

Shropshire Local Plan 2016-2038

Stage 2 - Hearing Statement

Matter 16 – Ludlow Place Plan Area (Policy S10)

Land at Boraston Drive and the A456, Burford

Prepared by Fisher German on behalf of Lone Star Land

Project Title

Land adjoining Boraston Drive and north of A456, Burford

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1. Introduction

- 1.1 These representations have been prepared by Fisher German on behalf of Lone Star Land in respect of their land interests at adjoining Boraston Drive and north of A456, Burford as illustrated at Figure 1 below.



Figure 1: Land adjacent to Boraston Drive and the A456, Burford

- 1.2 The land is a proposed housing allocation within the emerging Local Plan under Reference BUR004, within Schedule S10.2(i) – Residential Site Allocations: Community Hubs in the Ludlow Place Plan Area for 100 dwellings.
- 1.3 The proposed allocation is supported, and Lone Star Land and the landowners remain fully committed to the residential development of the site.

2. MIQs

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

1. What is the background to the site allocation? How was it identified and which options were considered.

- 2.1 The council are best placed to fully set out the site selection process, however we can confirm that the site was submitted to the SLAA. The site was then independently assessed by the Council through the 2018 SLAA. This assessment considered that the site was potentially deliverable, dependent on the outcome of further assessment. Other sites assessed through the SLAA were rejected outright, including land to the east of the allocation. Of the sites that were deemed to have longer term potential, BUR004 was identified with BUR002 as the most suitable for allocation within the Draft Plan. As set out within our previous submissions and these representations, the site is suitable for allocation for 100 units and can deliver a range of benefits.

2. What is the scale and type/mix of uses proposed?

- 2.2 The site is identified under BUR004 with a proposed residential guideline of 100 dwellings. This means that the site has the ability to deliver a range of house types in accordance with wider policies in the draft Local Plan.
- 2.3 It is noted that the site has a reduced capacity in acknowledgement that the site is of a size which could deliver 200 units having regard for the Council's capacity assumptions, however to reflect site specific constraints a lower quantum of housing is considered preferable. Lone Star Land have no objection to this and have developed a masterplan which has been submitted at Regulation 19 which demonstrates how an attractive scheme of around 100 units can be delivered on site. Ultimately however it is through the site specific detailed surveys and masterplanning where the true site capacity will be established. The use of the word guideline does however reasonably cover this and thus we are content with the scale and mix of uses proposed in the site-specific policy. We have made comments in relation to other matters in respect of types/mix of uses to the respective policies (Matter 27), but in principle the identification of the site for circa 100 dwellings is supported and can be delivered without unacceptable effect.

3. What is the basis for this and is it justified?

- 2.4 The reason for the reduction is explained within the Development Guidelines, namely:
- Delivery of green space to the north-west, including recreational / parkland with structural planting linking to Tenbury - Bewdley rail line, protecting significant habitat and mitigating any biodiversity impacts
 - Delivery of green infrastructure to the north-west and south-east of the site will improve the character of this large prominent site. These open areas will reduce impacts on views from A456 and surrounding landscape by softening the existing urban aspect along the eastern edge of town and to integrate the development into the valley of the River Teme.
 - Open space to the south and east will accommodate the SuDs, de-culverted watercourse and land for water flood storage capacity, to hold and manage the discharge of surface water and protect the River Teme as an SSSI. This area will also provide value as amenity land and landscaping to the site frontage on A456.
- 2.5 Once these areas of public open space are provided, and whilst retaining an attractive character and design, there is sufficient room for circa 100 dwellings as a guideline. However, as set out previously the final quantum of development will best be established through the submission of a suitable planning application with localised, site specific, detailed evidence. This may result in an application for more or less units, but given the allocation is only a guideline, this should not be deemed as unacceptable as the NPPF places a responsibility on parties to make effective use of development land.

4. What is the current planning status of the site in terms of planning applications, planning permissions and completions/construction?

- 2.6 The site is under the control of an experienced residential land promotor (Lone Star Land). Work towards the submission of a planning application has commenced, including pre-application advice with the Council and formal Design Review (undertaken by Design:Midlands). An outline application will be submitted in due course, providing the framework and certainty for the site to be marketed and sold to a housebuilder who can deliver their product through subsequent reserved matters applications. At this stage, subject to timely determination of submitted applications, we anticipate delivery within the 5-year period post adoption.

5. What are the benefits that the proposed development would bring?

- 2.7 The proposed development would bring a range of benefits, both locally and district level. The development would deliver 100 dwellings, including a suitable mix of sizes and typologies, including

affordable housing in accordance with adopted policies. The delivery of housing in both the context of the NPPF and wider governmental aims should be afforded significant weight.

- 2.8 The site also provides wider benefits in terms of the provision of new, high quality public open space, designed to respond positively to the site's constraints and opportunities. This will provide attractive environments for both new and existing residents to enjoy, including new areas of amenity space, a LEAP (on a suitably overlooked, accessible and safe part of the site) and new walking routes. This provision of high-quality spaces will encourage people to live more active, healthier lifestyles.
- 2.9 The site will provide a range of ecological benefits beyond the basic requirement of BNG, albeit this is still considered to be a benefit. This includes the creation of attractive new habitat including the site's attenuation features. A specific localised opportunity provided through the development of this site includes the opening up of an existing culvert to the eastern part of the site. This will be a demonstrable benefit in terms of amenity, watercourse hierarchy (particularly in terms of maintenance and flood alleviation) and also ecology.
- 2.10 The site is sustainably located, with a range of employment opportunities, services and facilities within walking distance of the site, in both Burford and Tenbury Wells. Public transport is accessible at existing bus stops on A456, a 3minute walk from the site. These stops are served by the 291 bus service, which provides a regular service to Kidderminster and Bewdley via surrounding towns and villages.
- 2.11 The site is considered therefore considered to be sustainable and suitable for development, bringing a range of benefits beyond that which could be achieved on other sites.

6. What are the potential adverse impacts of developing the site? How could they be mitigated?

- 2.12 As set out in respect of Questions 2 and 3, both the Council and the site promotor have a strong understanding of the site's context, opportunities and constraints, and this has informed the Council's draft guidance for the site, and the approach adopted in respect of the illustrative masterplan. This has been refined through both pre-app and design review, both of which had technical input from Officers, consultees, and technical experts employed by Design:Midlands. It is through this understanding that the capacity of the site has been reduced, to enable sufficient room on the site for mitigation, predominantly in the form of target areas of open space to help the site assimilate into the landscape and have sufficient regard for key constraints, such as heritage. This

diligent work has resulted in a scheme which can be advanced without undue impact, whilst still delivering an important contribution of new homes.

7. How is the site affected by flood risk? How has this been taken into account in allocating the site? How have the sequential and, if necessary, exception tests been applied?

- 2.13 The site is located entirely within Flood Zone 1 (Low Probability). An unnamed ordinary watercourse is located within the eastern portion site; this is culverted through much of the site, before passing under the A456 and eventually discharging into the River Teme. A key benefit of the current proposals is that this water course will be de-culverted, providing a host of amenity, ecology and watercourse hierarchy benefits.
- 2.14 The majority of the site is also at very low risk of surface water flooding. Areas of low (1 in 1000-year) to high (1 in 30-year) surface water flood risk are present along the unnamed ordinary watercourse corridor and along the southern site boundary. It is noted that as part of the design review, Design:Midlands had a flood risk expert as part of their team, in acknowledgement of the need to be robust on this matter.
- 2.15 The baseline results of initial hydraulic modelling indicated the potential for pooling in the south of the site, predominantly driven by limited capacity within the existing culvert on the unnamed ordinary watercourse adjacent to the site. Hydraulic modelling of post-development options/mitigation will have been undertaken to inform the site layout and the need for on-site attenuation measures. This resulted in a need for an additional basin to manage the outflow to this culvert. As a result, surface water drainage will be appropriately sized and accounted for within the site layout, with consideration to flood risk both now and in the future (including adjustments for climate change).
- 2.16 New built development will be located way from these areas. The schemes layout and drainage strategy will ensure both that proposed development will be safe from flooding, and flood risk will not be increased elsewhere.
- 2.17 The work to date demonstrates there is a strong understanding of the site in respect of Flood Risk. The site is located within Flood Zone 1 and whilst there are localised areas of Surface Water flood risk acknowledged through hydraulic modelling, these will not impact any areas of built form and will be entirely mitigated through the provision of additional sustainable drainage features, namely an additional attenuation basin. On the basis of the above, there is no need to undertake the sequential/exception test. Moreover, the scheme improves the localised drainage hierarchy through

the de-culverting of the watercourse. Should it benefit the examination, the evidence can be provided, but this has already been shared with the Council and Design:Midlands as part of pre-application work.

8. What are the infrastructure requirements/costs and are there physical or other constraints to development? How would these be addressed?

- 2.18 The full infrastructure requirements and costs will be established through the submission of the planning application, which will ensure necessary payments to local public services if there is a lack of capacity. There is however a very strong understanding of the site's physical and other constraints, as set out in these representations and previous submissions, and work is well advanced in development of a scheme which responds to these positively, and in a manner which helps develop place character and identity, contributing the to development of an attractive scheme. For example, in accordance with the comments of offices, Design:Midlands and the project team, the proposals will include large areas of new public open space, provided across the site, ensuring all new residents benefit from ready access to these areas.
- 2.19 This examination can take full confidence in the process that has been undertaken to date in respect of the development of proposals, including pre-application and design review, to ensure the delivery of a scheme which delivers a significant quantum of dwellings (circa 100), whilst mitigating its constraints in a positive way.

9. Is the site realistically viable and deliverable?

- 2.20 Yes, whilst full details of development contributions are still being established, there is a good understanding of the works needed to physically deliver the site, including measures such as the de-culverting of the water course, and having regard for anticipated values it is not considered that there will be an issue in terms of site viability or deliverability. Our anticipation is there will be strong market interest in the site, with full appreciation of likely costs as will be apparent after approval of an outline consent, and given land supply shortages housebuilders will be keen to develop the site in the near term, in a policy compliant manner.

10. What is the expected timescale and rate of development and is this realistic?

- 2.21 Having regard for the progress made towards an application, we believe that the published trajectory is now likely to underestimate the contribution of the site, particularly with delivery in the initial Plan Period. We can confirm that submission of an outline application is imminent. From the grant of Outline permission, we anticipate 1 year for approval of Reserved Matters and conditions, followed

by 9 months for sales. Whilst the first year of delivery may be lower, we anticipate annual delivery of 40-50 dwellings per annum. Assuming timely approval of the applications, we consider the below trajectory is deliverable, assuming the Local Plan is adopted next year, (thus the base year for 5-year housing land supply calculations), we believe the following is a reasonable trajectory for the delivery of the site reflecting an understanding of the progress made towards an application and reflecting key evidence on similar site typology deliver as articulated above. The base date is considered robust, particularly having regard for Matthew Pennycook MP's letter to the Planning Inspectorate (July 2024) which sets out that Local Plan examinations need to be expedited where possible, though clearly if the Local Plan is adopted the following year the implications for delivery are clear.

Year	2025/26	2026/27	2027/28	2028/29	2029/30
Site progress	Approval of submitted Outline	Approval of Reserved Matters Application/ Conditions	20	40	40

2.22 Both the lead in time and build out rate is considered to be robust. This is supported by research undertaken by Lichfields through their published Start to Finish 3 (March 2024) which sets out 35-60 dwelling per annum can be anticipated for sites of this scale (lower to upper quartile of sample sites that formed the study). Whilst the application determination is slightly expedited when compared to Start to Finish assumed average, this is a reflection on the significant progress and work done so far, including pre-application and design review, which has essentially frontloaded some of the work that may otherwise be undertaken during the determination period.

11. Is the boundary of the site appropriate? Is there any justification for amending the boundary?

2.23 Yes, the boundary of the site is appropriate and logical, reflecting land ownership and also to facilitate the benefits of the proposed development, including de-culverting of the watercourse. All parties are in agreement (the Council, the promotor and Design:Midlands (who undertook the design review)) that the defined site area is appropriate and can achieve all cited aims of the draft Local Plan site guidelines.

12. Are the detailed policy requirements effective, justified and consistent with national policy?

- 2.24 Yes, Lone Star Land support the proposed detailed site requirements and consider them all to meet the NPPF's tests of soundness. In particular they are justified when compared with potential alternative approaches, particularly given the need to reflect localised opportunities and constraints which have been developed through evidence collated by the Council and by the site promotor. They are considered to be effective, particularly in that the work that has been undertaken to date, including comprehensive design review, support the guidelines within the site-specific policy. As articulated above, the site is considered to be viable and deliverable, including the specific guidance. Finally, they are considered to be consistent with national policy, particularly in that like the NPPF they weigh up the development of land for much needed housing, whilst retaining focus and appropriate weight to issues apparent within the Framework, such as heritage and flood risk.