



WARNER

# Shropshire Local Plan Examination

## Stage 2 - Matters and Issues Statement

Representor The Healey Estate

Representor Number: A0674

Prepared by Warner Planning

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### Introduction

The following representation is prepared on behalf of The Healey Estate who are seeking to bring forward two sites within their ownership on the west of Market Drayton. The sites have been considered within the Local Plan process as MDP014 and MDR031. It also has wider land that is has offered to the Council for biodiversity net gain opportunities.

The Healey Estate is a significant local landowner. The site was purchased in the early 1900s as part of the Buntingsdale Estate. The Healey Estate has had a long-established history within Market Drayton spanning over a century. From playing an active role in the location of the Muller Yoghurt and Desserts factory to the delivery of the Tern Valley Business Park, the Estate cares about the future of the town and wants to bring forward development in a way that is both sensitive and gives something back to the community.

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## Matter 17 – Market Drayton Place Plan Area (Policy S11)

### Issue

Whether the proposed Place Plan Area and site allocations within it are justified, effective and consistent with national planning policy.

### Sites Under Review:

#### MDRoo6 – Land adjoining Adderley Road, Market Drayton

The Council's Sustainability Appraisal identified that the site has a number of constraints which included; being located significant distances from a GP surgery, library, leisure centre and primary school. The site also does not have suitable access to natural green open space.

The site is located to the north of Market Drayton between the A53 and the A529. This parcel of land is undeveloped and has an important rural character. The land to the east of the A529 is more commercialised and built up. There is a clear distinction between the employment development to the east, the residential development to the south and this site with the A53 as a key boundary between functions of the two areas.

The difference in character is a pivotal element in Market Drayton's character. Development on this parcel of land would encroach into the open countryside and degrade the rural appearance of this market town. The Council considered this site within its sustainability appraisal, and it was concluded with a sustainability score of 'fair'. As the site did not achieve a 'good' score this highlights that the allocation has failings.

This site was not allocated within the former Market Drayton Neighbourhood Plan. The site is quite detached from Market Drayton, and the A53 acts as a natural and physical barrier to the site. The proposed policy includes several site-specific requirements, including green infrastructure, buffers, acoustic buffers, sustainable drainage etc., along with 125 dwellings. The Council have failed to demonstrate that all these elements can be accommodated on the site and that this policy is deliverable and achievable.

As a result, we believe the Council have failed to demonstrate that the housing options are deliverable, achievable and viable. We believe that our proposals offer a deliverable solution and can be allocated in part or full to help meet the growing housing needs of Market Drayton on a site which has existing residential areas to the east and improved access to essential services such as Schools and natural green open space. We are unable aware from the evidence base that there is a clear delivery route for this site, especially given the change of economic circumstance

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during the Local Plan examination. This site has not been justified for an allocation and alternative sites are required.

## **MDRo12 – Land to the east of Maer Lane and north of the A53, Market Drayton**

Site MDRo12 is located to the northeast of Market Drayton. The Council's Sustainability Appraisal identified that the site has a number of constraints, which include being partially located within a Flood Zone, being located significant distances from a GP surgery, library and leisure centre and being located close to a conservation area and a listed building. The site was scored as 'fair' within the Sustainability Appraisal and Site Assessment Environmental Report. The site falls within a Groundwater source protection zone (SPZ3) and the Environment Agency have made comments on this site which remain outstanding relating to drainage and pollution prevention measures.

Furthermore, the site is located a significant distance away from accessible natural open green space as identified by the sustainability appraisal. The site is located north of the A53, where there is little residential development. The area to the north of A53 is categorised by rolling hills and agricultural land with some employment development likely derived through agricultural diversification. There is a clear distinction of rural and urban between land north and south of the A53. The allocation of housing to the north of A53 would have significant visual impacts and should be considered encroachment into the open countryside.

This site was allocated within the draft version of the Market Drayton Neighbourhood Plan as part of Policy MDNDP4. Although the Neighbourhood Plan was not taken forward to a referendum the Planning Inspector appointed to examine the draft Neighbourhood Plan commented on this site as follows:

*"7.1 Policy MDNDP4 allocates land at Maer Lane (and shown on Map 3) to help deliver the marina development. The allocation is on two parcels, separated by a road. I repeat my concerns over the site selection process, which lacks robustness, as does the extent of the sites needed for housing. And the supporting text (4.24) confusingly suggests that ". the sites would be appropriate for at least an element of housing...".*

*7.2 I can find no evidence for these sites to viably support the marina development; or the extent to which it can be delivered that would fulfil the criteria set out in the policy, notwithstanding the support from the developer who has only recently entered into a Promotion Agreement. The site's flood risk, raised by representations, is not resolved."*

The Planning Inspector determined that this site is not achievable nor viable for residential development to meet the identified housing need in Market Drayton.

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It is unclear from this if the marina is coming forward as part of the proposal or if it will be delivered through an alternative arrangement and if so, who will facilitate this. The Council have failed to demonstrate that this is a deliverable site, and whether it is a viable option, and provide sufficient clarity that this site will or won't include a marina. The requirement to create a marina would potentially be a barrier to delivery for any developer in terms of commercial viability and adding additional logistical complexities to a relatively small site. This could result in the site not being delivered in the longer term or resulting in delays due to the scope of associated works. Our proposal offers a site of comparable size in a more sustainable location which could be delivered with no associated watercourse issues or long-term management and maintenance responsibilities. No evidence has been presented to show that the identified failing and lack of clarity have been overcome. The proposed allocation has not been justified, and again, alternative deliverable sites are required to meet the identified housing need in Market Drayton.

### **MDR034 – Lane west of Maer Lane and north of the A53, Market Drayton**

This site is located to the northeast of Market Drayton and adjacent to site MDR012. The Council's sustainability appraisal identified that the site has a number of constraints, which include being partially located within Flood Zones 2 and 3, being located significant distances from a library and leisure centre, and being located a short distance away from a listed building. The sustainability appraisal has identified that the site is not near to any easily accessible natural green space. This is a constraint for Market Drayton as a whole. Our proposal seeks to provide access to natural green space to meet the identified demand.

The site is located north of the A53, where there is little residential development. The area to the north of A53 is categorised by rolling hills and agricultural land with specks on employment development likely derived through agricultural diversification. There is a clear distinction between rural and urban land in the north and south of A53. The allocation of development to the north of A53 would have significant visual impacts and should be considered encroachment into the open countryside. It is considered that development would be more appropriately positioned on land to the south of the A53.

The Council considered this site within its sustainability appraisal and gave it a score of 'fair'. This site was allocated within the draft version of the Market Drayton Neighbourhood Plan as part of Policy MDNDP4. Although the Neighbourhood Plan was not taken forward to a referendum, the Planning Inspector appointed to examine the draft Neighbourhood Plan commented on this site as follows:

*"7.1 Policy MDNDP4 allocates land at Maer Lane (and shown on Map 3) to help deliver the marina development. The allocation is on two parcels, separated by a road. I repeat my concerns over the site selection process, which lacks robustness, as does the extent of the sites needed for*

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*7.2 I can find no evidence for these sites to viably support the marina development; or the extent to which it can be delivered that would fulfil the criteria set out in the policy, notwithstanding the support from the developer who has only recently entered into a Promotion Agreement. The site's flood risk, raised by representations, is not resolved."*

The Planning Inspector determined that this site is not achievable nor viable for residential development to meet the identified housing need in Market Drayton.

The draft plan seeks to allocate 120 dwellings to the site. However, the Council's Sequential Test and Exceptions report, notes that **35%** of the site is located within Flood Zone 2 and 3. It has not been demonstrated how all the housing requirements can be accommodated on the site without being located within a flood zone. This could significantly impact the viability of the site, along with the provision or contributions towards the marina. The site is located in a sensitive landscape area, and tall development should be avoided; this, again, may limit the deliverability of the site. The Council have failed to demonstrate that they have appropriately considered alternative sites, particularly those not within a flood zone. In addition, the Council have failed to demonstrate that the scheme is viable and that this level of development can be accommodated on the site. Our proposal could deliver a site within the established settlement boundary with significantly fewer constraints and in a more appropriate location whilst also offering opportunities for a riverside area of open space for the community.

When developing site allocation policies, the Sequential Test should be applied if any of the potential sites are outside of Flood Zone 1. Before allocating sites in higher-risk flood zones, it must be demonstrated that there are no reasonable alternative sites available in areas with a lower probability of flooding that would be appropriate to the type of development or land use proposed. There are alternative sites that are more appropriate and at a lower risk of flooding within the settlement boundary, such as MDR031, which are more sequentially preferable. As a result, MDR034 has not been sufficiently justified for an allocation within the Local Plan.

### **MDR039 & MDR043 – Land at Longford Turning, Market Drayton**

Sites MDR039 and MDR043 are located to the northeast of Market Drayton. The Council's Sustainability Appraisal identified that the site has several constraints which include being located significant distances from a GP surgery, library, leisure centre, primary school, children's playground, outdoor sports facility and amenity green space.

The site is located to the north of Market Drayton and north of the A53. This parcel of land is undeveloped and has an important rural character. The landscape is relatively sensitive and open.

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The gradient of the site exacerbates the visual sensitivity of the site. Immediately south of the site, on the other side of the A53 is a large business park which has a commercialised character. The impactful views of the industrial land are offset by the adjacent rural landscape.

Again, the distinction in character between rural and urban on either side of the A53 is clear. Development to the north of the A53 would have harmful impacts on Market Drayton's rural market town character. The sites are physically detached from Market Drayton, with poor access links for connectivity to main services and facilities. The Council considered these sites within its sustainability appraisal, and both were allocated a 'poor' score. This indicates that there are a number of shortcomings with each of them respectively and, moreover, that other sites are likely to be more suitable for development. An additional layer of complexity for these sites relates to the delivery being subject to it supporting the proposed relocation of the Market Drayton Sports Association Facilities, currently located at Greenfields Lane. This results in the delivery of this site including wider implications which may impact delivery.

These sites were allocated within the draft version of the Market Drayton Neighbourhood Plan as Policy MDNDP6. Although the Neighbourhood Plan was not taken forward to a referendum, the Planning Inspector appointed to examine the draft Neighbourhood Plan commented on these sites as follows:

*"7.5 Policy MDNDP6 supports the development of sites off Longford Road for housing, as shown on Map 4. This shows two parcels, one "carved out" of the Recreation Site allocation (and enveloping some existing housing) and a larger plot, separated by the road and reaching to the A53. The purpose of these allocations is to "...assist the delivery of the formal and informal recreation proposal advanced under Policy MDNDP3...". The difficulty is that it is far from clear how it will do this.*

*7.6 Similar issues as with the other housing allocations appear here: the site selection process, to demonstrate suitability; a robust assessment; the justification for the extent of the sites selected; and the deliverability of the policy all remain unresolved.*

*7.7 The unresolved issues over consultation with the neighbouring parishes remain a significant concern."*

The Inspector determined that this site is not achievable nor viable for residential development to meet the identified housing need in Market Drayton. It is contended that the Council have still not been through a robust assessment of the sites, and clearly demonstrated why this option is the most sustainable for Market Drayton.

There needs to be a significant improvement to the access to the site due to its detachment from Market Drayton. It is our view that Council has failed to demonstrate that this a deliverable, viable



and achievable site. Our proposal could be delivered in a more appropriate location and possible financial contributions as part of this site being delivered could be allocated to the Sports Association relocation project. There are more suitable and deliverable options for housing and employment delivery in Market Drayton.

## Conclusion

Sites MDR015 and MDR031 both provide strong alternatives for allocations within the Local Plan.



Site MDR031 can deliver approximately 90 homes or up to 9000sqm of commercial floorspace, and a small country park and relevant associated infrastructure, landscaping, and drainage works. This site is located within the established settlement boundary of Market Drayton. It has been considered via planning applications, and subject to design, tree retention and layout, there are no technical constraints to its delivery.

The proposal would retain and formalise several footpaths which are currently not formal public rights of way. Site MDR031 is located neatly between the Tern Valley Business Park and the Sherwood Crescent Estate. The site is flat with no deliverability restrictions and any requirements to control activity, noise levels or hours of operation where appropriate could be dealt with by

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the Council through the planning application process. The land is under single ownership and can be brought forward quickly.

If site MDR031 were brought forward the proposed new open spaces and green infrastructure/river corridor allows for carefully designed new ecology and biological opportunities which will help develop local ecological populations. In addition, the careful design of the area, provides opportunities for new lakes and drainage facilities which could assist with natural flood mitigation measures. All the appropriate technical surveys have been undertaken to ensure the site can be delivered quickly.

Site MDR014 has the potential to deliver a retirement community which helps meet the growing need for older person accommodation in Market Drayton. There is an acute need for such facilities in the area. We have commissioned Knight Frank who have found there is a significant shortfall of such accommodation. Such homes have significant benefits as they allow residents to downsize when they are ready, which releases their homes into the property market. It also generates significant economic benefits through job creation and social benefits by creating a community for older persons. In addition, the site has been promoted to the Council for employment opportunities.

Both sites have been identified as alternatives in document GC40 SDo14.03.

In the context of Matter 17 this representation demonstrates that there are a number of in-principle and associated technical matters which are yet to be resolved and could significantly impact the viable delivery of the proposed allocated sites such that necessary targets may not be met. It also has not been clearly presented that all these sites are unencumbered for swift delivery. Further, there appear to be policy conflicts in terms of managing development in the countryside whereby built form is proposed to extend the established settlement limits in some cases but without compliance with other policy areas e.g. flood risk and drainage, and visual impact.

There is a significant need for range of housing sites with the current NPPF consultation proposing a new standard methodology for identifying housing need, which would significantly increase the housing need in Shropshire from 1,070 new homes per year to 2,059 a year. The Healey Estates sites can help deliver this need.