

Representation Form

Please complete a separate **Part B Representation Form** (this part) for each representation that you would like to make. One **Part A Representation Form** must be enclosed with your **Part B Representation Form(s)**.

We have also published a separate **Guidance Note** to explain the terms used and to assist in making effective representations.

Part B: Representation

Name and Organisation:	Mr Steve Constable
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Q1. To which document does this representation relate?

- Regulation 19: Pre-Submission Draft of the Shropshire Local Plan
- Sustainability Appraisal of the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan
- Habitats Regulations Assessment of the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan
- (Please tick one box)

Q2. To which part of the document does this representation relate?

Paragraph:	<input type="text"/>	Policy:	SP9.2c	Site:	<input type="text"/>	Policies Map:	<input type="text"/>
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Q3. Do you consider the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan is:

- | | | | | |
|--|------|--------------------------|-----|-------------------------------------|
| A. Legally compliant | Yes: | <input type="checkbox"/> | No: | <input type="checkbox"/> |
| B. Sound | Yes: | <input type="checkbox"/> | No: | <input checked="" type="checkbox"/> |
| C. Compliant with the Duty to Co-operate | Yes: | <input type="checkbox"/> | No: | <input type="checkbox"/> |
- (Please tick as appropriate).

Q4. Please give details of why you consider the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible.

If you wish to support the legal compliance or soundness of the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

Policy SP9 Managing Development in Community Clusters supports modest levels of development in rural settlements. Part 2c of the Policy allows, "infill sites of 0.1ha or less, which are clearly within and well related to the built form of the settlement, have permanent and substantial buildings on at least two sides and are for up to a maximum of 3 dwellings." This policy will mean that a village plot of 0.12ha would be refused. Similarly, a well-designed rural scheme of 3 dwellings at a density of 20 dwellings per hectare on 0.15 hectares would be refused.

The policy fails the following tests of soundness:

The policy is **not justified** – the evidence does not support a threshold of 0.1ha and this threshold is not appropriate in the context of the Plan's other policies.

The threshold of 0.1ha appears to represent a density of 30 dwellings per hectare, ignoring typical densities of 12-18 dwellings per hectare in Community Clusters. It is therefore inconsistent with Policy SP1 (The Shropshire Test) which requires at section 1e that development, "...enhances the area's character and historic environment" and inconsistent with Policy SP5: High-Quality Design, which requires, "Development must maintain and enhance the character, appearance and historic interests of settlements...."

The policy is **not effective** – the policy will not help deliver sustainable development in Shropshire. Community Cluster settlements are generally seeking low density housing for local people, with a high proportion of self-build. As the Council's statistics demonstrate, Community Clusters have been the most common location for self-build housing since the Core Strategy was adopted in 2011. Policy DP2 (Self-Build and Custom-Build Housing) supports self-build, continuing the support given to this type of housing in the Shropshire Core Strategy. However wording of policy SP9 makes these aspirations ineffective in Community Clusters because its restriction on size encourages higher density speculative build as this is the type of development that delivers highest returns within the restrictions of the current policy wording. This reduces the effectiveness of the policy in delivering sustainable rural development.

In Shropshire's rural areas it is more common to have home-based businesses. This is supported by policy SP12 Shropshire Economic Growth Strategy. However live/work units often require plots larger than 0.1ha in size, for example contractors with agricultural equipment and vehicles stored at their home address. Under policy SP9 plots larger than 0.1ha would be refused, undermining the plan's effectiveness.

The policy is **not consistent with national policy** – it clashes with paragraph 11a and paragraph 127 in the National Planning Policy Framework.

The fixed limit on site size creates a lack of flexibility that runs counter to paragraph 11a of the National Planning Policy Framework which requires that, "plans should positively seek opportunities to meet the development needs of their area, and be sufficiently flexible to adapt to rapid change".

Developers will respond to the 0.1ha limit by altering site boundaries to fit, which will sometimes lead to unnatural boundaries that do not respond to their context, simply to create site sizes below the policy maximum. Such artificial sites will clash with paragraph 127 of the Framework which requires good design that is, "sympathetic to local character and history, including the surrounding built environment and landscape setting" and which will, "establish or maintain a strong sense of place."

To avoid the creation of artificial shaped plots, it is preferable to provide some flexibility, for example using the term "about" 0.2 hectares, or to set a size that is at the maximum end of the range of sizes that would be acceptable.

In summary, the draft policy's restriction on site size to be no more than 0.1ha creates a number of inconsistencies in the Plan. It is inflexible, in combination with the limit of 3 dwellings will not reflect typical rural densities, clashes with design policies and with the Plan's economic strategy and support for self-build plots.

(Please continue on a separate sheet if necessary)

Q5. Please set out the modification(s) you consider necessary to make the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan legally compliant and sound, in respect of any legal compliance or soundness matters you have identified at Q4 above.

Office Use Only	Part A Reference:
	Part B Reference:

Please note that non-compliance with the duty to co-operate is incapable of modification at examination. You will need to say why each modification will make the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

To be justified and effective, the Plan should recognise that most Community Clusters have a low density and accordingly allow up to 3 dwellings on sites of no more than 0.2 hectares (density of 15 dwellings per hectare) to reflect lower densities that are characteristic of rural areas.

The policy should also provide flexibility. To achieve this section 2c should be amended as follows:

Residential development will be delivered:...

2 c. On suitable small-scale infill sites of ~~0.4ha~~ about 0.2ha or less, which are clearly within and well related to the built form of the settlement, have permanent and substantial buildings on at least two sides and are for up to a maximum of 3 dwellings"

(Please continue on a separate sheet if necessary)

Please note: In your representation you should provide succinctly all the evidence and supporting information necessary to support your representation and your suggested modification(s). You should not assume that you will have a further opportunity to make submissions.

After this stage, further submissions may only be made if invited by the Inspector, based on the matters and issues he or she identifies for examination.

Q6. If your representation is seeking a modification to the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan, do you consider it necessary to participate in examination hearing session(s)?

Please note that while this will provide an initial indication of your wish to participate in hearing session(s), you may be asked at a later point to confirm your request to participate.

No, I do not wish to participate in hearing session(s)

Yes, I wish to participate in hearing session(s)

(Please tick one box)

Q7. If you wish to participate in the hearing session(s), please outline why you consider this to be necessary:

(Please continue on a separate sheet if necessary)

Please note: The Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate in hearing session(s). You may be asked to confirm your wish to participate when the Inspector has identified the matters and issues for examination.

Signature:

H. Howie

Date:

21/01/2021

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Part A Reference:

Part B Reference: