



**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](http://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](http://www.shropshire.gov.uk/samdev).

**Your details: Who is making this representation?**

Name:	Mr Keith Webster
Organisation (if applicable):	Ancer Spa Ltd
Address:	Royal Oak Business Centre, 4 Lanchester Way, Daventry, Northants, NN11 8PH
Email:	<a href="mailto:tgenway@ancerspa.co.uk">tgenway@ancerspa.co.uk</a>
Telephone:	01327 300 355

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

Name:	Mr Darroll Harrison
Organisation (if applicable):	Local Resident
Address:	

## 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:

Paragraph 3 of Policy S5.1 (on page 110 of the Plan) which states: *'Further to Policy MD3, the release of further greenfield land for housing will be focused to the east of the A49 on sustainable sites adjoining the development boundary'*.

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*):

<b>Positively prepared</b>	
<b>Justified</b>	<input checked="" type="checkbox"/>
<b>Effective</b>	<input checked="" type="checkbox"/>
<b>Consistent with National Policy</b>	<input checked="" type="checkbox"/>

**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).

### Justified

The SAMDev Plan is not 'justified' as, in relation to Church Stretton, paragraph 3 of Policy S5.1 does not represent the 'most appropriate' strategy, when considered against the reasonable alternatives, and is not based on 'proportionate evidence'. In particular, evidence from the local community, including the Town Council, has not been considered in regard to this part of the Policy.

It is also not 'justified', as paragraph 3 of Policy S5.1 is not 'evidence-based'. Indeed the 'evidence' within the SAMDev Sustainability Assessment (page 60) suggests that part of the land referred to within paragraph 3 of Policy S5.1 (which includes

Site CSTR27/09) is not suitable as the *'Highways Agency had concerns over A49 access and couldn't agree to the development'*. The Sustainability Appraisal also notes that for this reason, it *'wasn't carried forward as a preferred site'*.

#### Inconsistency with National Policy

Linked in with this is an inconsistency with National Policy. As paragraph 3 of Policy S5.1 is not based upon up-to-date 'evidence', it is inconsistent with the NPPF.

Paragraph 158 of the NPPF states that *'each local planning authority should ensure that the Local Plan is based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area'*.

Paragraph 159 of the NPPF states that local authorities should *'prepare a Strategic Housing Land Availability Assessment to establish realistic assumptions about the availability, suitability and the likely economic viability of land to meet the identified need for housing over the plan period'*. However the last update of the Strategic Housing Land Availability Assessment (SHLAA) was undertaken in 2009/10, following an initial assessment in 2008. The evidence base is therefore 4-5 years out-of-date. Although a review of the SHLAA (2014) is now being carried out by the local authority, with a current public consultation on the document ending on 7 May 2014, this will not be in time to 'feed into' the SAMDev Plan process. In order to be consistent with national policy, the Shropshire SHLAA update should have been completed prior to the SAMDev Plan, so that the Assessment could 'inform' the SAMDev Plan process.

In our opinion, the 'greenfield land to the east of the A49' is not 'sustainable'. This is, in part, confirmed by the SAMDev Sustainability Appraisal, which notes in relation to Site CSTR27/09 (which forms part of this area), *'the assessment is negative for access to bus transport and the primary school. The eastern third of the site is within 250m of a Wildlife Site'*. As noted above, the Highway Agency also had concerns in relation to accessing the site, and as such could not *'agree to the development'*. The land is greenfield, is located in the AONB and is more remote in terms of pedestrian access from facilities in the Town than are other available sites.

Our view is that, as the land in question is not sustainable, the SAMDev Plan will not enable the delivery of *'sustainable'* development, and so is also not consistent with policies in the National Planning Policy Framework (NPPF), in this regard.

#### Effective

Policy S5.1 paragraph 3 is not 'effective', as other more suitable and sustainable options are available. The land referred to within this paragraph is not required in order to meet the housing needs identified for the plan period. This is demonstrated by the Church Stretton housing numbers and sites allocated to meet this need within the SAMDev Plan.

Should additional sites be required towards the end of the plan period or beyond, further sites have been proposed by the local community. In any event, 'future directions of growth' for Church Stretton and sites to meet future requirements should be identified and analysed at the appropriate time through the SHLAA and Sustainability Assessment process. As an update of the SHLAA Assessment has only just been prepared for public consultation, following a 4-5 year gap, this process is not yet at a sufficient stage to provide sound evidence to inform the SAMDev Plan process.

Policy S5.1 paragraph 3 only refers to release of greenfield land east of the A49 for housing, but it is understood that emerging development proposals for this area of

land also include significant employment and leisure development with associated infrastructure. The cumulative impact of these proposals together with any housing development, particularly on the AONB and specifically on its prime assets of Caer Caradoc and Helmeth Hill should be the subject of full assessment and would probably be 'EIA' development. There would be a general urbanisation of this part of the AONB which would fundamentally alter its intrinsic rural character. This should be a principal consideration in any Sustainability Appraisal and consequently reference in Policy S5.1 paragraph 3 to release of this greenfield land is premature in advance of its full assessment and comparison with other alternative strategies or directions for growth in Church Stretton.

### Conclusions

By including paragraph 3 of Policy 5.1 within the SAMDev Plan, the Plan as a whole is not sound as it is not 'consistent with National Policy', 'justified' or 'effective'.

Any strategic consideration of long-term potential 'directions of growth' and site allocations should take into account the Shropshire SHLAA update and Core Strategy review and be based upon a full assessment of supply and demand in Church Stretton, including progress during the Plan period of the delivery of sites allocated within the SAMdev Plan.

A further concern is that by referring to 'long-term potential' within the Plan now, this will encourage landowner / developers to submit speculative applications during the Plan period. This would be contrary to the principles of the Localism Act 2011 including the duty to co-operate by working with other public bodies such as Church Stretton Town Council on locally determined development strategies. The SAMdev Plan was amended to better reflect the views of the Town Council which included rejection of the 'land east of the A49' option in favour of more sustainable alternatives. Re-introducing this option flies in the face of this previous co-operation.

**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 text within paragraph 3 of Policy S5.1 (on page 110 of the Plan) which states: *'Further to Policy MD3, the release of further greenfield land for housing will be focused to the east of the A49 on sustainable sites adjoining the development boundary'*, should be **deleted** from the document.

Policies within the Plan should be evidence-based and restricted to fulfilling requirements within the plan period.

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:

We have local knowledge of the planning situation and issues in Church Stretton, which would be of value to the inspector.

**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	<input checked="" type="checkbox"/>
When the Inspector's Report is published	<input checked="" type="checkbox"/>
When the SAMDev Plan is adopted	<input checked="" type="checkbox"/>

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

**You can e-mail it to:**

[Planning.policy@shropshire.gov.uk](mailto: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.**

Data Protection Act 1998 and Freedom of Information Act 2000

Representations cannot be treated in confidence. Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012 requires copies of all representations to be made publically available. 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. By submitting a representation on the Pre-Submission SAMDev Plan you confirm that you agree to this.