



EXAMINATION OF THE SHROPSHIRE LOCAL PLAN

HEARING STATEMENT - MATTER 26

All Employment Allocations

On behalf of:
Manor Oak Homes
Respondent Reference ID: A0379

Date:
September 2024

Reference:
01518/LP Examination Matter 26 (2nd Round)

1.0 Introduction

- 1.1 This statement is prepared on behalf of Manor Oak Homes in relation to **Matter 2 – All Employment Allocations** and provides their response in respect of Site SHR166 Land West of A49. Specifically, it seeks to consolidate all of our comments to date into a single statement whilst providing brief comments on the associated Main Modification (MM116) supposedly intended to make the site acceptable for development.
- 1.2 This submission is made in the context of Manor Oak Homes' own land at Battlefield Farm (Sites SHR197 / SHR197a), a site that was previously identified as a draft employment allocation in the Regulation 18 draft of the plan and one which is therefore demonstrably suitable and deliverable for employment uses. As will be explained in this statement, our client's accompanying statements on Matters 2 and 4 the plan as currently drafted constrains the delivery of a site which has been consistently marketed for employment uses since mid-2020 and has during this time generated significant interest from prospective investors. In fact, as is made clear from our following comments the site is excluded from the plan at the expense of a 45ha plot of land that is almost entirely constrained by a Scheduled Ancient Monument.
- 1.3 What has prevented the progression of our client's site towards a planning application submission and the inward investment that would be generated by this is the constraining nature of the Council's proposed development strategy and the exacerbation of this through the high bar set for qualifying applications by the draft plan.

2.0 Response to the Inspectors' Questions

Issue

Whether the proposed are justified, effective and consistent with national planning policy ... SHR166 – Land to the west of the A49, Shrewsbury – see MM116

2.1 Firstly, it is noted that the questions to be addressed for each site are principally expressed as an instruction to the Council, to explain the rationale behind the site's selection and describe how it sees each opportunity both contributing towards the overall spatial strategy and doing so in a way that is sustainable. In which case our response set out below represents a general response to the proposed allocation of Site SHR166 for 45ha of employment land at Shrewsbury and reiterates our clear concerns around its inclusion in the plan alternative to demonstrably deliverable alternatives such as our client's land at Battlefield Roundabout amounting to approximately 32ha, all of which is available for employment uses if required.

2.2 **As has been stated throughout our responses to the plan since Regulation 19 stage it is our clear position that Site SHR166 cannot possible be retained as an allocation in the plan. This is on the basis that it is critically constrained principally by the presence of a recently scheduled ancient monument but also a range of other environmental impediments such as flooding, ecology, and lack of connectivity with the urban area. In fact, on review of these constraints together, many of which were known to the Council since the very start of the plan-making process, it is quite startling that it was ever considered as an allocation in the first instance.**

2.3 The full range of constraints are identified in a combination of the Council's Sustainability Appraisal and Site Assessment papers. A summary of each constraint, and the extent of any likely mitigation, is set out below:

- **Access:** For a development of this size there would be a need for a new roundabout on the A49 trunk road which would likely be deliverable at significant cost and would involve a similarly sizeable land take. No evidence has been presented in support of the site to date to demonstrate that this work is either viable or achievable;
- **Flooding:** The site comprises low lying ground immediately adjacent to the River Severn and partially within its flood plain. The strip of the land nearest the river – in Flood Zones 2 and 3 – is undevelopable with portions of the wider site susceptible to surface water flooding. We calculate that this area of land accounts for approximately 30% of the site, so around 13ha. The extent of the area liable to flooding is shown by way of an extract from the Environment Agency's flood mapping (**Appendix A**).

This would leave a residual area of only 32ha that would be developable, much of which comprises the scheduled ancient monument referenced below;

- **Ecology:** The site abuts a Local Wildlife Site (the River Severn corridor, roughly according with the extent of the flood plain). The extent of this LWS is shown at **Appendix B** of this statement. Any development would have a heightened impact on local biodiversity. It is not clear whether the site has been subject to any ecological surveys and whether it potentially supports foraging, nesting or migration. It is also not clear what mitigation would be required to accommodate a development that would not cause harm to habitats. This is before matters in respect of biodiversity net gain are considered;
- **Loss of Agricultural Land:** The site comprises Grade 2 farmland, defined as 'best and most versatile land' in the National Planning Policy Framework (NPPF). This is due to the richness of the soils within the immediate environs of the River Severn Corridor. Indeed, the site currently comprises high grade arable land that is currently cultivated. Footnote 53 of the Framework states that where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of higher quality. An extract of Natural England's agricultural classification map for the eastern side of Shrewsbury is included at **Appendix C** of this statement showing that the site comprises one of the few areas of Grade 2 land in the vicinity;
- **Landscape Impact:** The visual prominence of the site is identified as a constraint in both the Sustainability Appraisal and Site Assessment papers. Both identify it as having a high landscape sensitivity in respect of employment development requiring the provision of significant buffers which will erode its developable area;
- **Sustainable Travel:** The site is entirely detached from the urban area of Shrewsbury by the River Severn and its corridor. This severs it both visually and physically from the town. It therefore fails to currently benefit from any existing footpath, cycle or road links from the town. Then, due to the fact that the river corridor is fringed by significant flood plain it would be entirely unfeasible to provide future walking and cycling links that would make it accessible to an acceptable extent. All journeys to and from the site will inevitably be car-borne;
- **Heritage Impact:** This is the most critical constraint at the site and the one which we anticipate will now result in its removal as a draft allocation. The Site Assessment paper initially identified that the land may affect the setting of Haughmond Hill and Queen Eleanor's Bower ringwork, both Scheduled Ancient Monuments lying to the east of the site. These likely impacts were then corroborated by the response to the Regulation 19 consultation by HE which has presented significant opposition to its identification as a development site.

HE confirmed that *"development of the proposed location would be likely to cause substantial harm (in NPPF terms) to the large Roman Marching Camp sited in the loop of the river which is recorded in the Historic Environment Record HER00124"*. HE went on to state that *"the development of this site could result in the loss of a non-designated heritage asset, and its setting, that is demonstrably of equivalent significance to a scheduled monument"*. In addition, it is observed that the development of the site would affect the significance of Haughmond Hill. On this basis HE recommended in no uncertain terms that *"Site SHR166 should be removed from the Local Plan as a proposed employment allocation"*.

These comments were provided in February 2021 before the site was eventually scheduled as an Ancient Monument by HE. It was listed on 29th September 2022 under entry number 1480432. It was listed on the following basis:

- Rarity: this is a rare site type nationally, one of 134 camps confidently identified in the RCHME inventory of temporary Roman Camps in England, it is one of a group of 18 camp sites in and close to Shropshire centred on Wroxeter, and is the fourth largest known camp in England;
- Documentary: the camp is well documented by aerial photography and has been the subject of investigation through geophysical survey and archaeological excavation;
- Group value: the camp has strong historical and spatial group value with the scheduled Roman remains at Wroxeter, as well as with three other temporary camps of similar size located at regular marching distances heading north-west through Shropshire and into Wales;
- Survival: almost the entire perimeter of the monument appears in cropmarks, and excavation has proven that the monument survives well in the form of buried archaeological deposits with Roman layers surviving to over 700mm below the base of topsoil within cut features;
- Diversity: the clear evidence for altering the north-eastern side and re-using the other three sides of the monument is an important in distinguishing Uffington from other scheduled camps; it is a clear known example of a camp demonstrating such re-use;
- Potential: the buried deposits may retain significant information relating to the dates of construction and re-use, and illustrate the nature of the occupation and re-use.

The area designated as the scheduled ancient monument extends to approximately 18ha straddling the A49. The majority of this area – we would suggest approximately 16ha – lies to the west of the A49 so within the site and then right at its heart. Its relationship with the site extent is shown at **Appendix D** of this statement. On this basis it would almost entirely sterilise the remaining element of the site that does not already lie within the flood plain.

2.4 **On the basis of all of the above and reflecting on the listing of the site as an ancient monument in particular, it seems inconceivable that Site SHR166 can be retained as an allocation.**

2.5 Despite the Council suggesting that it was seeking to reach a resolution with Historic England in its initial response to the Inspectors' Questions (Document GC4, dated 11th February 2022) this hope was quickly dashed by Historic England's own submission to the examination (Document OD001, dated 18th February 2022) which forcefully restates its objection to the allocation of the site in principle. Following the listing in September 2022 this now appears to be an irreconcilable position. Accordingly, paragraph 16.154 of the Update Topic Paper (GC45) goes on to state:

"SHR166 is intended to perform a strategic employment role, being capable of delivering a range of employment uses, including B2 and B8 uses. Flexibility to deliver the whole range of employment uses on this site has however subsequently been impacted by heritage considerations raised by Historic England and the designation of the site of a temporary Roman marching camp as a Scheduled Monument. It is acknowledged that this issue is yet to be discussed fully at the Examination and is likely to form part of the considerations for Stage 2 hearing sessions."

2.6 It is clearly a matter that the Council has sought to avoid tackling for as long as possible. Whilst paragraphs 5.92 to 5.98 of the previous Housing and Employment Topic Paper (GC28) hinted towards there being no need to replace this allocation if deleted due to the residual supply versus need at the time (August 2023) matters have evidently moved on following the proposed review of growth scenarios and the uplift in the requirement for Shropshire with the current update removing these references. This is particularly relevant when our response to Matter 4 is considered that concludes a 95ha deficit in supply in the likely event that firstly the plan period is extended to 2040 and secondly Site SHR166 is deleted.

2.7 Even in the unlikely event it is concluded that some development can take place on Site SHR166 without causing significant harm to heritage assets due to the nature of the archaeological interest in the site and without the benefit of a substantial scheme of upfront archaeological assessment, it remains a possibility that there may be a need to preserve these remains in situ. This would require a bespoke design solution on site which would further limit the net developable area. Irrespective, the objection of HE is clear to retain the site in its current form and the onus is now on the Council to demonstrate how such a fundamental objection can be overcome to allow the preservation of the allocation. **We are clear that it is impossible to do so, and the draft allocation must be removed from the plan.**

2.8 On this basis the proposed Main Modifications offered by the Council (MM116) which suggest mitigation through design and layout are nonsensical. There is no practical way that any harmful impact on a well-defined rectangular marching camp at the very centre of the site, and likely located at a location that would otherwise form the vehicular access, can be avoided and the monument integrated into the site.

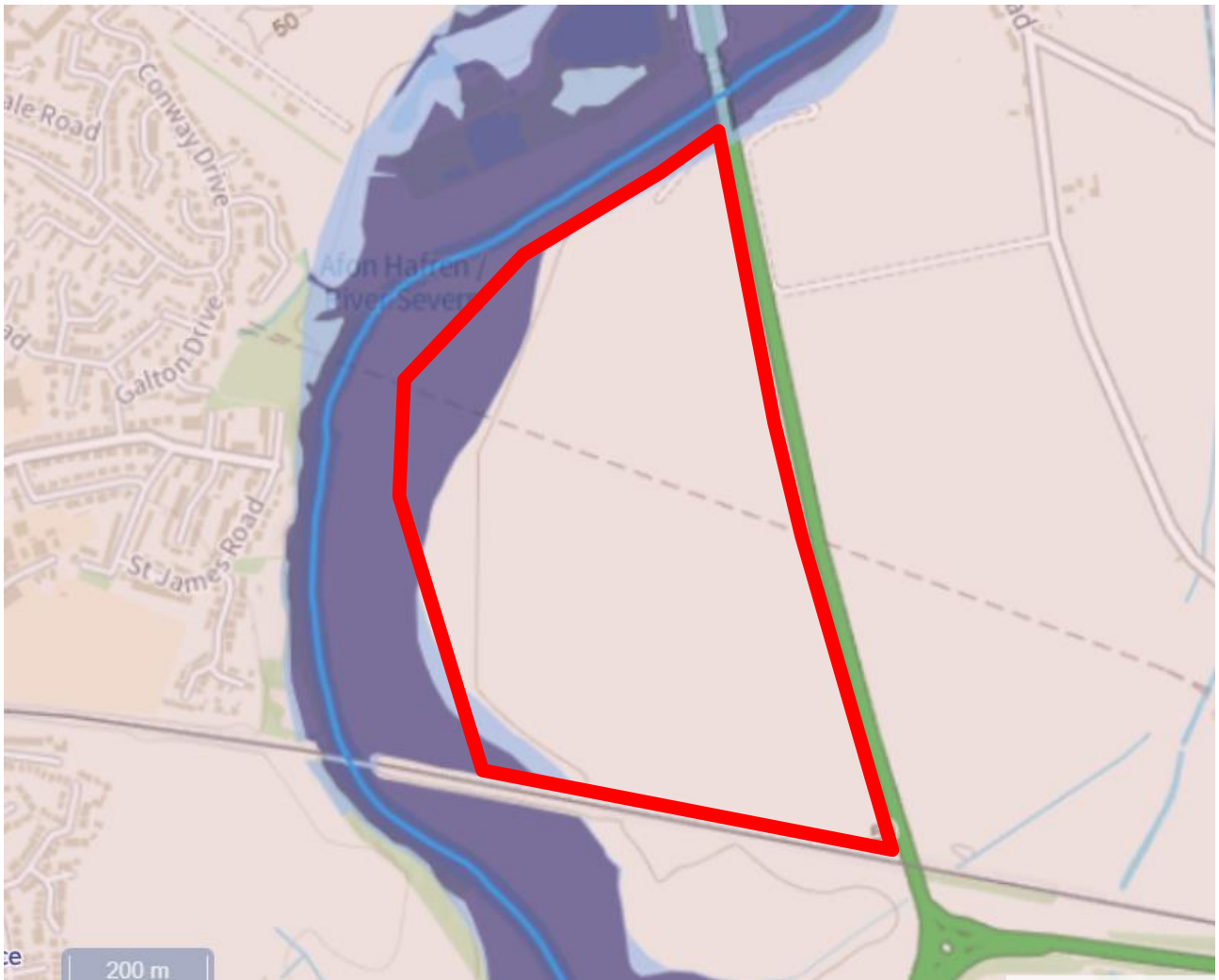
- 2.9 **In conclusion the entirety of Site SHR166 should be deleted from the plan as a draft allocation and our client's site at Battlefield Roundabout should be reinstated as an alternative. Indeed, the Council and the Inspectors are invited to bear in mind that the much larger extent of our client's land (SHR197 as opposed to the smaller SHR197a) is available for development if required. We would invite further discussions with officers on this basis.**
- 2.10 Our client's site is marketable, viable and almost immediately deliverable. A key focus of officers should be on ensuring any future employment allocations are not only sustainable but offer a high level of certainty that they will be delivered. This is the very best way of securing inward investment without risk to the end user. Since January our client has undertaken a significant level of additional analysis of the site as well as existing commitments and latent demand for commercial sites at Shrewsbury which has resulted in the production of a draft first phases scheme at their land which will meet the needs of three operators seeking to either upscale locally or relocate to Shrewsbury, all of whom have engaged in detailed discussions with our client around site specification. **We would be grateful for the opportunity to discuss the progress made at the site with the Inspectors in a forum of their choosing.**

APPENDIX A - Flooding

Site SHR166 outline in bold red

Flood Zone 3 dark blue

Flood Zone 2 light blue



APPENDIX B - Habitats

Site SHR166 outline in red

Local Wildlife Site shown in brown (River Severn Corridor)

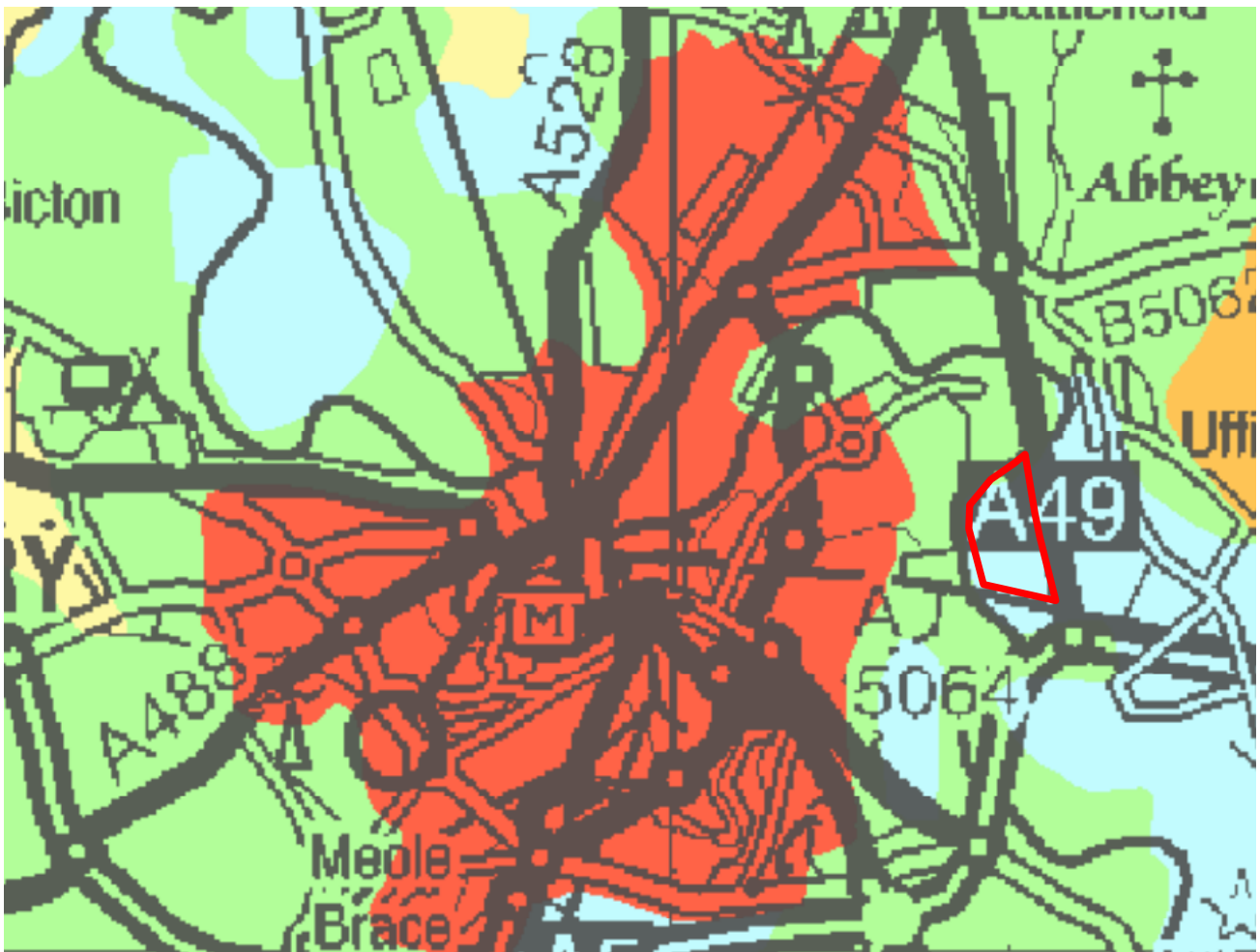


APPENDIX C – Agricultural Land

Site SHR166 outline in red

Grade 2 (BMV) agricultural land shown in light blue

Grade 2 agricultural land shown in green



APPENDIX D – Scheduled Ancient Monument

Site SHR166 outline in bold red

SAM outline in pink, shaded pink

