.**

Shropshire Council SAMDev Plan Main Modifications Response Form

The existing wording should be retained.

Continue on a separate sheet if necessary.

**1) Please give the Main Modification reference your comment relates to.**

Main Modification reference - MM13: Mitigation

**2) Do you consider the proposed Main Modification addresses the following issues in relation to the policies concerned?**

	Yes	No
Legally compliant	<input type="checkbox"/>	<input type="checkbox"/>
Positively prepared	<input type="checkbox"/>	<input type="checkbox"/>
Justified	<input type="checkbox"/>	<input type="checkbox"/>
Effective	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Consistent with national policy	<input type="checkbox"/>	<input type="checkbox"/>

**3) If you have answered 'no' to any of the above please specify your reason for objecting below. You should make clear why the Main Modification is either not legally compliant and/or unsound having regard to whether the modification is not: positively prepared; justified; effective; or, not consistent with national policy. Please see guidance notes for explanation of these terms:**

A matter of wording. Policy MD2, paragraph 4.13 as modified reads "Policy MD12 provides for mitigation measures to **remove** the impact." The OED defines mitigation as: "Make (something bad) less severe, serious, or painful". Therefore mitigation cannot **remove** the impact, only reduce it.

Continue on a separate sheet if necessary

**4) Please set out what change(s) you consider necessary to make the SAMDev Main Modification legally compliant and/or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.**

A more appropriate wording would be to **reduce** the impact.

Continue on a separate sheet if necessary.

**1) Please give the Main Modification reference your comment relates to.**

Main Modification reference - **MM14: Overview**

**2) Do you consider the proposed Main Modification addresses the following issues in relation to the policies concerned?**

	Yes	No
Legally compliant	<input type="checkbox"/>	<input type="checkbox"/>
Positively prepared	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Justified	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Effective	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Consistent with national policy	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**3) If you have answered 'no' to any of the above please specify your reason for objecting below. You should make clear why the Main Modification is either not legally compliant and/or unsound having regard to whether the modification is not: positively prepared; justified; effective; or, not consistent with national policy. Please see guidance notes for explanation of these terms:**

Policy MD3 is substantially modified. This is not a clarification of policy as suggested but a significant rebalancing of policy away from planned development to development driven by speculative proposals. It undermines a key rationale of SAMDev – to plan development within the principles of the core strategy (and subsequent to the core strategy being adopted, within the NPPF). The revised wording of MD3 considerably weakens the primacy of SAMDev in establishing where and how much sustainable development should take place in Shropshire over the plan period.

Continue on a separate sheet if necessary

**4) Please set out what change(s) you consider necessary to make the SAMDev Main Modification legally compliant and/or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.**

Shropshire Council SAMDev Plan Main Modifications Response Form

See subsequent comments

Continue on a separate sheet if necessary.

**1) Please give the Main Modification reference your comment relates to.**

Main Modification reference - MM14: Delivering housing

**2) Do you consider the proposed Main Modification addresses the following issues in relation to the policies concerned?**

	Yes	No
Legally compliant	<input type="checkbox"/>	<input type="checkbox"/>
Positively prepared	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Justified	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Effective	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Consistent with national policy	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**3) If you have answered 'no' to any of the above please specify your reason for objecting below. You should make clear why the Main Modification is either not legally compliant and/or unsound having regard to whether the modification is not: positively prepared; justified; effective; or, not consistent with national policy. Please see guidance notes for explanation of these terms:**

The following text relates to the new paragraph which is proposed to be inserted at the beginning of MD3.

Defining sustainability is notoriously difficult when making decisions on planning applications. NPPF7 provides broad guidance on the three dimensions of sustainability but translating this into individual planning decisions can be challenging. In the absence of a strong policy framework, decisions can be inconsistent. That strong framework is provided by the local plan and in the case of Shropshire, SAMDev. This is what is said in the first sentence of MD3 4.22 which is proposed to be deleted under MM18 (I object to the deletion of that first sentence).

SAMDev establishes a spatial framework for development negotiated with communities and meets the exhortation at NPPF17:

*Planning should be genuinely plan-led, empowering local people to shape their surroundings, with succinct local and neighbourhood plans setting out a positive vision for the future of the area.*

In seeming disregard for NPPF17, the inserted paragraph at the beginning of MD3 begins:

*In addition to supporting the development of the allocated housing sites set out in Settlement Policies S1-S18, planning permission will also be granted for other sustainable housing development...*

This wording undermines the status of SAMDev as a local plan. It overly promotes and encourages speculative development at the expense of the requirement at NPPF16 for planning authorities to "plan positively to support local development".

SAMDev has been developed after long, and sometimes difficult, consultations with local communities. The housing numbers and locations reflect intimate knowledge of local needs and sustainability. This exists nowhere else in Shropshire Council's policy documents.

## Shropshire Council SAMDev Plan Main Modifications Response Form

I am not suggesting that development outside of SAMDev allocations will not be approved in some circumstances. The NPPF presumption in favour of sustainable development allows for this. But the additional paragraph proposed in MM14 not only goes beyond NPPF it beckons onwards speculative development.

- 4) Please set out what change(s) you consider necessary to make the SAMDev Main Modification legally compliant and/or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.**

This new paragraph is unnecessary. It is harmful to the strategic objectives and strategies of the Core Strategy (SO1, SO3, CS1-CS6) and the principles of SAMDev, and it is in conflict with NPPF16 & 17.

Continue on a separate sheet if necessary.

- 1) Please give the Main Modification reference your comment relates to.**

Main Modification reference - MM14: Renewing permission

- 2) Do you consider the proposed Main Modification addresses the following issues in relation to the policies concerned?**

	Yes	No
Legally compliant	<input type="checkbox"/>	<input type="checkbox"/>
Positively prepared	<input type="checkbox"/>	<input type="checkbox"/>
Justified	<input type="checkbox"/>	<input type="checkbox"/>
Effective	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Consistent with national policy	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- 3) If you have answered 'no' to any of the above please specify your reason for objecting below. You should make clear why the Main Modification is either not legally compliant and/or unsound having regard to whether the modification is not: positively prepared; justified; effective; or, not consistent with national policy. Please see guidance notes for explanation of these terms:**

The paragraph on renewing planning permission, previously numbered 2, has been deleted. This was a perfectly sensible policy that would prevent the rolling on of planning permissions through renewal that we have seen in towns like Ludlow. This holds back development of sites, mainly brownfield sites, and acts as a disincentive for developers to develop.

The deleted paragraph is a positive paragraph that seeks to progress development approved in line with the local plan or presumption in favour of sustainable development. As such, it is NPPF compliant and should be reinstated.

Continue on a separate sheet if necessary

- 4) Please set out what change(s) you consider necessary to make the SAMDev Main Modification legally compliant and/or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.**

Shropshire Council SAMDev Plan Main Modifications Response Form

The paragraph is NPPF compliant and should be reinstated.

Continue on a separate sheet if necessary.

Shropshire Council SAMDev Plan Main Modifications Response Form

**1) Please give the Main Modification reference your comment relates to.**

Main Modification reference - MM14: Settlement housing guidelines

**2) Do you consider the proposed Main Modification addresses the following issues in relation to the policies concerned?**

	Yes	No
Legally compliant	<input type="checkbox"/>	<input type="checkbox"/>
Positively prepared	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Justified	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Effective	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Consistent with national policy	<input type="checkbox"/>	<input type="checkbox"/>

**3) If you have answered 'no' to any of the above please specify your reason for objecting below. You should make clear why the Main Modification is either not legally compliant and/or unsound having regard to whether the modification is not: positively prepared; justified; effective; or, not consistent with national policy. Please see guidance notes for explanation of these terms:**

The deletion of the criterion “evidence of community support” undermines the central principle of SAMDev – that it is a local plan validated by community support through parish and town councils.

Paragraph 2 asks planners to “have regard to” the criteria – which it renames considerations in paragraph 3 – and does not suggest that each of the five considerations needs to be satisfied before development can be approved.

Continue on a separate sheet if necessary

**4) Please set out what change(s) you consider necessary to make the SAMDev Main Modification legally compliant and/or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.**

Shropshire Council SAMDev Plan Main Modifications Response Form

This criterion should be reinstated. I would not object to a change of wording to “evidence of town and parish council support”.

Continue on a separate sheet if necessary.

**1) Please give the Main Modification reference your comment relates to.**

Main Modification reference - **MM15: Housing numbers**

**2) Do you consider the proposed Main Modification addresses the following issues in relation to the policies concerned?**

	Yes	No
Legally compliant	<input type="checkbox"/>	<input type="checkbox"/>
Positively prepared	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Justified	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Effective	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Consistent with national policy	<input type="checkbox"/>	<input type="checkbox"/>

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The new paragraph in MD3 4.17 contains the phrase “including both brownfield and, where sustainable, greenfield sites.” It is of course right to emphasise brownfield development in line with the priority given to previously developed land in NPPF111 and ministerial policy statements. But the reference to ‘sustainable’ greenfield sites is likely to act as an invite for development on agricultural land.

As I have outlined in my comments on *MM14: Delivering housing*, sustainability is notoriously difficult to define. There are circumstances where greenfield development is both appropriate and sustainable. The NPPF and SAMDev [passim] allow for this. But we should not be beckoning greenfield applications.

Continue on a separate sheet if necessary

**4) Please set out what change(s) you consider necessary to make the SAMDev Main Modification legally compliant and/or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.**

## Shropshire Council SAMDev Plan Main Modifications Response Form

The phrase “including both brownfield and, where sustainable, greenfield sites” should be replaced with “especially on brownfield land”.

Continue on a separate sheet if necessary.

Shropshire Council SAMDev Plan Main Modifications Response Form

**1) Please give the Main Modification reference your comment relates to.**

Main Modification reference - MM16: Keeping planning permissions alive

**2) Do you consider the proposed Main Modification addresses the following issues in relation to the policies concerned?**

	Yes	No
Legally compliant	<input type="checkbox"/>	<input type="checkbox"/>
Positively prepared	<input type="checkbox"/>	<input type="checkbox"/>
Justified	<input type="checkbox"/>	<input type="checkbox"/>
Effective	<input type="checkbox"/>	<input type="checkbox"/>
Consistent with national policy	<input type="checkbox"/>	<input type="checkbox"/>

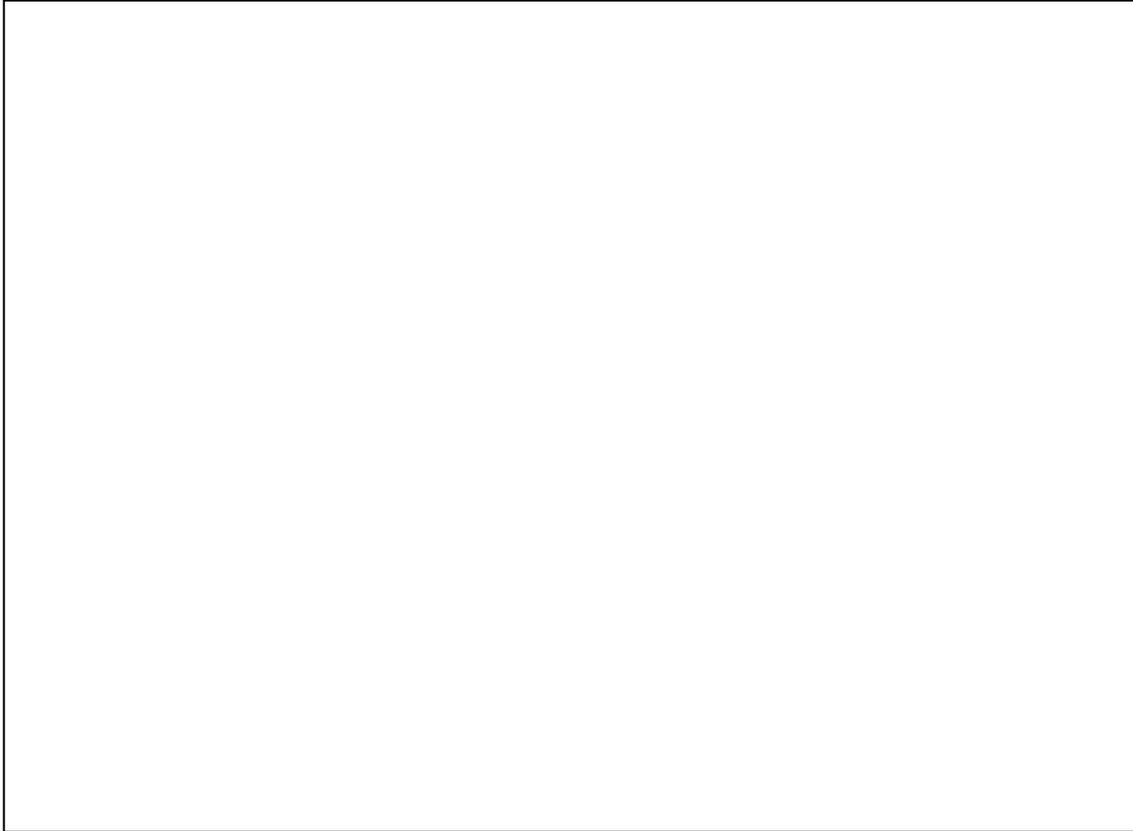
**3) If you have answered 'no' to any of the above please specify your reason for objecting below. You should make clear why the Main Modification is either not legally compliant and/or unsound having regard to whether the modification is not: positively prepared; justified; effective; or, not consistent with national policy. Please see guidance notes for explanation of these terms:**

See my comments on *MM14: Renewing permission*.

Continue on a separate sheet if necessary

**4) Please set out what change(s) you consider necessary to make the SAMDev Main Modification legally compliant and/or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.**

Shropshire Council SAMDev Plan Main Modifications Response Form



Continue on a separate sheet if necessary.

**1) Please give the Main Modification reference your comment relates to.**

Main Modification reference - MM17: Settlement housing guidelines

**2) Do you consider the proposed Main Modification addresses the following issues in relation to the policies concerned?**

	Yes	No
Legally compliant	<input type="checkbox"/>	<input type="checkbox"/>
Positively prepared	<input type="checkbox"/>	<input type="checkbox"/>
Justified	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Effective	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Consistent with national policy	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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The new paragraph at MD3 4.20 reintroduces community goodwill as a criterion or consideration, despite it being deleted in MM14. I oppose the deletion of community goodwill in MM14 and reinstatement will ease this issue.

I also object to the phrase: "The guideline is not a maximum figure but development going beyond it by too great a degree could result in unsustainable development." The words "by too great a degree" open an invitation for prolonged dispute on what by too great a degree means. It also suggests a 'first come, first served' principle – that it is cumulative developments that result in unsustainable development, rather than a specific development.

Continue on a separate sheet if necessary

**4) Please set out what change(s) you consider necessary to make the SAMDev Main Modification legally compliant and/or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.**

## Shropshire Council SAMDev Plan Main Modifications Response Form

Omission of the words “by too great a degree”, reinstatement of community goodwill earlier in MD3, and reinstatement of the first sentence of MM18 4.22 will make this additional paragraph consistent with the rest of SAMDev and NPPF principles on sustainability.

Continue on a separate sheet if necessary.

Shropshire Council SAMDev Plan Main Modifications Response Form

**1) Please give the Main Modification reference your comment relates to.**

Main Modification reference - MM18: Interpreting sustainable development

**2) Do you consider the proposed Main Modification addresses the following issues in relation to the policies concerned?**

	Yes	No
Legally compliant	<input type="checkbox"/>	<input type="checkbox"/>
Positively prepared	<input type="checkbox"/>	<input type="checkbox"/>
Justified	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Effective	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Consistent with national policy	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**3) If you have answered 'no' to any of the above please specify your reason for objecting below. You should make clear why the Main Modification is either not legally compliant and/or unsound having regard to whether the modification is not: positively prepared; justified; effective; or, not consistent with national policy. Please see guidance notes for explanation of these terms:**

This paragraph only in part duplicates the new paragraph introduced in MM17. I object to the loss of the phrase:

*The term 'sustainable development' in the policy will be interpreted to include whether the development is within the settlement guideline as this reflects detailed consideration by the local planning authority and the community on what level of development is sustainable and appropriate during the plan period.*

My comments under *MM14: Delivering housing* explain that sustainable development is difficult to define and the development process of the local plan, in this case SAMDev, is one of the essential mechanisms for establishing sustainability.

Continue on a separate sheet if necessary

**4) Please set out what change(s) you consider necessary to make the SAMDev Main Modification legally compliant and/or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.**

Shropshire Council SAMDev Plan Main Modifications Response Form

I propose that the delated sentence above is reinstated as part of the new paragraph at MD3 4.20.

Continue on a separate sheet if necessary.

## Shropshire Council SAMDev Plan Main Modifications Response Form

Please note you should cover all the information, evidence and supporting information necessary to justify the representation and the suggested change. After this stage, further submissions will only be accepted at the request of the Inspector.

**You must return this form by 5pm on Monday 13 July 2015.**

**You can e-mail it to:**

[Programme.officer@shropshire.gov.uk](mailto:Programme.officer@shropshire.gov.uk)

**Or return by post to:** Daphne Woof - Programme Officer, c/o Planning Policy Team,  
Shropshire Council, Shirehall, Abbey Foregate, Shrewsbury, Shropshire, SY2 6ND

**The Programme Officer will acknowledge receipt of comments submitted by e-mail.**