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13
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Responsible Officer Andy Evans, Head of Economic Growth and Prosperity
Email: Andrew.m.evans@shropshire.gov.uk Tel: 01743 252503

ADOPTION OF SITE ALLOCATIONS AND MANAGEMENT OF DEVELOPMENT (SAMDev) PLAN

1. Summary

The Site Allocations and Development Management (SAMDev) Plan sets out proposals for the use of land and policies to guide future development in order to help to deliver the Vision and Objectives of the adopted Core Strategy for the period up to 2026. The draft Plan was submitted on 1 August 2014 to the Secretary of State for Examination by an independent Planning Inspector. The Council has now received the Inspector's Report (see weblink below, a paper copy has been placed in the members' library) which finds that the draft Plan is 'sound', provided that the changes recommended by the Inspector are incorporated. This outcome means that Shropshire is one of only about 40 local planning authorities nationally (12%) who have completed both a Core Strategy and a site allocations plan consistent with the requirements of current national policy.

2. Recommendations

- A. That Council adopts the draft SAMDev Plan in the form which was submitted to the Secretary of State on 1st August 2014, as amended to reflect the Inspector's recommended modifications (see pre-adoption Plan attached, together with the accompanying policy maps available on the Council's planning policy web pages – a paper copy of these documents has also been placed in the Members' library);
- B. That responsibility is delegated to the Head of Economic Growth and Prosperity in conjunction with the Portfolio Holder for Regulatory Services, Housing and Commissioning (Central) to make any additional minor editorial corrections prior to publication.

REPORT

3. Risk Assessment and Opportunities Appraisal

Delivering sustainable development

- 3.1 The Site Allocations and Development Management (SAMDev) Plan sets out proposals for the use of land and policies to guide future development in order

to help to deliver the Vision and Objectives of the adopted Core Strategy for the period up to 2026 and together with the Core Strategy will form the Council's Local Development Plan;

- 3.2 The SAMDev Plan supports the Council's commitment to sustainability and will make a positive contribution to living conditions under Article 8 of the Human Rights Act by allocating sites and providing detailed policies to help deliver sustainable development across Shropshire. The amount of development required to meet housing requirements in Shropshire until 2026 is established by the adopted Core Strategy. The SAMDev Plan allocates sites for housing, employment land, waste management facilities, and sites for the future working of sand and gravel consistent with Core Strategy requirements. The SAMDev Plan also sets out 17 further detailed policies for the management of new development across Shropshire;
- 3.3 One of the critical drivers for the completion of SAMDev is to ensure the supply of housing land to satisfy the national requirement for the availability of housing land for 5 years' worth of development. The adoption of SAMDev and its site allocations will help address this issue, but greater long term certainty will also require the immediate commencement of a Plan review process to consider future growth requirements in light of updated census data and other relevant evidence;
- 3.4 The policies and site allocations included in the Plan have been the subject of a Sustainability Appraisal and where appropriate a Habitats Regulation Assessment. The outcome of this work is set out in the Sustainability Appraisal Report and Habitats Regulations Assessment Report which have been published as part of the evidence base for the Plan on the Council's webpages.

Working with communities

- 3.5 This report marks the end of a process which started in 2010 (prior to the completion of the Core Strategy) with the publication of documents which sought to establish the key Issues and Options which SAMDev needed to address. The geographical size of Shropshire, the nature and complexity of the planning issues, the need to also complete the Core Strategy and a CIL Charging Schedule, the extensive level of community engagement and significant reductions in staffing have meant that it took longer than originally anticipated to submit the Plan for Examination. The Examination of the Plan has also taken over a year, which is much longer than expected.
- 3.6 Community engagement has been a strong feature of the preparation of the SAMDev Plan, starting in 2010 and continuing through 4 further stages of consultation. The Inspector has found the community engagement and consultation undertaken meets the necessary standards set out in the Council's adopted 'Statement of Community Involvement'. The SAMDev document has, in its various forms been published for consultation for a total of 57 weeks since the start of the plan-making process. The process of developing the Plan is described in detail in a 'Technical Background Report' which has been published as part of the evidence base for the Plan. A detailed description of the consultation and community engagement which has been undertaken is provided as part of a 'Consultation Statement'. Both of these documents are available on the Council's planning policy webpages.

- 3.7 The LDF Member Group has been closely involved throughout the process of preparing the SAMDev Plan. Discussions have also continued throughout the process with local Members and Town and Parish Councils. The SAMDev Plan has benefitted from significant input from the Development Management, Environment and Conservation Teams and Transport Planning.

4. Financial Implications

- 4.1. As part of Shropshire Council's Local Development Plan, the SAMDev Plan will provide greater certainty which is already helping to secure very significant levels of investment in housing and other forms of development, together with many millions of pounds of direct developer contributions towards the infrastructure needs identified in the Place Plans to support sustainable development in communities across Shropshire.
- 4.2. On its creation in 2009, Shropshire Council inherited a total of 430 planning policies within 8 different Development Plans from predecessor councils. Many of these policies were replaced on adoption of the Core Strategy in 2011 and on adoption of the SAMDev will all be replaced, so the number of planning policies in force will have been further reduced to just 57 between the Core Strategy and SAMDev together. This simplification will provide a consistent framework across Shropshire thereby reducing potential appeals and cutting administrative costs on all sides.

5. Background

- 5.1. Following her appointment and the opening of Examination proceedings in September 2014, Inspector Claire Sherratt held a number of Examination Hearings between 11th November and 18th December 2014. The purpose of the Examination was to establish whether the SAMDev Plan is 'sound' and legally compliant. To be sound the Plan should be justified, effective and consistent with national policy. The Examination hearings provided an opportunity for objectors to make a case directly to the Inspector regarding the 'soundness' of the Plan. A range of further changes to the Plan were proposed during the Examination process.
- 5.2. In practice many of these changes (or 'modifications') had already been proposed by the Council prior to the Hearings or were put forward and discussed during the Hearing sessions. All of the modifications have been published as required by national regulations. All the modifications recommended in the Inspectors Report are based on proposals from the Council in response to points raised and suggestions discussed during the examination. The view of the Inspector is that these changes do not alter the thrust or basis of the Council's overall strategy.
- 5.3. The completion of the SAMDev Plan is a significant achievement, bearing in mind the limited progress made by other local planning authorities, the geographical scale and complexity of Shropshire and the intense scrutiny and sustained challenge to which it has been subjected.

Main Conclusions of the Inspectors Report

- 5.4. The Inspector has concluded that the Shropshire Site Allocations and Management of Development (SAMDev) Plan is 'sound' (positively prepared; justified; effective and consistent with national policy) and legally compliant, and provides an appropriate basis for the planning of the County, providing that a number of specific modifications are made.
- 5.5. The Inspector has endorsed the Council's development strategy, concluding that: "...individually and as a whole the resulting site allocations represent the most realistic, deliverable and appropriate options appropriate to local design aspirations and the character of each settlement, as well as supporting the delivery of additional community infrastructure. I am satisfied that the required amount of development will be delivered to achieve the housing guidelines."
- 5.6. Other key findings include:
- i. The SAMDev is now formally confirmed as being consistent with the National Planning Policy Framework (NPPF);
 - ii. The Inspector has supported the implementation of our localism approach and identification of Community Hubs and Clusters;
 - iii. The Inspector endorses our commitment to an early review of the Local Plan including a detailed review of the Green Belt boundary;
 - iv. There is support for our approach to the delivery of affordable housing;
 - v. The Inspector has not added any additional sites for housing, employment or other uses to those set out in the draft SAMDev Plan and has chosen not to delete any of the sites which were allocated in the draft Plan;
 - vi. The Inspector has endorsed the development strategy for Oswestry and has in particular supported the Council's position that, subject to the incorporation of the design principles agreed between Historic England and the Council, the development of site OSW004, north of Whittington Road would lead to less than substantial harm to the Old Oswestry Hill Fort;
 - vii. The Inspector has endorsed the proposed development strategy for Church Stretton and has not reinstated the site at New House Farm. She has also removed the preference for future development of greenfield land to the east of the A49;
 - viii. The proposed Community Cluster for Woodseaves and Tyrley was found to be 'unsound' and has been removed;
 - ix. Following detailed consideration, the Inspector has established a definitive methodology for calculating the 5 Year Housing supply of housing land in Shropshire. Application of this methodology now delivers a 5.53 year supply based on the latest information (the Inspector's Report shows a 5.2 year supply based on earlier data from November 2014);
 - x. The Inspector has confirmed the Council's view that there is no requirement for any additional Gypsy & Traveller provision, having been satisfied that turnover, vacancies on existing sites, and recent permissions mean that it is not necessary to make additional allocations.

What Happens Next

- 5.7. In accordance with planning law and national regulations, Shropshire Council must publish the adopted plan (see pre-adoption draft attached) together with

an adoption statement and supporting documents as soon as reasonably practicable after adoption. Copies of these documents will be made available for inspection in a way consistent with national regulations and earlier stages of publication. Those who have registered an interest will be notified of the adoption of the Plan by email and a copy of the adoption statement will be sent to the Secretary of State.

5.8. Any person aggrieved by the SAMDev Plan may apply to the High Court under Section 113 of the Planning and Compulsory Purchase Act 2004 (as amended) for leave to challenge the validity of the Plan on the grounds that:

- The document is not within the appropriate power;
- A procedural requirement has not been complied with.

Any such application for leave must be made before the end of the period of six weeks beginning with the day after the date of the adoption of the Plan, which if the recommendations in this report are approved will be **17th December 2015**.

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)

- Report to Cabinet 24th February 2010 on consultation documents for the Issues & Options stage SAMDev Plan
- Report to Cabinet 19th October 2011 on SAMDev Preferred Options – Policy Directions
- Report to Cabinet 7th March 2012 on SAMDev Preferred Options Settlement Strategies and Draft Site Allocations
- Report to Cabinet 16th January 2013 on SAMDev draft Development Management Policies
- Report to Cabinet 26th June 2013 on SAMDev Revised Preferred Options stage
- Report to Cabinet 19th February 2014 on SAMDev Proposed Submission or ‘Final Plan’ stage
- Report to Council 27th February 2014 on SAMDev Proposed Submission or ‘Final Plan’ stage
- Adopted Shropshire Core Strategy March 2011

Cabinet Member (Portfolio Holder)

Councillor Mal Price, Portfolio Holder for Regulatory Services, Housing and Commissioning (Central)

Local Member

All

Appendices

- A. Inspector’s Report: <http://shropshire.gov.uk/planning-policy/samdev-examination/inspectors-report/> (copy in Members’ library);
- B. Pre-Adoption SAMDev Plan (copies of the accompanying policy maps are available on the Council’s planning policy webpages and paper copies of these documents are available in the Members’ library).