



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 JBB8006: Wrexham Road, Whitchurch

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:	J Ross Developments
Organisation (if applicable):	
Address:	c/o Agent
Email:	
Telephone:	

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

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

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:

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	✓
Consistent with National Policy	✓

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).

J Ross Developments objects to the omission of land south of Wrexham Road, Whitchurch (WHIT037) from the SAMDev as a housing proposal for some 50 dwellings in a deliverable and sustainable location (as identified on the attached plan). This will remain broadly consistent with the proposed level of 1,200 dwellings being delivered at Whitchurch between 2006 and 2026.

The site is proposed as an additional site to meet the need for housing delivery in Shropshire. The large scale proposal at Tilstock Road is considered likely to remain incomplete at 2026 given its scale.

The land south of Wrexham Road, Whitchurch is the subject of a current planning application. Consultation on the application has identified no grounds for the refusal of planning permission. The site constitutes sustainable development under the terms of the NPPF and there is a current shortfall in housing land supply such that development plan policies relating to housing delivery are not up to date.

The land at Wrexham Road has been included for housing allocation at an earlier

stage of the SAMDev preparation. No sound planning reasons have been adduced in RPS Planning & Development's view to justify the non-selection of the site. Highway conditions on Wrexham Road are not severe and do not justify refusal of planning permission. Further, J Ross Developments has presented opportunities for parking and traffic conditions to be improved within the Wrexham Road corridor if this were concluded to be necessary by the Local Highway Authority.

At the previous consultation stage, the SAMDev stated that the one of the reasons for increasing the housing target to 1,200 dwellings (i.e. by an extra 200 dwellings) was to allow the delivery of community infrastructure for the town through additional developer contributions. Whilst the principle of this is supported, the revised target then included the increase of windfall development by 28 dwellings, from 128 to 156 dwellings in the absence of evidence to support this being feasible. RPS did not consider that windfall developments will contribute towards the delivery of community infrastructure to the same extent as positively planned and allocated housing land, notwithstanding the operation of the Community Infrastructure Levy. The windfall figure should not be increased and instead the additional dwellings should be included within sustainable site allocations.

At pre-submission stage the SAMDev is now presenting completions and commitments totalling about 300 dwellings and housing allocations totalling 733 homes. This leaves a balance of 169 dwellings to be met on windfalls which is a higher assumption level again. The allocation of the land south of Wrexham Road for some 50 dwellings will reduce the high reliance of windfalls, assist short term housing supply and achieve greater certainty in the delivery of needed new homes.

RPS and J Ross Developments consider that the allocation of land for 60 dwellings west of Oaklands Farm, Waymills should only be in addition to, and not instead of, the Wrexham Road site.

In August 2013, J Ross commented on the revised SAMDev Preferred Option documentation in the following terms, which remain relevant at Pre-Submission stage and reproduced accordingly (updated as appropriate):

This section reproduces a detailed response in relation to Question 4 of the Whitchurch Revised Preferred Option SAMDev chapter and the proposed removal of the proposed housing allocation at Wrexham Road, Whitchurch (WHIT037).

"4. Do you agree with the removal of the proposed housing allocation at Wrexham Road (WHIT037)?

RPS on behalf of J Ross strongly disagrees with and objects to the proposed removal of the Wrexham Road housing allocation from the SAMDev. It remains a sustainable and suitable site for housing development as indicated in the Whitchurch Housing Sites Assessment. The grounds presented to seek to justify the site's 'de-selection' are unfounded. Objection based on unfounded technical concerns should not justify the de-selection of a site. It is not accepted that other selected sites are more suitable based on a lower level of objection (where the objections to the de-selected site are unfounded).

Site Promotion

The site at Wrexham Road was initially promoted as part of a larger comprehensive site for approximately 350 dwellings. At Preferred Option stage, the larger site was concluded not to be a suitable site for development in its entirety in the plan period, where land at Tilstock Road was to be preferred as the larger strategic site at Whitchurch. However, the smaller parcel of land comprising 2.1ha on the Wrexham Road site frontage within the wider site was included in the March 2012 SAMDev Preferred Options document (reference part of WHIT037) as a preferred housing site for 60 dwellings, to contribute towards the then 1,000 dwellings proposed for delivery at Whitchurch between 2006 and 2026, of which

602 dwellings were to be allocated. The site was also to include a new access off Wrexham Road and to provide landscape improvements to the east of the site. The site's preference as a housing allocation referred to the need to provide demonstrable highway capacity improvements along Wrexham Road.

The Whitchurch Place Plan for the SAMDev Revised Preferred Options report states that there were many responses to the previous 2012 consultation objecting to the WHIT037 site, including objections from the Town Council, particularly relating to the impact of the development on traffic flow and safety along Wrexham Road. This appears to be the basis for the de-selection of the site as an allocation.

Proposed Highway Improvements

J Ross has been in discussion with Shropshire Council Highway engineers regarding highway improvements along Wrexham Road for a number of years. A Highways and Car Parking Management Scheme was prepared as a result of detailed car parking and traffic surveys in response to highway concerns (as reflected in the SAMDev Preferred Options document), and was submitted to the Council to demonstrate that even with a 60 dwelling scheme on the site at that time, Wrexham Road would operate well within its capacity. This has been agreed with the Council's Highway Officers.

Therefore, it is a matter of agreement that highway capacity improvements are **not** a requirement as mitigation for a 60 dwelling scheme as there would be sufficient capacity for Wrexham Road to accommodate the development, and therefore the impact on traffic would be minimal.

Nevertheless, it is understood that there are **existing** traffic problems along Wrexham Road due to on-street parking by residents along both sides of the road. The on-street parking creates a narrow road which does not allow enough space for the flow of two-way traffic, and there are currently no passing places along the road to facilitate the flow of traffic under current conditions. This causes congestion for traffic leaving Whitchurch, and there is clear evidence that this causes cars to exceed the 30mph speed limit along Wrexham Road into Whitchurch as drivers seek to pass through the constricted section of the road in as short a time as possible. It is acknowledged that traffic speeds on the constrained section of the road (at 85th percentile recorded) are approximately 38mph, which is a significant highway safety issue particularly for pedestrians in a residential area.

Even though highway capacity improvements are not required for the proposed development, the Highways and Car Parking Management Scheme prepared on behalf of J Ross proposes improvements along Wrexham Road, which could be provided as a betterment, linked to development of the site, to reduce traffic speeds on the approach into the town, and improve traffic flow along the road. It is also recognised that the Council currently does not have funds to provide these improvements. It should also be stressed that the submitted scheme is one potential design and alternatives can be considered. It does, however, demonstrate that a scheme can be introduced that can deliver significant highway safety benefits to resolve an existing situation as a betterment accruing from development of a site objectively assessed to be suitable for housing in the locality.

The suggested improvements proposed in the Highways and Car Parking Management Scheme to the Council included the construction of three sections of off-street frontage parking of four spaces in each, and restrictions to parking at these sections to provide traffic calming and enable traffic to pass at these locations. In addition, 10 off-street spaces were proposed to be included within the highway verge for residents, and on-street parking was to be removed where

off-street parking is available.

As referred to above, these improvements were only provided to the Council as indicative measures as one possible scenario for improving traffic flow along Wrexham Road. It is significant that the Highways Authority did not object to the proposals, nor to the site's previous inclusion as an allocation in the SAMDev Preferred Option in March 2012. The Highways Authority has not sought the site's de-selection and has recognised that the development can provide a betterment in respect of highway safety.

Despite the proposed highway betterment measures which were prepared in response to the concerns from the Preferred Options consultation, the site was not carried forward as an allocation in the SAMDev Revised Preferred Options nor in the Pre-Submission draft plan, which is a matter of strong objection by J Ross.

The main reasons for the exclusion of the site in 2013 related to outstanding traffic impact concerns in relation to congestion and safety along Wrexham Road, significant negative consultation feedback, and the purported presence of more suitable sites to meet the overall housing need. Despite J Ross providing the Council with proposed highway improvements, the SAMDev states that there is uncertainty with regard to the appropriateness and effectiveness of the measures proposed.

RPS and J Ross fundamentally refute the Council's identified reasons for the site's proposed de-selection as a housing site from the SAMDev. The uncertainty about the effectiveness and appropriateness of the particular highway improvement scheme should not be a reason for excluding the site as an allocation, particularly when these measures are not a requirement for mitigation of the proposed development but were proposed by J Ross as one potential means of delivering a benefit for the area which cannot currently be funded by the Council.

The delivery of an agreed safety scheme remains a significant betterment that could accrue from the allocation and delivery of the Wrexham Road site and is a matter to which weight should appropriately be attached in the comparative assessment **in support of** the proposal rather than as a reason for preferring an alternative location.

Housing Target and Delivery

It was noted that the SAMDev Revised Preferred Option stated that 311 dwellings have been completed between 2006 and 2013 or committed through planning permissions at 2013, leaving sites for a further 889 dwellings to be identified for delivery in the remainder of the plan period in Whitchurch. More recently, the committed level has been reassessed to be only some 300 dwellings including completions between 2006 and 2013.

There are concluded to be two key areas of uncertainty over the successful delivery of the 1,200 planned new homes in Whitchurch between 2006 and 2026. These are the scale of the windfall target which was 17.5% of the residual requirement (156 out of 889) and the scale of increase in capacity of the Tilstock Road proposal. The previous Preferred Option proposals for windfalls and the Tilstock Road site delivery in the plan period are considered achievable at 128 and 307 dwellings respectively. Accordingly, there is significant doubt over the delivery of new homes at Whitchurch in the plan period.

It is concluded that the retention of the housing allocation at Wrexham Road would provide a sustainable and deliverable development which brings desirable and achievable local benefits, including the proposed betterment proposals along Wrexham Road, which cannot be delivered through windfall developments.

Suitability for Residential Development

The WHIT037 site is in a sustainable location adjacent to the settlement boundary

and properties along Wrexham Road and on Belton Road. It is, therefore, considered that the settlement boundary could easily be amended to include the site without causing any detrimental impact. The site would be well related to the adjacent properties and be well contained by existing natural boundaries, and any development on the site would cause minimal visual impact on the surrounding area.

In relation to the larger site previously proposed for around 350 dwellings, the North Shropshire Local Plan Inspector concluded that the site had good accessibility to public transport; is well contained in terms of its impact on the surrounding countryside and could be integrated visually with surrounding landscape through appropriate landscaping; does not have any technical constraints including ecology, access/highway capacity or flood risk; and development could easily be absorbed into the existing urban area without causing any detrimental impact on the character and setting of Whitchurch.

RPS, therefore, does not consider there to be any constraints to providing a more limited development of some 50 dwellings on the site, and considers that it should be reintroduced as a housing allocation for about 50 dwellings in the SAMDev.

5. Do you agree with the proposed increase in housing numbers at the preferred Tilstock Road site allocation (WHIT009) from 307 to 500 dwellings?

The site WHIT009 was rejected in the 2009 SHLAA due to access constraints and it involving development beyond the natural boundary of the dismantled railway. The Council's Landscape Sensitivity and Capacity Study identified the northern part of the Tilstock Road site as having medium/high sensitivity with low capacity for housing. The site is in a highly visible location to the south of Whitchurch. The impacts of a development of 500 dwellings at this location will be significantly more challenging to mitigate than the previously proposed scale of 307 dwellings. As stated above there are also significant concerns over whether the extended site capacity is deliverable in the plan period.

RPS objected to the proposed increase in the housing allocation of the Tilstock Road site from 307 to 500 dwellings, particularly in the context of the more favourable Wrexham Road site (previously proposed for 60 dwellings) then being proposed for de-selection from the SAMDev. As previously stated, the site at Wrexham Road was included in the previous Shropshire SHLAA as Site WHIT004, but was rejected for being contrary to existing policy but was considered as having potential for future housing development. RPS considers the Wrexham Road site to be a highly suitable location for development, which could be easily incorporated into the existing settlement boundary causing minimal visual impact, compared to the Tilstock Road site.

Therefore, if the Tilstock Road site is to be included as an increased allocation for large-scale development, RPS considers that the site's deliverable capacity in the plan period should be objectively assessed (at a level well below 500 dwellings) and the increase should not be at the cost of replacement of the Wrexham Road site in the SAMDev for about 50 dwellings as now proposed by J Ross. There are unlikely to more than 10 or 11 years of housing production at Tilstock Road in the plan period, allowing for the planning and initial infrastructure stages. It is considered unrealistic to anticipate more than 35 dwellings to be achieved on average per year on the site, where only 10% affordable housing is expected, which could yield a maximum of 385 dwellings on the site assuming full production for 11 years.

Conclusions

As stated above, RPS and J Ross strongly objected to the proposed de-selection of part of site WHIT037 as an allocation for housing from the SAMDev. The site is in a highly sustainable location and was previously considered by the Council as a

preferred housing site following objective assessment. The reasons for proposed de-selection are not robust and do not withstand objective scrutiny.

RPS does not agree with the increase in allocation for the site WHIT009 Tilstock Road, as this site is considered to be less suitable than land at Wrexham Road for development due to its landscape sensitivity. Further, there is considerable doubt that more than 385 dwellings could be delivered on the Tilstock Road site in the Plan period to 2026 even if the increased capacity were accepted as suitable. This site should not be increased by 193 dwellings in favour of the Wrexham Road site.

In addition, site WHIT051 Oaklands Road, whilst being acknowledged to be a potentially suitable location for development, should not be allocated in preference to the Wrexham Road site. Comparative advantages do not exist in RPS's view to merit the Oaklands Road site's selection over land at Wrexham Road when weight is attached to the clear scope for highway safety improvements as betterment accruing from the Wrexham Road site. Therefore, RPS does not agree that the Oaklands Road site is a more sustainable alternative.

RPS also disagrees with the Council relying on previously 156, and now 167 windfall dwellings to achieve the housing target of about 1,200 dwellings to 2026 for Whitchurch in the absence of any evidence to support an increase from 128 dwellings as the windfall allowance in the initial Preferred Option SAMDev. The apparent approach is that a residual calculation has been undertaken using the revised selection of sites and the remainder has become the windfall target. Positive allocations of land for housing linked to infrastructure improvements and contributions is a more sustainable approach and in conformity with the NPPF and in line with the aims of the Place Plan increasing the target to 1,200 dwellings.

There do not appear to be any substantive reasons for excluding the site as an allocation in the SAMDev.

RPS on behalf of J Ross therefore requests that the site is re-instated within the SAMDev for about 50 dwellings.

The SAMDev is currently considered not have been positively prepared, is not effective, is not justified and is inconsistent with the NPPF in respect of the objective of significantly boosting housing delivery against objectively assessed needs.

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 Whitchurch Proposals Map should be amended to extend the settlement boundary to include land south of Wrexham Road, Whitchurch and identify this proposal. Schedule S18.1a should include:

Site	Development Guidelines	Provision
Land south of Wrexham Road	Development subject to a new primary vehicular access on Wrexham Road; site to drain into existing highway and foul sewers; landscaping and open space to be provided; layout to facilitate potential further longer term development south of Wrexham Road within the A51 Whitchurch Bypass.	50

If these changes are made, the objection will be withdrawn.

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:

Oral evidence will assist in demonstrating the acceptability of a housing allocation on the Wrexham Road frontage in the context of technical assessments made of the site through promotion of the land through the SAMDev and the current full planning application.

Attendance at the Examination will not be necessary in the event the current planning application is permitted.

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.

Data Protection Act 1998 and Freedom of Information Act 2000

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Representations Form JBB7402: Oswestry SUE

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

Policy S14.1, and Schedules S14.1a and S14.1b, pages 163-166
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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	
Consistent with National Policy	

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J Ross Developments (J Ross) supports the spatial strategy of SAMDev in respect of the proposed approach to the strategic urban extension (SUE) to the south east of Oswestry (Site reference OSW024). The proposal in the SAMDev is a departure from the Core Strategy in respect of land uses within the SUE. However, this is justified by the introduction of additional employment land in the area of the Mile End A5(T) junction which justifies a residential focus for the urban extension west of A5(T) to the south east of Oswestry. There has been extensive consultation through the SAMDev process of the revised spatial strategy in the area to the south east of the town. The SUE will be brought forward through an outline planning application in the context of an overarching Masterplan. The masterplan will establish land use and implementation/ delivery principles including the provision of necessary linkages between land uses and areas within the south east of the town. J Ross is in discussions with the other land owners at south east Oswestry with a
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view to bringing the comprehensive development of the area forward for phased delivery in the plan period to 2026.

The Masterplan and outline planning permission will address the delivery of affordable housing and infrastructure for the SUE having regard to the Shropshire Community Infrastructure Levy, local policy on on-site provision of informal open space buffers, the need for sustainable transport measures and viability considerations.

It is anticipated that the principal works associated with providing sustainable transport links across the A5(T) for the proposed employment land allocation at Mile End East (Site ELR072) will be the responsibility of the promoters of the employment land allocation (noting that no CIL will be levied from commercial development in this location).

For the avoidance of doubt a separate objection has been made to the commentaries on Sites OSW024 and ELR072 expressly seeking changes which reflect the fair and equitable apportionment of infrastructure costs associated with each site in respect of sustainable transport measures and the provision of improved or new links serving development.

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)

A separate representation presents changes sought to Schedules S14.1a and b relating to infrastructure requirements for Sites OSW024 and ELR072.

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.

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

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

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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:

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Sound	Yes	No ✓

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Positively prepared	
Justified	✓
Effective	✓
Consistent with National Policy	

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).

J Ross Developments strongly supports the principle of the proposed allocations for the sustainable urban extension at south east Oswestry and the proposed employment land allocation at Mile End East. However, for effective delivery of development there needs to be clarity and equity in the context of how necessary infrastructure to serve and facilitate planned development should be secured and delivered.

Objection is made to the text in Schedules S14.1a and b in respect of sites OSW024 and ELR072 in respect of the reference to infrastructure requirements in the 'Development Guidelines'. If it is responded that the text is only 'guidance' and other considerations will inform what infrastructure is sought from any particular planning application, then the question is begged what is the value of the guidelines in the plan?

J Ross advocates an approach that seeks to provide greater clarity having regard to the wider context of infrastructure delivery mechanisms and practice in Shropshire. A Community Infrastructure Levy (CIL) is in place which has clear charging rates which apply to market residential development. Place Plans are also in place and kept up to date which seek to prioritise and programme infrastructure delivery in different localities across Shropshire including the large market town of Oswestry.

In this context, it is possible and appropriate for more clear and specific guidelines to be set for infrastructure provision associated with different development proposals and proposed allocations.

In respect of south east Oswestry, J Ross anticipates that the OSW024 site would address linkages within the site including the identified new link road between Middleton Road and Shrewsbury Road in the form of on-site provision. Similarly, the establishment of linear routes and informal open spaces would be 'part of the development'. CIL would be collected centrally by Shropshire Council but, under the local protocols, it is expected that most of the CIL will be captured at Oswestry to deliver Place Plan priorities which include improvements to the A5(T) and A483 junctions. The Shropshire CIL is also intended to cover the provision of formal recreation and play facilities. There is a potential need for additional land for school provision at Oswestry. It has been agreed that if this requirement arises, the school can be appropriately located within the defined open space area to be established in the Masterplan for the site.

It should be noted that the south east Oswestry SUE is located adjacent to the recently built Oswestry Leisure Centre and benefits from a good range of leisure and recreation provision.

The principal issue of contention concerns the reference in Schedule S14.1a in OSW024 to "facilitation of improvement to the A5/A483 trunk road junction and the provision of pedestrian/cycle links to the proposed employment land at Mile End East, and sustainable transport improvements" and in Schedule S14.1b in ELR072 to "development subject to access off and improvements to the A5/A483 Mile End junction, and the provision of pedestrian/cycle links to/from Oswestry".

If 'facilitation of improvement to the A5/A483 trunk road junction' is intended to refer to the CIL contribution this is not objectionable in the context of OSW024. The ELR072 site is commercial use and therefore does not attract CIL and a definite S106 contribution would be justified.

J Ross considers that the provision of pedestrian and cycle access to the ELR072 site should be a requirement on that site, including crossing facilities on A5. The limit to reasonable contributions from the SUE site in this context is considered to be links to Shrewsbury Road to 'facilitate pedestrian and cycle access to the proposed employment land at Mile End East'.

The general reference to 'sustainable transport improvements' is considered too open ended. If the intention is that such measures will be covered by CIL this would be acceptable, but the Plan should state this.

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 in Schedule S14.1a for Site OSW024 after ' Middleton Road,' in line 9, should be amended to state:

"facilitation through Community Infrastructure Levy of improvement to the A5/A483 trunk road junction and sustainable transport improvements associated with the site, and on site pedestrian and cycle provision to facilitate linkages to the Town Centre and proposed employment land at Mile End East".

The text in Schedule S14.1b for Site ELR072 should be amended to state:

"Development subject to access off and improvements to the A5/A483 trunk road junction, contributions towards sustainable transport improvements associated with the site, and provision of pedestrian and cycle link across the A5 to the proposed Eastern Gateway Sustainable Urban Extension and contributions towards pedestrian/cycle links to/from Oswestry town centre, and landscape buffers to A5".

The supporting Explanation text to the schedules should also be amended accordingly.

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:

Infrastructure delivery considerations are central to successful delivery of the spatial strategy and land use allocations.

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

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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 JBB8064: Rocks Green, Ludlow

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:	J Ross Developments
Organisation (if applicable):	
Address:	c/o Agent
Email:	
Telephone:	

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

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

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:

S10.1a Ludlow Area Housing Sites and Explanation, pages 140-144

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

Support	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Object	Yes	<input type="checkbox"/>	No	<input checked="" type="checkbox"/>

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	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>
Sound	Yes	<input checked="" type="checkbox"/>	No	<input type="checkbox"/>

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	<input type="checkbox"/>
Justified	<input type="checkbox"/>
Effective	<input type="checkbox"/>
Consistent with National Policy	<input 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).

J Ross Developments strongly supports the long term spatial strategy for Ludlow in the SAMDev in respect of the direction of planned growth to the east of the town and the phased approach to delivery of growth including land at Rocks Green in the north and mixed use development north of Sheet Road to the south in the plan period to 2026.

There are significant constraints to development in other locations at Ludlow which are concluded to significantly undermine the sustainability of housing and associated growth in those locations. The constraints include the effect of the A49 Ludlow Bypass and the position of railways which heavily constrain the potential for sustainable travel routes to and from land to the north of the town within the line of the A49 bypass.

The undeveloped land to the south of Ludlow is subject to significant environmental sensitivity and also there are extensive areas of flooding risk.

Accordingly, the strategy of planned expansion of the town east of the A49 between

Rocks Green and Sheet Road provides the most logical and least constrained location for growth. This has support from the urban and rural Parish Councils.

J Ross is undertaking a programme site assessment work with a view to bringing the LUD017 site forward for development. Access can be taken from the A4117 to the north of the site and suitable safe crossing arrangements can be provided and land safeguarded as appropriate for future potential improvements associated with later development phases.

Ecology

An ecological assessment has been undertaken of the site by Greenscape Environmental Limited. The assessment sought to determine the presence or absence of protected species and potential for the damage or destruction of habitats of ecological value associated with the proposed allocation of the site for development and a future planning application. A Phase 1 ecological appraisal and Phase 2 bat activity surveys were conducted in the period from May to July 2013. Using established records, it was found there is evidence of protected species within 1km including common pipistrelle (*Pipistrellus pipistrellus*). However, no designated sites notified under Section 28 of the Wildlife and Countryside Act 1981 were found within the vicinity of the site, thus there would be no impact expected from this development. The fields are considered to be of low ecological value, comprising semi-improved neutral grassland.

Some of the hedges are mixed species hedges and considered to be of ecological value and importance. Removal of any of these will require permission as they are considered to be protected by the Hedgerow Regulations 1997. Landscaping can ameliorate their loss or incorporate their retention. Three large trees on the land were assessed for bat potential and low numbers of bat activity, mainly common and soprano pipistrelle bat were recorded. It will be recommended that these trees and the hedge connection are left in situ.

Two ponds were assessed for potential to support great crested newts. Neither are considered to have good potential. The pond within the field was dry for the majority of the site visits and heavily churned by cattle. One sited on adjacent land was found to be small and totally shaded with trees. Phase 2 surveys for GCN are not considered necessary. No other protected species were recorded in the vicinity of the site.

Conclusion

It is concluded that the development can proceed without the loss of favourable conservation status of any protected species. However, the mature hedgerows and trees should be included in the landscaping scheme. The hedgerows around the site are considered to be historic and therefore protected by the Hedgerow Regulations. This will have to be taken into consideration in the landscape plan for the site. It will be recommended that lighting is limited along the hedge boundaries to remain on the site. If the mature ash and oak trees require removal then it is expected this will need to be conducted under licence from Natural England.

Enhancements such as provision of nesting boxes, bat boxes, and open space to include a pond, or the enhancement of the existing site of a pond, will be recommended. There are no other ecological constraints to the development as planned.

Masterplanning and Concept Design

J Ross is preparing a concept masterplan for the site based on site assessments and will use this as the basis for public consultation prior to the submission of a planning application.

The site is suitable, available and deliverable.

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)

There is no need to amend the SAMDev in respect of housing proposals at Ludlow and particularly Proposed Site LUD017, Land South of Rocks Green for which about 200 dwellings are proposed.

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:

Attendance at the Examination should not be necessary.

However, J Ross would be willing to appear on behalf of Shropshire Council in the event that there are challenges to the principle of the LUD017 site or its deliverability or if there are proposed modifications to the Plan which seek the deletion or alteration of the proposed allocation on the site.

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.*

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