

**Submission SAMDev Plan: CD28a**  
**Schedule of Pre-Submission Representations & Response Addendum 30 September 2014**

**Policy MD1**

Respondent	Issue Raised	Soundness Issue	Proposed Action / Response
<p>CPRE (94a) S. Martin</p>	<p><b>Windfall allowance</b></p> <ul style="list-style-type: none"> <li>In calculating the 5 year land supply, insufficient allowance has been made for windfalls. The number of windfalls as a percentage of completed dwellings in Shropshire has been consistently high - 69% of gross completions since 2000 at an average figure of 797 dwellings per annum. Deducting 65 dwellings p.a. for dwellings on garden land, results in the lower average figure of 741 dwellings from windfall, whereas the Council has only allowed 189 a year for the last two years of the five year period. CPRE believes that the number of windfalls in future years will be as great or even greater as the economy recovers.</li> <li>Shropshire Council has achieved only 4.95 years land supply, resulting in a significant number of planning applications being approved unnecessarily on greenfield sites not included in SAMDev allocations and disregarding approved Core Strategy policies. The SAMDev Plan is accordingly in conflict with NPPF paragraph 48 and in this respect unsound.</li> </ul> <p>Requested change:</p> <ul style="list-style-type: none"> <li>A greater allowance should be made for windfall sites in the figures used to calculate</li> </ul>	<p>Not positively prepared.</p>	<p><b>No change.</b> The 2014 SHLAA Update provides evidence on windfall sites and rates for the County, demonstrating that the provision being allowed for from this source is appropriate. It should be recognised that the figure in the SHLAA report for small windfall sites does not represent the total windfall (which is all sites coming forward that are not allocated in a Plan) – so other sources of supply identified in the report will also contribute e.g. outstanding consents, SHLAA ‘accepted sites’, and affordable housing sites. Nonetheless, the allowance is deliberately conservative with a view to ensuring that the assessment is robust, including in relation to the supply in Years 1-5.</p>

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	the 5 year land supply.		
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**Policy S14: Oswestry**

Respondent	Issue Raised	Soundness Issue	Proposed Action / Response
Clarke, K (5 and 273)	<p><b>OSW004</b></p> <p>In addition to the representation letter received from K Clarke and summarised in CD28 (page 272 reference 5), a further 'duly made' representation was received from K Clarke on April 28th 2014. This representation replaces the comments made under representation 273 and which were incorrectly included in CD28. This additional representation is summarised below.</p> <ul style="list-style-type: none"> <li>• The SAMDev is not legally compliant, not positively prepared and not justified.</li> <li>• The Council has been inconsistent in its assessment of heritage asset using a different parameter for assessing the significance/value of Old Oswestry in relation to proposed sites OSW002, OSW003 and OSW004</li> <li>• The promoters' HIA was a material consideration in evaluating the scale of development acceptable, which means that Shropshire Council may have made unsound decisions because the HIA has been criticised as being flawed and underestimates impacts.</li> </ul>	Positively prepared, Justified	<p><b>Proposed Change (please note this replicates the existing proposed change covered in CD28, and does not suggest any further changes):</b></p> <p>English Heritage has accepted that it may be possible for some development to be allocated in this area subject to 'design quality and its landscaping' taking into account 'local topography and the existing built form'. A change is proposed appropriate to include a specific requirement for a masterplan to be prepared to guide the proposed development in response to representations from English Heritage.</p> <p>No other changes are proposed. The value and significance of the hillfort and its setting is already recognised in the Plan and development will only be considered in light of a full assessment at planning application stage. Shropshire Council does not accept that development of the site would result in substantial harm to the hillfort (NPPF 132) and any impact must therefore be weighed against the public benefits of the proposal, including securing its optimum viable use (NPPF134). The allocation of this site is the culmination of a long process of considering the strategic requirements for the development of Oswestry over the period up to 2026, identifying and assessing options with regard to an evolving evidence base including the objectives of the recently adopted Oswestry 2020 Town Plan, and consideration of issues</p>

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			<p>arising from consultations. The Council is tasked with putting forward a sound Plan to help to achieve the sustainable growth of the town, identifying sufficient suitable and deliverable sites. It is considered that the overall proposals for the town, which includes an increase in the potential delivery from the Eastern Gateway Sustainable Urban Extension strike an appropriate balance.</p> <p>In reaching its view, the Council has had regard to all of the evidence available and the professional expertise of its officers in making its assessments and coming to a view as regards the suitability of sites for allocation for development.</p> <p>The Council considers that more detailed consideration of archaeological information and issues is appropriate at the planning application stage (see NPPF paragraph 128 relating to the determination of applications) but is not necessary at the current Plan-making stage (having regard to paragraphs 158 and 169 of the NPPF).</p> <p>The Council considers that it has met the requirements of the statutory Plan-making processes including providing the necessary opportunities for the making of representations and has made extensive efforts to engage with local communities and stakeholders in the preparation of the Plan consistent with the approach identified in tables 4.2 and 4.3 its SCI. The fact that not all parties agree with the outcome of the Plan-making decisions by the Local Planning Authority does not mean that it has not consulted appropriately, considered the issues and reached a balanced view on the way forward.</p>
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