

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:	Cllr Hilary Claytonsmith, Church Stretton Town Council
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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.

Q4. Summary of objection – There is no published evidence within the Plan, or its evidence base to support the windfall housing target for Church Stretton, of 121 dwellings, being able to be delivered in the manner set out in policy S5.1.4. Accordingly, the Plan strategy is not based on robust and credible evidence and is unsound.

Q4. Details of objection.

In policy S5.1.3 and 1.4 the Plan states that around 200 dwellings will be delivered through the saved SAMDev Plan allocation; small scale windfalls within the development boundary; and cross-subsidy and exception sites. 79 of those dwellings are already committed or completed, leaving a figure of 121 to be provided over the

plan period. So, this figure must be achieved entirely through ‘windfall’ development, including exception and cross-subsidy sites which also fall within that definition, as they are not shown on the Inset Map for Church Stretton. The windfall figure of 121 dwellings is set out in Appendix 5 of the Plan, which shows it is the second highest in all the eleven Key Centres even though there are known constraints on such development given the topology, flood plain and the town’s AONB status.

It may be argued that the windfall figure is only guidance but policy S5.2 refers to it as contributing to strategic growth objectives and policy SP7.3 says the guideline is a significant policy consideration with its terms giving weight to failure to meet the figure. So, it is clearly intended as a target figure.

The Town Council’s objection is based on the fact that the Plan offers no evidence whatsoever to justify the figure, despite the provisions of paragraph 70 of the NPPF. This requires that where an allowance is made for windfall sites as part of anticipated housing supply, there should **be compelling evidence that they will provide a reliable source of supply**. It adds that any allowance should be realistic. The Town Council believes that the figure is largely made up by simply transferring 70 dwellings from a former allocated site which has now been deleted from the Plan. In determining whether a target of 121 dwellings can be realistically achieved, it should be essential to take full account of Church Stretton’s unique position of being entirely within the AONB itself and that it is subject to AONB constraints and objectives, unlike other towns in the county. In recent years the visual dominance of the landscape and tree cover in the town is increasingly being replaced by built development, including significant amounts of garden infill.

This problem is recognised in various parts of the Plan and in the approved AONB Management Plan which is recognised as an important consideration in policy DP24.1 and its supporting Explanation. Other examples are that one of the key aims of the ‘Shropshire Test’ (policy SP1) is to ensure development conserves and enhances the high quality natural environment; paragraph 5.86 of the Draft Local Plan which notes that “woodlands and trees provide an important and attractive setting for the town;” and paragraph 70 of the NPPF which states that a case should be considered for resisting inappropriate development of residential gardens where it would harm the local area.

The AONB Management Plan (page 57) refers to priorities for the Stretton Valley and states that the need to retain its character and limit the negative impacts of change and development, is probably more acute here than anywhere else in the AONB, also pointing out that Church Stretton is an important service centre but is also the only one of Shropshire’s Core Strategy market towns within a nationally protected landscape. It goes on to say that the physical capacity for more development in Church Stretton may be more limited than elsewhere and it is important that the sensitivities of its location within the AONB are fully considered.

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Part A Reference:

Part B Reference:

The foregoing shows that it would be difficult to find suitable sites within the town boundary for development and that realistic opportunities are limited. This is echoed in MHCLG National Planning Practice Guidance on the Natural Environment which states that it is clear that the scale and extent of development in AONBs should be limited and that the policies for protecting such areas may mean it is not possible to meet objectively assessed needs for development in full, through the plan making process. This augments NPPF paragraph 11b)i, which indicates that its policies to protect areas of particular importance may provide a strong reason for restricting the overall scale, type or distribution of development in the Plan area.

Also, it is regretted that no proper affordable housing needs assessment seems to have been carried out by Shropshire Council to inform the provision of rural exception and cross-subsidy sites. The need for affordable housing has been identified by a recent Housing Needs Survey undertaken by the Town Council. Housing to meet this need will inevitably be located outside the town boundary on rural exception sites.

It is noted that Shropshire Council uses the definition of ‘major development’ in the AONB contained in Annex 2 of the NPPF, namely 10 or more houses or a site of 0.5ha or more (*see Shropshire Hills AONB Exceptional Circumstances Statement - Dec. 2020*) **even though this appears to run contrary to FN70 of the NPPF Glossary**; and FN55 of Para.172 which states it is for the decision maker to decide what is major development in an AONB. Indeed, the decision maker might decide that in some circumstances a site of less than 10 dwellings may constitute major development due to its impact on the AONB. However even if only the Shropshire Council definition is used, the Town Council believes that it is extremely likely that the scale of some proposed exception and cross-subsidy sites would be 10 or more houses and therefore constitute ‘major development’.’ As these would only be allowed under exceptional circumstances, listed in policy DP24.2, it is essential to have the compelling evidence to justify the required rural exception sites. The Town Council contends that the target of 121 windfall houses is only likely to be achieved if it includes one, or maybe two, rural exception sites.

(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.

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Summary evidence of any surveys and research undertaken to formulate the windfall target and to show if it is realistically achievable, should be included in the Plan. If that work has not been carried out it should be done, and a revised windfall target for Church Stretton set.

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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)?

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- 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)

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Signature:

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This is part of the Explanation for policy S5.1 and sets out the special qualities of the Church Stretton area which should be conserved and enhanced. In that context the failure to mention the Caer Caradoc hill fort among the scheduled monuments is a gross error, especially given its iconic status and outstanding historic interest.

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The relevant sentence in para. 5.85 should be amended to read 'There are Scheduled Monuments at Nover's Hill to the north, Caer Caradoc to the north-east, and Brockhurst to the south'.

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Signature:

Date:

18.02.21

Inspector Use Only

Part A Reference:

Part B Reference:

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This map is important as it shows a development boundary outside which any development is regarded as in open countryside so severely limited. The current map fails to include about 100 existing dwellings which lie within the existing built-up area, namely Lawley Close, Willow Meadow, Leasowes Close and Street Meadow. To show them as being in open countryside is both inaccurate and renders them subject to different policies.

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The Plan development boundary should be updated.

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Signature: [

Date: 18 - 02 - 21

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