

Extract from HOOOH (Hands Off Old Oswestry Hillfort)
response to Shropshire Council consultation on Local Plan Review
'Preferred Scale and Distribution of Development' (December 2017)

Level of Future Growth

Q3. Preferred housing requirement.

We do not support the preference for 'High Growth' (28,750).

The clear preference of almost half (47%) of respondents is for the lowest housing target - 'Moderate Growth' (26,250 homes). We believe that no more than 'Moderate Growth' should be considered, and in fact less than this. We believe that growth should equate with Shropshire's housing need according to the Government's newly proposed methodology, which is for 25,400 homes between 2016 and 2036.

In comparison, the proposed preference of 'High Growth' is excessive.

We dispute the statement that it is a 'realistic' growth target; the figure is based on aspirational not evidential need. The target is also referred to as 'challenging' implying there are likely to be considerable constraints and risks in achieving it. These risks are already rising in the current climate of uncertainty, including the revision downward of economic growth until 2030 and the anticipated decline in migrant EU workers post-Brexit, sapping County demand for new housing.

We also think it is a major flaw that the updated Strategic Land Availability Assessment (SLAA) was not available when consulting on housing growth levels (and employment land). This data is crucial to gauging how 'realistic' the growth levels proposed are in terms of promoted or viable land. Setting a high target for housing growth prematurely will force unnecessary land allocations for developers to cherry-pick, reducing control of the delivery of required housing type, affordability and its location.

With unfounded targets dictating many more land allocations than needed, we risk damaging the essential character of Shropshire's market towns and villages, allowing unnecessary urban encroachment on areas of natural beauty, heritage landscapes, and collars of greenfield separating historical settlements. This will result in the erosion of the County's defining rural and heritage attributes that attract visitors, employers and contribute to residents' well-being and quality of life.

We also believe it is unsatisfactory to set an inflated level of growth before establishing whether there are capacity constraints for providing adequate infrastructure/public services to support the housing targets of different settlements. The fundamental question of infrastructure provision is accorded just one paragraph in your supporting evidence; you acknowledge simply that consultation on infrastructure needs will be vital.

Using the recent high rate of completions as justification for the excessive high level of growth to 2036 – around 1,430 dwellings a year - is flawed. Much of the hike in completions is to overhaul many years of under-delivery. This is no basis for presuming that the years ahead will see consistently higher rates, especially with the likely decline post-Brexit in EU migrant workers.

We also dispute your statement that the preferred 'High Growth' housing target of 28,750 will *"provide an opportunity to deliver more affordable housing.."* The need to build greater numbers of affordable housing in the County has been a priority yet under-delivered for several years. This is mainly due to a proportion of developers negotiating exceptions or invoking points of planning to build fewer affordable homes than promised from schemes. Developers have also taken advantage of the exemption to deliver affordable homes for schemes of 10 dwellings or less. The proposed allocation of significantly more housing land than needed, without any greater teeth or guarantee to ensure developers meet expected quotas of affordable homes, will only deliver greater control and choice into the hands of developers to target aspirational locations for higher profit housing.

We are seeing the impact of this on a *profound* level in Oswestry, meaning that a significant element of the town's housing need until 2026 is largely dependent on the commercial choices of a dominant developer. In this case, the developer has prioritised efforts to build prestige homes in registered parkland, rather than resolve the start of delivery of 900 homes allocated in SAMDev on the Eastern SUE (Sustainable Urban Extension) that would meet more pressing and evidenced neighbourhood need, including affordable homes. By enforcing more land allocations in Oswestry under a 'High Growth' policy, we face the prospect of premium landscape being developed early, relieving pressure for delivery from the SUE (land that has been earmarked for homes unopposed for many years) which might be delayed ever further into the future.

This type of scenario will inevitably be mirrored in many settlements around the County under the 'High Growth' option, with little predictability of meeting affordable housing need, but almost certainly seeing more of the County's beauty and appeal unnecessarily sacrificed for high margin development.

Q4. Preferred employment land requirement

Your preference is stated as being for 305 hectares/'Balanced Growth'.

Our first comment is that this question does not align with the format/context of questions in the previous stage of the current Local Plan Review consultation, and confuses the terminology and what is being referred to.

The option of 'Balanced Growth' was originally provided in the context of *housing only* and specifically its *strategic distribution*, with the other two options being 'Rural Rebalance' or 'Urban Focus'. In the original question regarding aspirations of *growth for Shropshire's economy*, the options were 'Significant', 'High' or 'Productivity' growth. 'Balanced' was not an option for quantitative growth for either housing or employment land.

In the current supporting document, it appears that you have introduced a new definition for 'Balanced Growth', which encapsulates two components:

1. *"This aims to deliver a sufficient scale of employment land to provide enough jobs to achieve a sustainable balance with the preferred housing requirement proposed in this consultation document."*
2. It equates to the option of 'High' economic growth in the preceding consultation.

This is extremely confusing. Not only does it predicate itself on the 'High Growth' preference for housing necessitating the option of 'High' economic growth, it also bears no relation to housing spatial distribution as it did in the previous consultation.

This is further confused by your reference in this consultation in Q5 to the preference for an ‘Urban Focus’ for the spatial distribution of both proposed housing and employment requirements.

As noted above, ‘Urban Focus’ was originally an option only related to housing distribution. This means that in Q4 and Q5, we are being asked to accept your proposed preference for employment growth, and also for the distribution of employment and housing, defined by terminology related originally to *two distinctly different options for housing distribution*.

All of this undermines both the clarity of questions and consistency of terminology for those responding to the consultation stages.

This aside, we do not agree with the preferred employment land requirement of 305 hectares. It assumes the ‘High Growth’ option for housing, which we oppose, and ‘High’ economic growth, which we also oppose, as stated in the previous consultation. We support the option of ‘Productivity Growth’ for Shropshire’s economic growth given in the previous consultation.

Distribution of Future Growth

5. Preferred spatial distribution of proposed housing and employment requirements

We do not support the preferred ‘Urban Focus’, due to the threat to the distinctiveness of the County’s characteristic market towns, and the burden on them to absorb the proposed excessive allocations of housing land and associated employment land.

Otherwise, we risk significantly altering the rural character of the County and creating corridor conurbations along strategic roads, with the prospect of settlements losing their identifiable boundaries as they are swallowed by urban sprawl.

We should increase efforts to deliver new builds on brownfields as well as redeveloping town centre buildings to create homes. This would help relieve pressure on the need for constructing more road infrastructure to develop unnecessary greenfield, with the ensuing loss of the County’s visitor appeal and lifestyle quality.

6. Settlement strategy – Oswestry

As a consequence of our objection to the preferred ‘High Growth’ for housing in Shropshire, we object to the proposed need for 1800 homes in Oswestry, including an additional 194 dwellings.

We would also like to make the following objections to Oswestry’s settlement strategy.

1. Objection to OSW004’s continued inclusion in 5-year housing land supply

Shropshire Council’s latest 5-year housing land statement to 2022 shows a 6.04 years supply of deliverable housing land, equating to 2,140 homes above target. This continues to include the OSW004 allocation for 117 houses, within the acknowledged landscape setting of the acknowledged nationally important Old Oswestry hillfort and also within 300m of two scheduled monuments (Old Oswestry/Wat’s Dyke). Since a main imperative for keeping OSW004 in SAMDev/the Local Plan was

to help meet 5-year supply, this surplus would logically require its removal from these figures and the plan.

2. *OSW004 fails the test of being a deliverable site*

We also continue to challenge whether OSW004 is a deliverable site without significant issues - criteria for inclusion in 5-year housing land supply. It remains an extremely contentious allocation that continues to attract opposition from the public and heritage community.

We would also point out that the Inspector's approval of OSW004 in SAMDev/the Local Plan is gauged at strategic level, and does not equate to planning approval. Furthermore, and very critically, the site is also subject to a Statement of Common Ground. This technically provides scope for Historic England to reject housing proposals put forward by the developer if they do not meet their criteria for design, layout and mitigation of the harm to setting, to views and to the monument's significance.

Compliance with these as yet unknown criteria may see the number of houses delivered greatly reduced, or even preclude the viability to develop the site for the housebuilder. Any planning application, even for a significantly smaller development with reduced financial returns, will entail both a full archaeological and environmental assessment. Some degree of further specialised investigation will also be required. A UXO survey will be necessary to identify and clear any unexploded ordnance related to use of the site during World War 1 for training troops at Park Hall. Surface evidence of mortar craters and a buried system of WW1 practice trenches underlying OSW004 (the subject of a current heritage scheduling application) have been recorded in the area.

There may also be a need to rule out any potential historical contamination pre-COSHH related to former steel fabrication undertaken at the bordering factory, which handled bitumen, degreasing acids, paint and zinc. All of these pre-application requirements will further complicate development of the site in terms of risk, financial burden, and any reliability of forecasting housing delivery.

Also of material consideration regarding OSW004 is the fact that the proposer stated at the public inquiry that OSW004 would continue to be promoted as part of a Masterplan, which includes OSW002 and OSW003 located at and adjacent to Oldport Farm immediately south-east of the hillfort. Therefore, OSW004 on its own cannot be deliverable as its original planning justification was as part of an integrated scheme involving two sites that have already been rejected from the current Local Plan.

3. *OSW004 does not comply with heritage protection principles restated in this Local Plan Review*

Your supporting settlement statement for Oswestry stresses the need to recognise physical, heritage and environmental constraints, and includes specific reference to the setting of Old Oswestry. In addition, the following is stated as a strategic objective of the current Local Plan Review:

- *“Ensure that the character, quality and diversity of Shropshire's built, natural and historic environment are protected, enhanced and, where possible, restored, in a way that respects landscape character, biodiversity, heritage values, and local distinctiveness, and contributes to wider environmental networks across the County (Core Strategy Objective 11).”*

We believe that the allocation of housing at OSW004, within land acknowledged as part of the setting of Old Oswestry, a scheduled and nationally significant ancient monument, contradicts the above objectives. This is in addition to our longstanding argument that the site does not comply with various heritage protection requirements of the NPPF, of the Shropshire Core Strategy and SAMDev, as well as principles of international heritage protection.

4. *Changes necessitating reconsideration of OSW004 in compliance with objectives of the Local Plan review*

As stated in your supporting documents, the current Local Plan Review is being undertaken to, among other things, *“allow the consideration of updated information on development needs within the Country; reflect changes to national policy and our local strategies”*.

We would point to the following changes to development needs, local strategies and planning policy/guidance that reinforce the case for removing OSW004 from the plan:

4.1 Updated heritage guidance for Local Plan making

The Historic England Advice Note 3: Site Allocations in Local Plan (October 2015) stipulates the following regarding the allocation of sites in local plans:

- *Avoid harm due to effects on the setting of designated heritage assets*
- *Need for identifying gaps in evidence base*
- *Importance of discussing with community groups*
- *Site Selection Methodology Step 2: Understand what contribution a potential allocated site makes to the significance of a heritage asset*

In addition, the Historic England Good Practice Advice in Planning 1: Local Plans (March 2015) states the importance of adopting:

- *A positive strategy for conservation and enjoyment of the historic environment*
- *Strategic policies for conservation of the historic environment*
- *Identify inappropriate development*

These updated guidance documents, relating specifically to Local Plan making, give even greater weight to our objections to development at OSW004, including:

- (i) The 3,000-year-old hillfort of Old Oswestry and its setting are deemed so important to Iron Age understanding that they have drawn comparisons with the landscape of Stonehenge and its pre-eminence for Europe’s late Stone Age. HOOOH, other objectors, and leading figures of British archaeology academia, who have provided expert testimony to its extreme national importance in an open letter, believe that OSW004 will significantly harm the significance and setting of Old Oswestry.

This is also contrary to the NPPF which states the following in Paragraph 132:
“When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or

development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.”*

- (ii) Given the hillfort’s national importance, HOOOH has long asserted that the heritage and archaeological assessment evidence base for OSW004 was insufficient to enable a sound decision on its inclusion, or not, in SAMDev/the Local Plan.
- (iii) HOOOH has made the case that OSW004 lies in one of the most archaeologically busy quadrants of the hillfort’s setting. Archaeological evidence and understanding so far strongly indicate that this area conceals multi-period activity from the Bronze Age, Iron Age, Roman, Medieval, as well ancient trade routes and marketplace, right through to WW1 military archaeology linked to its use for training troops at Park Hall camp. This south-eastern quadrant is also the key aspect for views to the hillfort that aggrandise the experience of visiting it or beholding its spectacle from the B4580 (Whittington Road) and A5. This area of original, rural landscape, which is undisputably part of the setting, makes a considerable contribution to the significance of the heritage asset. There is no sense in which OSW004 makes a positive contribution to the significance of the heritage asset. Rather, its impacts would be detrimental, harming views, the setting and heritage significance, all the more because of the hillfort’s national importance.
- (iv) OSW004 has been met with huge opposition from community groups/residents. In an effort to facilitate closer engagement between local parties and Shropshire Council, HOOOH make a request to the LPA to meet with stakeholders and explore ideas that might allow the hillfort’s setting to be saved. Shropshire Council has so far resisted the opportunity to engage at this level with the Oswestry community. We ask that the opportunity is taken during the current Local Plan review to facilitate this community discussion about safeguarding the hillfort while resolving local housing allocations.
- (v) We believe that Old Oswestry’s unique heritage importance together with local concerns for its landscape protection, warrant the consideration of a ‘positive strategy for conservation’. In registering its opposition to OSW004, Oswestry Town Council has previously written to Shropshire Council to look at implementing wider protection of the hillfort’s landscape.
- (vi) The current Local Plan review offers a timely opportunity for Shropshire Council and local stakeholders to discuss the potential for a heritage strategy for Oswestry. This should include more appropriate protection for the hillfort and its setting, to reflect its national importance, integrated with a range of heritage conservation objectives to enhance and maximise the value of historical assets in and around the town. It should prioritise the designation of a wider part of the hillfort’s setting for

protection, whether as an annex of the town's conservation area, extending its area of scheduling, or other appropriate mechanism.

4.2 Tourism/heritage focus of County & local economic strategies

(i) Current initiatives for economic regeneration in Oswestry seek to capitalise on local heritage and environmental qualities in moves to become both a Business Improvement District (BID) and a Heritage Action Zone. Objectives of the Oswestry BID include building on the town's rich heritage for tourism and developing a diverse and rewarding environment. The Oswestry Place Plan (2015-2016) states the objective "Look at opportunities to make more of the Oswestry Hill Fort". Heritage Action Zone status would facilitate investment in rejuvenating the town's historic centre and conservation area. This would benefit from re-use of upper storeys of historic properties within the town centre as refurbished housing to help meet housing numbers, while also providing an income for appropriate maintenance of listed buildings, and buildings that contribute to the character of the conservation area and proposed Heritage Action Zone. Major economic benefits would result for the town centre and property owners within it.

(ii) Additionally, Shropshire's recently published Economic Development Strategy talks about using Shropshire's historic assets to help promote economic growth and "nurture them to ensure they are sustained for current and future generations to enjoy".

It says: "The attractive combination we have to offer includes the mixture of market towns and within them the retail and historic cores, cultural activities, and open spaces. Our countryside offers a diverse and widely celebrated range of landscapes, and offers a rich array of historic villages and farms, country houses, ancient monuments, parks and gardens, canals, rivers and wildlife sites. Their sustainable economic future is important, not least to the many businesses which trade off this offer."

It also says: "Shropshire is a high quality location and has a generally well performing economy. It has one of the best natural and historic environments in England.....Shropshire communities enjoy an exceptional high quality of life and environment, with vibrant historic market towns, an Area of Outstanding Natural Beauty, and one of the highest concentrations of historic monuments and buildings in the country. We will use these assets to attract investment and will continue to nurture them to ensure they are sustained for current and future generations to enjoy."

(iii) Shropshire's Core Strategy also points to the "character, quality and diversity of Shropshire's natural and historic environment" being the County's "greatest asset".

(iv) We believe that the Local Plan should align with the heritage/tourism focus of Oswestry's economic strategies, which would be better served by the removal of OSW004 from the plan. This would ensure against any further loss of Old Oswestry's landscape, which is integral to its appeal as one of Shropshire's outstanding heritage assets. We cannot continue to market Oswestry and Shropshire with iconic, green

aerial images of Old Oswestry, or attract people in from the by-pass with views of the hillfort, if those fields become housing.

- (vi) We ask that the potential is considered, especially if Oswestry is appointed as a Heritage Action Zone, for the redevelopment of town centre properties to help in meeting housing numbers. We urge planners to pursue, with relevant agencies and stakeholders, the redevelopment of brownfield sites, in line with the government's target of 20%, and options for bringing some of the hundreds of long-term empty properties in the area back into occupancy for local residents.

5. *Appeal case judgment on harm to nationally important heritage assets*

A notable planning appeal case in 2017 has provided a new legal precedent for the interpretation of harm to the significance of a designated heritage monument that would add considerable gravity to objections to any planning application for OSW004.

It concerns an appeal by Story Homes against Durham County Council's refusal of an application for 149 homes in Lanchester village (County Durham) on a site bordering a Scheduled Ancient Monument including the visible and buried remains of the Longovicium Roman Fort.

The Inspector referred to paragraph 134 of the National Planning Policy Framework. This states that where a development will lead to less than substantial harm to the significance of a designated heritage asset, *"this harm shall be weighed against the public benefits of the proposal, including securing its optimum viable use"*.

Even though the proposal would result in less than substantial harm to the SAM, the inspector concluded that the monument *"is of national importance such that the harm caused to it carries substantial weight"*. The inspector found that the public benefits of the proposal, including the provision of affordable homes, *"individually, and assessed cumulatively"*, do not outweigh the harm which she said carried *"substantial weight"*.

We believe that accrued understanding and expert testimony of the national importance of Old Oswestry would bring greater weight to bear on a planning application, especially when compounded by the many changes detailed here favouring conservation of the hillfort's setting rather than housing development.

The SAMDev Inspector adjudged - for the purposes of initial screening of sites at strategic planning stage - that the harm to the hillfort's significance was less than substantial based on preliminary evidence heard in December 2014. Since then, the case for planning has been weakened and a precedent has been set for attributing greater weight to the national significance of Old Oswestry, even if development is considered to cause less than substantial harm.

6. *Need to plan for mitigation of impacts from infrastructure projects on Old Oswestry's setting*

In line with the longer term considerations of the Local Plan review to 2036, strategic planning for Oswestry must anticipate future pressures for infrastructure expansion impacting on the hillfort's eastern and south-eastern setting – namely the likely dualling of the A5 and on-going capacity development at the Oswestry Grid Substation.

In addition, employment land allocated on the eastern side of the A5 (sites ELR042 and ELR043) and converging on the Whittington A495/A5 roundabout will exacerbate the effect of urban enclosure of the hillfort's landscape, when added to the widened A5 and substation massing.

HOOOH has serious concerns about the potential further encroachment into the hillfort's setting, as well as noise and light pollution, from the A5 dualling and adjacent development. While we have already argued that OSW004 in itself would be harmful to the hillfort's significance, its impacts will be compounded by the future inevitable urban infill from the above. Trunk road improvements have a greater imperative than a housing land allocation. We cannot re-site the road, but we can find other places to accommodate housing.

Strategic planning in Oswestry must consider and mitigate against these identified longer term threats to the hillfort and its landscape with the removal of OSW004 from the Local Plan. This would ensure that the existing urban edge along the south side of Whittington Road is sustained, and the town is prevented from creeping further north to the detriment of the historic landscape and potential tourism advantages of this rural setting.

7. Reassessing potential of some employment land for housing delivery

Oswestry has a huge excess of employment land – currently 57 hectares. Statistically, this could account in itself for 18.6% of the overall 24.5% employment land being demanded from the County's five Principal Centres for the period 2016-2036.

Opportunities should be explored to assess the viability of allocating some of Oswestry's considerable surplus of employment land to deliver housing in far less contentious areas than the hillfort's setting. It would also address some of the land supply imbalance needed to achieve the sustainable balance of jobs/housing promoted in this Local Plan review.

We believe that greater efforts must be made to realise the use of 22 hectares of (employment) land at Weston Farm (south of the town) previously identified for potential development. Delivery of some housing and/or employment schemes here would relieve the pressure for the town's northwards growth across Old Oswestry's setting.

8. Pressure on secondary school places

High housing growth in Oswestry will create pressures on pupil places both in the medium and longer term, especially with regard to secondary places at The Marches.

The growing pressures on school places in Oswestry are revealed in the publication "School Place Planning Meeting, Oswestry Area" (Thursday, 26 May 2016, held at The Marches School, Oswestry). It states: "*Out of Shropshire's 16 place planning areas, 5 will experience pressure on pupil places by 2026, due primarily to housing developments – Oswestry is one of the 5.*" It also states that by the academic year 2022/2023, overall pupil numbers in Oswestry will be less than 100 below school net capacity, and says that forecast pressures are likely to extend into the post 2026 period.

The high growth target of 1800 homes by 2036 in Oswestry will entail 594 extra school places. (Based on the housing factor used at primary level for the Oswestry planning area of 0.1785, that is, for every 100 dwellings an average of 18 primary pupils are; and of 0.1447 at secondary level, that is, an average of 15 secondary pupils per 100 dwellings.)

This figure must also factor in the impact in the short-term of the planned cancellation in 2018 of the Oswestry to Llanfyllin school-time bus service, potentially affecting, we understand, around 140 pupils from the Oswestry area. (<http://www.countytimes.co.uk/home/2017/11/30/gallery/llanfyllin-to-oswestry-bus-service-to-stop-running-next-year-100895/>)

Place planning for Oswestry has no strategy for expanding school infrastructure to provide extra capacity, which additionally would also be entirely dependent on developer contributions – an unreliable route to funding when contributions can be negotiated down or even waived where the developer argues the case for ‘commercial unviability’.

Secondary school pupils living at OSW004, on the most northerly edge of town, are a significant distance from The Marches Academy south of town. This location does not appear to be sustainable in terms of the geographical location of secondary school provision nor with regard to certainty of the future availability of a secondary school place in town.

ENDS