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Shropshire Council  
Development Services  
Shirehall  
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Dear Sirs

## **SHROPSHIRE MUCH WENLOCK NEIGHBOURHOOD PLAN SUBMITTED TO EXAMINATION JUNE 2013**

### **Introduction**

RPS Planning & Development is instructed by Wenlock Estates to submit representations on the Much Wenlock Neighbourhood Plan (MWNP) submitted to examination in relation to their land interests at Much Wenlock.

Wenlock Estates are major landowners at Much Wenlock who own much of the land within and surrounding the town. Our clients have a very close association with Much Wenlock and wish to participate in the discussion over what is the most appropriate spatial strategy for the area having regard to local constraints, opportunities, opinions and ensuring the strategy is deliverable. There is little point adducing proposals which are demonstrably not deliverable and which are unrealistic.

Wenlock Estates have made representations at previous consultation stages and have been represented at landowner stakeholder meetings. Representations have sought the allocation of sites for development within the MWNP, including land within which the currently identified RES1 site sits. Persimmon Homes have interests in the wider area including the RES1 site, for whom a separate representation has been prepared.

Wenlock Estates have significant interests in enhancing the town through development including the provision of market and affordable housing, employment and community facilities, which would provide benefits to the local community and support the town's recognised role as a key centre. Wenlock Estates are committed to working with Shropshire Council to ensure that development requirements at Much Wenlock can be sustainably delivered.

Whilst Wenlock Estates agrees that residential development, employment and community uses are needed in Much Wenlock, it is considered that the draft neighbourhood plan as submitted is significantly flawed and has failed to identify a suitable and deliverable amount and distribution of residential development. In particular, the proposals for RES1 at 25

dwellings on a corner of the previously identified site has never been put to the landowner or prospective developer to determine whether it is deliverable.

Indeed, Persimmon Homes has undertaken separate public consultation to identify the benefits which will accrue to the town from a deliverable proposal of some 85 dwellings on the previously identified RES1 site which can deliver a needed flood attenuation scheme, higher level of affordable housing, a traffic calming gateway roundabout on the entrance to the town on the A458 Bridgnorth Road and a much higher level of Community Infrastructure Levy (enhanced by the Neighbourhood Plan's adoption).

As the plan currently stands it is considered to be unsound as Much Wenlock's development needs are not being appropriately met. Wenlock Estates requests that a hearing be convened to examine its concerns over the content of the plan.

### Basic Conditions

The Council refers to draft Neighbourhood Plans meeting the basic conditions required if inter alia:

*“(a) having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the neighbourhood development plan,  
(d) the making of the neighbourhood development plan contributes to the achievement of sustainable development,  
(e) the making of the neighbourhood development plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area),  
(f) the making of the neighbourhood development plan does not breach, and is otherwise compatible with, EU obligations, and  
(g) prescribed conditions are met in relation to the neighbourhood development plan and prescribed matters have been complied with in connection with the proposal for the neighbourhood development plan.”*

It is understood that the Inspector/Examiner will focus on these five core conditions for the examination.

RPS on behalf of Wenlock Estates considers that the MWNP fails to meet several of the basic conditions of the Neighbourhood Plan Regulatory Requirements which are being assessed for the examination, principally on the grounds of failure to conform with the National Planning Policy Framework (Condition (a)) and failure to contribute towards the achievement of sustainable development (Condition (d)).

An interesting debate can be held into whether the plan conforms with the Shropshire Core Strategy and the role of the Shropshire Site Allocations and Management of Development DPD in delivering the Core Strategy for Shropshire including Much Wenlock.

It should be expected that the MWNP should make provision for the right amount of development to be delivered in the town to meet both local needs and a proportionate share of the overall requirements of Shropshire.

It is considered that the MWNP fails to provide an appropriate vision for the development of the town and is therefore unsound, the main issues being the level of housing to be delivered where there are no housing targets identified within the Plan, and how this will be delivered within the plan period.

### **Housing Delivery**

The MWNP does not state how many homes are proposed to be delivered in the plan area in the plan period. There is therefore no means of monitoring delivery against a target or assessing the effectiveness of the plan in delivering required and desirable development.

The Statement of Public Consultation includes very clear comments from the Government (CLG) which states that Objective 1 Housing needs to refer to the Core Strategy housing numbers, provide clarity on whether the 25 houses reference is to be all the development that is planned, that details of the split between site allocations/windfall/small sites should be included, and that the Plan should reference the total number of dwellings that are to be provided over the plan period. It is evident that the MWNP has not taken on board these significant comments from CLG.

The MWNP should clearly set out the level of housing development required to meet local housing needs, should allocate sufficient land to accommodate the development required, and should set out the mechanism that will be employed to trigger the release of further allocations should insufficient development come forward.

The Plan refers to the Core Strategy requirement of 'up to 500' dwellings to be delivered at Much Wenlock between 2006 and 2026. However, there is no indication of how or when (or how many of) these homes will be delivered. The MWNP authors' contention appears to be that the delivery of no further dwellings would comply with the Core Strategy on this basis and that there is simply no need to make any attempt to quantify an objectively assessed housing need for the plan area.

The MWNP housing policies refer to delivery of homes in the town through infill development, on brownfield sites and on affordable housing exception sites, with infilling expected to be delivered at a rate of 10 dwellings a year. There is no evidence that suitable sites exist within the Much Wenlock urban area to deliver 10 dwellings per year and RPS considers that the Plan fails the NPPF test of being positively prepared.

The belated 'call for sites' did not yield the evidence that there are suitable windfall opportunities to yield anything close to this scale of development.

RPS considers that the MWNP strategy is flawed and if it were a serious plan would place inappropriate development pressures on garden land within the town which would be at risk of harming the town's historic character and which could appropriately be resisted by the Local Planning Authority under general development management policies.

Rather, the MWNP strategy should positively plan to provide new homes in the most appropriate location(s), as would be the case if the issue was being addressed through the Shropshire Site Allocations and Management of Development DPD process which is in preparation but which is following the preparation of the Neighbourhood Plan.

MWNP Policy H2 states that the housing will be monitored and the MWNP reviewed if local needs are not being met. However, as the MWNP fails to set out the level of local housing needs that is required to be met, a review could not be triggered by monitoring. Thus, this policy's intention to keep the delivery of sites under review is meaningless. The Plan has no formal monitoring arrangements and relying on as yet unidentified sites, other than the RES1 site, does not provide the certainty required to ensure sufficient homes are provided to meet an objectively assessed requirement.

Without a reserve list of potential sites which have been through public consultation, the intention to allocate land when required will not meet the principles of neighbourhood planning or Sustainability Appraisal. Suitable, available sites should therefore be allocated to ensure that the required level of housing is delivered within a suitable timeframe rather than relying on infill and exception sites to come forward in the future.

The reasons explaining the housing policies proposed refer to Core Policy Objective 5 which is to *"provide for a mix of good quality, sustainable housing development...to meet the housing needs and aspirations of all sections of the community."* RPS does not agree that the MWNP achieves this objective as the Plan is underproviding at Much Wenlock when there is a suitable site clearly available and capable of delivering a higher level of housing.

#### **The RES1 Site - Land at Bridgnorth Road**

RPS has been promoting the area of land within which the RES1 is located for residential development for several years including the period within which the Shropshire Core Strategy has been prepared and adopted. The location has consistently been identified in all objective assessments as a suitable location and indeed the most appropriate location for planned new homes at Much Wenlock. A landscaping framework for land has been established and principles for a roundabout access and flood risk management scheme with wider benefits to the town have been discussed and resolved with Shropshire Council in the context of a proposal for some 85 dwellings in this location.

At the draft MWNP stage, the promoted site was fully identified on the proposals map as Site RES1 but excluded from the settlement boundary and a limit of 25 dwellings was proposed within the site.

At submission stage RPS welcomes the point that the settlement boundary should include allocated land on the edge of the town. However, the MWNP has revised the site area of Site RES1, reducing its size and still proposes a maximum of 25 dwellings, rather than increasing the number of dwellings proposed on the larger site previously proposed in the MWNP to 85 dwellings, as RPS suggested.

There are no defining features on the ground for the reduced site boundary. No delivery evidence has been produced in support of this reduced proposal, nor have Wenlock Estates or Persimmon Homes given any indication that the proposal can be delivered on the basis of the proposal. On the contrary, when RPS was asked whether a 40 dwellings allocation could be considered in this location, RPS was instructed that given the infrastructure requirements for access and drainage (which both provide significant wider benefits), a lesser development of even 40 dwellings would not be deliverable. A further reduced scale would compound the deliverability constraints.



Persimmon's separate representations adduce their illustrative proposals for the wider site which respect the topography of the land and take the opportunities to provide a traffic calming roundabout access close to the existing primary school and deliver a positive land drainage system to an area where run-off flooding has been a problem.

RPS and Wenlock Estates welcome the recognition that land east of Bridgnorth Road on the southern edge of the town is the most appropriate location. However, reducing the site area does not make the most efficient use of the wider parcel of land and misses several key opportunities to create a sustainable and deliverable proposal. The boundary as drawn prevents a pedestrian and cycle link between the site and the existing Hunters Gate development which has been planned to allow such linkages from a later phase of development.

### ***Sustainability Appraisal and Benefits***

The RES1 site is evidently the most appropriate location for new housing at the town and is in a location which can bring significant benefits on site as well as through the CIL. Allocation and delivery of the wider site's capacity of about 85 homes, which is 60 more than the currently proposed maximum level, would be able to reduce pressure on infilling within the town to a significant degree.

There is widespread recognition through responses to the residents' questionnaire that land at Bridgnorth Road and adjacent to the Primary School is the most suitable location for planned new housing. However, fundamentally, it is considered that the proposed limit of 25 dwellings is arbitrary; is an inefficient use of this sustainably-located greenfield land; and fails to take on board the significant opportunities which are presented by a comprehensively planned development. A masterplanning exercise has demonstrated that 85 dwellings would be an appropriate development.

The MWNP states that large-scale development was not acceptable to the community and that housing should be delivered through smaller sites. The MWNP misconceives the size of "large scale development". In planning terms, a development of 85 dwellings for example, is not large scale in the Shropshire context. The size of any allocated sites should be based on housing need and the ability of the development to fit in with the characteristics of the location. Additionally the misconception fails to recognise the benefits that can accrue from larger comprehensively planned sites in terms of CIL payments, enhancing sustainability with additional infrastructure and in the provision of affordable housing.

A development of 85 dwellings would:

- Provide a good quality housing development which met the needs of all sections of society, including 17 affordable homes, whilst protecting the historic built environment and the high quality landscape;
- Deliver a roundabout access which would also act as a traffic calming measure before the primary school for traffic entering the town from the south;
- Provide a substantial new play area in the south of the town;

- Introduce a comprehensive land drainage and flood storage scheme to address existing local flooding concerns in the south east of the town;
- Contribute in the region of £250,000 of CIL payments for local infrastructure.

Flood attenuation is an important issue for Much Wenlock, and it is recognised that flood attenuation ponds are required in a number of locations. The development of 85 dwellings could facilitate delivery of an attenuation pond on the site to alleviate flooding risk within the south-eastern part of the town.

Therefore, it is considered that the MWNP should seek to optimise the potential of the previously proposed RES1 site, including it within the settlement boundary, to deliver a higher level of housing, approximately 85 dwellings, to contribute towards local housing and community infrastructure needs, and contribute to Shropshire Council achieving a five-year land supply as required by the NPPF. Development on the enlarged RES1 should not be limited to the arbitrary cap of 25 dwellings on the grounds that 'the community does not support large-scale development', as the MWNP indicates. Relying on uncertain and unidentified infill development and exception sites in addition to this small development does not achieve the aims of sustainable development. RPS considers that the MWNP does not comply with national or local policies and does not effectively contribute towards sustainable development

It therefore does not meet the basic conditions required for neighbourhood plans.

### **Shropshire Council Representations**

Wenlock Estates is of the view that the intention in preparing the MWNP has been to prevent and seek to deter development rather than embrace it and direct it to the most appropriate locations. The comments from Shropshire Council on the final draft plan as reported in the Statement of Public Consultation are revealing.

The Statement provides comments from the statutory consultation period, and provides Shropshire Council's response to the MWNP on page 7. This states that the Council "*would favour delivery of more housing on the identified site [RES1] to enable delivery of greater numbers of affordable housing and greater CIL and developer contributions in order to deliver significant support for community infrastructure in general and flood alleviation measures in particular.*"

The latter measures are identified in the Much Wenlock Place Plan which includes a very substantial funding gap. Further, given the lack of consultation over where exception sites may be appropriate, the Plan cannot be confident that the community will agree with the locations eventually proposed. Limiting new houses on peripheral sites other than on site RES1 to affordable only will mean that the town receives no Community Infrastructure Levy from those properties as affordable housing is exempt from Community Infrastructure Levy (CIL) payments.

Shropshire Council's comments go on to say that it is disappointing the MWNP proposed less than the expected housing for the market town's role, as set out in Core Strategy Policy CS3, where other market towns are seeking higher housing numbers to contribute towards

local needs and community infrastructure requirements. Core Policy CS3 states that Market Towns and Key Centres are to provide a focus for economic development and regeneration, and that Much Wenlock is to have limited development to reflect the town's important service and employment centre role.

RPS concurs with Shropshire Council's comments that the provision of only 25 dwellings, which would only include 5 affordable dwellings, on RES1 is not sufficient in meeting this role.

Shropshire Council's comments also indicate that the Council does not have a 5-year supply of housing. The Council also recognises that the RES1 site has low biodiversity value in supporting its suitability as a location for development.

### **Other Locations for Development**

Further to Wenlock Estates' previous representations to the MWNP, the Town Map still excludes a number of other sites proposed by Wenlock Estates for development which are shown on Plan RPS1 (attached). The exclusions include the site promoted as being suitable for a small residential development west of the town, north of Stretton Road between the National Trust Car Park and Blakeway Hollow. The land is proposed for up to 6 dwellings on the southern part of the site with retained open space in the north. The land is considered suitable to include the delivery of single storey homes which can meet an identified need, and RPS considers that this site should be allocated for development within the MWNP.

The MWNP fails to recognise the Town's sustainability credentials and its role in serving a wider catchment area:

- It houses a secondary school with a wide catchment;
- It benefits from very good links with Telford, Shrewsbury and Bridgnorth, including well supported bus services; and
- It has a good range of local shops.

It is acknowledged that a balance of housing and employment is necessary, and so Wenlock Estates has previously put forward additional land for employment provision as a suitable extension to the existing proposal west of the town and south of Stretton Road (owned by Shropshire Council), which can be planned comprehensively having regard to proposals for a flood attenuation pond in this location on land in large part owned by Wenlock Estates. This site has also been excluded as an allocation in the MWNP.

A comprehensive approach to the area south of Stretton Road is considered appropriate and will provide greater flexibility to meet potential demand. An access to the additional land has been approved by Shropshire Council which will have capacity to serve the proposed development. Discussions have been held between Wenlock Estates and Shropshire Council, who own the currently proposed allocation site, and there is a willingness to work together in promoting the land, were the wider area to be proposed for development.

## **Proposals Map**

The Town Map also excludes land to the west of Bridgnorth Road which was promoted by Wenlock Estates as being suitable for new community uses north of Dark Lane and south of the Gaskell Arms Hotel. It is considered that the Neighbourhood Plan has missed the opportunity to address specific infrastructure needs or identify land where such new provision could appropriately be made over the period to 2026. RPS considers that this site should also be identified as suitable to contribute towards community infrastructure requirements for the town.

RPS is not aware of the reasons why this potential allocation has been rejected.

## **Development and Infrastructure**

The approach of seeking to limit market housing in the town has been accompanied by placing a low priority on generating CIL income to address infrastructure needs.

It is recognised that some facilities have been lost in the town, and it is considered that more new homes and a larger population, in addition to greater employment development, will help stem the loss of facilities and services by assisting in sustaining them. In doing so the town will assist the wider catchment.

Additional market dwellings will generate CIL for enhancing local community infrastructure and the MWNP will enable greater local control of how the CIL funds are expended. This is a missed opportunity.

## **Conclusion**

RPS on behalf of Wenlock Estates considers that the sites mentioned above, in particular increasing RES1 to enable development of 85 dwellings, should be included in the MWNP to achieve sustainable development and ensure there is a genuinely deliverable contribution from the Plan towards meeting the town's housing and community infrastructure needs.

In addition, a deliverable development of 85 dwellings would assist in contributing towards the achievement of a five-year housing supply for Shropshire, and provide a suitable level of market and affordable housing within Much Wenlock to meet local needs which cannot be delivered through the reliance on infill and exception sites coming forward which have not yet been identified or assessed for their suitability.

As stated above, limiting development within the town does not comply with local policy and clearly expressed expectations of Shropshire Council or the requirements of the NPPF for sustainable development. Therefore, the basic conditions required for neighbourhood plans have not been met, and the MWNP is unsound.

RPS and Wenlock Estates request the opportunity to discuss the substantive issues raised by these representations at a hearing prior to the Examiner drawing conclusions.



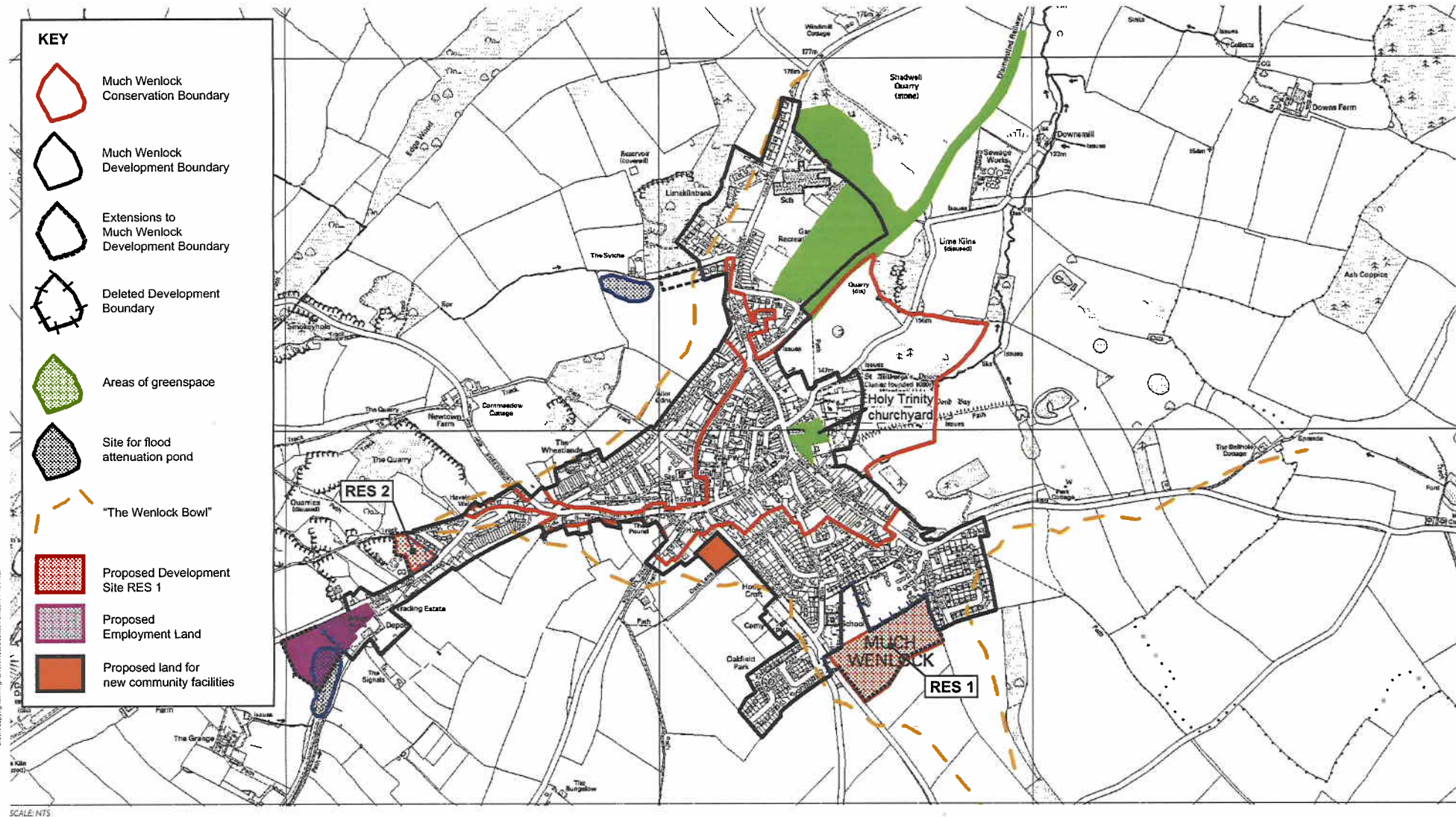
Yours faithfully



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enc

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