

# **Much Wenlock Neighbourhood Plan**

## **Submission Version**

**Report by Independent Examiner**  
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## **1 Introduction**

- 1.1 Neighbourhood planning is an exciting element of the planning system. It provides communities with a direct opportunity to create their own planning policies for the areas in which they live and work. Neighbourhood planning is one of the key elements of the Localism Act, and is expressly set out as a part of the current planning agenda in the National Planning Policy Framework (2012).
- 1.2 The various regulations that govern the production of neighbourhood plans establish that all such plans need to be reviewed by an independent person (the examiner). The examiner makes an independent review of the Plan and to establish whether that plan meets basic conditions set out in the legislation. In particular any neighbourhood plan must:
- a) have regard to national planning policies and guidance.
  - b) contribute to achieving sustainable development.
  - c) be in general conformity with the strategic policies of the development plan.
  - d) be compatible with European Union law and human rights obligations.
- 1.3 I have been appointed by Shropshire Council to carry out the independent examination of the Much Wenlock Neighbourhood Plan. This appointment was made with the consent of the Much Wenlock Town Council and the Steering Group established to produce this Plan.
- 1.4 The Localism Act gives a degree of flexibility for local authorities to appoint independent persons, and specifically allows for senior officers from other local authorities to undertake this role. It was on this basis that I was appointed. I am a senior officer in Herefordshire Council. That Council is part of the Marches Local Enterprise Partnership (with the Shropshire Council and Telford and Wrekin Council). In particular I am independent of the qualifying body (Much Wenlock Town Council) and the local planning authority (Shropshire Council). I have no interest in any land that is affected by the Plan. I also have appropriate qualifications and experience, and which span over 30 years in various local authorities.
- 1.5 In my role as independent examiner the legislation requires me to make one of three recommendations to Shropshire Council:
- a) that the Much Wenlock Neighbourhood Plan should proceed to referendum on the basis that it meets all the necessary legal requirements; or
  - b) that the Much Wenlock Neighbourhood Plan should proceed to referendum as modified (based on my recommendations); or
  - c) that the Much Wenlock Neighbourhood Plan does not proceed to referendum on the basis that it does not meet the relevant legal requirements.

My recommendation is set out in Section 6 of this report based on my examination of the Plan as set out in Sections 4 & 5.

1.6 The legislation provides for neighbourhood planning examinations to be undertaken entirely by written representations. However the examiner has the ability to hold a hearing when that method is considered necessary to ensure an adequate examination of the issues contained in the Plan. Within this context I undertook the bulk of my examination on the basis of written representation over seven days in July 2013. During this period I concluded that a hearing was necessary to look into greater detail on housing delivery in the Plan area, and that hearing took place on Thursday 17 October 2013 in Much Wenlock (see Appendix A).

1.7 In both July and October 2013 I visited the Plan area on an unaccompanied basis.

## **2 Much Wenlock and the production of the Neighbourhood Plan**

### *Much Wenlock*

2.1 Much Wenlock is a unique medieval town. It has a population of around 3,000 people. Some websites describe it as a quintessentially English town, and they are entirely accurate.

2.2 The town and the wider rural parish run from the lip of the Severn Gorge down to the south-west along Wenlock Edge. The built-up town sits comfortably in this wider rural landscape.

2.3 The town itself is characterised by its fine medieval street pattern, its variety of medieval, Georgian and Victorian architecture and its cluster of vibrant independent shops and other commercial units in and around High Street. The ruins of Wenlock Priory emphasise the historic richness of the town. The town is popular with both its residents and with the wide range of visitors.

### *The Production of the Plan*

2.4 In February 2011 Much Wenlock Town Council agreed to work with Shropshire Council to produce a neighbourhood plan. Much Wenlock has been part of the national vanguard process on neighbourhood planning.

2.5 The Town Council formed a steering group to oversee the production of the Plan, and the neighbourhood plan project was launched in November 2011. In October 2012 the Shropshire Council approved an application for Much Wenlock to be designated as a neighbourhood area.

2.6 The development of the Plan has been assisted by its status as a front-runner in neighbourhood planning preparation. This has given rise to both formal and informal interest and monitoring from other parties, organisations and agencies. The Department of Communities and Local Government has provided a link worker to the Plan. Both the Much Wenlock Town Council and Shropshire Council have completed a self-awareness health check with the Planning Advisory Service. There has been a huge amount of effort and energy injected into this Plan by the community in general, and by the Town Council and its Steering Group in particular. This was very evident during the period of my examination of the Plan.

2.7 The Plan has been prepared in a very professional way. Its design, policies and approach are informative and easy to understand, and it is clear that there has been a high degree of community support and interest. Much of this is captured in a well-presented web-site ([wenlockplan.org](http://wenlockplan.org)). The Plan is very comprehensive and sets out 40 policies underpinning nine objectives. This is a huge challenge in itself for a neighbourhood planning group.

2.8 In summary since the launch of the Neighbourhood Planning project in November 2011 the following key events have taken place:

- A launch presentation (22 Nov 2011)
- The preparation of a launch event booklet
- Steering Group meetings with landowners (Dec 2011/Jan 2012)
- Steering Group meetings with housing providers (Feb 2012)
- Roadshow events (Jan/Feb 2012)
- Engagements with Much Wenlock primary school and William Brookes School
- Residents' Survey (June 2012)
- Development of Objectives (Sept/Oct 2012)
- Engagement of technical writer (Dec 2012)
- Consideration of site proposals/drop-in events (Jan 2013)
- Publication of draft Plan (Jan 2013)
- Six week consultation period (Mar-Apr 2013)
- Proposed Plan submitted to Shropshire Council on 2 May 2013
- Consultation on the Plan by Shropshire Council (May-June 2013)

This professional and thorough approach is to be commended to others embarking on this process and the Steering Group has had several visits from other such groups preparing neighbourhood plans.

2.9 The final period of consultation on the Plan (and by Shropshire Council) generated the following responses:

- Mr R Dower
- The Environment Agency
- The Homes and Communities Agency
- Wenlock Estates (submitted by RPS)
- Persimmon Homes (submitted by RPS)
- Natural England
- The Coal Authority

These comments were made in the appropriate timescales and I have given them the appropriate weight in my examination of the Plan.

2.10 I have also received comments from the following persons directly whilst I have been carrying out my examination of the Plan:

- Mr G Bowden
- Mr J E Yeats
- R J L Smith & Associates
- Mr R Dower (further comments)

I have read these comments and taken them into account in drawing my conclusions. In most cases they overlap with the comments made by the organisations that made their comments within the final consultation period.

### **3 The Development Plan Context**

3.1 One of the basic conditions for the production of neighbourhood plans is that they should be in general conformity with the strategic policies of the development plan.

3.2 The development plan is the Shropshire Local Development Framework (LDF) Adopted Core Strategy March 2011. This Plan sets out how Shropshire is expected to evolve over the period to 2026.

3.3 There is very clear evidence that the qualifying body has made extensive reference to this document, and have sought to develop a set of local policies to complement those in this overarching County Plan.

3.4 Much Wenlock is located in the East Spatial Zone, one of five such zones identified in the LDF. These spatial zones have an important role to play in the distribution of development across the County through its key strategic policies (CS1-CS4).

- 3.5 Policy CS3 (The Market Towns and Other Key Centres) is particularly important. It comments that ‘market towns and other key centres will maintain and enhance their roles in providing facilities and services to their rural hinterlands, and providing focus for economic development and regeneration. Balanced housing and employment development, of an appropriate scale and design that respects each town’s distinctive character and is supported by improvements in infrastructure, will take place within the town’s development boundaries and on sites allocated for development’.
- 3.6 The Eastern Shropshire section of this policy indicates that Much Wenlock will have limited development that reflects its important service and employment centre role whilst retaining its historic character.
- 3.7 The LDF sets out indicative levels of growth for the various settlements in the County. Much Wenlock is identified as a settlement that would deliver an indicative level of growth of up to 500 homes in the period from 2006-2026.
- 3.8 The adopted LDF has been underpinned by the production of a series of Implementation and Local Investment Plans (and called Place Plans). The Much Wenlock and surrounding area Place Plan has been produced in this context. It provides a useful basis both for the on-going implementation of the County-wide LDF and for community engagement and involvement.
- 3.9 Shropshire Council has indicated that the submitted Much Wenlock Neighbourhood Plan is in general conformity with the Shropshire LDF. I agree with this assessment – the Plan clearly seeks to implement the key spatial elements of the adopted Core Strategy for Shropshire, and is in general conformity with its approach.

#### **4 The Much Wenlock Neighbourhood Plan – General Comments**

- 4.1 This section of the report deals with the general elements of the submitted neighbourhood plan and the extent to which it meets the basic conditions. The next section of the report deals with the detailed elements of the Plan.

##### *Procedural Matters*

- 4.2 Before addressing on the basic layout and content of the Plan I comment on some procedural matters as set out in Para 8(1) of Schedule 4 of the Town and Country Planning Act 1990 and as follows:

*The policies relate to the development and use of land for a designated neighbourhood area in accordance with the requirements of Section 38A of the Planning and Compulsory Purchase Act 2004.*

I am satisfied that this is the case. The neighbourhood planning area was designated by Shropshire Council in October 2012.

*The neighbourhood plan must specify the period to which it has effect, must not include provision about development that is excluded development, and must not relate to more than one neighbourhood area.*

I am satisfied that this is the case in all these aspects.

*The neighbourhood plan has been prepared for an area that has been designated under Section 61G of the Localism Act and has been developed and submitted for examination by a qualifying body.*

I am satisfied that this is the case.

4.3 In relation to the first of the three points above there would be merit in amending the two submitted maps within the document to provide greater clarity on the plan boundary, the legibility of the maps themselves and the associated technical information. I have captured these matters in an advisory letter to Shropshire Council and the qualifying body.

4.4 In relation to the second of the three points above there would be merit in including a sentence in the Plan itself to clarify the period in which it operates – whilst the front cover mentions the Plan period (2013-2026) and the text provides various comments about the end period, there is no specific statement about the Plan period in the Plan text.

*European Convention on Human Rights (ECMR) and other European Union Obligations*

4.5 The Plan has been prepared in a very thorough way, and I am satisfied that it does not breach the ECHR. I am also satisfied that the submitted plan is compatible with EU obligations.

4.6 In particular the Plan was able to benefit from a health check through the Locality programme. This analysis, and an exercise carried out by Shropshire Council concluded that neither a Habitats Regulation Assessment nor a Strategic Environment Assessment was required.

4.7 The structure of the Plan makes it both informative and readable. In particular it is based around nine objectives that were used to develop the Plan itself (see Section 5 of this report).

4.8 Each element of the Plan follows a similar structure and as follows:

- The objective
- The associated policies
- A sustainability assessment (how the policies aim to contribute to sustainable development)
- The reasons for the policies
- The relevant strategic policies



- Relevant supplementary planning documents

This structure helps all concerned to understand the approach taken in the Plan, and especially the context to and reasons behind the policies. This is excellent practice. Its overall effect is to provide a well-reasoned and comprehensive context for the neighbourhood planning area. Usefully the plan period respects the period in which the Shropshire LDF operates.

## **5 The Neighbourhood Plan – Detailed Comments**

- 5.1 This section of the report comments on the details of the Much Wenlock Neighbourhood Plan and in particular makes an assessment of the relationship of the various policies to the basic conditions.
- 5.2 I have approached this matter on the basis that the community and the neighbourhood planning group have spent time and energy identifying the issues and objectives that they wish to include in their Plan and I am satisfied that this is entirely appropriate. Nonetheless in some areas I have proposed modifications that seek to provide a greater degree of clarity than would otherwise be the case. In particular the National Planning Policy Framework (NPPF) indicates that plans should provide a practical framework within which decisions on planning applications can be made, and that plans should give a clear indication of how a decision-maker should react to a development proposal (paragraphs 17 and 154 of the NPPF). Other examiners have taken this approach in proposing changes to submitted neighbourhood plans and I will do likewise. This is particularly important as neighbourhood plans will stand alongside a local plan (here the LDF) as part of the development plan for that area.
- 5.3 My recommendations focus on the policies in the Plan given that the basic conditions relate primarily to the plan's policies. In some cases I have recommended changes to the text to reflect proposed modifications to policies. This is particularly important with regard to this Plan given that the supporting text flows on directly from the policies.
- 5.4 I have addressed the policies in the order that they appear in the submitted plan. In some cases there are overlaps between different policies.
- 5.5 In other cases I have highlighted the various criteria already captured within proposed policies in a bullet-point format. This is likely to provide greater clarity both to the development industry and to the decision-maker. Where necessary I have clarified whether the policy criteria are of an inclusive or exclusive nature.

### *Objective 1 - Housing*

5.6 The delivery of housing within the Plan period was the subject of a hearing on 17 October 2013 (See Appendix 1). As such I have provided more analysis on this matter than on the other objectives of the Plan.

5.7 The hearing was based around an assessment of four key issues:

- the relationship between the NPPF and the general housing policies in the Neighbourhood Plan.
- the relationship between the NPPF and the proposed monitoring arrangements for the delivery of housing in the Plan period.
- the Neighbourhood Plan and sustainable development.
- the proposed housing allocation and sustainable development.

#### *General Housing Provision*

5.8 The hearing was a very useful way of clarifying the various issues. The Town Council, Shropshire Council and RPS Planning (on behalf of Wenlock Estates and Persimmon Homes) took a full and active part in the proceedings.

5.9 In general the hearing established the following areas of common ground between the parties:

- new housing development should provide for local needs and within the parameters set out in Policy CS3 of the Shropshire LDF.
- the importance of the deliverability of new housing provision.
- new development should reflect the town's historic character and landscape setting.
- housing growth should consist of a combination of infill/brownfield developments within the established built-up settlement, an allocated site, and exception sites outside the town boundary.
- an appropriate level of affordable housing should be provided.
- new housing provision should reasonably support the age and demographic profile of the town.
- land off Bridgnorth Road was the most appropriate location in principle for an allocated housing site.

5.10 At the same time the hearing established some key areas where common ground could not be established and which principally included:

- the extent to which the Plan should include a housing target, and if so the extent of that target.
- whether or not the proposed housing allocation in Policy H3 (and referred to as site RES1) meets the basic conditions.

- the range of mix of house types in general, and the need for single level homes in particular to be delivered in the Plan area.

- 5.11 The second and third of these bullet points are detailed in Policies H3 and H6 respectively. As such I will comment on these matters within those policies. I comment on the overall delivery of housing in following paragraphs.
- 5.12 The RPS group argued at the hearing that the Plan should include a clear housing requirement for delivery in the Plan period. At the hearing it was suggested that this figure should be of the order of 250 dwellings. The neighbourhood planning group contended that a specific figure was not required on the basis that there was a reasonable level of certainty that development rates would comfortably bring forward a balanced mix of housing development.
- 5.13 Shropshire Council provided useful information on previous development rates in the Plan area at the hearing. These figures indicate that between 1 April 2006 and 31 March 2013 some 93 dwellings had been completed in the Plan area (73 within the built-up area of the town and 20 elsewhere within the Plan area). Outside the built-up area, a variety of proposals have been developed of up to three dwellings. Within the built-up area there is a similar variety of small sites up to eight dwellings, together with two larger sites (High Street/St Mary's Road and land adjacent to the Lady Forester Nursing Home). This information underpins both statistical information and expressed housing needs in the Plan as set out in the Neighbourhood Planning Housing Report (April 2013).
- 5.14 At 1 April 2013 there were a range of outstanding planning permissions in place. Within the built-up areas planning permission has been granted for 29 dwellings. In the remainder of the Plan area there were 23 dwellings with planning permission.
- 5.15 On the basis of the 93 completions that have already taken place within the Shropshire LDF period, the outstanding planning permissions and the average completion rate in the Plan area between 10-15 dwellings per annum, I conclude that the town is well on the way to achieving the level of growth anticipated in the LDF for Much Wenlock in the period up to 2026.
- 5.16 The neighbourhood planning group has undertaken its own analysis to comply with the key principles set out in paragraph 47 of the NPPF. In particular the Plan has used an appropriate evidence base to ensure that it meets the objectively-assessed needs for market and affordable housing and proposes a balanced range of new housing provision in the Plan period.
- 5.17 The monitoring analysis carried out by the local planning authority indicates that there has been a steady stream of windfall sites being developed in the Plan area in recent years. It is clear from policies in this objective of the Plan that the

neighbourhood planning group is keen to allow similar developments to come forward throughout the plan period either on the basis of new builds, or through conversion schemes.

- 5.18 I have also been provided with evidence about the innovative partnership arrangements that are being developed between the Town Council and the Shropshire Housing Group and around a template for the delivery of affordable homes which suit the bespoke needs of the community. Policy H1 has been designed partly on this basis and to provide suitable and appropriate flexibility for such proposals to come forward, particularly outside the identified Much Wenlock development boundary.
- 5.19 It is clear from the evidence submitted with the Plan and discussed at the hearing that the area covered by the neighbourhood plan is already well on its way to meeting its strategic requirement as set out in Policies CS3 and CS5 of the LDF (see paragraph 3.7 of this report).
- 5.20 A session at the hearing was devoted to proposed monitoring arrangements for the Plan. It was concluded that the Plan's existing and proposed monitoring arrangements (and which included the technical capacity and involvement of Shropshire Council) were entirely sound and appropriate. I am also advised through written representations that the Much Wenlock Town Council has resolved to carry out annual monitoring of the Plan and to carry out a five year review of its policies.
- 5.21 At the hearing the RPS Group (on behalf of Much Wenlock Estates and Persimmon Homes) contended that the Plan should include a housing target both as a matter of principle, and to allow monitoring against that specified target. The neighbourhood planning group indicated at the hearing that the community had stepped away from a specific target and preferred to manage housing delivery through the implementation of specific policies in the Plan itself.
- 5.22 There is benefit in either of these two approaches. A realistic target would however be necessary in order to allow effective monitoring to take place. At the same time the Plan area is already progressing towards meeting its strategic requirement in the LDF and individual housing proposals will be ultimately determined on the basis of detailed policies in the Plan itself.
- 5.23 In order to provide clarity for the monitoring of the Plan I propose to recommend a housing target for the Plan period to provide clarity anticipated by the NPPF to both the local planning authority and to the neighbourhood planning group itself. In setting out a recommended target below I have had further written exchanges with the participants who attended the October 2013 hearing. This further exchange was carried out within the context of my preliminary findings after the hearing and which were shared with the three parties concerned. This exchange allowed the RPS

Group to refine its proposed target, and gave an opportunity for the Town Council and Shropshire Council to comment further on the matter.

- 5.24 This further exchange generated different housing targets. The proposed targets largely reflected differing opinions on the urban capacity of the Much Wenlock town area and the likelihood of affordable housing coming forward on exception sites in the Plan period. Having considered all the information, I recommend a housing target of 130 dwellings for the Much Wenlock town area in the Plan period. I have come to this conclusion on the basis of the identified housing needs in the plan area and the evolving relationship between the Town Council and the Shropshire Housing Group. It was agreed by all parties as part of this further exchange that there was no need to establish a housing target for the rural area covered by the Plan. I am satisfied that development of this scale in the Plan period will be both sustainable and appropriate to the character of the town. Together with the development that has already taken place in the LDF plan period since 2006 this target will ultimately deliver new housing in the mid-range of the provision set out for Much Wenlock in Policy CS3 of the LDF. The setting of a housing delivery target is also important given my proposed modification to Policy H3 later in this report.
- 5.25 The development of new housing in the Plan area in forthcoming years will be influenced by a combination of factors including the take-up of the various extant planning permissions, the deliverability of affordable housing units (especially through the Town Council/Shropshire Housing Group model) and the availability of as yet unspecified windfall sites. Given this range of factors I also recommend a modification that the Plan is reviewed after a three year rather than a five year period. That review should focus on housing delivery and will be able to assess progress on the granting of planning permissions and/or the delivery of housing in the Plan area. If necessary the review of the Plan will be the trigger either for the modification of some of its policies and/ or the allocation of a suitable urban extension site that itself meets the basic conditions.

***Recommended Modifications***

*Insert the following sentences in the 'Reasons for Policies' section of this objective.*

*The Plan proposes a range of policies to deliver a housing target of 130 dwellings for the Much Wenlock town area in the Plan period. This level of growth reflects both the Plan period and a balanced assessment of the future development of the town. In order to ensure that this level of growth is delivered the implementation of the Plan will be monitored on an annual basis. A review of the Plan will be carried out within three years of the making of the Plan.*

***Specific Housing Policies***

- 5.26 There are seven proposed policies in the section dealing with the Housing objective. I will comment on them in turn. I also make some recommendations in

Appendix B on the re-ordering of these policies to achieve a more structured approach to this part of the Plan.

## **Policy H1**

- 5.27 Policy H1 sets out the basis on which proposals for housing development will be assessed outside the built area of Much Wenlock. In particular the policy provides support for the development of affordable housing. In assessing this policy I have given weight to the information in the Housing Paper about the need for local affordable housing and the difficulties that have been experienced in bringing forward this type of housing.
- 5.28 I have sought to provide clarity on the relationship between the development boundary and the definition of exception sites in my proposed modifications to this policy.

### ***Recommended Modification***

***Proposals for small scale affordable housing developments outside the Much Wenlock development boundary will be supported subject to the following criteria:***

- ***they comprise up to 10 dwellings; and***
- ***the proposals contribute to meeting the affordable and social-rented needs of people with a local connection; and***
- ***the development is subject to an agreement which will ensure that it remains as affordable housing for people with a local connection in perpetuity; and***
- ***the proposals would not have a significant impact on the surrounding rural landscape and the landscape setting of any settlement in the plan area; and***
- ***the development is appropriate in terms of its scale, character and location with the settlement to which it is associated.***

***Open market housing will only be permitted outside the Much Wenlock development boundary where this type of development can be demonstrated to be essential to ensure the delivery of affordable housing as part of the same development proposal.***

## **Policy H2**

- 5.29 This policy indicates that monitoring of infilling and exception sites will take place during the Plan period. This monitoring will trigger the need or otherwise for a review of the Plan.
- 5.30 Clearly it is important that proper and robust monitoring of housing delivery takes place. However this proposed policy is a statement of intent rather than a land use

policy. On this basis I recommend that it is deleted as a proposed policy, and included within the supporting text.

***Recommended Modification***

***Delete Policy***

*Insert identical wording into supporting text.*

**Policy H3**

- 5.31 This policy allocates land at Bridgnorth Road for housing development. As mentioned in paragraphs 5.6 – 5.25 of this report the wider issue of housing growth in general, and the proposed allocation of this site in particular, formed the basis of the hearing held in October 2013.
- 5.32 The hearing explored in significant detail the extent to which the proposed site at Bridgnorth Road (RES1) would meet the basic conditions. Appendix 1 sets out the issues debated at the hearing.
- 5.33 Wenlock Estates and Persimmon Homes had made representations on this site and other policies and appeared at the hearing. Their joint submission had proposed a larger housing allocation and which incorporated the RES1 site, together with land to its immediate east. That larger site had been considered during the consultation phases of the Plan but had not been pursued by the qualifying body. There was a useful debate at the hearing on the respective ways in which the RES1 site and the larger scale site would meet the basic conditions, and with particular reference to complying with national planning policy and contributing to achieving sustainable development. Nevertheless my role as independent examiner is restricted to making a judgement on the extent to which the RES1 site as identified in the submitted plan meets the basic conditions.
- 5.34 Whilst there were different views on whether or not RES1 would contribute to achieving sustainable development, I am satisfied that this would be the case. The development of the site would contribute towards the economic, social and environmental future of the town. It would contribute towards meeting identified housing needs and in an appropriate location. It is conveniently located within walking distance of the town centre, the adjacent primary school, and the other retail and commercial facilities along the Bridgnorth Road.
- 5.35 The hearing was particularly helpful in assisting me to draw conclusions on the extent to which the allocated housing site (RES1) has had regard to national planning policies and guidance. There was extensive debate around the extent to which the allocation of this site had regard to the National Planning Policy Framework.

- 5.36 At the heart of the debate was the ability of the site to be delivered. Shropshire Council indicated that the delivery of growth was critical to the implementation of its LDF, and as set out in Policy CS3.
- 5.37 The National Planning Policy Framework sets out key elements of the government's planning policies for England and how these are expected to be applied. Section 6 sets out key measures and policies to deliver a wider choice of high quality housing. Paragraph 47 and its various footnotes provide guidance on the deliverability of housing sites, and what is required for sites to be considered developable. Within the context of this approach I will assess the proposed housing allocation on the following three factors – suitability and location, the prospect that the site is available, and that the site could be viably developed at the point envisaged.
- 5.38 On the first point it is accepted by all concerned that a housing allocation in the Bridgnorth Road area is the optimum location for a housing allocation. It has the ability to relate well to existing housing development, and is accessible both to the town centre and to the primary school. This general location for an allocated site has been supported by the community.
- 5.39 On the second point it is clear that there has been on-going engagement between the Town Council and the landowners during the preparation of the neighbourhood plan. Whilst the larger site promoted by the landowners and Persimmon Homes is not allocated for residential use in the submitted plan, Persimmon Homes had undertaken its own community engagement on its proposed development of the wider site. At the hearing the agent acting for the site owner and Persimmon Homes indicated that the proposed RES1 site (and as identified in the submitted plan) is not available for development. This inability to bring land forward for development reflected both contractual and commercial factors. This information was not contested by the Town Council at the hearing. On this basis I have to conclude that the identified RES1 site is not available for housing development.
- 5.40 There was less discussion at the hearing about viability of the allocated RES1 site. However there was a useful debate around the need for any housing allocation to contribute to identified Shropshire Council CIL payment schedules, the need to bring forward a range of affordable housing units, and the need to make an appropriate vehicular access onto the Bridgnorth Road and to drain the site in an environmentally responsible way.
- 5.41 On the basis of this analysis I conclude that the allocation of the RES1 Bridgnorth Road site does not have appropriate regard to national planning policy. In particular the owner has indicated that the site is not available for housing development as proposed in the neighbourhood plan.
- 5.42 I turn now to the implications of this conclusion on the future progress of the Plan itself. In this regard I have two options. The first is to recommend to Shropshire Council that the Plan does not proceed to referendum as it does not meet the



relevant legal requirements. The second is to recommend the deletion of Policy H3 from the Plan. Subject to all other elements of the submitted Plan meeting the basic conditions I would then be able to recommend that the Plan should proceed to referendum as modified. At the heart of this judgement is an assessment of the extent to which the proposed housing allocation (RES1) is fundamental to the effective delivery of the Plan itself.

5.43 A recommendation on the basis of the first option would be underpinned by the following factors:

- the proposed RES1 site is explicitly identified in the Plan as part of a package of housing delivery measures.
- the proposed RES1 site would contribute to housing growth and delivery in the Plan period in accordance with the expectations of the NPPF.
- the site would otherwise deliver 25 dwellings, and of which 5 units would be affordable housing units.
- the housing units would otherwise provide sustainable and high energy efficiency dwellings.
- a notional 25 units would provide a far greater certainty of delivery than the more extensive range of infill/conversion windfall schemes and affordable housing.

5.44 In contrast a recommendation on the basis of the second option would be underpinned by the following factors:

- the proposed RES1 site is a free-standing policy in the Plan, and its deletion from the Plan would not affect the implementation of any other policy.
- the Plan's proposed amounts of housing growth are within the range of the indicative levels of housing development for Much Wenlock.
- the principal housing need set out in the Local Housing Needs Study is for affordable housing, and which has the ability to be implemented through Policy H1 and other policies.
- a delay in the making of the Plan will hinder the implementation of other policies or proposals in the Plan.
- the proposed review of the Plan (and as recommended for modification elsewhere in this report) will provide the flexibility for a revised package of housing proposals to come forward at a future date, and which could include a deliverable housing allocation.

5.45 On the balance of all the information I recommend below a modification to the Plan to delete Policy H3 (and proposed housing allocation RES1). I have reached this conclusion having given significant weight to the free-standing nature of Policy H3 (and the associated housing allocation) and that the Plan can otherwise be delivered to meet the basic conditions for the preparation of a neighbourhood plan.

Whilst the impact of the deletion of this policy means that the Plan will proceed without specific housing allocation, I am satisfied that other policies will allow housing growth that will have regard to national policy, will contribute towards sustainable development and will be in general conformity with the LDF, and will assist with its implementation.

- 5.46 I also have had regard to an analysis that Shropshire Council has carried out of its LDF following the introduction of the NPPF and which indicates that the LDF complies with the general direction and approach of this important arm of national policy.

#### **Policy H4**

- 5.47 This policy sets out a requirement for affordable housing to be funded or provided at a rate of 20%. The policy also sets out the basis on which affordable housing in the Plan area can be amended to reflect any changes to the county wide requirement as may be published by Shropshire Council as the local planning authority.
- 5.48 This approach is appropriate and reflects the scale and detail of the housing need surveys carried out as part of the preparation of the Plan. The proposed yield was not disputed during the consultation period, and was not a matter of debate between the parties at the hearing. In order to provide certainty to the development industry I recommend that the policy should be simplified by moving the comparison rate with any amended wider Shropshire target to the supporting text.

#### ***Recommended Modification***

***Affordable housing shall be provided at a rate of 20% of total yield on site. Other text currently included to transfer to the policy justification.***

#### **Policy H5**

- 5.49 This policy sets out to bring forward a wider range of house types in Much Wenlock. There is a clear link from this policy to the evidence from the Residents Survey undertaken as part of the preparation of the Plan.
- 5.50 This policy also directly relates to elements of the adopted LDF and which link to the provision of local needs and the requirements in Objective 5 of the LDF to provide for the housing needs and aspirations of all sections of the community, including provision for specialist needs and the elderly. It is on this basis that I have recommended some minor modifications to ensure that this policy meets the basic condition of being in general conformity to the strategic policies of the development plan.

***Proposed Modification***

***Housing developments within the development boundary of Much Wenlock will be permitted where they include a range of house type, including two and three bedroom dwellings. Housing developments will also be expected to include an element of single level dwellings and to meet the needs of the elderly and people with disabilities.***

**Policy H6**

- 5.51 This policy would allow the development of brownfield sites in Much Wenlock for mixed use and housing proposals.
- 5.52 This policy is appropriate in the circumstances of the town and will assist in bringing forward a range of sustainable and potentially innovative proposals. I recommend a minor modification to clarify the geographic extent of the policy, and to remove descriptive elements of the submitted policy.

***Recommended Modification***

***The redevelopment of brownfield sites in the Much Wenlock development boundary for mixed uses, including housing, will be supported where it can be shown that an otherwise lawful use of the site is no longer viable.***

**Policy H7**

- 5.53 This policy gives support to infill development and conversions of buildings. Particular guidance is provided in relation to such development in the Much Wenlock and Bourton conservation areas.
- 5.54 This policy is likely to facilitate some interesting and innovative proposals, and which will have the potential to meet local housing needs. Infill and conversion proposals have traditionally contributed to housing totals in the town over many years. I recommend a minor modification to the policy to make it clear that its purpose is to facilitate housing infill and conversion schemes.

***Recommended Modification***

***Housing infill development and the conversion of existing buildings to residential use will be supported where they contribute positively to local character and where they help to meet local housing needs. Within the conservation areas of Much Wenlock and Bourton infill development should conserve or enhance the special architectural and historic character of these settlements.***

*Associated Comment – this policy requires the Bourton Conservation Area to be included as a separate map in the Plan.*

### **Objective 2 – The Economy and Jobs**

- 5.55 The Plan sets out a balanced approach both to the safeguarding and the creation of new employment opportunities. The Plan explains that residents and businesses alike are keen to promote economic prosperity and encourage growth of local employment particularly for young people. It is encouraging that the Plan indicates that it is designed to achieve this outcome by helping existing employers to stay and grow, to enable the town to flourish as an employment centre and to encourage the development of new businesses. This approach is consistent with the NPPF and has the ability to bring forward sustainable development.

#### **Policy EJ1**

- 5.56 Policy EJ1 allocates 0.72 hectares of land at Stretton Road for employment use. This is a positive proposal, and will contribute significantly to the development of sustainable development in the town. In coming to this view I have taken into account the original and the subsequent comments made by Mr Dower (see Paras 2.9 and 2.10). As currently drafted the proposed policy includes both policy statements, statements of intent and supporting comments. I have proposed modifications below. I have also introduced an additional criterion in the policy based on my observations in relation to the Plan's proposed Policy TM7 (see paragraph 5.67).

#### ***Recommended Modification***

***Proposals for the development of employment uses on 0.72 hectares of land at Stretton Road (and shown as EMP1 on the Town Inset Map) will be supported subject to the following criteria:***

- ***the proposal would not have significant harmful impacts on the surrounding landscape and the wider setting of the town.***
- ***the proposal would not have any significant harmful impacts on the ecological setting of the site; and***
- ***the proposals and their HGV traffic generation would not have an unacceptable traffic impact on the wider town and the capacity and operation of its highway network***

- 5.57 This modification will require changes to the associated supporting text. I would recommend that the following sentence is included in this text.

*Development proposals on the EMP1 site will also need to be able to demonstrate that they do not have an unacceptable impact on HGV movements in the town. A transport assessment would be the most appropriate way of so doing.*

## **Policy EJ2**

- 5.58 Policy EJ2 seeks to protect existing employment sites from other uses. The policy identifies four ways in which the policy has the ability to be achieved. This policy reflects the community's wish to allow business growth and diversification whilst encouraging new developments where appropriate. I recommend that this policy is made into two separate policies to clarify the different requirements for the protection of existing employment land and for the development of new business proposals on land already in employment use.

### ***Recommended Modification***

#### ***Part 1***

***Proposals for the use of land or buildings on existing employment sites for uses other than employment purposes will not be permitted unless:***

- ***it can be demonstrated that the on-going use of the premises or land for employment purposes is no longer viable on the basis of the criteria in Appendix 1 of the Plan; or***
- ***the alternative proposal would provide demonstrable employment benefits to the local community and contribute to its long-term sustainability.***

#### ***Part 2***

***New business development on land already in commercial use will be supported subject to the following criteria:***

- ***the scale and nature of the proposals would not have significant harmful impacts on the amenities of adjoining activities; and***
- ***the scale and nature of the proposals would not have unacceptable conflicts with agriculture and other land-use activities; and***
- ***the proposal would not have unacceptable impacts on the local road network.***

## **Policy EJ3**

- 5.59 Policy EJ3 supports the provision of new or additional retail floorspace in the retail core of Much Wenlock (High Street/Barrow Street). It also supports additional retail provision outside the retail core if that provision complements the town centre retail offer. This policy is entirely appropriate and relates well to the NPPF, the Shropshire LDF and the wider principles of sustainable development. However for clarity the retail core needs to be identified on the town inset map.

**Recommended Modification**

*Identify the retail core on the town inset map.*

*Unless other more updated information is available use the retail core as previously defined in the Bridgnorth Local Plan..*

**Policy EJ4**

- 5.60 Policy EJ4 seeks to prevent the change of use of business premises from A1/A2/A3/A4/A5 uses to other uses. This policy is appropriate given the importance of the town to the local rural hinterland. However as currently drafted the policy focus is mainly around preventing the loss of business premises. This may result from a wide range of commercial decisions rather than through decisions on planning applications. I propose a modified policy and which will provide greater clarity for decision-makers in the planning process.

**Proposed Modification**

***The change of use of business premises from A1, A2, A3, A4, and A5 uses will not be permitted unless it can be demonstrated that the on-going use of the premises for these purposes is no longer viable.***

**Policy EJ5**

- 5.61 Policy EJ5 provides a policy basis for small-scale industrial use and/or recreational activity in former quarries (subject to clarification provided in Policy LL1). This approach is appropriate in securing the effective use of these sites protecting the tranquillity of the countryside in general and the Shropshire Hills AONB in particular.

**Policy EJ6**

- 5.62 Policy EJ6 provides support for recreational and tourism activities and facilities throughout the Plan area. This policy has the appropriate environmental safeguards and reflects the Plan's wishes to support sustainable rural tourism and leisure developments.

**Objective 3 – Reducing Flood Risk**

- 5.63 Much work has been devoted to reducing the on-going risk of flooding in the town in recent years, and is set out in the Plan. The town was particularly affected by damaging floods in 2007 and there is a strong local view that new development should not contribute to the potential for future flooding.
- 5.64 The Much Wenlock Integrated Urban Drainage Management Plan (IUDMP) sets out actions to be implemented by Spring 2014 and which are designed to reduce the risk of flooding from a 1 in 8 year rainfall event to a 1 in 30 year rainfall event. It is

clear that these issues are of major significance in the town, and it is entirely appropriate that the Plan addresses them.

### **Policy RF1**

- 5.65 Policy RF1 proposes a policy approach that would preclude anything other than minor development being supported until the measures identified in the IUDMP have been completed. The basis for this proposed policy is understandable. However as currently drafted it would not meet several of the basic conditions, and in particular it would not provide the type of clarity to developers on this matter throughout the Plan period. In addition the policy as currently drafted is a combination of factual statement and policy guidance.

On the assumption that the various measures in the IUDMP will be completed in April 2014 as planned the policy would also become redundant thereafter. Finally the policy as currently drafted provides no policy basis against which applications which may generate surface water run-off after the implementation of the IUDMP can be assessed. As currently drafted it assumes that the implementation of the various proposals will remove the need for on-going control.

I recommend the modified policy below to address these issues.

#### ***Recommended Modification***

***Development proposals within the surface water catchment area of Much Wenlock as defined on Plan 1 will be permitted where they can demonstrate that:***

- ***the development proposed is a minor housing or commercial extension (as set out in Appendix 3 of the Plan); or***
- ***the development proposed will have no detrimental impact on surface water run-off in the town's surface water catchment area; or***
- ***the development proposed is entirely self-sufficient in its ability to manage surface water run-off.***

***Proposals for the construction of new dwellings will also be expected to comply with Policy RF3.***

#### ***Other Associated Recommended Changes***

***Amend the final three sentences of the second paragraph of the Reducing flood risk: Reasons for policies to reflect the amended policy.***

### **Policy RF2**

- 5.66 This policy sets out to ensure that developments in flood sensitive areas are designed to reduce the overall level of flood risk to the site and the wider plan area.

- 5.67 This policy is appropriate, has local support and clearly reflects and responds to recent flooding incidents.

### **Policy RF3**

- 5.68 This policy seeks to restrict all new dwellings to have a predicted water discharge of no more than 80 litres of water per person per day.
- 5.69 Again this policy is appropriate and reflects local and historic circumstances. It is an innovative way in which to tackle a sensitive issue.

### **Policy RF4**

- 5.70 Surface water run-off and the separation of foul and surface water in the Plan area has been a matter of significance in the preparation of the Plan. This policy is appropriate to local circumstance. I recommend minor modifications to the policy wording to remove sections that in themselves are not of a policy basis.

#### ***Proposed Modification***

***Proposals that would create new culverts (unless essential to the provision of an access) and that would result in the loss of an open watercourse will not be permitted.***

### **Policy RF5**

- 5.71 This policy seeks to preserve the integrity and function of flood attenuation areas.
- 5.72 I propose a minor modification to make direct reference to the map in order to provide clarity on the geographic operation of the policy.

#### ***Proposed Modification***

***Development will not be permitted in flood attenuation areas (as shown as flood attenuation ponds on the Town Map) where that development would reduce the ability of these areas to alleviate flooding.***

### ***Objective 4 – Traffic Management and Accessibility***

- 5.73 The Plan's policies around this objective reflect community views on congestion, on-street parking, the impact of HGV traffic in the historic core of the town and the existing and future impacts of high car ownership in the Plan area. These are all appropriate issues for inclusion in the Neighbourhood Plan.



## **Policy TM1**

- 5.74 Policy TM1 requires that new housing developments have a minimum rate of two car parking spaces, subject to certain exceptions. This proposed policy is appropriate subject to simplification and the introduction of a further exception to ensure that the need for on-site car parking does not hinder and/or prejudice imaginative and sensitive developments coming forward in the conservation area during the Plan period. Whilst this policy has been developed within the context of traffic management issues I recommend that it would sit best in the housing objective section. This is addressed in Appendix B.

### ***Recommended Modification***

***Proposals for housing development will be required to provide a minimum of two parking spaces per dwelling. Proposals accompanied by a parking provision of less than two parking spaces per dwelling will only be permitted if:***

- ***alternative and reasonably accessible car parking arrangements can be demonstrated and which in themselves do not add to on-street parking; or***
- ***otherwise acceptable and well-designed new build or conversion schemes in the town centre conservation area would be incapable of meeting this parking provision.***

## **Policy TM2**

- 5.75 Policy TM2 proposes that parking spaces and driveways have permeable surfaces. This is directly related to reducing surface water run-off and to assist flood reduction measures. This policy is appropriate subject to simplification. I recommend that this policy would also sit best in Objective 3 – Reducing Flood Risk.

### ***Proposed Modification***

***Parking spaces and driveways associated with new development will be required to have permeable surfaces.***

## **Policy TM3**

- 5.76 Policy TM3 sets out to resist the loss of existing off-road parking spaces. Given the tourism attractions of the town and its historic layout and high car ownership this is entirely appropriate. The policy would benefit from clarity on the types of off-road parking spaces.

***Proposed Modification***

***Development proposals that would result in the loss of off-street car parking will not be permitted unless:***

- ***in relation to existing public car parks an equivalent or better capacity is provided elsewhere in the town; or***
- ***in relation to private car parks or similar off-street parking areas an equivalent or better capacity is provided elsewhere or the need for the private parking capacity can be shown to be reduced as a result of the implementation of the development proposal.***

**Policy TM4**

- 5.77 Policy TM4 seeks to encourage developments that would promote improved traffic managements by reducing traffic speeds and volumes. I can understand that these issues have been generated by local consultation and concern. However the policy as drafted is unclear to any proposed developer or investor about its intention, or its implications to any evolving proposal. I recommend that the policy is deleted as it does not produce the clarity required by paragraphs 17 & 154 of the NPPF.

***Proposed Modification***

***Delete Policy***

**Policy TM5**

- 5.78 Policy TM5 seeks to require the provision of cycleways within new developments, and for these cycleways to link into green corridors in the Plan area. There is also cross-referencing to Policy GOS3. This proposal is appropriate in principle and reflects feedback from the various public participation events. However the proposed policy is unclear on its applicability. There is no clarification on where this policy would be either appropriate or possible in the Plan area. Equally there is no guidance on where cycle parking is to be provided within the town. I recommend that this policy is deleted on the basis of its lack of clarity. A more specific policy could well be included in a subsequent review of the Plan when appropriate detail was available. This would then allow the development of a policy that would provide clarity to developers and investors on this aspect of future development.

***Proposed Modification***

***Delete Policy***

**Policy TM6**

- 5.79 Policy TM6 sets out to require that the accessibility needs of people with disabilities are properly met within the Plan area. This proposed policy reflects the ageing nature of the town's population. However as currently drafted there is no clarity on what the Neighbourhood Plan requires beyond the requirements already captured

in national legislation. On this basis I recommend that this policy is deleted. As with the approach set out in paragraph 5.78 above, a more specific policy could be included within a review of the Plan.

***Proposed Modification***  
***Delete Policy***

**Policy TM7**

- 5.80 Policy TM7 comments on the future routeing and level of HGV/LGV traffic in the Plan area. As currently drafted it supports some unspecified developments, and requires other developments to provide appropriate technical information. I recognise that the design of the policy reflects issues raised in the consultation process. However my wider reading of the Plan and its supporting documents indicates that community concerns are principally based around heavy vehicles which pass through the town in connection with quarrying operations and the use of former quarries for haulage and industry. In my view this approach is best captured in the Economy and Jobs Objective Section. I have proposed specific additional elements in both Policy EJ1 and Policy EJ5 to cover this issue. This is addressed in Appendix B.

***Proposed Modification***  
***Delete Policy***  
***Detailed modifications to Policies EJ1 and EJ5***

***Objective 5 – Community well-being***

- 5.81 This section of the Plan sets out to safeguard existing community facilities and services, and to support the development of new facilities. This is an important objective in a small market town, and one which will contribute to achieving sustainable development.

**Policy CW1**

- 5.82 Policy CW1 sets out to protect existing community facilities. I propose some modifications to the format of the policy to ensure that its intention is clear.

***Proposed Modification***  
***Proposals that would result in the loss of community facilities will not be supported unless:***

- ***it can be demonstrated that the facilities are no longer needed or viable; or***

- *it can be demonstrated that suitable alternate provision exists in the immediate area to serve the community; or*
- *suitable alternative provision is included in the development proposal itself.*

### **Policy CW2**

5.83 Policy CW2 gives support to the development of new and/or improved community facilities. A policy of this nature is entirely appropriate, subject to minor modifications proposed below. These modifications will give clarity to the policy and consistency with other policies in the Plan.

#### ***Proposed Modification***

***Proposals for new and/or improved community facilities will be supported subject to the following criteria:***

- *the proposal would not have significant harmful impacts on the amenities of surrounding residents and other activities; and*
- *the proposal would not have significant harmful impacts on the surrounding local environment; and*
- *the proposal would not have unacceptable impacts on the local road network; and*
- *the proposal would adequately address surface water run-off issues.*

### **Policy CW3**

5.84 Policy CW3 sets out that new recreational and tourism developments will be expected to make a financial contribution to toilet facilities in the town. I can understand the approach that is being proposed in this policy. However the policy is unclear about the extent of the financial contribution that would be required, and where and when the toilet facilities would be developed. On this basis I recommend that the policy is deleted from the Plan. A more specific policy could well be included in a subsequent review of the Plan when appropriate detail was available. This would then allow the development of a policy that would provide clarity to developers and investors on this aspect of future development.

#### ***Proposed Modification***

***Delete Policy***

### **Objective 6 – Good Quality Design**

5.85 A key part of the inherent attractiveness of Much Wenlock stems from its scale, design and setting in the landscape. It is entirely appropriate to set out in the Plan a range of policies both to protect these key features and to ensure that new development is designed and implemented within this context.

## **Policy GQD1**

- 5.86 This policy seeks to protect the high quality natural landscape surrounding Much Wenlock in general, and to keep new development within the natural bowl setting. The context of the bowl is indicated on the Town Map in the Plan.
- 5.87 The context to this policy is clear, and reflects the very special and unique setting of Much Wenlock in this important topographical context. Nonetheless the policy in the submitted plan lacks clarity for the decision maker in two key respects. The first respect is that there is no clarity on the geographic extent of the town's bowl, and indeed the policy wording suggests that the line on the Town Map is for general guidance only. The second area relates to the lack of a complete line for the bowl on the maps that accompany the Plan. It is on this basis that I recommend that the policy is modified by the deletion of the final sentence which refers to the bowl setting of the town. The future review of the Plan will allow the preparation of a detailed topographic analysis of the town bowl and its identification on a plan if such a level of detail is required.

### ***Recommended Modification***

***Delete final sentence from the Policy as set out in the submitted Plan.***

***Remove 'The Wenlock Bowl' detail on the Town Map.***

## **Policy GQD2**

- 5.88 This policy sets out to ensure that development is generally of a high quality, and in Much Wenlock itself that new development follows the guidance as set out in the Much Wenlock Design Statement.
- 5.89 As I have indicated earlier this approach is both appropriate and necessary. There are clear matters of design in the Plan area that need to be addressed directly in this neighbourhood plan and which would complement strategic objectives in the adopted Core Strategy for the County in general, and Policy CS6 in particular.
- 5.90 As currently drafted Policy GQD2 refers the reader and the decision-maker to another document (the Much Wenlock Design Statement). I recognise that there is a clear intention to have a policy included in the Plan which both provides an overarching design statement and which is supplemented by the Design Statement. It is on this basis that I recommend modifications to the policy below. The modifications capture key elements of the Design Statement itself.

### ***Proposed Modification***

***All development will be designed to a high quality and to reinforce local distinctiveness. Design which fails to have regard to local context and does not preserve or enhance the character and quality of an area will not be acceptable.***

***Development proposals, extensions and alterations to existing buildings and structures will be expected to:***

- ***have regard to the principles set out in the Much Wenlock Design Statement; and***
- ***make efficient use of land while respecting the density, character, landscape and biodiversity of the surrounding area; and***
- ***be suitably designed for the context within which they are set; and***
- ***retain existing important landscape and natural features; and***
- ***ensure that the scale and massing of buildings relate sympathetically to the surrounding area; and***
- ***create safe environments addressing crime prevention and community safety; and***
- ***use traditional and vernacular building materials where such treatment is necessary to respect the context of the development concerned***

### **Policy GQD3**

- 5.91 This policy seeks to protect the historic and special burgage plots in Much Wenlock town centre by resisting proposals for new dwellings to the rear of existing properties. Such a policy is entirely appropriate given the sensitivity of these key burgage plots in the conservation area. For consistency with other policy wording I recommend a minor modification to this policy.

#### ***Recommended Modification***

***Remove ‘To protect the historic character of Much Wenlock’ from the start of the policy.***

### **Policy GQD4**

- 5.92 This policy proposes that new developments of more than three dwellings will be accompanied by a design brief. I clarified this matter with the Steering Group at the hearing and was advised that the intention was that the developer/applicant would prepare the design brief and discuss the matter with the Town Council and the local planning authority.
- 5.93 I support the intention to bring forward high quality design. Nonetheless as currently drafted the policy would require the applicant to undertake a detailed design process with two bodies before submitting a planning application for this type of development. In any event the policy context for high quality design will eventually be set out in Policy GQD2. On this basis I recommend a modification and which refers to specific requirements and expectations in a design and access statement associated with any planning application rather than through the production of a separate planning brief.

***Proposed Modification***

***New development of more than three dwellings will be required in the submitted design and access statement to demonstrate how the proposals scale, proportions, materials and layout and amenity space respects the local context and that garden space is commensurate with the size and type of development.***

***Objective 7 – Green and Open Spaces***

- 5.94 This section of the Plan reflects the importance of green and open spaces both generally, and within the rural and market town context of Much Wenlock.

**Policy GOS1**

- 5.95 As set out in the submitted plan this policy lists several green and open spaces. They have been identified to protect them from development. I have clarified with the Town Council that the purpose of this policy is to protect these green spaces from built development. On this basis I recommend a modification to the policy to provide the degree of protection intended by the policy.

***Recommended Modification***

***Built development will not be permitted on the green and open spaces as shown on the Town Map.***

**Policy GOS2**

- 5.96 This policy requires that new development will include or contribution to recreational open space in accordance with the local planning authority's standards. This is entirely appropriate.

**Policy GOS3**

- 5.97 This policy seeks to ensure that new developments will establish accessible links into the wider footpath network and green spaces in the Plan area. This is entirely appropriate. I have recommended a minor modification below to clarify both the purpose and expectation of the policy.

***Recommended Modification***

***New housing and employment developments will be expected to establish publicly accessible links from development sites to the wider footpath network and green spaces wherever possible.***

**Objective 8 – The Local Landscape and Wildlife**

- 5.98 This section of the Plan recognises that the Plan area lies in a beautiful landscape, and which is rich in wildlife. Equally the Plan seeks to encourage the sympathetic management of the countryside and outdoor environment. It does so through three policies.

**Policy LL1**

- 5.99 This policy sets out to support and encourage restoration and aftercare proposals for former quarries. It also sets out to resist new industrial and commercial uses at three named quarries. This policy approach is sustainable and reflects the particular geological and industrial heritage of the Plan area. However in order to make the policy clearer, and to reflect its two distinct parts, I recommend modifications below and which result in two separate but related policies.

***Recommended Modification***

***First Policy***

***Proposals for the restoration and the implementation of aftercare proposal for former quarries will be permitted where they deliver restoration for wildlife, biodiversity and public access and are consistent with other Plan policies. In particular proposals for biodiversity restoration combined with commercial/leisure use and public access will be permitted at the Lea North/Hayes/Coales quarry complex and at the Shadwell quarry.***

***Second Policy***

***New industrial and commercial uses will not be supported at Lilleshall, Westwood and Farley quarries as shown on the proposals map.***

***Additional Proposed Modification***

***Identify Lilleshall, Westwood and Farley quarries on separate A4 maps in sufficient detail to indicate the geographical areas/extents in which the second policy would apply.***

**Policy LL2**

- 5.100 This policy sets out to retain features of high nature conservation or landscape value, and to improve the connectivity between wildlife areas and green spaces. Such a policy is entirely appropriate.

**Policy LL3**

- 5.101 This policy sets out to ensure that flood attenuation ponds and new areas of green space should be designed to encourage biodiversity. Subject to a minor recommended modification below this policy is appropriate and relevant.



**Proposed Modification**

**Flood attenuation ponds and new areas of recreational green space required as part of new developments will be expected to be designed to encourage nature conservation and biodiversity.**

**Objective 9 – Sustainability and Climate Change**

- 5.102 This section of the Plan reflects the community's strong support for action to address climate change and to bring forward sustainable and responsible development in the plan area. This approach is consistent with the principles of sustainable development, national planning policy and the Shropshire LDF.

**Policy SCC1**

- 5.103 This policy indicates that development proposals other than including the conversion of listed buildings should seek to meet Level 4 of the Code for Sustainable Homes. This approach is appropriate and reflects community wishes and aspirations. I have recommended a minor recommendation to make the policy more explicit.

**Recommended Modification**

**With the exception of the conversion of listed buildings, development proposals will be expected to have a minimum energy efficiency standard equivalent to Level 4 of the Code for Sustainable Homes.**

**Policy SCC2**

- 5.104 This policy sets out support for a range of sustainable alternative energy generation proposals. As with Policy SCC1 this policy reflects community wishes and aspirations. I recommend minor modifications to the policy to make its criteria consistent with other policies in the Plan.

**Recommended Modification**

**Proposals for individual and community scale energy from hydro-electricity, solar photovoltaic panels, local biomass facilities, anaerobic digestions and wood fuel products will be supported subject to the following criteria:**

- **the siting and scale of the proposed development is appropriate to its setting and position in the wider landscape; and**
- **the proposed development does not create an unacceptable impact on the amenities of local residents; and**
- **the proposed development does not have an unacceptable impact on a feature of natural or biodiversity importance.**

## **6 Summary and Conclusions**

### *Summary*

6.1 The Much Wenlock Neighbourhood Plan has set out a wide range of policies to guide and direct development proposals in the Plan area in the period up to 2026. It is well presented and structured, and has been underpinned by extensive public consultation and engagement.

6.2 Following my independent examination of the Plan both by written representation and at a one day hearing in October 2013 I have concluded that the Much Wenlock Neighbourhood Plan

- a) has regard to national policies and advice contained in guidance issued by the Secretary of State.
- b) contributes to the achievement of sustainable development in the Plan area.
- c) is in general conformity with the strategic policies of the development plan for the area.
- d) does not breach, and is compatible with EU obligations and the European Convention of Human Rights.

6.3 I have recommended a range of modifications to policies in the Plan. None of these modifications fundamentally change the content of the Plan. Paragraphs 5.31 to 5.46 explain my reasons for the deletion of Policy H3 of the Plan and its associated housing allocation. The proposed modifications are intended to ensure that the Plan and its various policies are internally consistent, are user-friendly and meet the basic conditions.

### *Conclusion*

6.4 On the basis of my conclusions above I recommend to the Shropshire Council that subject to the modifications proposed in this report that the Much Wenlock Neighbourhood Plan should proceed to referendum.

### *Referendum Area*

6.5 Following on from my conclusion above I am required to consider whether the referendum area should be extended beyond the Much Wenlock Neighbourhood Plan area. The Plan area is identical to that of the Town Council area.

6.6 I consider that the neighbourhood plan area is entirely appropriate and correct. There have been no comments made either during the plan preparation process, at

representation stage or at the hearing that questioned or challenged this geographic area.

- 6.7 On this basis I recommend that the Plan should proceed to a referendum based on the Much Wenlock Neighbourhood Plan area as set out in the Submitted Plan and as defined by the Shropshire Council in October 2012.

*Final Comments*

- 6.8 My examination of the Plan in recent months has highlighted the scale and the nature of the task that has been undertaken by the community in Much Wenlock.
- 6.9 I would like to record my thanks to all those who assisted me in a variety of ways in the examination of the Plan. I am particularly grateful to those who either took part in the hearing or who were involved in the many and varied activities that contributed towards its efficient organisation.
- 6.10 I mentioned earlier in this report that Much Wenlock is a unique town. I trust that the preparation and implementation of this neighbourhood plan will help to preserve its unique character and to allow an appropriate and well-managed level of growth to ensure its on-going sustainability as a vibrant and attractive market town.

**Andrew Ashcroft**  
**Independent Examiner**  
**29 January 2014**



*Our plan –  
Our future*

## **Plan Hearing Thursday 17 October 2013 Agenda**

- |       |   |
|-------|---|
| 10.30 | Opening of Hearing<br>Examiner's Opening Remarks                                  |
| 10.45 | Session 1<br>National Planning Policy Framework and MWNP General Housing Policies |
| 11.30 | Session 2<br>National Planning Policy Framework – Monitoring and Delivery         |
| 12.30 | Lunch   |
| 13.30 | Session 3<br>Sustainable Development and the MWNP                                 |
| 14.30 | Session 4<br>Sustainable Development and the proposed housing allocation          |
| 15.30 | Afternoon Break/Close of Hearing to public  |
| 16.00 | Examiner's accompanied visits (if required)                                       |

## Revised Schedule of Policies

Policy in Submitted Plan	As in Recommended Modifications
<b>Housing</b>  H1 H2 H3 H4 H5 H6 H7	H5 Delete Delete H1 H2 H3 H4
<b>The Economy and Jobs</b>  EJ1 EJ2 EJ3 EJ4 EJ5 EJ6	EJ1 EJ2/EJ3 EJ4 EJ5 EJ6 EJ7
<b>Reducing Flood Risk</b>  RF1 RF2 RF3 RF4 RF5	RF1 RF2 RF3 RF4 RF5
<b>Traffic Management and Accessibility</b>  TM1 TM2 TM3 TM4 TM5 TM6	H6 RF6 TM1 Delete Delete Delete

TM7	Delete/Elements incorporated in EJ1 & EJ5
<b>Community Well-being</b>	
CW1 CW2 CW3	CW1 CW2 Delete
<b>Good Quality Design</b>	
GQD1 GQD2 GQD3 GQD4	GQD1 GQD2 GQD3 GQD4
<b>Green and Open Spaces</b>	
GOS1 GOS2 GOS3	GOS1 GOS2 GOS3
<b>Local Landscape and Wildlife</b>	
LL1 LL2 LL3	LL1 & LL2 LL3 LL4
<b>Sustainability and Climate Change</b>	
SCC1 SCC2	SCC1 SCC2