



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

Main Modifications consultation

1 June 2015 – 13 July 2015

For Shropshire
Council use

Respondent
no:

Main Modifications Consultation Form

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
- 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.**

Shropshire Council SAMDev Plan Main Modifications Response Form

- 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:

1) Who is making this representation?

Name:	Plowden Estate
Organisation (if applicable):	
Address:	c/o Balfours
Email:	
Telephone:	

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

Name:	Justin Stevenson
Organisation (if applicable):	Balfours
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 - MM: 68

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 modifications are not Positively prepared, justified or effective.

Para 4.120 makes specific reference to the river Clun SAC and the Nutrient Management Plan which was completed in October 2014. The NMP has errors in it, such as stating that employment numbers are the former garage site in Lydbury North will increase. The former garage site is LYD009, therefore it is reasonable to assume employment on the site will cease when it is redeveloped in line with the housing allocation for the site. Again the NMP has made no account of the proposed housing allocations in Lydbury North.

The NMP was published 9 months ago, however no mitigation measures have been proposed in the NMP, just various options.

As far as the writer is aware the action plan is yet to be published. The modifications in 4.120 anticipate that developers will be required to contribute to measures identified in the action plan. It is inappropriate for developers to contribute to upgrades to Severn Trent Water's sewage treatment works when the current treatment works do not meet the discharge target levels. Severn Trent Water is a publicly owned company which should bring the treatment works up to the required standards at their shareholders costs. Then only if further upgrade work is required to the treatment works to support the new development should contributions be sort from developers. Para 153 of the NPPF states that

"Each local planning authority should produce a Local Plan for its area. This can be reviewed in whole or in part to respond flexibly to changing circumstances. Any additional development plan documents should only be used where clearly justified. Supplementary planning documents should be used where they can help applicants make successful applications or aid infrastructure delivery, and should not be used

Continue on a separate sheet if necessary

The supporting planning guidance states *“Policies for seeking planning obligations should be set out in a Local Plan; neighbourhood plan and where applicable in the London Plan to enable fair and open testing of the policy at examination. Supplementary planning documents should not be used to add unnecessarily to the financial burdens on development and should not be used to set rates or charges which have not been established through development plan policy.*

Planning obligations assist in mitigating the impact of development which benefits local communities and supports the provision of local infrastructure. Local communities should be involved in the setting of planning obligations policies in a Local Plan; neighbourhood plan and where applicable in the London Plan.”

Para 204 of the NPPF states

“ Planning obligations should only be sought where they meet all of the following tests:

necessary to make the development acceptable in planning terms;

directly related to the development; and

fairly and reasonably related in scale and kind to the development.”

Therefore the proposal to identify additional measures to be funded by developer contributions does not meet the requirements of the NPPF for supplementary documents not to add to financial burdens on development and or to set rates or charges.

- 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.**

Reference to the NMP should be removed as the NMP does not reflect the allocations proposed in the draft SAMDEV.

If reference to the **published** NMP is to be retained then reference to the incorrect projections for Lydbury North in the NMP should be stated and a statement made that the council will work with the relevant authorities to correct the projections in line with the allocations within SAMDEV.

Clarification should be provided so that developer contributions will only be sought for upgrades to treatment works or other works which directly relate to the projected emissions generated by the proposed development.

The additional measures required to mitigate further emissions into the River Clun should be set out in the SAMDEV as required by the NPPF.

Continue on a separate sheet if necessary.

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

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.