



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:	Dr Heather Hidden, Chairman
Organisation (if applicable):	Oswestry and Border History and Archaeology Group
Address:	

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

Name:	
Organisation (if applicable):	Responding on behalf of Oswestry and Border History and Archaeology Group
Address:	
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:

Schedule S14 1a Allocation of Land of Whittington Rd OSW004

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

Oswestry and Border History and Archaeology Group are objecting because keeping OSW004 in SAMDEV conflicts with all the listed points of soundness. The document has not been positively prepared, it is not justified, it is not effective and it is not consistent with national policy.
It is not legally compliant as OSW004 has been included without due consideration of the impact of a development of 117 houses on the heritage significance of the nationally important scheduled monument of Old Oswestry Hillfort. It would have a major detrimental effect on the views to and from the hillfort, and adversely affect the heritage significance of a site substantially unchanged for three millennia.

1. Not positively prepared.

There has been inadequate investigation of the potential archaeological significance of the proposed building site, and a failure to attend to or share advice other than that submitted by the developers, despite representations by other professionals and academics which have shown that this advice is inadequate and not in line with the NPPF.

2. Not justified.

The plan has failed to take into account local, national and international objections including a petition with over 8000 signatories and the accompanying pleas and requests for recognition of the unusual importance of the site from a host of eminent academics. Oswestry and Border History and Archaeology Group was established to enhance the understanding and appreciation of Oswestry's heritage, and are opposed to the plan, as are Oswestry Town Council, and Selattyn and Gobowen Councils. The plan fails to counter these numerous objections and has failed to explain why alternative strategies have not been pursued, including a more rigorous assessment of the potential of vacant sites within the town.

3. Not Effective

Any application for development of OSW004 would not be compliant with National Planning Policy Framework which in paragraph 131 states that in determining planning applications local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation, and the positive contribution the conservation of heritage assets can make to sustainable communities by supporting their economic vitality.

The pre-submission draft of SAMDEV 12/3/2014 states in

MD13. 4.139. Heritage assets are a finite, non-renewable resource and great care must therefore be taken when determining applications which result in a loss of significance, either partial or total. Proposals adversely affecting either the significance or setting of designated or non-designated heritage assets will therefore be rejected unless the harm to the significance of the asset is outweighed by the public benefits of the proposal and there are no satisfactory alternatives. In making this decision the significance of the asset, its level of importance, the degree of impact and opportunities for a viable beneficial use of the asset will be taken into account. Proposals which would result in harm, or a loss of significance, to a designated heritage asset, including the setting, will be determined in line with national policy.

Oswestry is fortunate in possessing a heritage asset of national and international significance which contributes to the town's distinct identity. There are cultural links with the Oswestry born poet Wilfred Owen who may have been influenced by time spent training on the hillfort during World War 1. By directly impinging on a heritage asset the plan contradicts the guidance in MD13. 4.139.

4. Not consistent with national policy

Shropshire county council would be ignoring National Planning Policy Framework guidance which states that Local Planning Authorities should have a positive strategy for the conservation and enjoyment of the historic

environment. The present setting of the Old Oswestry Hillfort would be diminished rather than enhanced and the plan ignores the significance of the immediate hinterland to a nationally important monument.

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)

Removal of OSW004 from the plan and identification of alternative sites including the opportunities for further conversion of unoccupied commercial properties within the town to provide residential accommodation

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:

I wish to attend to represent the views and expertise of Oswestry and Border History and Archaeology Group, and to counter the failure to value the significance of Oswestry's major heritage asset.

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

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.