

ID 10

SHROPSHIRE LOCAL PLAN EXAMINATION

Representor unique Part A Ref *	A0357 – Wain Estates
Matter	3
Relevant questions nos	9 & 14

Stage 1 Hearing Statement

*Your unique reference can be found in the Schedule of Respondents (Schedule 3 of document SD014.01) at:

<https://shropshire.gov.uk/planning-policy/local-planning/local-plan-review/draft-shropshire-local-plan-2016-2038-examination/examination-library/earlier-regulation-18-plan-making-stages-of-consultation/regulation-19-pre-submission-draft-of-the-shropshire-local-plan-consultation/>

Shropshire Local Plan Examination

Matter 3 Hearing Statement on behalf of Wain Estates (ID: A0357)

Issue - Development Strategy (Policies SP1 - SP15)

9. Is Policy SP3 justified, effective and consistent with national planning policy and Planning Practice Guidance (PPG)?

- 1.1 Wain Estates support the principle of Policy SP3 and particularly welcome Sections 1a and 1e which seek to reduce carbon emissions by encouraging new development to link to and, where possible, integrate with public transport.
- 1.2 However, they do have some concerns about how Section 2a of the policy is applied through policy DP11. Whilst renewable and low carbon energy systems are supported, the technologies required should be appropriate to Shropshire and proportionate to the subject proposals. Policy DP11 acknowledges the need to integrate renewable and low carbon energy systems into all residential developments, whilst also seeking to maximise the use of district heating and cooling systems on relatively modest sites.
- 1.3 Policy DP11, which is referenced in Section 2a of Policy SP3, expands on this by stating that 10% of the predicted energy needs of a development should come from renewable and low carbon energy systems on-site; with it also requiring a minimum 19% improvement in the energy performance requirement of the 2013 Part L Building Regulations. Both of these requirements have been tested through the Delivery and Viability Study prepared on behalf of Shropshire Council. The results illustrate that a significant proportion of delivery in the south of the county may not be viable. This is expanded upon in the Matter 8 Statement.
- 1.4 Paragraph 4.108 of the Pre-Submission Draft of the Shropshire Local Plan (PDSL) describes the five stages of the energy hierarchy and confirms that energy options should be pursued in the following order:
 - Reduce the need for energy;
 - Use energy more efficiently;
 - Use renewable energy;
 - Use low carbon sources; and
 - Use conventional energy
- 1.5 Shropshire Council is correct to identify the energy hierarchy but then appear to circumnavigate it by jumping straight to a requirement for renewable and low carbon sources on-site. The primary aim should be to reduce energy use, and therefore carbon emissions. It should not matter if that can be achieved through a fabric first approach. A more sophisticated methodology is needed than is currently being suggested.
- 1.6 Appropriate comments on Policy DP11 will be made at Stage 2 of the Hearings.

14. Is Policy SP7 positively prepared, justified, effective and consistent with national policy? How have the residential guidelines been derived? Do these policies duplicate parts of other policies?

- 1.7 Wain Estates have concerns that Policy SP7 fails the tests of soundness in regard to being 'justified', 'effective' and 'consistent with national policy'.
- 1.8 Section 3 of Policy SP7 references the residential development guidelines for individual settlements, referring to them as a "significant policy consideration". PDSLP paragraph 3.49 notes that, *"the guideline is not intended to represent a ceiling on development but going beyond it by too great a degree could result in unsustainable development"*.
- 1.9 Nevertheless, in practice the operation of Section 3 is to restrict the number of new dwellings in settlements that are identified in the Plan as 'sustainable settlements'. Shropshire Council has provided no evidence to support its contention that higher levels of development would represent unsustainable development. As such, Section 3 of the policy fails the 'justified' test of soundness. Applying a settlement target to restrict development runs counter to the NPPF's emphasis in paragraph 60 on, "significantly boosting the supply of homes". As such, Section 3 of the policy fails the 'consistent with national policy' test of soundness.
- 1.10 Wain Estates have concerns that the housing mix stipulated within the Policy DP1 will adversely impact on housing delivery, coming into conflict with Policy SP7 (Managing Housing Development). Policy DP1 seeks a high proportion of smaller houses, which is likely to impact negatively on Benchmark Land Values (BLV) and will require a larger number of units on a site to achieve the same saleable floorspace. As the Council's Viability Study demonstrates, viability is finely balanced in many parts of the county meaning developers will need to maximise saleable floorspace. Policy SP7's attempts to ensure settlement residential guideline figures are not exceeded does not make sufficient allowance for a high proportion of sites being less viable due to the mix requirements set out in Policy DP1. The dual pressure of Policy SP7 on the number of dwellings in combination with Policy DP1 on the size of dwellings will create deliverability issues across the county and results in the policy failing the 'effective' test of soundness.
- 1.11 In light of these viability issues, and consequent pressure on development guidelines, Wain Estates are of the view that this should be addressed through inclusion of a 25% non-delivery allowance within the text of Section 3 of Policy SP7. This is justified by the fact that Shropshire Council's Delivery and Viability Study identifies that 54% of the key site typologies are unviable. This is based on Table 10.22 of the Viability Study, which shows that when applying affordable housing rates of 10% in the north and 20% in the south, only 16 out of 35 (46%) are coloured green for 'viable' with the majority (54%) amber or red for 'unviable'
- 1.12 In order to ensure Policy SP7 is sound, Wain Estates suggest the following modifications to Section 3 of the policy to re-balance away from restricting development and towards delivering development and boosting housing supply, consistent with the Framework:

"The residential development guidelines for settlements set out in Policies S1- S20 are a **significant** policy consideration. Where housing proposals which are otherwise compliant with the policies of this Local Plan would lead to the residential development guideline for a settlement being exceeded, having taken account of the number of completions since the start of the plan

period as well as and any outstanding commitments, including site allocations, regard will be had to all of the following:

- a) The benefits arising from the proposal, aside from increasing housing supply;
- b) The likely delivery of the outstanding commitments **with a 25% non-delivery allowance**;
- c) Any cumulative impacts arising from the development, especially on infrastructure provision;
and
- d) The increase in the number of dwellings relative to the guideline;
- e) **The delivery of the housing mix sought in policy DP1; and**
- f) **The viability and delivery of the Plan's allocated sites**.

Contact

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