

**ID 10**  
**SHROPSHIRE LOCAL PLAN EXAMINATION**

**Stage 1 Hearing Statement**

Representor unique Part A Ref	A0621
Matter	3: Development Strategy
Relevant questions nos	4-8 (inclusive), 10, 11, 14, 17-19 (inclusive) 23 and 24

**SHROPSHIRE LOCAL PLAN**  
 INDEPENDENT EXAMINATION  
 WRITTEN HEARING STATEMENT

MATTER 3  
 DEVELOPMENT STRATEGY

**HARROW ESTATES**  
 RESPONDENT REFERENCE: A0621  
 JUNE 2022

Issue / revision	<b>Final</b>	Prepared by	T Ryan
Reference	161835	Signature	TR
This document is issued for		Date	31.05.2022
<input type="checkbox"/> Information	<input type="checkbox"/> Approval	Checked by	W Charlton
<input type="checkbox"/> Comment	<input checked="" type="checkbox"/> Submission	Signature	WC
Comments		Date	31.05.2022
		Authorised by	J Mulliner
		Signature	JM
		Date	31.05.2022
		Please return by	

## **1.0 Introduction**

- 1.1 This examination hearing statement is submitted on behalf of Harrow Estates in respect of Matter 3 (Development Strategy) of the Shropshire Local Plan examination in public.
- 1.2 The comments respond directly to the questions set out in the Planning Inspectors' Stage Matters, Issues and Questions document (ID7).
- 1.3 This statement should be read in conjunction with Harrow Estates' Regulation 19 representations (response reference: A0621).

## 2.0 Response to the Inspectors' questions

Issue	Whether the Development Strategy is justified, effective and consistent with national policy
-------	--

- 2.1 The responses are made in accordance with the Inspectors guidance and in relation to Harrow Estates interests at Shifnal, specifically the employment allocations referenced SHF018b and SHF018d and their interests at the former draft housing allocation at SHF032.
- 2.2 The responses provided below further our position as set out in our Regulation 19 representations, made on behalf of Harrow Estates.
- Q4 Should Policy SP2 define the scale of development expected in the various urban locations and rural settlements?**
- 2.3 The urban focus of the Shropshire Plan's spatial strategy is supported and is the most sustainable appropriate approach in realising the development needs of the new Plan period.
- 2.4 The recognition of Shifnal as a Key Centre, as an element of this urban focussed strategy, is also supported. It is appropriate given the settlement's sustainability and potential to accommodate development which can capitalise on its strategic location within the M54 Corridor.
- 2.5 However, a failure of the policy is its lack of clarity through the omission of development quantum (for both housing and employment delivery) referenced to the established list of urban locations and rural settlements; in essence, the settlement hierarchy and how the overall requirements are distributed in accordance with this hierarchy and with reference to where the unmet need, which the plan is accommodating, arises.
- 2.6 Given that this hierarchical list of urban locations and rural settlements is a fundamental element of the spatial strategy, underpinning the sustainability-related capacity of each settlement to accommodate new levels of growth and development, it is important for the quantum of development and its scale is made clear. The way the policy is currently written is ambiguous and does not comply with Paragraph 16d of the National Planning Policy Framework.
- 2.7 With the lack of clarity it is difficult to understand how effective the plan will be and it is difficult to conclude that the delivery aspirations of the Local Plan do align with the requirements of Paragraph 11a of the National Planning Policy Framework, that requires promotion of a "*sustainable pattern of development.*"
- 2.8 Whilst it is not contested that the spatial strategy put forward is a sustainable pattern of development, it is not considered that the expression of it within the Plan is sufficiently clear.
- 2.9 Furthermore, by omitting scale and/or quantum of development from the urban locations and rural settlements schedules, the policy fails to make sound

justification of the spatial strategy. Although the Local Plan states that there is an urban focus, it is unclear as to how this intersects with the spatial strategy itself, or with the established hierarchical list of places provided at Schedules SP2.1 Urban Locations, SP2.2 Community Hubs and SP2.3 Community Clusters.

2.10 By specifically referencing the scale and quantum of development to be delivered at urban locations and rural settlements, it will soundly demonstrate how the urban focussed strategy will be practically realised and demonstrate consistency with the National Planning Policy Framework.

**Q5. The spatial strategy in the Core Strategy has a rural focus, whilst the submitted Local Plan's spatial strategy is urban focussed. The latter holds a list of 'saved sites' in appendix 2 which the Council intends to rely upon to meet the new spatial strategy and development requirements. Do the 'saved sites' accord with the spatial distribution of the submitted Local Plan? What will be the policy basis of these 'saved sites'? By relying upon such an approach, is the Local Plan positively prepared, justified, effective and consistent with national policy?**

2.11 It is considered that that the approach made by the Council in including the saved SAMDev sites as part of the spatial strategy is not appropriately justified.

2.12 The SAMDev, which comprises a significant part of the Council's current Core Strategy, provides a strategy orientated towards development in the rural areas. This is clearly divergent from the emerging strategy of the new Local Plan which seeks to direct growth towards the urban locations of the County.

2.13 As such, the automatic inclusion of these saved SAMDev sites does not align with the development strategy of the new Local Plan, given that the new spatial strategy emphasises growth at more sustainable locations, such as Shifnal and Shrewsbury.

2.14 The Plan does not demonstrate the motive behind including these sites as "saved sites" only, rather than progressing them into the raft of allocated sites and identifying them as a source of housing and employment at Policy SP2. They have not been reconsidered against the new strategy, spatial and sustainability requirements, and have not been re-tested in terms of their deliverability. As such, whilst the saved sites may (subject to their deliverability) contribute towards meeting strategic growth needs, the Plan fails to justify why these sites have not been subject to new allocations, with updated requirements, and therefore re-tested with reference to the new national and local policies and alternatives available. They should be 'allocations', subject to the same testing and rigour as the additional allocations being made in this local plan.

2.15 It is not considered sound to list these sites as "saved" within an Appendix rather than including them as part of the spatial strategy and approach to the distribution of development across the Plan area. In any event, and if they had been tested against the new strategy and available alternatives (including now omission sites), the process would have exposed the fact that many of the sites fail to align with the planned strategy. They conflict with the emerging plan approach, given their establishment as part of a rural development strategy as adopted in the previous Local Plan.

2.16 As a consequence of a lack of testing of the saved sites, it is not possible to conclude that they are justified, effective or consistent with national policy. Certainly, cumulatively and in purely quantitative terms they are inconsistent with the overarching strategy of urban focus as described in the submitted plan. Whilst some development in the rural areas will be justifiable to help meet needs and support communities across the district, they collectively cannot be considered to be complimentary to, or proportionately balanced to, the urban focus.

**Q6. Is it appropriate to show 'saved sites' on the proposals map given they are not site allocations in the submitted Local Plan, bearing in mind regulation 9 of the Town and Country Planning (Local Planning) (England) Regulations 2012?**

2.17 Not only are they not site allocations, they are not subject to a policy and are merely listed in an appendix.

2.18 Regulation 9 of the 2012 Regulations is clear that only policies forming part of the development plan should be shown on the policies map. As the saved sites are not part of the policy that comprise the new Shropshire Local Plan, their identification on the policies map is contrary to statutory regulations.

2.19 Consequently, the policies map as it is currently presented is not consistent with national policy and its requirements contained within statute and as such is contrary to Paragraph 35d of the National Planning Policy Framework.

2.20 Establishment of a new policy basis for the saved sites, and their relationship to the emerging spatial strategy, would provide an opportunity to overcome these contraventions with national guidance and ensure that they are properly tested against national policy, emerging local requirements and alternatives.

**Q7. What proportion of housing supply comes from the 'saved sites'?**

2.21 Appendices 5 and 6 of the new Local Plan outline the quantum of housing and employment development to come forward from existing saved sites as well as from new allocated sites made in the Plan.

2.22 In terms of housing supply from SAMDev saved sites without permission (as of 31 March 2018), the figure stands at 3626 homes. This represents 11% of the total housing requirement for the new Plan period (30,800 homes). For employment, approximately 33% of the total employment land requirement will be delivered from saved allocations.

2.23 The Plan as it is currently drafted fails to provide a clear indication of these proportions and their significance. The approach and necessary clarity is not demonstrated through Policy SP2, which establishes the strategic development requirement, as well as identifying the various sources from which housing will be delivered.

2.24 Whilst this seeks to demonstrate the pipeline of development sites, expressing the figures which comprise the development strategy for the new Plan, there is an absence of any demonstrable link to Policy SP2 which identifies the strategic need for the new Plan.

- 2.25 A succinct and concise explanation of the quantum of development to be provided by saved sites is required, alongside their justification in terms of the overarching spatial strategy and confirmation of their deliverability.
- Q8. What proportion of the 'saved sites' have an extant planning permission and what is their level of contribution to the housing supply?**
- 2.26 Appendix 5 and 6 of the emerging Local Plan provides a list of unconsented housing and employment supply relating to saved sites.
- 2.27 However, there is no specific reference of the level of housing and employment supply that relates to saved sites which benefits from extant planning permission, yet to be implemented.
- 2.28 If the Plan is to be appropriately justified and demonstrate a positive, effective and sustainable approach, these numbers should be clarified, to understand their relationship and significance to the planned provision/requirements overall and the planned strategy.
- Q10. Is Policy SP4 necessary as it rehearses national planning policy contrary to the advice in PPG (Paragraph: 036 Reference ID: 61-036-20190723)**
- 2.29 Policy SP4 in essence repeats Paragraph 11 of the National Planning Policy Framework in relation to the presumption in favour of sustainable development.
- 2.30 The need to deliver sustainable development is contained within Policy SP1 The Shropshire Test, which underlines the fact that the Council will seek for deliver development that is sustainable, in accordance with the strategic aims, and the National Planning Policy Framework.
- 2.31 As such, there is not a need for Policy SP4.
- Q11. The framework at Paragraph 28 advises that '*non-strategic policies should be used by local planning authorities and communities to set our more detailed policies for specific areas, neighbourhood, or types of development. This can include...the provision of infrastructure and community facilities at a local level...establishing design principles...*' Are Policies SP5 and SP6 strategic policies or development management policies?**
- 2.32 It is recognised that Policies SP5 and SP6 have been prepared against a strategic context, in particular the need to achieve sustainably designed development and that which can achieve social sustainability through health and wellbeing improvements.
- 2.33 However, the contents of these policies is considered to include detail that is inappropriate for strategic policy. This includes details such as those in regard to development layout, and planning requirements such as Health Impact Assessment.
- 2.34 These specific development management requirements would be more appropriate within development management policies relevant to the determination of specific development proposals.

**Q14. 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?**

2.35 Policy SP7 appears to seek to control windfall residential development against the context of the residential guidelines (capacity) of each of the urban locations and rural settlements recognised by Policy SP2.

2.36 It is not considered that this policy has been prepared positively, given its recognition of other strategic policies which have been prepared to prevent unsustainable growth and to ensure a deliverable spatial development strategy.

2.37 Consequently, it contains repetition of other policies in a way that results in the production of a whole new policy that applies inappropriate and overly restrictive controls that could prevent otherwise sustainable development.

**Q17. Is Policy SP12 justified, effective and consistent with national policy?**

2.38 It is contended that SP12 establishes a deliverable approach to economic development and provision of new employment space. Identification of Principal and Key Centres as locations for economic growth is a sustainable and appropriate strategy that reflects the most suitable locations in the County to accommodate economic development.

2.39 Furthermore, the recognition of Strategic Corridors represents an appropriate element of the economic strategy of the new Local Plan. Their recognition, alongside the main centres provide significant potential to deliver economic growth in line with the aspirations of the Local Plan.

2.40 In particular Shifnal, as a Key Centre located within the M54 Corridor, is appropriately identified in the Local Plan as a sustainable location for economic development. This is reflected in the employment allocations under control of Harrow Estates at SHF018b and SHF018d.

**Q18. Is Policy SP13 justified effective and consistent with national policy? Should Figure SPD13.1 text be included within Policy SP13?**

2.41 The policy establishes a justified employment strategy that seeks to meet the identified needs of the Plan area of the period to 2038. This strategy includes new employment site allocations such as those under the control of Harrow Estates at Shifnal East (SHF018b and SHF018d).

2.42 However, there are inconsistencies contained within the Policy in relation to the Plan's definition of employment land uses and the B Use Classes.

2.43 Specifically, Policy SP13 has been updated to reflect changes made to the Use Classes Order in September 2020, removing reference of Use Class B1 and replacing it with Use Class E(g). However, the same modification has not been made to other parts of the Local Plan in regard to employment uses and space. This can be seen at SP15.1(ii), which defines the delivery of allocations SHF018b and SHF018d for B Classes only. This inappropriately excludes Use Class E(g),



which is defined in Policy SP13 as an employment land use. This can also be seen at Figure SP13.1 which discusses B Use Classes as encompassing reference to all employment uses, which in fact is now inaccurate and does not reflect the updated Use Classes Order.

2.44 Consequently, the update that has been made to SP13 must be taken forward to consistently address other relevant parts of the Local Plan, given that this policy represents the overarching parent policy that dictates at the strategic level employment and economic development. This will result in an effective Plan in this regard, that is able to implement growth within the framework of national policy and legislation.

**Q19. Is Policy SP14 justified, effective and consistent with national policy? Should the corridors be marked on a map or plan? Is this policy consistent with other policies in the Local Plan? Is it the purpose of this policy to allow for significant growth in addition to that allocated in the Local Plan, including development in the Green Belt?**

2.45 The identification of Strategic Corridors in the new Shropshire Plan is considered to be an appropriate strategy that can capitalise on the potential of existing components and features of the local economy. This includes sustainable economic growth at settlements which fall within these strategic corridors.

2.46 The policy is consistent with other policy areas of the Local Plan, specifically in regards to the development strategy set at Policy SP3, which recognises the potential of the Strategic Corridors to contribute significantly towards meeting the development requirements of the new Local Plan, including unmet needs from the Black Country.

2.47 Whilst a figure/map visually confirming the location of these corridors would provide a clearer and more legible Local Plan, helping to demonstrate the geographic significance of these Corridors in terms of growth, it is not considered fundamental in realising the soundness of the Plan.

2.48 Certainly, the policy assists in explaining/demonstrating the overall spatial approach to achieving sustainable development and the associated exceptional circumstances to amend Green Belt boundaries, in accordance with NPPF paragraph 142.

2.49 The release of Green Belt land to provide for sustainable development, in locations within the Strategic Corridors, has been considered and tested. The result is the inclusion of the strategic allocations at Shifnal East, located within the M54 Strategic Corridor. As such, Policy SP13 serves a clear purpose in demonstrating how the Plan achieves sustainable development and how that does require release of land currently designated as Green Belt. This is a positive and justified approach, consistent with national policy requirements.

**Q23. Should the Local Plan include small and medium size sites to provide greater choice, flexibility and certainty?**

2.50 The approach taken to allocated employment sites is considered to be sound. Notwithstanding that some of these employment allocations are strategic in scale,

such as at Shifnal which is commensurate with the level of employment need at the town.

- 2.51 However, it is contended that strategy at Shifnal for other types of development, including housing, has not gone far enough in identifying sufficient small and medium sites to ensure maximum certainty in delivery. This includes the omission of housing site SHF032 at Coppice Green Lane, Shifnal.
- 2.52 The omission of small to medium sites is considered not to be in compliance with the general position of the NPPF, particular at Paragraph 69 which emphasises the benefits of non-strategic sites in their ability for rapid delivery.
- 2.53 Consequently, if the Council are required to review their position in terms of a sufficient number of small to medium sized allocations, it is advanced that sites such as that at Coppice Green Lane, Shifnal (SHF032) should be considered.

**Q24. How have the settlement boundaries been decided and were they reviewed when preparing this Local Plan?**

- 2.54 Settlement boundaries have been reviewed where necessary by the new Local Plan. This includes appropriate review of Green Belt land within the County to ensure that sufficient sites have been identified to meet the strategic development needs of the new Plan period.
- 2.55 As a consequence of the settlement boundaries review, new Green Belt boundaries have been established reflecting the site-specific exceptional circumstances for amendment – to accommodate growth in sustainable locations. The provision of the employment allocations at Shifnal East demonstrate how boundaries have been amended in light of development needs (both quantitative and qualitative) at both the strategic and local levels.