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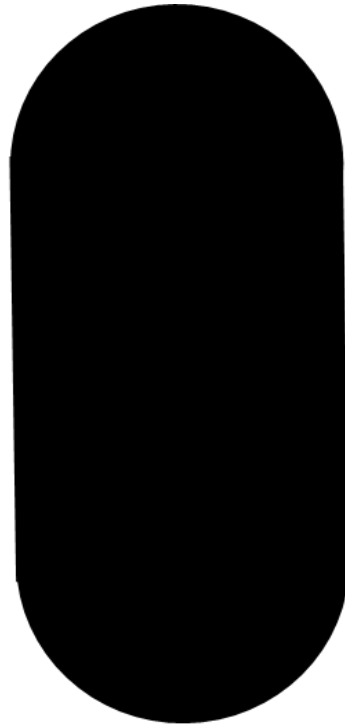
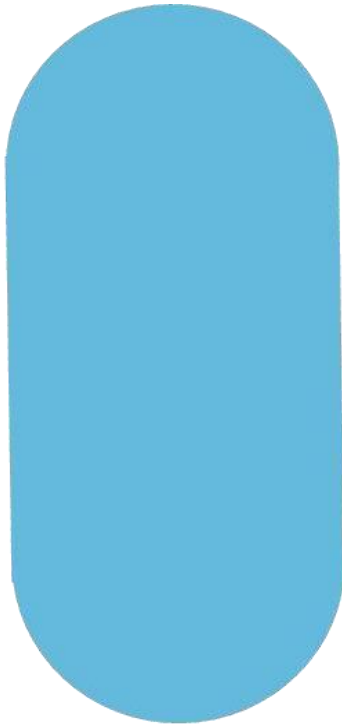
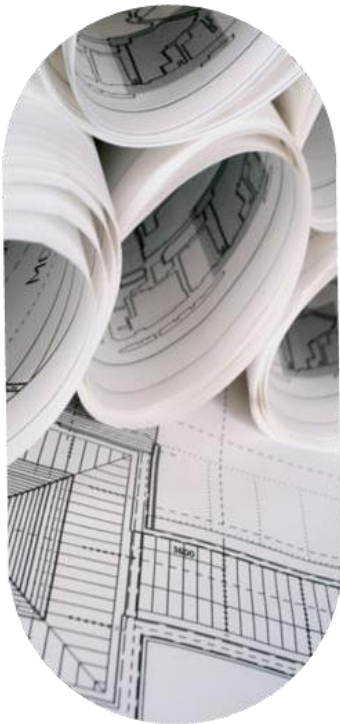
Shropshire Local Plan Review

Examination in Public

Matter 27 – General Housing Policies

Gleeson Land

September 2024



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1. Introduction

- 1.1. This response to Matter 27 of the Inspectors' MIQs in respect of the Shropshire Local Plan Review (SLPR) Examination in Public has been prepared by Marrons on behalf of Gleeson Land. Marrons have been instructed to appear at the Examination on behalf of Gleeson Land.
- 1.2. This hearing statement should be read alongside previous representation to the further consultation (within GC52) submitted by Cerda on behalf of Gleeson Land along with detailed submission at Regulation 19 consultation stage and should be considered in the context of support for a plan led system.
- 1.3. Gleeson Land are promoting land at Bayston Hill (BAY040) for residential development and it is considered that the site could accommodate circa 250 dwellings that could contribute both to meeting unmet needs and any changes in the needs associated with Shropshire itself.
- 1.4. In order to assist the Inspectors', the contents of this submission and the submissions made in respect of other Matters, demonstrate that the submission version of the Plan Review is not, in our assessment capable of being found sound, without significant additional evidence and the identification of additional sites to accommodate housing growth over the Plan period.
- 1.5. These submission reflect the recent position outlined by Housing Minister Matthew Pennycook and the Chief Executive of the Planning Inspectorate with regard to the continued use of 'pragmatism' in the Examination of Plans and the recognition that any fundamental issues or areas of additional work that require a pause of more than six-months in the Examination process, should indicate that a Plan is not capable of being found sound. As such aligned with the above consideration, in the current context, we do not believe that the Plan is capable of being found sound.
- 1.6. We consider that the Sustainability Appraisal process is totally flawed, to the extent that it is unlawful, as it does not meet the requirements of the Environmental Assessment of Plans and Programmes Regulations 2004 ("the SEA Regulations"). There has been a failure to consistently and robustly consider reasonable alternatives contrary to Regulation 12 and Schedule 2, paragraph 8. As such we do not consider that the Plan is capable of being found sound. If however, the Inspectors' are minded to find the Plan sound, as a minimum, the Council should recognise that my clients land at Bayston Hill should be allocated for development or identified as a reserve site or safeguarded for future development.

2. Issue 1 – Whether the Plan has been positively prepared and whether it is justified, effective and consistent with national policy in relation to the approach towards the provision housing and affordable housing.

Policy DP1 – Residential mix

1) Is the policy justified, effective and consistent with national planning policy?

- 2.1. Policy DP1 relates to housing mix and sets out three requirements that all housing proposals will be expected to adhere to. We submit that the requirements for housing mix set out in the Policy is overly prescriptive and should be revised or removed.
- 2.2. The policy requires housing schemes to provide a mix of housing having regard to the SHMA, the location and accessibility of the site and the nature of existing commitments and the housing supply.

2) Is the policy flexible enough?

- 2.3. Gleeson Land considers that needs presently highlighted in the evidence base documents represent merely a snapshot in time and do not necessarily represent the correct housing mix that is required at the time of an application or determination. Considering housing mix is an exercise that should be undertaken on a site by site basis, with reference to up to date evidence. Such an approach will also allow viability issues to be considered on a similar basis, as housing mix often has a considerable impact on the ability of a site to be developed viably.

3) Is there sufficient evidence in relation to the viability of sites with this policy applied?

- 2.4. We consider that with regard to this, it is essential that the Council produce an addendum/update to the Viability evidence and seek to establish sufficient flexibility within the policy that would allow for circumstances where deviation from the policy position is justified when sufficiently and robustly evidenced.

Proposed new Policy DP1A - Housing Provision for Older People and those with Disabilities and Special Needs (see MMs33-35)

1) Is the policy justified, effective and consistent with national planning policy?

- 2.5. Paragraphs 3, 4, 5 and 6 of Draft Policy DP1, 'Residential Mix' set out the proposed requirements for development across Shropshire to meet the housing provision for older people and those with disabilities and special needs, these include requiring a

- proportion of homes to be delivered as M4(2) and M4(3) standards within the Building Regulations and contributing an appropriate range of specialist housing to meet diverse needs including retirement living, extra care housing and/or nursing homes.
- 2.6. Marrons previously submitted written representations to the Shropshire Local Plan Consultation on Evidence Base Documents GC25, GC44, GC45 and GC46, specifically of relevance to this Draft Policy was Document GC25, 'The newly proposed draft policy on Housing Provision for Older People and those with Disabilities'.
 - 2.7. Building upon the written representations submitted to Shropshire Council in June 2024, we object to the policy as currently drafted.
 - 2.8. We acknowledge the need to provide housing for older people, as set out within National Planning Policy Guidance this need is now critical (Paragraph: 001 Reference ID: 63-001-20190626). We also note the level of growth in the number of older persons households across Shropshire as set out at paragraph 4.20 of the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan 2016 to 2038 (December 2020), however we would note that this is based on 2011 Census data and is therefore out of date.
 - 2.9. However it is noted that the Draft Policy sets out that a requirement for at least 5% of housing on sites of 5 or more dwellings to be built to M4(3) standards (wheelchair user dwellings) with a further 70% to be built to M4(2) standards (accessible and adaptable) or higher unless site-specific factors indicate that step-free access cannot be achieved, we would comment that this requirement is significantly high with insufficient evidence to justify its inclusion as Planning Policy.
 - 2.10. Main Modifications 033-035 makes numerous changes to the requirements as set out within the Draft Local Plan, however the requirement for 5% M4(3) and 70% M4(2) standards remains.
 - 2.11. The Main Modifications introduced the requirement for all housing designed to M4(2) and M4(3) standards to also be designed as 'friendly' to those with dementia and to those with disabilities and special needs. Main Modification 034 sets out the reasoning for this to be that the Strategic Housing Market Assessment concluded that between 2017 and 2035 the number of people aged 65 and over with dementia is considered to increase by 80% - we consider that there is insufficient evidence within the policy to allow for consistent application by decision makers.
 - 2.12. Main Modification 033 proposes that on site allocations for 250 or more dwellings at least 20% of houses must constitute a form of specialist housing for older people and/or those with disabilities and special needs and on site allocations for 150-249 dwellings this figure is at least 15%.

2.13. It is unclear if the proposed M4(3) standards and the approach to specialist housing designed to meet the diverse needs of older people have been considered with regard to wider viability implications given the absence of an updated Viability Assessment.

2) Are the policy requirements clear?

2.14. We consider that additional detail is required within the policy text so as to ensure that the policy can be consistently applied by decision makers.

3) Is the policy flexible enough?

2.15. Gleeson Land considers that needs presently highlighted in the evidence base documents represent merely a snapshot in time and do not necessarily represent the correct approach, and one which can reflect national policy and guidance changes, that is required at the time of an application or determination. Considering the provision of specialist accommodation is an exercise that should be undertaken on a site by site and location by location basis, with reference to up to date evidence. Such an approach will also allow viability issues to be considered on a similar basis, as housing mix often has a considerable impact on the ability of a site to be developed viably.

4) Has the policy been viability tested to ensure it does not prevent development coming forward?

2.16. We consider that with regard to this, it is essential that the Council produce an addendum/update to the Viability evidence and seek to establish sufficient flexibility within the policy that would allow for circumstances where deviation from the policy position is justified when sufficiently and robustly evidenced.

Policy DP2 – Self-Build and Custom-Build Housing

1) Is the policy justified, effective and consistent with national planning policy?

2.17. No response.

2) Is the timescale for marketing of plots justified?

2.18. No response.

3) Does the policy or explanation need to be clearer about what a developer needs to do if they have marketed the plots without success before they can sell them as market homes?

2.19. No response.

4) The policy ‘encourages’ the provision of serviced plots for self-build and custom build developers. Is the policy worded strongly enough? Should it ‘require’ rather than ‘encourage’?

2.20. No response.

5) Will the implementation of this policy adversely affect delivery of sites?

2.21. No response.

Policy DP3 – Affordable Housing Provision

1) Is the policy justified, effective and consistent with national planning policy, including the 2021 Framework (Paragraph 4.53 of the explanation to the policy refers to the 2019 Framework)?

2.22. The requirement to provide affordable housing on qualifying sites is justified and in accordance with national policy.

2) Is the requirement set out in DP3 1a appropriate and justified?

2.23. No response. We have seen no evidence to indicate that on an authority basis the requirements for affordable housing provision in the north or south of the County are unviable or unachievable.

2.24. There will however be sites that are an exception to this and as such, the policy should seek to establish additional flexibility to reiterate that Exceptional Circumstances may well exist to deviate from the policy requirement.

3) Should reference be made to ‘First Homes’ in accordance with PPG?

2.25. The Policy should be updated through modification to make reference to First Homes in line with planning guidance.

4) Is DP3 1j necessary?

2.26. We do not consider the DP3 criterion J and reference to Allocations Policies is necessary.

Policy DP4 – Affordable Housing Exception Schemes (see MM038)

1) Is the policy justified, effective and consistent with national planning policy?

2.27. No response.

2) Would the policy lead to sustainable development?

2.28. No response.

3) Could DP4 1k cause some problems as there may be conflict with some other policies in the Plan if the development is beyond settlement limits, for example?

2.29. No response.

Policy DP5 – Entry Level Exception Sites

1) Is the policy justified, effective and consistent with national planning policy?

2.30. No response.

2) Would the policy lead to sustainable development?

2.31. No response.

- 3) **Could DP5 1k cause some problems as there may be conflict with some other policies in the Plan if the development is beyond settlement limits, for example?**

2.32. No response.

Policy DP6 – Single Plot Exception Sites

- 1) **Is the policy justified, effective and consistent with national planning policy?**

2.33. No response.

- 2) **Would the policy lead to sustainable development?**

2.34. No response.

- 3) **Could DP6 1i cause some problems as there may be conflict with some other policies in the Plan if the development is beyond settlement limits, for example?**

2.35. No response.

Policy DP7 – Cross-Subsidy Exception Schemes

- 1) **Is the policy justified, effective and consistent with national planning policy?**

2.36. No response.

- 2) **Would the policy lead to sustainable development?**

2.37. No response.

- 3) **Could DP7 1m cause some problems as there may be conflict with some other policies in the Plan if the development is beyond settlement limits, for example?**

2.38. No response.



 **Marrons**

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