### **Shropshire Council:** Shropshire Local Plan



### 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

	ctive represen	•	<i>guidance</i> Ne	ote to ex	piairi trie terri	15 USE	u anu t	U assist III
Part B:	Represe	entati	on				1	
Name and	d Organisation	: Radn	orshire Coal	Co and B	& J Davies			
Q1. To whi	ich docume	nt does	this repres	entatio	n relate?			
<b>▼</b> Regula	ation 19: Pre-	Submissio	n Draft of the	e Shropsh	nire Local Plar	1		
	Sustainability Appraisal of the Regulation 19: Pre-Submission Draft of the Shropshire Local Plan				opshire			
☐ Shrop	its Regulations shire Local Pla se tick one box	n	ent of the Re	gulation	19: Pre-Subn	nission	Draft	of the
	ich part of t		ment does	this re	presentatio	n rel	ate?	
Paragraph:		Policy:	SP8	Site:	BUCK001	Po	olicies Map:	S2
	consider t	_	lation 19:	Pre-Sub	mission Di	aft o	f the	
A. Legally	compliant			Yes:		No:		
B. Sound				Yes:		No:	$\checkmark$	
·	ant with the D		operate	Yes:		No:		
Q4. Please Draft of th fails to cor If you wish to	give details e Shropshir nply with the support the lead hire Local Plan	s of why e Local I ne duty t	Plan is not to co-opera ance or sound	legally ate. Plea dness of t	compliant ase be as p the Regulation	or is reciso 19: Pr	unsou e as p e-Subn	und or ossible. nission Draft
	D	adaarshira	Submiss		es in relation to			
	, n		cy No's SP2, SI					
ment railw	site referred to, . It is supported ay yard, and mo orts these alloca	d by Policie st recently	s SP2 and S2.	It has pr	eviously been	used as	a timb	er yard and a

2. This is an important site in Bucknell, and every effort should be made by the Local Planning authority, via the Local Plan process, to bring it forward for development. However, Policy DP13 places significant obstacles in the way of the development of BUCK001 (and several other sites). The Local Plan should create the conditions whereby the development can be brought forward as quickly as possible.

- 3. The representor first made a planning application to develop the former railway yard (northern) element of the site in 1997. That application was rejected by South Shropshire District Council due to concerns about noise and nuisance from the timber yard (which was not part of the application).
- 4. Following that, an indication was given to the landowners that an application to develop the whole site for 30 houses would be favourably received. An application in line with that advice was submitted in 2000. The Planning Authority, which was still South Shropshire District Council at that time, resolved to approve the application subject to a s.106 agreement which was never drawn up, and the Council then decided to treat the application as withdrawn.
- 5. The site was first allocated for development in the South Shropshire Local Plan 2004 2011, adopted in April 2005. At that point in time the whole of the site was indicated on the Inset Map for Bucknell for residential development though the associated written policy indicated it was allocated for a mix of employment and housing uses.
- 6. A further application was, then, submitted in November 2008 (ref: 09/03091/OUT) for 30 dwellings, 10 of which would be affordable houses, and a new village shop. This application was approved on 21 December 2011. The consent was, however, granted subject to the submission and approval of surface and foul water schemes, before development could commence.
- 7. However, the Council's Core Strategy 2006 2026 had been adopted on 24 February 2011. That document introduced a new strategy for development in rural areas, with Policy CS4 introducing the concept of identifying Community Hubs and Community Clusters as for focus for new development in rural locations. The settlements that were to be identified as Hubs or Clusters would be named in the second element of the development plan that would be approved later the Site Allocations and Management of Development (SAMDev) Plan.
- 8. Work on the SAMDev Plan began almost immediately, and a Preferred Options Stage Plan was issued in March 2012. This document was revised at least three times but each version indicated that Bucknell would become a Community Hub and that the land at Bucknell Railway Yard/Timber Yard would be allocated for development.
- 9. Indications given by the Council's Officers at the time were that that they would be happy to see that number of properties to be constructed on the railway yard/timber yard increased to 50.
- 10. So, by application dated 14 August 2013, the landowners submitted an application that proposed the majority of the allocated housing site should be developed by the erection of 50 houses. Issues of the generation of traffic in relation to the nearby railway crossing, the level of affordable housing provision, provision of open space, ecology, ground contamination, flood risk, housing layout etc. were all resolved.
- 11. The SAMDev Plan 2006 2026 was adopted on 17 December 2015. This Plan indicated that Bucknell was identified as a Community Hub and the Timber Yard/Railway Yard should, again, be allocated for part residential and part employment uses (BUCK001). No other land was allocated for development in the village. BUCK001 was intended to provide for 70 dwellinghouses, and 1.4ha of employment land.
- 12. The application submitted in August 2013 remains undetermined. Para 4.22 of the SAMDev indicated that development in the Bishop's Castle area (Bucknell being one of the settlements within

Office Use Only	Part A Reference:	
Office Use Only	Part B Reference:	

the Bishop's Castle Place Plan Area) might "adversely affect the integrity of the River Clun SAC. Mitigation measures are required to remove harm arising from hydrological and water quality impacts on this internationally designated site....."

- 13. No readily available, or understandable, advice on what mitigation measures might be suggested were forthcoming from the Council. The matter remains unresolved.
- 14. Policy MD12 of the SAMDev Plan indicated that,

"The avoidance of harm to Shropshire's natural assets, and their conservation, enhancement and restoration will be achieved by requiring a project-level Habitats Regulations Assessment (HRA) for all proposals where the LPA identifies a likely significant effect on an internationally designated site....." The HRA was to be prepared by the Council.

- 15. The Policy went on to say that the Council would ensure that proposals which "are likely to have a significant effect on any of a list of nine named areas or topics one of which was priority species, and another priority habitats, would only be permitted "where it could be demonstrated that there is no satisfactory alternative means of avoiding such impacts and the social or economic benefits of the proposal outweigh the harm to the asset". No advice has ever been forthcoming from the Council on the measures that might be regarded as mitigating the effect on any natural asset.
- 16. In 2014 Shropshire Council, in association with Natural England (NE), the Environment Agency (EA), Severn Trent Water (STW) produced a "River Clun SAC Nutrient Management Plan". The purpose of this Plan was to identify those issues that threatened a colony of freshwater pearl mussels that exist in the River Clun.
- 17. This document collected a serious amount of information which identified those problems which the colony of pearl mussel experiences. It concluded that a series of targets for water quality in the River Clun should be adopted. It also concluded that the existing colony was in a perilous state with a decline in population, evidence of continuing stress, failure to produce new generations of mussels, decline in the physical habitat structure and poor water quality.
- 18. The Management Plan concluded that the freshwater pearl mussel population in the Clun is 'functionally extinct', meaning the population is declining with little evidence of recruitment. It was estimated that the mussels would only survive for another 20 years if nothing was done to improve the conditions.
- 19. There was no guarantee that the targets, even if achieved, would result in the colony being rejuvenated.
- 20. There are three main causes of problems for the mussels the levels of phosphates, nitrogen and silt in the River. Existing residential development does not contribute to a major degree to the amount of nitrogen and silt in the River, but it does contribute (according to the Management Plan) around ⅓ of phosphates found in the River. The majority of this is produced from Sewage Treatment Works. The Plan contained no specific actions which a developer might take in order to make residential development acceptable. The line taken by the Council in discussion was always that no development might take place unless it could be demonstrated that no phosphates generated by the development would find their way into the River, and that it should also be demonstrated that a betterment in the situation for the pearl mussels would be achieved.
- 21. The discharge from the Bucknell STW into a tributary of the River Clun is controlled by STW and the EA STW operating the works and the EA licencing the discharge. In 2017 STW indicated to the landowner of the BUCK001 site that they intended to solve the problem by diverting the discharge

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from the Bucknell STW from the tributary to another watercourse that did not flow into the River Clun. However, that course of action was not followed (though the changes was never communicated to the landowner) STW preferring, instead, to install additional phosphate stripping facilities in the Bucknell STW. As far as the BUCK001 landowners are aware, whereas this action has improved the water quality to a degree, it has not improved it to a level that would mean that targets set in the Management Plan are achieved.

- 22. More recently Shropshire Council in association with Natural England have produced a document indicating that development will only be permitted which would involve discharge to the River Clun or its tributaries, if it can be shown that the development would be "nutrient neutral". There is no indication given as to how this could be measured, how it could be achieved, what effect it might have on the water quality in the River, or whether it would produce a situation where the pearl mussel colony might be rescued and rejuvenated.
- 23. So, for the past twenty-two years, the land associated with BUCK001 has been allocated for development but, for one reason or another (but not including the willingness or desire of the landowners to bring the land forward) has been prevented from taking place.
- 24. The Local Plan Review continues this situation. Bucknell is identified as a Community Hub to which the provisions of Policy SP 8 apply. BUCK001 is, quite rightly, reallocated for redevelopment. It is a brownfield site that now detracts from the character and amenity of the village. Local requirement for an employment site of this size no longer exists. The development of BUCK001 can comply with all the 'considerations' outlined in Policy SP8. However, it is still constrained by the necessity to ensure that the freshwater pearl mussels in the River Clun are unharmed by the development.
- 25. Policy S2 .2 indicates that Bucknell is a Community Hub and that it will be developed by some 110 dwellings within the Plan period. Development at BUCK001 is expected to produce around 70 of these dwellings. The proposed development of BUCK001 can comply with all of the guidelines set out in Policy S2.2. However, at Policy S2.2 .6 it is again noted that development in Bucknell (amongst others) is likely to have an adverse effect on the River Clun SAC and so Policy DP13 applies.
- 26. Policy DP13: Development in the River Clun Catchment, spells out the restrictions that the Plan imposes. Importantly there is no advice forthcoming from the Council as to how the objectives they wish to achieve can actually be achieved. It is clear that simply preventing development is not the answer to the problem, but very little appears to be happening that would help in other directions. One of the recent suggestions is that a fresh Nutrient Management Plan might be prepared, but these are clearly ineffective unless they include definitive, measurable, actions that involve positive actions on the part of those bodies that are responsible for water quality and comprise more than just preventing development.
- 27. This situation effects more than just BUCK001. The River Clun catchment extends some way to the north of Bucknell to include Bishop's Castle, Clun and Lydbury North amongst others. Bishop's Castle is indicated as a "Key Centre", and Bucknell and Clun as Community Hubs. Lydbury North is a Community Cluster. None of the sites allocated for residential development in the SAMDev Plan has come forward for development, all because they are faced with the same problem. They have been 'carried forward' in the current Local Plan Review. It is clearly not the case that the area included in the Bishop's Castle Place Plan area does not need any further development, or that there is no demand; the need for the development continues to be recognized.
- 28. The Local Plan Review should tackle the issue of the water quality in the River Clun in a pro-active manner, and bring forward positive proposals to be put into action by the various authorities that have responsibility for watercourses in the catchment in order that the development that is planned, wanted and needed can be delivered. Until the Plan includes such proposals it cannot be regarded as being "sound" as it will,

Office Has Only	Part A Reference:
Office Use Only	Part B Reference:

	will fail to meet the respo will also fail to deliver the	e dwellings that the Loca	survival of the pearl mussel colony, and Il Plan plans for. In total, that could be in the cation for the identified Key Centres and 4.4%
	of the housing for the rur	al area of the County ou	tside Key Centres.
	As the Plan stands it h	nas not been developed i	n a positive manner.
Regulati	ion 19: Pre-Submiss	fication(s) you colion Draft of the SI	ontinue on a separate sheet if necessary) nsider necessary to make the hropshire Local Plan legally compliance or soundness matters
	e identified at Q4 ab	-	
examinatio Draft of th	on. You will need to say w e Shropshire Local Plan le	hy each modification w gally compliant or sour	te is incapable of modification at fill make the Regulation 19: Pre-Submission and. It will be helpful if you are able to put ext. Please be as precise as possible.
The Local	Plan should be modified to	include specific, positive	, measures that will,
ii. Ens	ure the longevity of the fres ure that the development to vered immediately upon the	hat is assessed as being i	d necessary in the River Clun catchment can be
		(Please co	ontinue on a separate sheet if necessary)
supporting	information necessary ton(s). You should not as	to support your repres	e succinctly all the evidence and sentation and your suggested ave a further opportunity to make
After this			made if invited by the Inspector, es for examination.
Submiss participa	ion Draft of the Shroate in examination h	opshire Local Plan earing session(s)	
			on of your wish to participate in hearing your request to participate.
∐ No	o, I do not wish to partic	ipate in hearing session	on(s)
<b>√</b> Ye	es, I wish to participate in	n hearing session(s)	
(Pi	lease tick one box)		
_	ou wish to participat sider this to be nece		ession(s), please outline why
		Office Head Call	Part A Reference:
		Office Use Only	Part B Reference:

The development site that is the subject of this respesentation has been under discussion with the Locla Planning authority for around 20 years, but there are no positive moves on the part of the Authrotiy to bring the land forward, despite continued efforts by the landowners. It is considered important that the issues that are contributing to the delay in developing this, and other, sites is discussed in open forum.

gnature:		Date: 25/	02/2021
			/ -

Office Has Only	Part A Reference:
Office Use Only	Part B Reference:

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### Representation Form

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Part B: Represer	ntation				
Name and Organisation:	Radnorshire Coal	Co and B &	& J Davies		
Q1. To which document	does this repres	entation	relate?		H) and H)
Regulation 19: Pre-Sub	omission Draft of the	e Shropshir	re Local Plan		
Sustainability Appraisa Local Plan	l of the Regulation 1	.9: Pre-Sul	bmission Dra	ift of the Shr	opshire
Habitats Regulations A Shropshire Local Plan (Please tick one box)	ssessment of the Re	gulation 19	9: Pre-Subm	ission Draft (	of the
Q2. To which part of the	document does	this repr	resentatio	n relate?	
Paragraph: Click or tap here to enter text.	Policy: SP2	Site:	BUCK001	Policies Map:	S2
Q3. Do you consider the Shropshire Local Plan is		Pre-Subn	nission Dr	aft of the	
A. Legally compliant		Yes:		No:	
B. Sound		Yes:		No: 🔽	
C. Compliant with the Duty (Please tick as appropriate	·	Yes:		No:	
Q4. Please give details of Draft of the Shropshire I fails to comply with the If you wish to support the legal of the Shropshire Local Plan or set out your comments.	Local Plan is not duty to co-operal compliance or sound	legally cate. Pleas dness of the	ompliant of the se be as properties.  Regulation	ecise as p	ind or ossible. nission Draft
	Submiss				
Kadi	norshire Coal Co and B Policy No's SP2, SF				
<ol> <li>The site referred to, BU ment. It is supported by railway yard, and most re supports these allocation</li> </ol>	y Policies SP2 and S2. recently for a variety of	It has prev	iously been u	sed as a timbe	er yard and a

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	a)	not be effective,	11.11.	
		will also fail to deliver the	e dwellings that the Loca	survival of the pearl mussel colony, and I Plan plans for. In total, that could be in the
		order of 514 dwellings – s of the housing for the rur		ation for the identified Key Centres and 4.4% side Key Centres.
29.	As t	he Plan stands it has not l	peen developed in a posi	ive manner.
_			fication(s) you con	nsider necessary to make the
compli	an		pect of any legal c	ropshire Local Plan legally ompliance or soundness matters
- Please n	ote	that non-compliance wit	h the duty to co-operat	te is incapable of modification at
Draft of	the	Shropshire Local Plan le	gally compliant or soun	ill make the Regulation 19: Pre-Submission d. It will be helpful if you are able to put xt. Please be as precise as possible.
		an should be modified to		
i F	ncur	e the longevity of the fres	hwater nearl colony, and	
				ecessary in the River Clun catchment can be
d	elive	red immediately upon the	e adoption of the Plan.	
			(Please co	entinue on a separate sheet if necessary)
Please	not	e: In vour representati	•	succinctly all the evidence and
supporti modifica	ng i	nformation necessary to (s). You should not as	to support your repres	entation and your suggested ve a further opportunity to make
submiss				
		tage, further submis he matters and issue		made if invited by the Inspector,
Jaseu C	,,,	ne matters and issue	s he or she identifie	S TOT CAUTINIACION.
				cation to the Regulation 19: Pre-
			•	, do you consider it necessary to
		e in examination h		n of your wish to participate in hearing
				your request to participate.
	No,	I do not wish to partic	pate in hearing session	n(s)
	Yes	I wish to participate in	n hearing session(s)	
		ase tick one box)	3 ( )	
			e in the hearing s	ession(s), please outline why
ou co	nsi	der this to be nece	ssary:	
			Office Use Only	Part A Reference:
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The development site that is the subject of this respesentation has been under discussion with the Local Planning authority for around 20 years, but there are no positive moves on the part of the Authrotiy to bring the land forward, despite continued efforts by the landowners. It is considered important that the issues that are contributing to the delay in developing this, and other, sites is discussed in open forum.

(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: 25/02/2021

Office Use Only

Part A Reference:

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Q1. To wh	ich document	does	this represe	ntatio	n relate?	ń.	EM.	
Regula	ation 19: Pre-Sul	omissio	n Draft of the	Shropsh	nire Local Plar	1		
Sustai Local	inability Appraisa Plan	l of the	Regulation 19	: Pre-S	ubmission Dra	aft of	the Sh	ropshire
☐ Shrop	ats Regulations A shire Local Plan se tick one box)	ssessm	ent of the Reg	ulation	19: Pre-Subm	nissior	Draft	of the
Q2. To wh	ich part of the	docu	ment does t	his re	presentatio	n rel	ate?	
Paragraph:		Policy:	S2	Site:	BUCK001	P	olicies Map:	S2
_	u consider the e Local Plan is	_	lation 19: P	re-Sub	mission Dr	aft o	f the	
A. Legally	compliant			Yes:		No:		
B. Sound				Yes:		No:	V	
	ant with the Duty		operate	Yes:		No:		
Draft of th fails to cor If you wish to	e give details of e Shropshire in mply with the of support the legal whire Local Plan or comments.	Local   duty t   compli	Plan is not le to co-operate ance or soundry	egally e. Plea ess of t	compliant ase be as public Regulation	or is recis 19: Pr	unsor e as p e-Subr	und or ossible. nission Draft
	Radı		Submissio Coal Co and B & cy No's SP2, SP8	k J Davie				
ment railwa	site referred to, BL It is supported by ay yard, and most rorts these allocation	y Policie ecently	s SP2 and S2.	It has pr	eviously been u	ised as	a timb	er yard and a
2. This i	s an important site	in Buck	nell, and everv e	ffort sho	uld be made by	the Lo	ocal Plai	nning author-

ity, via the Local Plan process, to bring it forward for development. However, Policy DP13 places significant obstacles in the way of the development of BUCK001 (and several other sites). The Local

Plan should create the conditions whereby the development can be brought forward as quickly as possible.

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- 4. Following that, an indication was given to the landowners that an application to develop the whole site for 30 houses would be favourably received. An application in line with that advice was submitted in 2000. The Planning Authority, which was still South Shropshire District Council at that time, resolved to approve the application subject to a s.106 agreement which was never drawn up, and the Council then decided to treat the application as withdrawn.
- 5. The site was first allocated for development in the South Shropshire Local Plan 2004 2011, adopted in April 2005. At that point in time the whole of the site was indicated on the Inset Map for Bucknell for residential development though the associated written policy indicated it was allocated for a mix of employment and housing uses.
- 6. A further application was, then, submitted in November 2008 (ref: 09/03091/OUT) for 30 dwellings, 10 of which would be affordable houses, and a new village shop. This application was approved on 21 December 2011. The consent was, however, granted subject to the submission and approval of surface and foul water schemes, before development could commence.
- 7. However, the Council's Core Strategy 2006 2026 had been adopted on 24 February 2011. That document introduced a new strategy for development in rural areas, with Policy CS4 introducing the concept of identifying Community Hubs and Community Clusters as for focus for new development in rural locations. The settlements that were to be identified as Hubs or Clusters would be named in the second element of the development plan that would be approved later the Site Allocations and Management of Development (SAMDev) Plan.
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- 10. So, by application dated 14 August 2013, the landowners submitted an application that proposed the majority of the allocated housing site should be developed by the erection of 50 houses. Issues of the generation of traffic in relation to the nearby railway crossing, the level of affordable housing provision, provision of open space, ecology, ground contamination, flood risk, housing layout etc. were all resolved.
- 11. The SAMDev Plan 2006 2026 was adopted on 17 December 2015. This Plan indicated that Bucknell was identified as a Community Hub and the Timber Yard/Railway Yard should, again, be allocated for part residential and part employment uses (BUCK001). No other land was allocated for development in the village. BUCK001 was intended to provide for 70 dwellinghouses, and 1.4ha of employment land.
- 12. The application submitted in August 2013 remains undetermined. Para 4.22 of the SAMDev indicated that development in the Bishop's Castle area (Bucknell being one of the settlements within

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	Part B Reference:

the Bishop's Castle Place Plan Area) might "adversely affect the integrity of the River Clun SAC. Mitigation measures are required to remove harm arising from hydrological and water quality impacts on this internationally designated site....."

- 13. No readily available, or understandable, advice on what mitigation measures might be suggested were forthcoming from the Council. The matter remains unresolved.
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"The avoidance of harm to Shropshire's natural assets, and their conservation, enhancement and restoration will be achieved by requiring a project-level Habitats Regulations Assessment (HRA) for all proposals where the LPA identifies a likely significant effect on an internationally designated site....." The HRA was to be prepared by the Council.

- 15. The Policy went on to say that the Council would ensure that proposals which "are likely to have a significant effect on any of a list of nine named areas or topics one of which was priority species, and another priority habitats, would only be permitted "where it could be demonstrated that there is no satisfactory alternative means of avoiding such impacts and the social or economic benefits of the proposal outweigh the harm to the asset". No advice has ever been forthcoming from the Council on the measures that might be regarded as mitigating the effect on any natural asset.
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- 17. This document collected a serious amount of information which identified those problems which the colony of pearl mussel experiences. It concluded that a series of targets for water quality in the River Clun should be adopted. It also concluded that the existing colony was in a perilous state with a decline in population, evidence of continuing stress, failure to produce new generations of mussels, decline in the physical habitat structure and poor water quality.
- 18. The Management Plan concluded that the freshwater pearl mussel population in the Clun is 'functionally extinct', meaning the population is declining with little evidence of recruitment. It was estimated that the mussels would only survive for another 20 years if nothing was done to improve the conditions.
- 19. There was no guarantee that the targets, even if achieved, would result in the colony being rejuvenated.
- 20. There are three main causes of problems for the mussels the levels of phosphates, nitrogen and silt in the River. Existing residential development does not contribute to a major degree to the amount of nitrogen and silt in the River, but it does contribute (according to the Management Plan) around ⅓ of phosphates found in the River. The majority of this is produced from Sewage Treatment Works. The Plan contained no specific actions which a developer might take in order to make residential development acceptable. The line taken by the Council in discussion was always that no development might take place unless it could be demonstrated that no phosphates generated by the development would find their way into the River, and that it should also be demonstrated that a betterment in the situation for the pearl mussels would be achieved.
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- 22. More recently Shropshire Council in association with Natural England have produced a document indicating that development will only be permitted which would involve discharge to the River Clun or its tributaries, if it can be shown that the development would be "nutrient neutral". There is no indication given as to how this could be measured, how it could be achieved, what effect it might have on the water quality in the River, or whether it would produce a situation where the pearl mussel colony might be rescued and rejuvenated.
- 23. So, for the past twenty-two years, the land associated with BUCK001 has been allocated for development but, for one reason or another (but not including the willingness or desire of the landowners to bring the land forward) has been prevented from taking place.
- 24. The Local Plan Review continues this situation. Bucknell is identified as a Community Hub to which the provisions of Policy SP 8 apply. BUCK001 is, quite rightly, reallocated for redevelopment. It is a brownfield site that now detracts from the character and amenity of the village. Local requirement for an employment site of this size no longer exists. The development of BUCK001 can comply with all the 'considerations' outlined in Policy SP8. However, it is still constrained by the necessity to ensure that the freshwater pearl mussels in the River Clun are unharmed by the development.
- 25. Policy S2 .2 indicates that Bucknell is a Community Hub and that it will be developed by some 110 dwellings within the Plan period. Development at BUCK001 is expected to produce around 70 of these dwellings. The proposed development of BUCK001 can comply with all of the guidelines set out in Policy S2.2. However, at Policy S2.2 .6 it is again noted that development in Bucknell (amongst others) is likely to have an adverse effect on the River Clun SAC and so Policy DP13 applies.
- 26. Policy DP13: Development in the River Clun Catchment, spells out the restrictions that the Plan imposes. Importantly there is no advice forthcoming from the Council as to how the objectives they wish to achieve can actually be achieved. It is clear that simply preventing development is not the answer to the problem, but very little appears to be happening that would help in other directions. One of the recent suggestions is that a fresh Nutrient Management Plan might be prepared, but these are clearly ineffective unless they include definitive, measurable, actions that involve positive actions on the part of those bodies that are responsible for water quality and comprise more than just preventing development.
- 27. This situation effects more than just BUCK001. The River Clun catchment extends some way to the north of Bucknell to include Bishop's Castle, Clun and Lydbury North amongst others. Bishop's Castle is indicated as a "Key Centre", and Bucknell and Clun as Community Hubs. Lydbury North is a Community Cluster. None of the sites allocated for residential development in the SAMDev Plan has come forward for development, all because they are faced with the same problem. They have been 'carried forward' in the current Local Plan Review. It is clearly not the case that the area included in the Bishop's Castle Place Plan area does not need any further development, or that there is no demand; the need for the development continues to be recognized.
- 28. The Local Plan Review should tackle the issue of the water quality in the River Clun in a pro-active manner, and bring forward positive proposals to be put into action by the various authorities that have responsibility for watercourses in the catchment in order that the development that is planned, wanted and needed can be delivered. Until the Plan includes such proposals it cannot be regarded as being "sound" as it will,

Office Use Only	Part A Reference:
	Part B Reference:

	•	not be effective,	ensibility of ensuring the	survival of the pearl mussel colony, and
	c)	•		al Plan plans for. In total, that could be in the
	C)		_	cation for the identified Key Centres and 4.4%
		of the housing for the rur		•
As the	Plan	stands it has not been dev	veloped in a positive ma	nner.
			(Please c	ontinue on a separate sheet if necessary)
Q5. P	leas	e set out the modif	<u>`</u>	nsider necessary to make the
_				hropshire Local Plan legally
_				compliance or soundness matters
_		identified at Q4 ab		
				te is incapable of modification at
				vill make the Regulation 19: Pre-Submission nd. It will be helpful if you are able to put
				ext. Please be as precise as possible.
The Lo	cal Pl	an should be modified to	include specific, positive	, measures that will,
		e the longevity of the fres		
		•	_	necessary in the River Clun catchment can be
	aenve	ered immediately upon the	e adoption of the Plan.	
			(Please c	ontinue on a separate sheet if necessary)
				e succinctly all the evidence and
				sentation and your suggested
noairio submis			ssume that you will ha	ave a further opportunity to make
				made if invited by the Inspector,
oasea	on t	he matters and issue	s ne or sne identifi	es for examination.
06. If	VOL	r representation is	seeking a modifi	cation to the Regulation 19: Pre-
_	-			, do you consider it necessary to
		e in examination h		
Please	note	that while this will prov	vide an initial indication	on of your wish to participate in hearing
session	(5),	you may be asked at a	later point to confirm	your request to participate.
	No,	I do not wish to partici	pate in hearing session	on(s)
	i	·		
$\checkmark$	Yes	I wish to participate in	n hearing session(s)	
	(Ple	ase tick one box)		
27. If	you	wish to participat	e in the hearing s	ession(s), please outline why
_	_	der this to be nece		
				Part A Reference:
			Office Use Only	Part B Reference:
				I WILL DE LOUIS WITHOUT

The development site that is the subject of this respesentation has been under discussion with the Local Planning authority for around 20 years, but there are no positive moves on the part of the Authrotiy to bring the land forward, despite continued efforts by the landowners. It is considered important that the issues that are contributing to the delay in developing this, and other, sites is discussed in open forum.

(Please continue on a separate sheet if necessary)

<b>Please note:</b> The Inspector will determine the methose who have indicated that they wish to participate to confirm your wish to participate when the Inspector examination.	ipate in hearing session(s). You may be asked
Signature:	Date: 25/02/2021

Office Use Only

Part A Reference:

Part B Reference:

### **Shropshire Council:** Shropshire Local Plan



### 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 effe	ctive representat	ions.			piani the terri	13 430	a ana c	0 43313E 111
Part B:	Represer	itati	on					
Name an	d Organisation:	Radn	orshire Coal	Co and B	& J Davies			
Q1. To wh	ich document	does	this repres	sentatio	n relate?			
Regul	ation 19: Pre-Sul	omissio	n Draft of th	e Shropsl	nire Local Plar	1		
Susta Local	inability Appraisa Plan	l of the	Regulation	19: Pre-S	ubmission Dr	aft of	the Shr	opshire
☐ Shrop	ats Regulations A shire Local Plan se tick one box)	ssessm	ent of the R	egulation	19: Pre-Subn	nissior	n Draft	of the
Q2. To wh	ich part of the	docu	ment does	this re	presentatio	n rel	ate?	
Paragraph:	F	Policy:	DP13	Site:	BUCK001	] P	olicies Map:	S2
_	u consider the e Local Plan is	_	lation 19:	Pre-Sub	mission Dr	aft o	f the	
A. Legally	compliant			Yes:		No:		
B. Sound				Yes:		No:	V	
·	ant with the Duty		operate	Yes:		No:		
Draft of the fails to cou	e give details of the Shropshire I mply with the support the legal shire Local Plan or comments.	Local I duty t	Plan is not to co-opera ance or soun	legally ate. Pleadness of t	compliant ase be as p he Regulation	or is recis 19: Pi	unsou e as p re-Subm	ind or ossible. nission Draft
set out your		orchiro	Submis	•	s in relation to			10
	Raus	ioi si iii e	Coal Co allu I	od 1 Davie	s in relation to			

# Policy No's SP2, SP8, DP13 and S2.

- 1. The site referred to, BUCK001, is allocated for development as part residential and part employment. It is supported by Policies SP2 and S2. It has previously been used as a timber yard and a railway yard, and most recently for a variety of storage and industrial operations. The representor supports these allocations.
- 2. This is an important site in Bucknell, and every effort should be made by the Local Planning authority, via the Local Plan process, to bring it forward for development. However, Policy DP13 places significant obstacles in the way of the development of BUCK001 (and several other sites). The Local

Plan should create the conditions whereby the development can be brought forward as quickly as possible.

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	Part B Reference:	

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OF Disa			ntinue on a separate sheet if necessary)
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•	e identified at Q4 al		e is incapable of modification at
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i Ensi	ure the longevity of the fre	shwater nearl colony, and	
			ecessary in the River Clun catchment can be
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modification Submission		ssume that you will ha	ve a further opportunity to make
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O6 If vo	ur roprocontation i	s sooking a modific	cation to the Regulation 19: Pre-
Submiss		opshire Local Plan	do you consider it necessary to
	•		n of your wish to participate in hearing your request to participate.
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	ou wish to participate ider this to be nece		ession(s), please outline why
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(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: 25/02/2021

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