

Our Ref: SAT004-28-04-2014  
Your Ref:  
28 April 2014

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Dear Sir,

### **Site Allocations and Management of Development (SAMDev) Plan: Representations**

With reference to the above please find enclosed representations on behalf of our client, Barratt Homes.

The enclosed representations should be considered alongside our representations to earlier stages of this plan which relate to land north of Meadow Drive, Shifnal (SHLAA Ref. SH1017/A).

Our clients objections to the current version of the Plan are outlined below.

#### **Housing Land Supply - Context**

It is clear from the latest Annual Monitoring Report (AMR) that rates of housing completions are below those set out in the adopted Core Strategy which results in there not being a deliverable five year housing land supply at this time, therefore, as per paragraph 49 of the National Planning Policy Framework policies in relation to the Local Plan must be regarded as out of date.

In the context of the shortfall in housing land supply and lower rates of delivery (when compared to the requirements of the Core Strategy), our client does not consider the Plan to be sound with regard to Policies MD1, MD3, MD6 and S15 for the following reasons.

#### **Policy MD1 - Scale and Distribution of Development**

The Core Strategy was adopted prior to the introduction of NPPF. Whilst the adoption of a plan prior to NPPF can be acceptable, the Plan must conform with the policies set out in NPPF. It is our view that the Core Strategy does not comply with the policies in NPPF and therefore a further Plan based on an outdated Core Strategy cannot be considered to conform with NPPF and cannot therefore be "sound".

As outlined above, there is not a deliverable five year housing land supply and given the ongoing shortfall in terms of housing completions there is little prospect of this matter being quickly resolved.

Whilst policy MD1 seeks to manage housing land supply, it is clear that Development Guidelines for the settlements (including Shifnal) are too restrictive and therefore do not offer sufficient flexibility to respond to the undersupply of housing.

#### Policy MD3 - Managing Housing Development

Policy MD3 seeks to ensure there is a continuous supply of housing to meet as a minimum a deliverable five year housing land supply. The policy identifies the need to consider alternate sites beyond the settlement boundary to maintain a deliverable supply. However, as written the policy would only allow for development outside of settlement boundaries where it accords with settlement policy. This approach will not effectively manage the delivery of housing and therefore the policy as written is not sound.

#### Policy MD6 - Green Belt

Given the issues highlighted in our objections to Policies MD1 and MD3 it is clear of the requirement for a full review of the Green Belt now, rather than to inform a future Plan. There are sites across Shropshire that currently fall within areas of Green Belt which are well contained and have the benefit of clear defensible boundaries, such sites are not therefore considered to meet the wider aims and objectives of the Green Belt in terms of maintaining openness and preventing urban sprawl.

Given the clear issues with housing delivery there is an urgent need for a full Green Belt review, this should be regarded as an essential part of the evidence base for this plan.

#### Policy S15 - Shifnal

Policy S15 clearly identifies Shifnal as a sustainable settlement given its public transport connections, proximity to centres of employment and provision of local services and facilities. Our earlier representations have also set out the sustainable location of our clients site in relation to the services and facilities in Shifnal.

Our clients site is currently identified as safeguarded land which may be brought forward after the current plan period. Given the current issues with housing land supply emerging policy should encourage the early delivery of such sites to increase housing delivery. Our clients site should therefore be allocated for residential, or alternatively the safeguarded policy should be amended to allow such sites to come forward where there is not a five year supply of housing.

#### **Conclusion**

For the reasons summarised above and set out within the attached representations, our client objects to policies MD1, MD3, MD6 and S15. We do not therefore consider these policies to be "sound" as written and therefore we are of the view there is considerable conflict with NPPF at this time.

If you should require any further clarification please do not hesitate to contact me.

Yours Sincerely

**Shaun Taylor BA (Hons) MCD MRTPI**  
**Managing Director**



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

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

Name:	Mr Shaun Taylor
Organisation (if applicable):	SATPLAN LTD
Address:	35 Ashdale Road, Walton, Merseyside,L9 2AA
Email:	shaun@sat-plan.co.uk
Telephone:	0151 524 3226

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

Name:	Mr Richard Pitt
Organisation (if applicable):	Barratt West Midlands
Address:	60 Whitehall Road, Halesowen, West Midlands, B63 3JS
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:

Policy MD1 - Scale and Distribution of Development

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>x</b>
<b>Justified</b>	<b>x</b>
<b>Effective</b>	
<b>Consistent with National Policy</b>	<b>x</b>

**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).

This policy seeks to deliver the housing requirements set out in adopted Core Strategy (Policy CS1), which identifies a need for 27,500 new dwellings over the period 2006-2026. There are two fundamental issues to this approach:

1. The Core Strategy was prepared and adopted prior to the introduction of NPPF. Whilst it is acknowledged that a Core Strategy / Local Plan can be in conformity with NPPF where it has been prepared and adopted prior to NPPF, it is clear that the policies in the Core Strategy must reflect the overall aims and objectives of NPPF. In this instance, it is clear that this is not the case given that the Core Strategy housing requirements reflect those identified in the now outdated and revoked Regional Spatial Strategy.
2. The Council acknowledges there is not a five year deliverable housing land supply in

Shropshire. It is therefore clear that the Core Strategy is failing to meet the requirements of NPPF in terms of boosting significantly the supply of housing (Para. 47).

For example, the Core Strategy identifies the following annual rates of completions:

2006-2011 1190 dwellings  
2011-2016 1390 dwellings  
2016-2021 1390 dwellings  
2021-2026 1530 dwellings

The Annual Monitoring Report for the period 2012-2013 identified 847 net completions, therefore well below the target of 1,390 dwellings. On this basis, policy MD1 cannot be regarded as positively prepared, justified or consistent with national policy.

At point 2 of Policy MD1, reference is made to having regard to the principles and development guidelines set out in settlement policies S1 - S18. Given the current position with regards to housing land supply (i.e. less than 5 years) the development guidelines are considered to be too restrictive and do not allow sufficient flexibility to meet housing requirements. Further representations have been lodged with regard to S15: Shifnal Area which demonstrates why the development guidelines are too restrictive and do not offer sufficient flexibility for changing circumstances.

**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)

Overall, it is clear there is a need for an early review of the Core Strategy to reflect the latest CLG population projections, which in turn will determine the objectively assessed housing needs for Shropshire as required by NPPF. Policy MD1 cannot be considered sound without a review of the Core Strategy. If however, the Council is minded to move forward with Policy MD1 it will be necessary to ensure sufficient flexibility to allow for residential development where it meets the requirements of NPPF in terms of the presumption in favour of sustainable development regardless of the development guidelines currently referred to in this policy.

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:

This policy is flawed given that it is based on an outdated Core Strategy which does not reflect the requirements of National Planning Policy. This matter needs to be subject to full discussion at EIP rather than dealt with by written representations.

**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	x
When the Inspector's Report is published	x
When the SAMDev Plan is adopted	x

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

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

Policy MD3 - Managing Housing Development

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>x</b>
<b>Justified</b>	<b>x</b>
<b>Effective</b>	
<b>Consistent with National Policy</b>	<b>x</b>

**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).

At point 4 of the policy, reference is made to the potential consideration of alternate sites (beyond the settlement boundary that accord with settlement policy) to meet housing requirements that will not be achieved by the end of the plan period.

This approach does not seek to effectively manage the delivery of housing over the plan period, rather it proposes to address delivery issues at the end of the plan period which is not consistent with NPPF in terms of boosting significantly the supply of housing.

At paragraph 4.20 reference is made to the mechanism that would be implemented in the event of there not being a five year deliverable supply of housing. The approach outlined would seek to allow development on sites that lie outside of the development plan boundary, but are otherwise in accordance with the relevant settlement policy. In addition, there is reference to a partial review of the Local Plan to make further allocations of land

to ensure delivery. Whilst the notion of this approach may appear pragmatic, this must be considered against the backdrop of there not currently being a 5 year deliverable supply of housing in Shropshire, on this basis alone, this Policy and therefore the Plan, cannot be considered to satisfy the soundness test.

At paragraph 4.21 there is reference to an improving housing market towards the latter part of the plan period which is likely to result in higher rates of housing completions. Whilst this may be the case, the Plan must make provision for current housing need and therefore will need to allocate additional sites (above and beyond current allocations) to ensure that housing needs are addressed.

At paragraph 4.22 reference is made to sustainable development and how this should be interpreted. The explanation in this paragraph must be expanded to ensure it does not preclude other sites that may fall outside of the definition provided from coming forward for development, where they are in sustainable locations and where there is a proven need.

In summary, it is clear that this policy is not sound. As written, the policy does not seek to proactively manage the supply of housing during the Plan period, rather it seeks to address any shortfall towards the end of the plan period and then seeks to tightly control what sites can come forward.

**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 policy needs to address any shortfall of housing much earlier - this cannot be left until later into the plan period on the basis that an improving market will deliver a significant quantum of housing which would address previous years under-delivery. There is no certainty that this approach would work and furthermore, it does nothing to meet current housing needs.

Given there is already an issue within Shropshire in terms of a deliverable five year housing land supply, this policy needs to provide a policy framework that allows additional sites to come forward where there is clear evidence relating to early deliverability. Such sites cannot be limited to only those which have been identified in this document. Other sites which are in sustainable locations should be brought forward, this will include those sites that are currently within areas that have been identified as safeguarded land. Many

of these sites benefit from a sustainable location and therefore a policy mechanism is needed that would enable these types of sites (subject to proper assessment) to come forward.

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:

This policy is fundamentally flawed for the reasons provided above. Evidence in relation to the failings of this policy should be delivered in an open forum where discussion between relevant parties can take place.

**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	x
When the Inspector's Report is published	x
When the SAMDev Plan is adopted	x

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

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## Your Representations

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

Policy MD6 - Green Belt

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>x</b>
<b>Justified</b>	<b>x</b>
<b>Effective</b>	
<b>Consistent with National Policy</b>	<b>x</b>

**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).

Whilst we do not object to protecting the Green Belt from inappropriate development, there are clearly significant development needs in Shropshire. Inevitably there will be a requirement to meet some of these housing needs in sustainable locations that adjoin settlements which are currently within the Green Belt.

At paragraph 4.45 it is stated that one of the fundamental purposes of the Green Belt is to prevent urban sprawl, however, there are clear instances across Shropshire of sites that adjoin settlement boundaries which also benefit from clear defensible boundaries and therefore benefit from a high level of containment. In such instances these sites do not meet the wider aims and objectives of including land within the Green Belt as set out in NPPF.

Taking account of the above we therefore disagree with the statement at Paragraph 4.47 which identifies a detailed review of the Green Belt boundary will be undertaken during the next plan period. Given the need for development across Shropshire a review of the Green Belt should not be delayed any further.

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A full review of the Green Belt should be undertaken to inform the Allocations Document.

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:

Given the close relationship between policies MD6, MD1 and MD3, we feel that these issues should be debated at the examination.

**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	X
When the Inspector's Report is published	X
When the SAMDev Plan is adopted	X

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

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**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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Organisation (if applicable):	SATPLAN LTD
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(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:

Policy S15: Shifnal Area

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>x</b>
<b>Justified</b>	<b>x</b>
<b>Effective</b>	
<b>Consistent with National Policy</b>	<b>x</b>

**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).

It is noted that Shifnal is a popular location to live, this in part is the result of good public transport connections to major areas of employment including Telford, Wolverhampton and beyond.

It is clear that settlements such as Shifnal will play a significant role in meeting housing requirements over the plan period and therefore this policy needs to reflect this and allow sufficient flexibility to respond to changing circumstances.

Point 4 of this policy identifies land beyond the development boundary (that is not within the Green Belt) as safeguarded land which will be used to meet future development needs beyond the current plan period. During the current plan period, safeguarded land will be protected by the those aims and objectives that underpin Green Belt policy. We consider this to be inappropriate in this instance, particularly given the issues that we have identified in our representations to policies MD1 and MD3. The Council is clearly facing a

number of challenges with regards to five year housing land supply, this is evident by the current rates of completion which remain significantly below targets identified for this period of the plan. It is therefore critical that sufficient sites are made available for development, and those sites that are sustainable and capable of early delivery should be brought forward without delay.

Our client is promoting land to the north of Meadow Drive which is currently identified as safeguarded land. Earlier representations to this plan have identified the sites credentials both in terms of containment and proximity to local services and facilities.

**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)

Point 4 of this policy should be deleted in its entirety. Our clients site should be identified as a housing site in the emerging plan given that it is sustainable and capable of early delivery. With regards to safeguarded land, policy wording should be amended to allow development to come forward during the current plan period where it is demonstrated there is not a five year supply of housing, the site is in a sustainable location in terms of access to services and facilities and the site is capable of early delivery.

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:

Given our clients land interests in this location (which are directly affected by this policy) we request the opportunity to participate at the EiP so that we can demonstrate our case.

**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"/>

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Email:	shaun@sat-plan.co.uk
Telephone:	0151 524 3226

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

Name:	Mr Richard Pitt
Organisation (if applicable):	Barratt West Midlands
Address:	60 Whitehall Road, Halesowen, West Midlands, B63 3JS
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:

Policy S15 Map (Inset 1)

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>x</b>
<b>Justified</b>	<b>x</b>
<b>Effective</b>	
<b>Consistent with National Policy</b>	<b>x</b>

**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).

We object to the inclusion of land to the north of Meadow Drive as Safeguarded Land. This objection should be read alongside our objection to Policy S15.

**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)

Land to the north of Meadow Drive should not be identified as safeguarded land. The site should be included within the settlement boundary and allocated for housing.

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.

x

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:

Given the relationship between our objections to policies S15, MD1, MD3 and MD6.

**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	x
When the Inspector's Report is published	x
When the SAMDev Plan is adopted	x

**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.