



For Shropshire
Council use

Respondent
no:

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

Pre-Submission Draft (Final Plan)
17 March 2014 – 28 April 2014

Representations Form

Please note you can also make representations to the SAMDev Pre-Submission Draft using our online form via:

www.shropshire.gov.uk/samdev

This is a formal consultation on the legal compliance and soundness of the Site Allocations and Management of Development (SAMDev) Plan before it is submitted to the Secretary of State for examination by an Independent Planning Inspector. For advice on how to respond to the consultation and fill in this representations form please see the guidance notes available on the Council's website at www.shropshire.gov.uk/samdev.

Your details: Who is making this representation?

Name:	Kathy Else
Organisation (if applicable):	RPS Planning & Development
Address:	Highfield House, 5 Ridgeway, Quinton Business Park, Birmingham B32 1AF
Email:	katherine.else@rpsgroup.com
Telephone:	0121 213 5500

If you are acting as an Agent, please use the following box to tell us who you are acting for:

Name:	Nick Scott
Organisation (if applicable):	J Ross Developments
Address:	c/o RPS
Email:	
Telephone:	

Your Representations

Please note, you must use a separate form for each representation you wish to make.

(Please refer to the accompanying Guidance Notes on Making Representations when completing this section)

In the box below please give the policy, paragraph or section of the Policies Map your representation relates to:

S.16.2 (i) Baschurch

Is your representation in support or objection? (please tick as appropriate)

Support **Yes** **No**
Object **Yes** **No**

In respect of your representation on the policy, paragraph or section of the Policies Map, do you consider the SAMDev Plan is:

Legally compliant **Yes** **No**
Sound **Yes** **No**

If your representation considers the SAMDev Plan is not sound, please say whether this is because it is not (*Please tick all that apply*):

Positively prepared	
Justified	
Effective	X
Consistent with National Policy	X

In the box below please specify your reason for supporting or objecting.

If you are objecting, you should make clear why the document is unsound having regard to the issues of 'legal compliance' or whether the document is not positively prepared, justified, effective or not consistent with national policy (Continue on a separate sheet if necessary).

Policy S.16.2 (i) Baschurch identifies a housing guideline of around 150-200 additional dwellings for the settlement of Baschurch over the period to 2026. It states that these dwellings will be delivered by the development of allocated housing sites together with development of infilling within the development boundary. Currently there are insufficient sites allocated at Baschurch to meet the housing numbers identified for the Hub settlement, and therefore clear over-reliance upon windfall sites being delivered in the village. The allocated sites will bring forward approximately 135 dwellings based upon the SHLAA appraisals of the sites, whilst only two sites were identified within the village boundary as suitable windfall sites through the SHLAA with the ability to provide only 44 dwellings.

This approach of relying upon windfall sites is flawed as it contradicts Policy MD3, which states that should it look unlikely that the housing guideline will be met within the period to 2026, additional sites that are beyond the settlement boundary may be acceptable, subject to factors such as sustainable development and providing benefits associated with development. This is a more effective approach than infilling, as larger developments will

be able to provide affordable housing and other associated benefits such as open space and landscape mitigation. As the three proposed allocated sites at Baschurch are already beyond the settlement boundary than this approach has already been adopted by the Council, but not to the required extent.

The proposed allocations for Baschurch are all greenfield sites, located beyond the village boundary and do not include any previously developed land. The land at Prescott Equestrian Centre, site BAS016 as previously promoted through the 2012 SAMDev consultation, is not identified as a preferred allocation despite its previously developed land status. The imminent closure of the equestrian business due to the proprietor's poor health represents a relevant material consideration for the reassessment of Site BAS016 and recognition of the opportunity to allocate a brownfield site. Site BAS016 should be considered a highly sustainable opportunity for development at Baschurch, especially as it is so close to the preferred allocation BAS017 and BAS025 and therefore within similar proximity to community facilities. Site BAS016 was also assessed as having long term potential for development through the SHLAA, the same as the preferred allocations BAS017 and BAS025.

If allocated, BAS016 would increase the housing allocations proposed for Baschurch to within the 150-200 buffer of dwelling provision identified by the SAMDev as being required. The inclusion of the Prescott Equestrian Centre will also assist in distribution the delivery of residential dwellings, whilst not being materially further afield than other preferred allocations, such as site BAS017 which is located opposite the Equestrian Centre off Milford Road.

The promoted site BAS016 consists of large buildings that include an indoor ménage as well as storage and stabling; alongside the buildings is an outdoor ménage and large customer car park. As an equestrian centre the site has a recreational leisure use and is not agricultural, which means that the site is considered to be previously developed land. Alongside the existing buildings the site also accommodates a large pond, surrounded by trees. A plan is attached identifying the proposed allocation site, which incorporates all of the brownfield area alongside the pond and existing landscaping. The main access to the equestrian centre is currently off Millford Road which runs along the northern boundary, as well as a small gated vehicular access onto Prescott Court also existing to the east. These existing accesses could suitably serve residential development of the site.

Site BAS016 was considered by the Sustainability Appraisal carried out for the SAMDev Plan, which appraised the sustainability of all sites promoted. This report judged the overall sustainability of BAS016 to be poor, despite the site scoring positively for low landscape sensitivity, good access to public transport and low flood risk. This judgement is considered to be misplaced however, especially as other sites described as having similarly limited access to amenities and a primary school were judged more preferably for overall sustainability as fair or fair/poor, (sites BAS002 and BAS025 respectively). Notably site BAS025 - located opposite to site BAS016, has been put forward as a preferred allocation. The sustainability appraisal has not taken into account the brownfield nature of site BAS016 and the associated preference for development over greenfield alternatives as advised by the National Planning Policy Framework (NPPF), and therefore has not fully considered the sustainability of development on the site in accordance with the recommendations of the NPPF's Core Planning Principles (paragraph 17):

“encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value;”

The adopted Shropshire Core Strategy also advises upon a sequential approach for site selection, which recommends a planning principle that seeks to identify, allocate or develop certain types or locations of land before others – specifically brownfield sites before greenfield sites.

By not including BAS016 in the allocations for Baschurch, the SAMDev has failed to take into account one of the key principles of the NPPF, by not encouraging the re-use of previously developed land. This should be encouraged through planning policies and plan-making according to NPPF paragraph 111:

“Planning policies and decisions should encourage the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value. Local planning authorities may continue to consider the case for setting a locally appropriate target for the use of brownfield land.”

The test advised by the NPPF is whether a brownfield site is of high environmental value. This is not the case for the BAS016 promotion, and therefore the site should be considered preferable for the delivery of housing instead of the current proposed greenfield allocations in Baschurch.

The preferential consideration of a previously developed site above a greenfield site is clearly set out in the Shropshire Core Strategy Strategic Objectives 4: ***“Provide and maintain a sufficient and appropriate supply of housing land in sustainable locations, prioritising the use of brownfield sites, where available, and taking into account the availability and capacity of existing and proposed infrastructure”*** and the site’s allocation will assist in meeting the aim of Policy CS10 to deliver 60% of development on brownfield sites.

The imminent closure of the equestrian business due to the proprietor’s poor health represents an opportunity to develop this brownfield site, which should be considered a highly sustainable opportunity for development at Baschurch. Due to the proximity of the site to existing residential properties off Shrewsbury Road and specifically Prescott Court, alternative uses for the site and large-scale premises in respect of manufacturing or intensive agricultural farming are not considered to be appropriate. Instead, the site should be allocated for residential development, as there are no prospects of the equestrian use continuing on the site. The location immediately adjacent to existing residential dwellings means that any commercial or industrial use on the site would be restricted. Accordingly, without development for residential uses the site will be likely to remain vacant for some time or result in an intensive farming usage that will be likely to cause conflict with neighbouring residential dwellings and proposed housing allocations in the vicinity. The NPPF is emphatic in its prioritisation of previously developed land for site allocation and planning application consideration through delivery of its core planning principles, and therefore the site should be viewed favourably in comparison to SAMDev allocations at Baschurch that are greenfield sites (specifically preferred sites BAS017 and BAS025).

Please use the box below to explain the changes you think should be made to the SAMDev Plan in order to make it legally compliant or sound? You should explain your suggested revisions to the policy, paragraph or section of the Policies Map, and why this change would make the plan legally compliant or sound. Please be as precise as possible (Continue on a separate sheet if necessary)

The SAMDev Preferred options for Baschurch should be amended to include site BAS016 as a proposed allocation, with the development boundary revised to include the site within the settlement. This required revision will take into account the brownfield development opportunity that the closure of Prescott Equestrian Centre will offer to deliver approximately 40 dwellings at Baschurch. By including BAS016 within the SAMDev Plan, Baschurch will have site allocations that are sufficient to deliver between 150 and 200 residential dwellings, in accordance with the settlement guidelines and reducing the SAMDev’s reliance on windfall development and greenfield site development. Notwithstanding this, the previously developed status of site BAS016 means that it should be considered preferable to greenfield sites that have been identified as preferred options.

The preferential consideration of a previously developed site above a greenfield site is clearly set out in the Shropshire Core Strategy Strategic Objectives 4: ***“Provide and maintain a sufficient and appropriate supply of housing land in sustainable locations, prioritising the use of brownfield sites, where available, and taking into***

account the availability and capacity of existing and proposed infrastructure” and the site’s allocation will assist in meeting the aim of Policy CS10 to deliver 60% of development on brownfield sites.

The reconsideration of the site will comply with the NPPF’s core guidelines, which gives preference to development of brownfield sites through an identified sequential assessment of sites that prioritises previously developed land. Now that the Prescott Equestrian Centre is truly available for development, its previously developed status means that the allocation of the site for residential development should be prioritised.

Please be sure that you have provided all the information necessary to support your representations and any changes you are proposing. After this stage you will not be able to make any further representations about the SAMDev Plan to Shropshire Council. Any further submissions will only be possible at the invitation of the Inspector conducting the examination, who may seek additional information about the issues he/she has identified.

Do you consider it necessary to attend and give evidence at the examination?

Yes, I wish to give evidence about my representation at the examination.

No, I wish to pursue my representations through this written representation.

*

If you wish to attend the examination, please explain why you think this is necessary in the box below:

Do you wish to be notified of any of the following? Please tick all that apply. We will contact you using the details you have given above.

When the SAMDev Plan has been submitted for examination	*
When the Inspector’s Report is published	*
When the SAMDev Plan is adopted	*

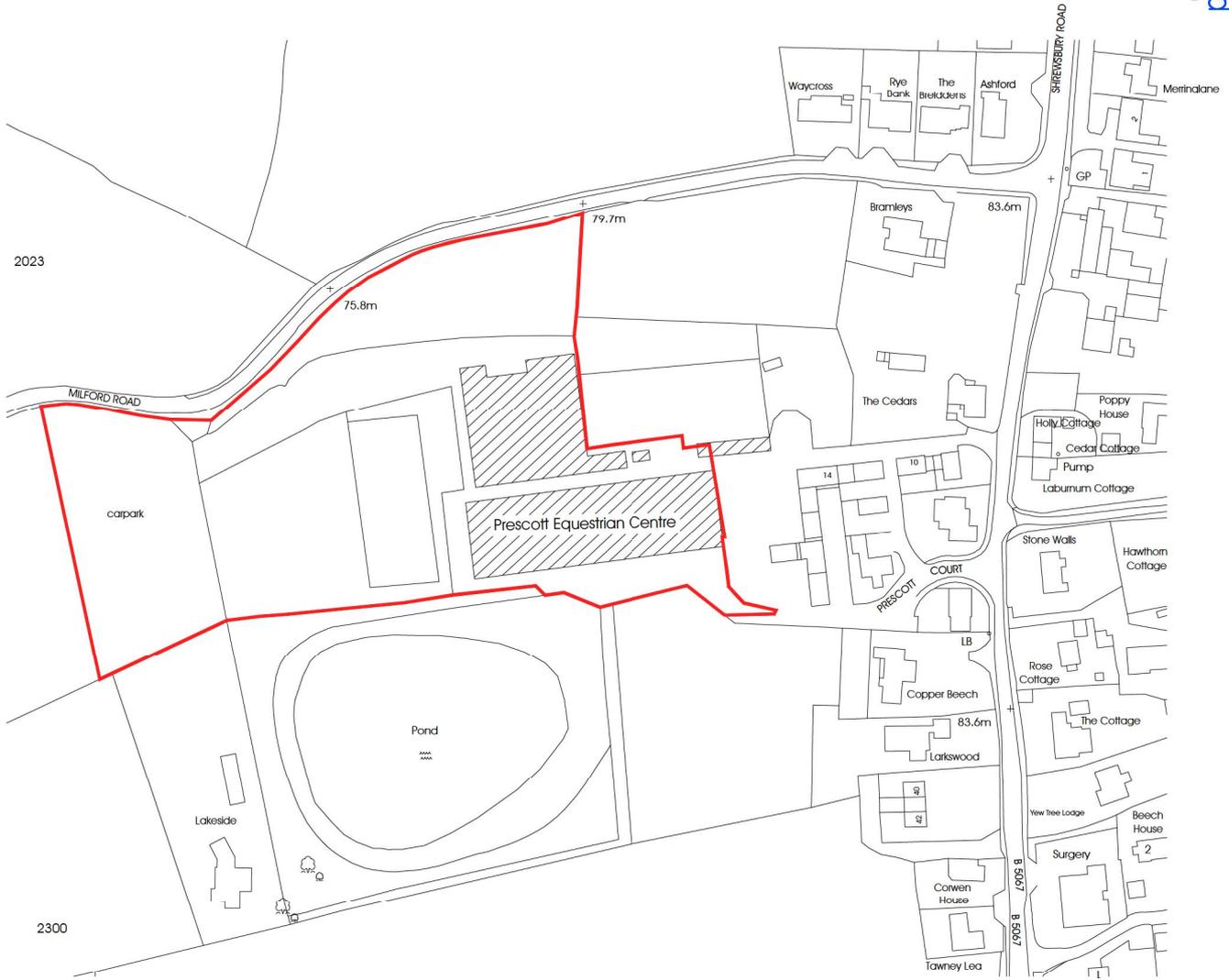
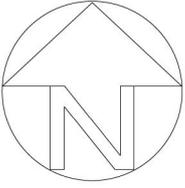
Please return this form by 5pm on Monday 28 April 2014

You can e-mail it to:

Planning.policy@shropshire.gov.uk

Or return it to: Planning Policy Team, Shropshire Council, Shirehall, Abbey Foregate, Shrewsbury, Shropshire, SY2 6ND

Please note, we will acknowledge receipt of representations made by e-mail.



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redline site area 2.253 ha (5.567 acres)

location plan