

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:	Sean McGrath, WSP UK Ltd.
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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: Policy: Site: Policies Map:

Q3. Do you consider the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan is:

- A. Legally compliant Yes: No:
- B. Sound Yes: No:
- C. Compliant with the Duty to Co-operate Yes: No:

(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.

Please refer to accompanying letter.

(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.

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.

(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:

Date:

Office Use Only

Part A Reference:

Part B Reference:



Shropshire Council
Shirehall
Abbey Foregate
Shrewsbury
SY2 6ND

By email to:
Planningpolicy@Shropshire.gov.uk

18 February 2021

Dear Sir/Madam,

REPRESENTATION TO THE CONSULTATION ON THE REGULATION 19 PRE-SUBMISSION DRAFT OF THE SHROPSHIRE LOCAL PLAN

We write on behalf of our client, Mr Steve Atkinson in response to the current Regulation 19 consultation on the Pre-Submission Draft Shropshire Local Plan. This representation reiterates those previously submitted to the Shropshire Local Plan Preferred Sites Consultation in January 2019, and the Regulation 18 Consultation in September 2020.

CLIVE'S SCORING AS A COMMUNITY HUB

Clive is designated within the Pre-Submission Draft Local Plan as a Community Hub, capable of supporting modest development (40 dwellings during the Plan period), as a rural village which offers a broad range of facilities to meet the day-to-day needs of future residents. This is confirmed in accordance with the methodology set out in the publication Hierarchy of Settlements document (August 2020).

We fully support the designation of Clive as a Community Hub in the new Local Plan to encourage development which will sustain the level of village's facilities into the future.

We understand that Clive Parish Council are formally objecting to the designation of Clive as a Community Hub in the Regulation 19 Pre-Submission Draft Local Plan, although we have not seen the representations. We understand that it has been suggested by the Parish Council that the Hierarchy of Settlements for Clive is based on facilities that do not exist and will not open again, and that this takes the settlement scoring for Clive below the threshold for designation as a Community Hub. This is incorrect, for reasons set out below.

Convenience Store (4 Points)

The Parish Council have stated that the premises will no longer be let as a shop, and will revert to private use by the owner. However, the lawful use of the premises is as a shop, despite becoming vacant (in October 2020). The shop's reversion to private use will not be possible without the Council approving a change of use.

A current planning application submitted by the owner to change the use of the village shop to a residential annex (ref. 21/00048/FUL) has received support from the Parish Council, as a result of their desire to see Clive de-designated as a Community Hub. This is a disappointing turn of events



for the local people of Clive, many of whom are elderly, as the village shop is the only such facility in Clive and provides a key community service.

We have submitted an objection to application 21/00048/FUL on the basis that the shop has been incorrectly described as an 'A1' retail use when in fact, it is a community facility under Class F2(a) of the amended Use Classes Order (2020), and loss of this important community facility is contrary to Core Strategy Policy CS8, and Paragraph 92 of the National Planning Policy Framework (2019), which says that planning policies and decisions should guard against the unnecessary loss of valued facilities and services, particularly where this would reduce the community's ability to meet its day-to-day needs; and ensure that established shops are retained for the benefit of the community.

For this reason, the Council have indicated that they will resist the loss of the village shop. During the public question time at the Council's Cabinet meeting on 7 December 2020, the Council advised the Parish Council on this matter as follows:

"With regard to the convenience store, whilst officers have received recent correspondence from the owner that he is not seeking to re-let following the recent departure of his tenant in October 2021, this has only very recently become the case, and indeed he has also confirmed that until October he was actively seeking to let the facility. Without further evidence of marketing more widely or suitable assurances about the potential future uses for the facility, on the balance of judgement it is felt it would therefore be premature to delete this facility from the assessment."

There has been no evidence of marketing submitted as part of the planning application, and the shop has only been vacant since October 2020, so any marketing which could have been undertaken during that time could only have covered a three to four-month period in the midst of a pandemic. As such, there is no support in policy terms for the loss of the shop, which is a well-valued community facility which has historically been leased for use as a shop. There has not been any financial evidence submitted to show that use of the premises for this purpose is no longer viable, and the previous tenant only concluded their lease as a result of personal circumstances, not because of a lack of profit.

Indeed, our understanding was that the shop was a viable and successful business. This reflects the need for such a facility in the village for local people as well as visitors. The need to have local facilities available has been brought into sharp focus by the pandemic.

Accordingly, there is no evidence which the owner of the shop nor the Parish Council have provided to the Council which would indicate the permanent loss of the shop from Clive or which indicate a change in circumstances which would necessitate a review of the convenience store scoring for Clive or justify the loss of these four points.

Outdoor Sports Facilities (3 Points + 1 Point for Multiple Provision)

The Parish Council have put forward the case that the three points which Clive has been awarded for outdoor sports facilities should be deducted, by virtue of the property known as Clive Hall, which the village bowling green lies within the grounds of, having been purchased in 2019. Shropshire's Open Space Needs Assessment (September 2018) includes bowling greens under the definition of outdoor sports facilities and clarifies that these can be either publicly or privately owned. Though not currently in use, as it is understood that the bowling club have found

alternative premises, the bowling green remains within this location albeit within private ownership, and has not been removed.

Therefore, there is no reason why the bowling green should be deleted from the settlement scoring for Clive simply because it is privately owned. Accordingly, the Council have responded to the Parish Council on this matter at the Cabinet meeting on 7 December 2020, stating:

“Whilst it is recognised there is no active club currently using this space, this facility remains included within the Council’s published Open Space Needs Assessment, and the removal of this facility will therefore need to be tested against either current or emerging Local Plan policy which, amongst other things, needs to show this facility is surplus to requirements. This is in line with general advice from Sport England. To this end, officers feel it continues to be appropriate to include this facility in the assessment.”

Conversely, in addition to the three points for the bowling green, Clive could be awarded an additional point for the Renshaw’s Field located on Drawell, which we understand has not been included in the assessment, despite it being a community owned asset owned by the Renshaw’s Field Association. It is regularly used for public recreation including football games and has benches and fixed football posts, and is also used for other community events including the village fete.

Clive’s score for outdoor sports facilities should, therefore, stay as at least three points, as even without the bowling green, Renshaw’s Field would justify a score of three points for this category.

Public House (3 Points)

We note that the Settlement Function Assessment (Appendix 3) in the August 2020 Hierarchy of Settlements document has scored Clive ‘0’ under the public house category.

The Clive Hub on Back Lane in Clive village is bar and social club which is open to the public and has a full bar and full alcohol licence. It was refurbished in September 2020, and holds regular pub quiz nights and screens sports events such as football and rugby, and has a full-size snooker/billiards table, pool table and darts. It is also available for bookings for events. Like many local businesses, its opening hours have recently been affected by Covid-19. However, it usually opens until 11pm from Wednesdays to Saturdays and during the day on Sundays. Clive Hub is patronised by residents of Clive and acts, and is treated as a public house.

The Railway Inn public house in Yorton is approximately 500 metres from the proposed development boundary of Clive and when open, was frequented by residents of Clive village. The pub closed in 2017. However, the property has been in the current owner’s family for some considerable time after they acquired the premises after buying out other family members. Presently, they are working on renovating the premises with the intention of marketing it for rent as a public house later this year.

The use of the Railway Inn is Sui Generis and there has been no application to change this use. In this circumstance, and given the intention that it will be marketed as a public house, it should be included in the assessment.

It would appear that neither facility has been counted. If the scoring were to be re-counted for Clive, it would need to ensure that at the very least this took into consideration the Clive Hub which is used by residents of the village as a public house. This would add at least three points to Clive’s score (four points if the Railway Inn is included).

Community Hall (4 Points + 2 Point for Multiple Provision)

Clive has scored four points for community hall, due to the inclusion of Clive Village Hall. As described above, the Clive Hub (which used to be known as Clive Village Club, but has since been re-branded) is also used as a meeting place for the local community and often hosts community events, in addition to Clive Village Hall. Again, if the Council were required to re-assess the scoring for Clive then they should also consider whether there is a need to include Clive Hub as a secondary community hall, which would add two points to the current score of four, giving six points overall for this category.

Summary

Since early 2017, the Council has undertaken extensive consultation in advance of the current Regulation 19 Pre-Submission Draft of the Local Plan and for the reasons set out above, we find the Regulation 19 Pre-Submission Draft of the Local Plan to be **sound and legally compliant**. We do not think that there is adequate justification for the evidence base relating to Clive's designation as a Community Hub to be reviewed at this stage.

However, if the Council were required to re-assess the scoring for Clive, then the following would need to be taken into consideration, meaning that the total points scored for Clive could increase from the current 54 to as high as 61:

- Convenience store – 4 points retained for the village shop;
- Outdoor sports facility – 3 points retained for the bowling green, and 1 additional point scored for Renshaw's Field;
- Public house – 3 points scored for Clive Hub, and 1 additional point scored for the Railway Inn (or 3 points for the Railway Inn, if Clive Hub is not counted); and
- Community hall – 4 points scored for Clive Village Hall, plus 2 additional points if Clive Hub counted.

It is clear that as a rural village with a large range of facilities which has been assessed as part of the Council's Settlement Function Assessment using the methodology in the Hierarchy of Settlements, Clive meets the criteria to be designated as a Community Hub.

It is saddening and shameful that Clive Parish Council appears to be encouraging the loss of facilities in order to change Clive's status. The loss of facilities will be to the detriment of the village and will impact on the most vulnerable residents.

LAND TO THE EAST OF CLIVE HALL

Half of the 40 new dwellings proposed for Clive within the Pre-Submission Draft Shropshire Local Plan to 2036 will be facilitated on two site allocations to the far east of the village development boundary; site allocation CLV012 (Land at Flemley Park Farm, High Street) is proposed to deliver 5 dwellings; and site allocation CLV018 (Land adjacent to The Bungalow) is proposed to deliver 15 dwellings. Taking into consideration existing commitments in Clive, this means that there are a further 18 dwellings that make up the windfall allowance and sites must come forward to provide the "infill sites" sought within the forthcoming document in order to ensure that Clive can deliver its housing requirements.



Land to the east of Clive Hall is within the defined settlement boundary of Clive and is more centrally located within the village and in closer proximity to existing services and facilities than the two site allocations which are on the same side of the village as the site. On this basis, land to the east of Clive Hall is an even more suitable location for new residential development which can contribute to the housing requirements of Clive than the proposed site allocations. Therefore, in order to ensure the delivery of the site, it should be allocated in the emerging Local Plan.

We trust that this representation will be taken into consideration during the next stage and the publication of the Pre-Submission version of the New Shropshire Local Plan.

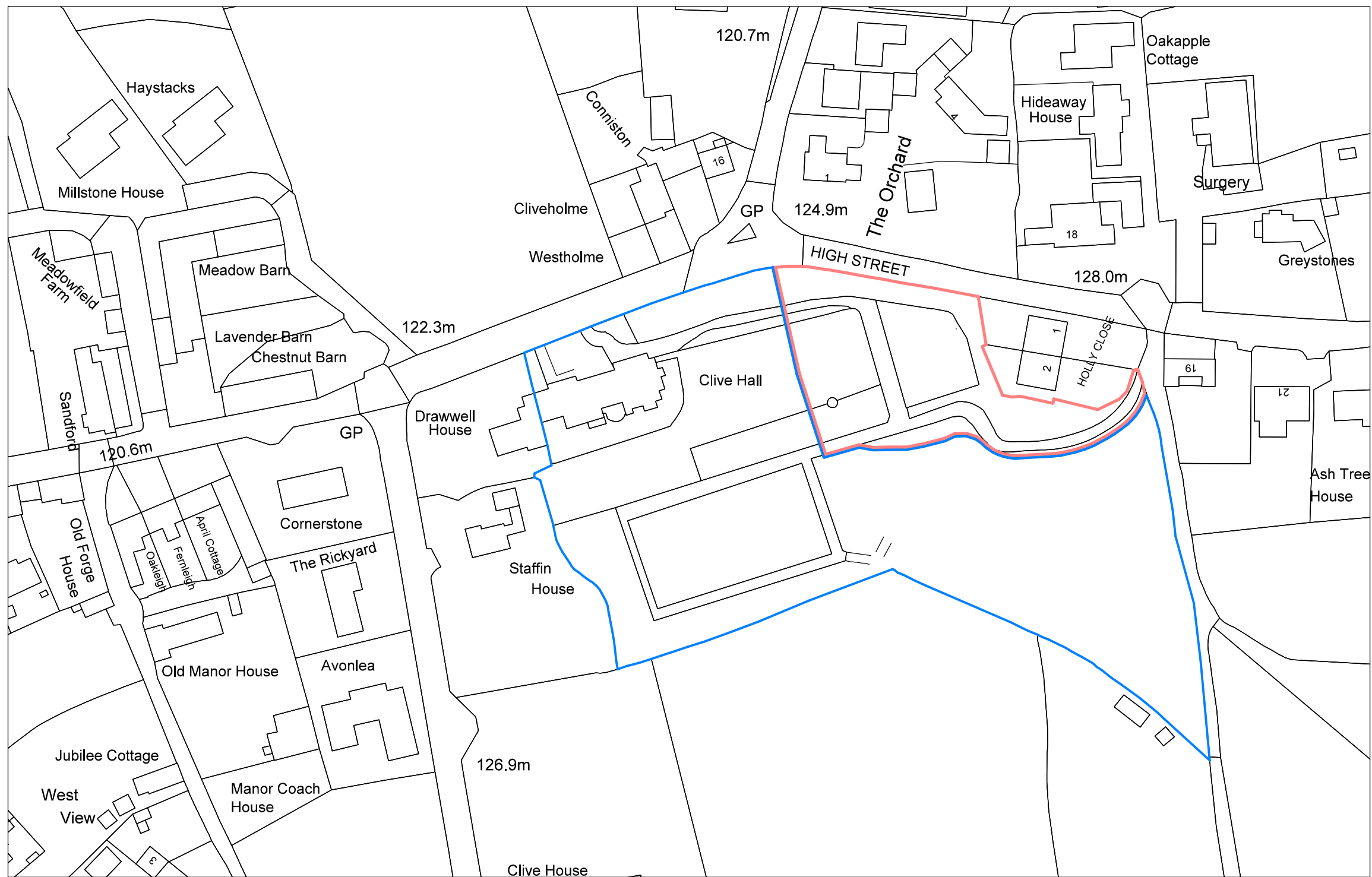
If you require any further information, please do not hesitate to contact me.

Yours faithfully

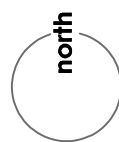
Sean McGrath
Director

Enc. Site Location Plan, Land to the East of Clive Hall

Cc. Steve Atkinson
Edward West, Shropshire BC Planning Policy



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Scale 1:1250
 Clive Hall, High Street,
 Clive, Nr Shrewsbury.

designforum
 architecturalworkshop