

Shropshire Council
Site Allocations and Management of Development Local Plan
(SAMDev LP)
Examination

Matters & Issues for Examination

The following Matters, Issues and questions will provide the focus for the hearings due to commence on Tuesday 11 November 2014.

All further statements should address the Matters and Issues for Examination and should be received by the Programme Officer no later than **Friday 24 October 2014**.

All contact details are available at <http://shropshire.gov.uk/planning-policy/samdev-examination/>

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The Council is invited to respond on all matters, issues and questions listed, referring to information in the Submission Documents & Supporting Evidence (limited to 3000 words per Matter/ Settlement Policy area). Other participants should only respond on topics/issues relevant to points made in their original representation(s), without raising new issues, in statements of no more than 3000 words. Participants may refer to information in earlier representations, but the Inspector only has copies of the representations made at the Proposed Submission stages of the Local Plan. Further statements are not needed unless they relate to the legal requirements or soundness of the plan, as set out in the Schedule of Matters & Issues, and are essential to understand the original representation(s). Participants can rely on their original representation, but should not extend the scope of the original points made.

Detailed agendas for the hearing sessions will be issued shortly before they commence, based on the Matters & Issues for Examination and the responses received. However, it is unlikely that the Inspector will introduce new issues or questions that do not arise from the Matters and Issues identified. Participants should let the Programme Officer know as soon as possible whether they wish to attend a particular hearing session. Although anyone can attend the public hearings, only those listed on the programme can participate in the relevant hearing session. **Normally, only those who made representations on the pre-submission draft and that seek some change to the plan are entitled to participate in the hearing sessions.**

The Examination will focus on the requirements of soundness set out in the National Planning Policy Framework (2012). The starting point is the assumption that the Council has submitted what it considers is a sound plan. **Participants are expected to explain which aspect of the plan is unsound, why it is unsound and specify how it should be altered, with detailed wording and clear evidence to support any changes.**

As well as complying with the legal requirements, the plan has to be positively prepared, justified, effective and consistent with national policy.

Please see the Inspector's Guidance Note for further advice.

Matter 1 – Legal requirements and Procedural Matters

Key Issue: Whether the legal requirements and relevant procedures have been satisfied.

Q1. Has the SAMDev LP been prepared in accordance with the current Local Development Scheme (LDS), including its timetable, content and timescale?

Q2. Has the SAMDev LP been prepared to comply with the adopted Statement of Community Involvement, allowing for adequate and effective consultation and engagement of the community and all interested parties and meeting the minimum consultation requirements set out in the Regulations?

Q3. Has the SAMDev LP been subject to Sustainability Appraisal, including a final report on the published plan; and is it clear how the Sustainability Appraisal influenced the final plan and dealt with mitigation measures? Has Appropriate Assessment under the Habitats Directive/Regulations been carried out to the satisfaction of Natural England?

Q4. Does the SAMDev LP have regard to national planning policy, including consistency with the National Planning Policy Framework (NPPF) and the Planning policy for traveller sites (PPTS)? Is there sufficient local justification for any policies that are not consistent with national planning policy? Does the submitted plan properly reflect the presumption in favour of sustainable development in the NPPF?

Q5. Does the SAMDev LP have regard to the Sustainable Community Strategy, and aligned its key spatial planning objectives with the priorities identified in this strategy?

Q6. Does the SAMDev LP comply with the Local Development Regulations, including preparation, content and publishing and making available the prescribed documents?

Q7. Has the SAMDev LP been prepared in accordance with the Duty to Co-operate and does it fully meet this legal requirement? What are the key outcomes from the co-operation with neighboring authorities?

(Please refer to Duty to Co-operate Statement submitted with the SAMDev LP evidence)

PART 1 – Development Management Policies

Matter 2 - Overarching considerations

Issue 1: Whether the overall approach and strategy is justified (Policy MD1).

The SAMDev LP seeks to allocate sites to meet the requirement that is already determined in the adopted Core Strategy. The Core Strategy was adopted in March 2011 before the publication of the National Planning Policy Framework (NPPF). It reflects the revoked Regional Spatial Strategy (RSS).

Q1. Is it necessary to consider if the adopted Core Strategy requirements remain up-to-date as part of the examination of the SAMDev LP?

Your attention is drawn to the case of Gladman Development Ltd v Wokingham Borough Council [2014] EWHC 2320 (Admin) 11 July 2014 (Mr. Justice Lewis). It was held that the Inspector was not required, when examining a development plan document dealing with the allocation of sites for the amount of housing proposed in the Core Strategy, to consider

whether an objective assessment of housing need would disclose a need for additional housing. An up-to-date objective assessment of housing need is not necessary for site allocation DPDs whose purpose is to allocate sites to meet a requirement that is already determined and are not intended to set the housing requirement for the plan area.

Q2. In quantitative terms, will the scale of housing proposed meet the Core Strategy housing requirement of 27,500 dwellings over the plan period?

Q3. Is the reliance on windfall development justified by the supporting evidence? (Table 2.2, (page 10) of the SAMDev DPD Technical Background Paper March 2014 (EV77) indicates that allocations represent 67% of the remaining housing requirement.)

Q4. Community Hubs and Clusters.

(a) Is the methodology / strategy for identifying Community Hubs and Community Cluster Settlements justified, particularly in relation to the consideration of reasonable sustainable alternatives? (i.e. communities 'opting-in');

(b) What assessment of the suitability of each Cluster or Hub to accommodate additional development has been carried out?

(c) How has the housing requirement for each Hub or Cluster Settlement been derived?

(d) Does the strategy of communities 'opting-in' accord with the sustainable development objectives of the NPPF?

(e) If further Community Hubs and or Clusters are proposed at a later date in accordance with Policy MD1 point 3, what assessment will be carried out of their suitability or any implications for delivery of development identified within the SAMDev LP?

(f) Some respondents to the Submission SAMDev LP suggest additional or alternative Community Clusters and Hubs, for example Ashford Carbonell (Ludlow Area), Buntingsdale (Market Drayton area), West Felton (Oswestry area), various settlements in the Shrewsbury area and Hadnall in Wem Place Plan area. How will these now be considered in light of Policy MD1?

(g) Would Community Hubs or Clusters identified at a later date be consistent with the SAMDev LP?

Q5. Is the SAMDev LP sufficiently flexible to ensure the requirements of the CS can be achieved?

Q6. Can the Council demonstrate a five year supply of housing land together with an appropriate buffer in accordance with the NPPF?

Issue 2: Whether the scope of the various SPDs referred to in a number of policies is appropriate having regard to the limitations on the scope of SPDs that are implied by the 2012 Regulations.

In drafting and adopting a SPD the Council must take account of the status of SPDs as material considerations only that do not form part of the development plan and the limitations on the scope of SPDs that are implied by the 2012 Regulations. A SPD cannot for instance contain development management policies which are intended to guide the determination of applications for planning permission.

Q1. What is the intended scope of the various SPDs? (The SAMDev appears to suggest the SPDs are required to deliver the policies.)

Q2. The Water Management SPD is not referred to in LDS. What is the timetable for its adoption?

Issue 3: Whether the monitoring indicators for the Development Management policies will be effective.

Q1. The monitoring indicators do not suggest how information will be gathered and what actions will be taken where requirements are not met. How will the Council ensure the effectiveness and delivery of these policies without any clear explanation of the proposed responses if any of the policies fail to deliver?

Issue 4: Whether Policy MD2 will be effective in delivering Sustainable Design.

Q1. What is meant by 'local aspirations for design' (MD2.1) and how will an applicant or decision maker be expected to assess whether this has been achieved?

Q2. Local aspirations for design may not necessarily respect locally distinctive or valued character. Is there some potential for conflict within the Policy between points 1 and 2 which may result in the policy not being clear and effective?

Q3. Is the Policy overly prescriptive in terms of design?

Q4. Is it consistent with national policy?

Q5. Point 5(ii) of Policy MD2 refers to a requirement for 30m² of 'functional recreational space' open space per person on sites of 20 or more dwellings. What is expected for developments of less than 20m² in terms of 'function'?

Q6. Will this requirement (i.e. 30m²) provide sufficient open space on the allocated sites given the anticipated housing capacity of these sites and the suggested change (CD27) to delete reference to the application of the 30m² per person standard to non-residential development?

Q7. Does Policy MD2 effectively ensure the protection of European Protected Sites and Internationally Designated Sites?

(The Inspector notes the suggested changes to Policy MD2 put forward by the Council in CD27)

Key Issue 5: Whether Policy MD3 is positively prepared.

Q1. Policy MD3.2 requires evidence of an intention to develop the application site within three years. Is this aspect of the Policy effective given a 'renewal' of planning permission constitutes a new permission and the information requirements for a valid application are set out elsewhere?

Q2. Policy MD3.3 (ii) requires evidence of community support. How is this to be assessed, particularly where there is both support and objection to a scheme? Would the lack of any objection be an indicator that there was support?

Matter 3 – Gypsy & Traveller Site Provision

Key Issue: Whether the SAMDev Local Plan makes satisfactory provision to meet the assessed needs of the gypsy and traveller community and travelling showpersons?

Q1. Policy CS12 provides criteria for the consideration of windfall sites and refers to the provision of new sites in the SAMDev LP. No new sites are allocated in the SAMDev LP. Is this consistent with the CS?

Q2. It is proposed to repeat the assessment of gypsy accommodation every five years. (a) Is this commitment set out in the CS? (b) What certainty is there that this will be done?

Q3. Further transit provision is expected to be delivered either through joint provision with an adjoining authority along the M54 strategic corridor into the West Midlands or through dedicated transit provision on Council land or by both means. Should the SAMDev Local Plan be clear which option is to be pursued and identify a suitable site?

Q4. A travelling showperson's site would be displaced as a result of a new retail development in Oswestry. What measures are in place to ensure that it is replaced by permanent provision and how is this to be secured through the SAMDev LP?

Matter 4 – Sites for Sand and Gravel Working

Key Issue: Whether sufficient provision is made through the SAMDev Local Plan.

Q1. Is the Local Aggregate Assessment consistent with the NPPF?

Q2. Will the sites provide adequate provision to address the mineral demands of the market area?

Q3. Paragraph 4.38 of the reasoned justification states that a revised guideline has been proposed for the period 2005 – 2020 which has not been followed as it remains unconfirmed by Government. Should the SAMDev LP seek to address this guideline? If this guideline is confirmed during the examination process how will it be addressed / accommodated?

Q4. The Wood Lane North extension identified in Schedule MD5a is subject to the completion of a Habitats Regulations Assessment (HRA) and further assessment of potential impacts on protected or priority habitats and species, and on heritage assets. Is this site allocation therefore deliverable?

Q5. Gonsal extension (Condoover) identified in Schedule MD5b is subject to the creation of a new road access. Is this practical and deliverable?

Matter 5 – Green Belt

Key Issue: Whether Policy MD6 is consistent with national policy.

Q1. Is policy MD6 consistent with National Policy, in relation to point 1.ii which makes no reference to the caveat set out in the NPPF (paragraph 89) that the redevelopment of existing brownfield sites is acceptable *only where the impact on openness would not be greater than the existing development*.

Q2. Paragraphs 89 and 90 of the NPPF list those developments that are not inappropriate development. A material change of use of land is not included. Is policy MD6 consistent with National Policy, in relation to point 1.ii which makes no reference to 'change of use'?

Matter 6 – Development in the Countryside.

Key Issue: Whether the countryside policies are effective.

Q1. Paragraph 4.58 stipulates that it is expected that the scale and type of dwelling proposed is closely related to the evidenced needs of the business and proportionate to the scale of the enterprise. Will Policy MD7a be effective in ensuring this is the case if it is not included in the main policy text?

Q2. Policy MD7a, Point 2.b and 2.c suggests that an essential rural worker's dwelling that is no longer required could be released to the open market subject to payment of a financial contribution to the provision of affordable housing. Is it possible that the uplift in value as a result of the removal of the occupancy condition could make this a viable option in certain locations such that a loop hole is created for establishing a new dwelling in the countryside that would not otherwise receive planning permission?

Q3. Is it feasible to apply an occupancy condition to existing dwellings as suggested in Policy MD7?

Q4. Policy MD7a point 2.c states that 'If a new dwelling is permitted and subsequently no longer required as an essential rural worker's dwelling, it will be made available as an affordable dwelling, unless it can be demonstrated that it would not be suitable'. Paragraph 4.59 clarifies that a consideration will be 'If a proposed sale of the property as an affordable dwelling to buyers meeting local needs criteria is not possible within an appropriate time frame,' The policy itself does not suggest that the time that a property is on the market will be a consideration of suitability. (a) Does the reasoned justification reflect the policy? (b) Could a property remain suitable but is simply not sold within 'an appropriate timescale'? (c) What level of marketing will be 'appropriate'? For example, will a private 'for sale' board outside the property be sufficient?

Q5. Is it necessary for an agricultural development to be related to a viable agricultural enterprise as set out in Policy MD7b point 3a? (The changes proposed by the Council in CD27 are noted).

Matter 7 – Infrastructure Provision

Key Issue: Whether the SAMDev LP will provide the necessary infrastructure to support the level of development proposed.

Paragraph 4.75 of the reasoned justification for Policy MD8 suggests that a section 106 agreement would be required for a contribution to a community fund. This is not a policy requirement. (a) Will the policy therefore be effective in delivering contributions? A section 106 agreement should be directly related to the impacts of a development whereas this appears to be a 'catch all' approach. (b) Is it clear what infrastructure provision will be related to each site allocation and that any contributions will be directly related to it?

Matter 8 – Employment

Key Issue: Whether the SAMDev LP will be effective in delivering employment land requirements set out in the Core Strategy

Q1. Does the SAMDev LP provide an adequate supply of employment land and premises to deliver around 90 hectares (ha) of employment development (90 hectares of new provision

over and above 67ha that is built and 133 ha already committed to provide the 290 ha required in total)?

Q2. Do the policies in the SAMDev LP meet the objectives set out in Policy CS13: Economic Development, Enterprise and Employment?

Q3. Is it clear to a decision maker what may be regarded as a 'suitable' site having regard to Policy MD4 1. I.ii?

Q4 In accordance with the NPPF, does the Local Plan:

(a) plan positively for the location, promotion and expansion of clusters or networks of knowledge driven, creative or high technology industries?

(b) identify priority areas for economic regeneration, infrastructure provision and environmental enhancement?

(c) facilitate flexible working practices such as the integration of residential and commercial uses within the same unit?

Matter 9 – Retail Provision

Q1. Policy CS15 of the adopted Core Strategy specifies the amount of retail and office floorspace to be provided in Shrewsbury. Does the SAMDev LP make sufficient provision to ensure the requirements of the CS can be met?

Q2. Is the inclusion of Tower Street in the Primary Shopping Area (PSA) for Ludlow appropriate?

Q3. Is it clear to a decision maker what is meant by 'an over concentration or undue dominance of non-retail uses' in Policy MD10a? Should this be defined?

Q4. Is the requirement to provide Impact Assessments for new retail, leisure and office developments, in the circumstances set out in Policy MD10b, locally justified?

Q5. Policy MD10b relates to town and village centres. However, part 2 only refers to town centres. Should Part 2 equally relate to village centres?

Q6. Does the SAMDev LP promote competitive town centres that provide customer choice, a diverse retail offer and which reflect the individuality of town centres?

Q7. Does the SAMDev LP retain and enhance existing markets and, where appropriate, re-introduce or create new ones, ensuring that markets remain attractive and competitive?

Q8. Does the SAMDev LP allocate a range of suitable sites to meet the scale and type of retail, leisure, commercial, office, tourism, cultural, community and residential development needed in town centres?

Q9. Does the SAMDev set policies for the consideration of proposals for main town centre uses which cannot be accommodated in or adjacent to town centres?

Matter 10 - Tourism

Q1. The monitoring indicator is not directly relevant to the purpose of Policy MD11. How will it ensure that the policy is effective?

Matter 11 - The Natural Environment

Key Issue: Whether the policy is effective.

Q1. The Natural Environment SPD is intended to define what the Council considers to be a natural asset for the purpose of Policy MD12. However it is not scheduled for adoption until April 2015.

(a) Does this remain a reasonable timetable for adoption?

(b) In the meantime, how will a decision maker know what is to be interpreted as a natural asset?

(c) Should it be clear within the policy itself?

Q2. Policy MD12.1 seems to suggest that significant harm can always be overcome by compensation measures. Is this consistent with the NPPF?

Q3. The NPPF states that planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats, including ancient woodland and the loss of aged or veteran trees found outside ancient woodland, unless the need for, and benefits of, the development in that location clearly outweigh the loss. Is this reflected in the SAMDev LP?

Q4. Should Policy MD12 include heritage assets?

Q5. It is not clear how the monitoring indicators will effectively monitor the full range of the policy, for example the effects on important woodlands, trees and hedges. Should this be clarified?

Matter 12 - The Historic Environment

Issue: Whether Policy MD13 will be effective and is consistent with national policy in relation to development that would affect heritage assets.

Q1. Is the Policy sufficiently clear to ensure that a decision maker will know how any planning applications affecting heritage assets are to be considered?

Q2. Paragraph 4.140 of the reasoned justification to Policy MD13 states that archive documents produced to document Heritage Assets that are to be lost should be deposited with the Shropshire Museum Service. Does the Council have any control over this service and the preservation of such records in the future?

Q3. (a) How will the proposed monitoring indicator that relies on information 'as and when available' be effective? (b) Monitoring is based on the number of assets significantly affected. In the absence of any threshold or objective benchmark against which this is to be judged or at what point action will be required, can the monitoring be effective?

Matter 13 - Waste Management Facilities

Q1. The specified monitoring indicator for Policy MD14 is based on available capacity which is not directly related to whether the criteria set out in the policy are effective. What monitoring will be necessary to ensure the criteria are effective?

Matter 14 - Landfill and Landraising Sites

Q1. Policy MD15 is not seeking to create new landfill capacity specifically but rather to control any proposals that may come forward. However the monitoring indicators are based on capacity. Are the monitoring indicators consistent with the purpose of the policy and how will they ensure the policy is effective?

Matter 15 - Mineral Safeguarding

Q1. The reasoned justification to Policy MD16 sets out a list of exemptions for non-minerals development. Should these be included in the policy itself to ensure the policy is effective?

Q2. Similarly, should buffer zones be part of the policy text?

Q3. The monitoring indicators do not appear to relate to the purpose of the policy. How will they be effective in ensuring the policy is effective?

Q4. Will the safeguarding of minerals have any adverse impacts on the potential viability and delivery of any allocated sites, particularly the Shrewsbury South SUE?

Matter 16 - Mineral Sites

Q1. Policy MD17 is concerned with the management of minerals sites and their effects. The monitoring indicators are based on levels of production. How will the monitoring indicators ensure the policy is effectively managing the development and operation of sites?

Note: The Inspector would welcome a Statement of Common Ground between the Council and The Minerals Product Association on the wording changes proposed by the Council to Policy MD17 in response to the representations made and whether they are required to make the SAM Dev LP sound?

PART 2 - Settlement Policies

The main issues are:

(a) Whether the distribution and amount of housing and employment throughout the various settlement areas will meet the needs of the specific area, is justified and consistent with the Core Strategy?

(b) Whether the identified sites are realistic, deliverable **and the most appropriate when considered against the reasonable alternatives.**

(c) Whether the reliance on windfalls in each specific area is appropriate.

(d) The relevant schedules contain 'Development Guidelines' for each site allocation. As 'guidelines', will they be effective?

The Inspector invites comments on these issues for each settlement area, in addition to the site specific questions set out below:

Policy S1: Albrighton Area

Q1. What is the status of the Albrighton Neighbourhood Plan 'Light'?

Q2. Policy S1 imposes Green Belt criteria on non-Green Belt land that is to be safeguarded. (a) Is this approach necessary and justified? (b) What is meant by 'long-term'?

Q3. (a) Is the requirement for development on Land at White Acres (ALB003) for housing that is appropriate for people of retirement age justified? (b) Is it clear to a decision maker what type of housing will be considered suitable for people of retirement age?

Q4. Does the anticipated capacity of the site allocation ALB003 have regard to the need for development to respect and enhance the setting of the Conservation Area?

Policy S2: Bishop's Castle Area

Q1. The HRA indicates that development in Bishop's Castle may adversely affect the integrity of the River Clun SAC. (a) Should the policies in the Bishop Castle Area be clear about what will be expected should this be the case for any proposals? (b) How might this impact on the delivery of sites?

Bishop's Castle Town

Q2. Is the allocated housing site realistic and deliverable, particularly given the need to demonstrate a suitable and satisfactory vehicular access and other requirements contained in schedule s2.1a?

Q3. Should the requirement for development to be phased appropriately to take account of critical infrastructure delivery referred to in paragraph 5.17 be included in Policy S2 to be effective?

Bucknell

Q4. Is the allocated housing site (Timber Yard / Station Yard) realistic and deliverable?

Chirbury

Q5. Policy S2.2 (ii) stipulates the Parish Council's *preference* that the development should be in two phases. This is not a requirement. (a) Is there any justification for the phased development of the site?

Q6. Is the allocated housing site (Land to the rear of Horseshoe Road) realistic and deliverable?

Clun

Q7. Is there sufficient justification to restrict windfall development in Clun to a maximum of 10 dwellings as suggested by Clun Town Council?

Lydbury North

Q8. Are the allocated housing sites realistic and deliverable?

Q9. What implications if any would the development of site LYD009 in isolation to the adjoining allocations at LYD007 and LYD008 have, particularly in relation to the potential need for local highway / junction safety improvements as part of the development of the allocated housing sites?

Community Clusters

Q10. Policy S2.2 (vii), (viii) and (x) set out preferences for limited numbers of dwellings to come forward in each third of the Plan period and to limit the number of dwellings per site. This is not a requirement and does not therefore provide a mechanism to resist development that is contrary to this requirement. (a) Is the phased release of housing and a restriction on the number of dwellings on any one site justified?

Policy S3 - Bridgnorth Area

Q1. Will windfalls realistically deliver the shortfall in housing in the Bridgnorth area?

Q2. (a) Is the allocation of land to the west of Bridgnorth the most appropriate option when considered against the reasonable alternatives? (b) What consideration, if any did the Council give to a Green Belt review at this stage as an alternative option?

Policy S4 – Broseley Area

Q1. No housing allocation sites are proposed. Instead reliance is placed on completions and existing commitments together with windfall development. (a) Is the reliance on windfalls justified to deliver the outstanding housing requirement for the Broseley Area, having regard to historic windfall rates and the SHLAA? (b) Has planning permission now been granted at Dark Lane?

Q2. What is the status of the adopted Broseley Town Plan?

Policy S5 – Church Stretton

Q1. The School Playing Fields site relies on provision of replacement facilities elsewhere. (a) Is this practicable and deliverable. (b) Has any land been identified to accommodate this?

Q2. Is the reliance on windfalls justified to deliver the outstanding housing requirement for the Church Stretton Area, having regard to historic windfall rates, locations and the SHLAA?

Policy S6 - Cleobury Mortimer Area

[Refer to issues set out above]

Policy S7 – Craven Arms

Q1. Are the allocated housing sites realistic and deliverable, particularly given the inter-relationship between the contemporary built form of the town and the archaeological evidence and built heritage assets of previous settlements? (Archaeological significance of sites CRAV004 & 010 is referred to in Schedule S7.1a)

Q2. If land off Watling Street (CRAV002) is an exceptions site rather than an allocation, should it be counted towards the overall housing requirement?

Q3. Is it practical to screen allocated sites CRAV003 & 009, 004 from views within the AONB?

Q4. What is the status of the local Town Plan?

Q5. Will the proposed development be supported by the necessary infrastructure?

Policy S8 - Ellesmere Area

Q1. Can the site allocation at Land South of Ellesmere (ELL003) be relied upon to deliver 250 dwellings, leisure and tourism facilities if it has flooding issues and the potential to affect the integrity of a Natura 2000 site?

Q2. Land off Grange Road (ELR075) is allocated for a 3.0 hectare employment site. However the description of development states that 1.8 hectares is subject to evidence to show it is developable. Is this a realistic allocation if deliverability remains in question?

Q3. Is the capacity of the Ravenscroft Haulage Site at Dudleston Heath (Policy S8.2 (ii)) likely to be reduced due to the public sewer crossing the site?

Q4. Is development at the Community Cluster of Welshampton the most sustainable option if non-mains sewerage incorporating septic tanks may be required?

Policy S9 – Highley Area

[Refer to issues set out above]

Policy S10 - Ludlow

Q1. There appears to be some uncertainty about the infrastructure that may be required in association with the housing allocation at Land south of Rocks Green (LUD017) contained in schedule S10.1a. If an infrastructure contribution is required to provide a pedestrian / cycle access over the A49 and foot / cycle path to Eco Park, is the site deliverable?

Policy S11 – Market Drayton Area

Q1. Is the high reliance on windfall development justified?

Policy S12 – Minsterley – Pontesbury area

Q1. Policy S12.1.3 refers to 'any additional infrastructure capacity assessments'. What further assessments are proposed at this stage? If such an assessment identifies infrastructure requirements not already identified in the Place Plan or LDF Implementation Plan what implications might this have the implementation and delivery of development in the area?

Q2. What implications, if any, will the necessary watercourse modeling on the site at Callow Lane identified as necessary in the Strategic Flood Risk Assessment have on the delivery of development on this site?

Policy S13 – Much Wenlock Area

Q1. Is the Much Wenlock Neighbourhood Plan now 'made'?

Q2. Should the requirement set out in paragraph 5.128 of the explanatory text which stipulates that all development will need to take account of known infrastructure constraints and requirements, as identified in the Much Wenlock Place Plan and LDF Implementation Plan, and be phased appropriately etc., be contained within the policy itself?

Policy S14 – Oswestry Area

Q1. Is the Eastern Gateway Sustainable Urban Extension (SUE) Masterplan in place and adopted by the Council?

Q2. How does the requirement for sustainable transport measures and the provision of improved or new links as part of the SUE allocation relate to the infrastructure requirements for other developments in Oswestry and are the infrastructure requirements fairly attributed between each?

Q3. The Former Oswestry Leisure Centre site allocation (OSW029) development is subject to further assessment of potential flood risk and biodiversity impacts. In light of these potential constraints to development, is the delivery of this realistic?

Q4. The development guideline for Land South of the Cemetery (OSW034, 035 & 045) refers to the necessary agreement of the Town Council to the extension of the cemetery. What is to be agreed and what implications may this have on the capacity and viability of the site development?

Q5. The Alexandra Road Depot site allocation (OSW033) involves remediation of filled ground. Has the impact of this on the viability of the site been satisfactorily assessed to ensure the site is deliverable?

Q6. Is the allocation of Land off Whittington Road (OSW004) based on proportionate evidence and is it deliverable for the capacity of housing suggested in light of the comments of English Heritage and the concerns raised by the Town Council and other respondents?

Q7. Is the capacity of Land South of Brookfield's and Aspen Grange, Weston Rhyn (Policy S14.2 (xi), allocation WRN010) likely to be reduced due to the public sewer crossing the site?

Q8. (a) What is the status of the Oswestry 2020 Town Plan? (b) Is it appropriate to require proposals that come forward post 2020 to have regard to what will then be an out-of-date plan?

Policy S15 – Shifnal area

Q1. Has the planning application for residential use (13/05136/OUT) on land at SHIF004/c been determined and what was the outcome?

Policy S16 – Shrewsbury area

Q1. Is the inclusion of the Registered Battlefield in the Battlefield Enterprise Park (Policy MD9) justified? (The suggested changes proposed by the Council to exclude it are noted by the Inspector (CD27, p67)?

Q2. In light of concerns raised by the Environment Agency in relation to potential flooding on some of the allocated sites and the subsequent changes suggested by the Council to require specific flood risk assessments on three housing sites (CD27), will the potential development capacity of these sites be reduced and / or their delivery become uncertain as a result?

Policy S17 – Wem Place Plan area

Q1. What is the status of the Wem Town Design Statement?

Policy S18 – Whitchurch area

Q1. Have the planning applications for development on land at Mount Farm (WHIT046) and land at Tilstock Road (WHIT009) been determined and what was the outcome?

Q2. Is the reliance on windfalls in the area justified?

Q3. Welsh Water have indicated that there is insufficient capacity in the sewerage network to accommodate the foul flows generated from allocated sites WHIT009 (Tilstock Road); WHIT021 (Alport Road) and WHIT046 (Mount Farm). What implications will this have, if any, for the delivery of these sites?

Claire Sherratt
Planning Inspector