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20486/A3/SL/sw

13<sup>th</sup> July 2015

Dear Sir or Madam,

**SHROPSHIRE COUNCIL SITE ALLOCATIONS AND MANAGEMENT DEVELOPMENT (SAMDev)  
PLAN: SCHEDULE OF MAIN MODIFICATIONS**

We write on behalf of our Client, the Church Commissioners for England (hereafter referred to as “the Commissioners”) in response to Shropshire Council Site Allocations and Management (SAMDev) Plan: Schedule of Main Modifications, which The Inspector has deemed necessary to make the policies in the SAMDev Plan sound. The SAMDev Plan has been prepared by Shropshire Council and the content and approach of this has been considered by the Church Commissioners and their consultants in respect of their interests at land north-east of Benthall.

Our Clients have previously promoted their land interests through the Shropshire Council SAMDev Plan Revised Preferred Options and Pre-Submission Draft in August 2013 and April 2014 respectively, and more recently made representations at the Examination in Public in October 2014. The Commissioners land interests relate to approximately 10 hectares and is adjacent to the north-east urban boundary of Benthall and western edge of the urban area boundary to Broseley.

This letter of representation has been prepared in response to the consultation on the Shropshire Council SAMDev Plan Schedule of Main Modifications.

**MM2**

We support the reference to the early review of the Plan and its programme.

**MM14**

We welcome the deletion of the clause regarding renewals in Policy MD3, which had stated “*When the proposals are for a renewal of planning consent, evidence will be required of the intention that the*



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*development will be delivered within three years". It is important to discourage planning permissions being renewed that have no intention of delivery and artificially 'top up' the five year housing land supply.*

The deletion of wording in reference to evidence of community support to Policy MD3 is welcomed, as it is our view that evidence of support is too subjective and not a sound reason for not determining a planning application positively.

With regard to Part 2, 'Settlement housing guidelines' of the policy, we deem that there is additional scope for text to clarify that the policy also refers to non-allocated sites. We consider Part 2 could be further amended to read:

*"2. The settlement housing guideline is a significant policy consideration. Where development of a non-allocated, sustainable site, would result in the number of completions plus outstanding permissions providing more dwellings than the guideline, decisions will have regard to:*

- i. The increase in number of dwelling relative to the guideline; and*
- ii. The likelihood of delivery of the outstanding permissions; and*
- iii. The benefits arising from the development; and*
- iv. The impacts of the development, including the cumulative impacts of a number of developments in a settlement, and how these are mitigated and/or compensated for and*
- v. The presumption in favour of sustainable development."*

It is considered that the aforementioned modifications will contribute towards making the SAMDev Plan 'sound'. The Plan is justified in the sense that it will reduce the under delivery of housing land supply and decision-making will be based on less subjective sources of information.

#### MM15

We agree that windfall development has a role, and consider that our client's site - not being allocated, could fulfil such a role. It is important however that the Council when calculating housing land supply does not overly rely on a windfall allowance, but rather, remains open to the positive consideration of new windfall sites and the contribution these sites can make.

We consider that the policy should be amended further to read:

*"A key component of the housing land supply is the allocated housing sites identified in the Policies S1-S18, with related development guidelines.*

*'Windfall development on other sites is also important, but it should be noted that such development will be an addition to and not a substitute for the allocated sites both within the settlements and in the countryside, including both brownfield and, where sustainable, greenfield sites.*

*All windfall developments will be assessed against the policies of the Local Plan and the NPPF, which sets out a presumption in favour of sustainable development with reference to its economic, social and environmental dimensions. With regard to housing development, local considerations include having regard to the design requirements of relevant Local Plan policies, the mix and type of housing, and the settlement housing guidelines."*

MM16

We welcome the deletion of explanatory text in paragraph 4.20 to align with deletion of wording in relation to planning permission renewals, as outlined in MM14. Deletion of this text strengthens the Plan, as it limits the under-delivery of sites and potential for land banking.

It is considered the modification will contribute towards making the Plan 'sound', as the modification adequately justifies its position on housing delivery through dismissing the unreasonable reliance on planning permission renewals.

MM17

We are concerned with the inclusion of text to clarify the approach to settlement housing guidelines and settlement development boundaries. In its current form the new text is negatively phrased and we request the removal of text "*and community goodwill towards breaking point*". It is our view that evidence of 'community goodwill' is too subjective and not a sound reason for not determining a planning application positively, even in the case, where an application would result in the provision of more dwellings than indicated by the guideline for a settlement.

We trust that the representations are helpful in taking the SAMDev Plan to the point of adoption. However, should you wish to discuss our comments further, please do not hesitate to contact me.

Yours faithfully,



**JOANNE RUSSELL**  
Planning Director