

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:	Nicholas Goldwyn
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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:	S17	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.

Clive has been assigned Community Hub status (SP17.2 and S17.4 paragraphs 5.245 and 5.247). Settlement Policy S17 uses inaccurate, out of date and invalid data in considering Clive as being of Community Hub status. The policy is therefore unsound.

The Hierarchy of Settlements (August 2020) supports the Local Plan Review S17, by setting out methodology for identifying Shropshire's service centres in order to evaluate specific and consistent criteria a settlement's sustainability and ability to support additional housing.

Clive's Hierarchy of Settlements assessment score includes two facilities that do not exist. Clive does not therefore meet the criteria for Community Hub designation. Clive's inclusion as a Community Hub under Settlement Policy S17.2 and S17.4 is not based on accurate evidence and is not justified. Additionally, the Council deferred matters relating to Clive settlement prior to publishing the Plan, rendering it not effective and therefore unsound.

1. Bowling Green

A bowling green, situated within the private grounds of Clive Hall is included in the Clive settlement (Wem Place Plan area). The green was formerly used by Clive Bowling Club. On 24.5.2018, the owners of the property issued notice to the Bowling Club that the facility was no longer available to them following the sale of the property.

At a public meeting of Clive Parish Council (3.1.2019), residents were advised by Eddie West of Shropshire Council that

- a) the Hierarchy of Settlements methodology would be applied consistently to all settlements across the county;
- b) that points would be removed if amenities were lost; and
- c) if this resulted in Clive dropping below the 48 point threshold for qualification for Community Hub status, it would no longer be classed as a Community Hub and would revert to Open Countryside.

No points were allocated to Clive for Outdoor Sports Facilities in the Hierarchy of Settlements 2017 (pp 35-36). The bowling green was erroneously added in the 2018 version of the document. The Parish Council notified Shropshire Council of this error at the time. I understand Eddie West agreed at that time to remove the points associated with the bowling green.

Shropshire Council has argued that the Open Space Needs Assessment (OSNA, 2017) includes the bowling green and it is up to the community to demonstrate that it is now surplus to requirements. Although this is demonstrably the case (since the Bowling Club now plays at an alternative green outside the Parish), the Playing Pitch and Outdoor Sports Strategy (PPOSS), supercedes OSNA and was formally adopted by Shropshire Council in Nov 2020. PPOSS does not include a bowling green. It is therefore unjustified and unsound to allocate points to a facility that, as evidenced by the Council's own documentation, does not exist.

2. Convenience Store

Clive Village Stores closed on 16.10.2020. Shropshire Council refused to accept that the permanent closure had taken place and, further, insisted on submission of a change of use planning application from the property owner. These planning applications have been submitted, however, the Council continues to include points for this non-existent facility. It is therefore unjustified and unsound to allocate points to a facility that does not exist.

3. Shropshire Council - Inaccurate and inconsistent assessment of community services and amenities

The Hierarchy of Settlements methodology used to determine those communities status has not been applied consistently throughout the whole of Shropshire with respect to how changes in amenities and services and subsequent reassessment of community status have been carried out.

When the village shop in Myddle closed in 2018 as well as the closure of the Post Office in Westbury in summer 2020, both settlements had points reduced and were removed as Community Hubs from the Plan. No requirement was made for submission of change of use planning applications.

In Clive's case, despite two amenities no longer existing prior to publication of the draft plan, Council refused to correct the points score for Clive and remove it from the list of Community Hubs. In doing so, it also deferred action requiring a major modification to be made to address what was otherwise a simple matter.

(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

Office Use Only	Part A Reference:
	Part B Reference:

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.

Clive should be removed from both S17.2, Community Hubs: Wem Place Plan Area, and S17.4, Wider Rural Area: Wem Place Plan Area, (paragraphs 5.245 and 5.247).

Clive settlement clearly does not possess the services and amenities required to meet the definition of a significant rural service centre, as defined by the Hierarchy of Settlements evidence base, and therefore does not qualify for a Community Hub designation.

The amenities required under the Hierarchy of Settlements evidence base do not exist and their inclusion by the Council in designating Community Hub status is flawed, erroneous and unsound.

(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:

Representation Form

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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 Nicholas Goldwyn
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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:	<input type="text" value="S2"/>	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.

Paragraph 3.24 of Strategic Policy SP2 refers to the importance of ensuring the long-term sustainability of rural communities through appropriate levels of development within rural areas, and describes Community Hubs as "significant rural service centres". In the 2017 stage of the Local Plan process Shropshire Council chose to adopt a consistent methodology of assessing settlements and for identifying Community Hubs, set out in the Hierarchy of Settlements document. The Hierarchy of Settlements (most recently updated in August 2020) supports the Local Plan Review by setting out the methodology and conclusions for identifying different types of settlements in Shropshire. The purpose of the evidence of the Hierarchy of Settlement is to inform policy with an assessment of specific and consistent criteria about Shropshire's settlements and their sustainability and ability to support additional housing.

However, the application of Policy SP2 in the identification of Community Hubs is not based on up to date, accurate, or appropriate evidence. Furthermore, the manner in which Shropshire Council has handled changes to local amenities and services throughout the Local Plan Review process has not been consistent across all settlements. Its deferral of matters relating

specifically to the settlement designation of Clive (Wem Place Plan area) also means the Plan is not effective.

Shropshire Council includes two amenities (Clive Village Stores and Clive Hall bowling green) in Clive's Hierarchy of Settlements assessment score, despite these two facilities not existing (the bowling green ceased to exist following the sale of Clive Hall in 2018 and the Village Stores closed in October 2020. Without these two amenities, Clive does not meet the criteria for Community Hub designation, and therefore Clive's inclusion as a Community Hub in Schedule SP2.2 is not based on accurate evidence and is not justifiable. In addition, the Council's deferral of matters relating to Clive settlement, renders the Plan not effective, and therefore unsound.

1. Bowling Green

A bowling green, situated within the private grounds of Clive Hall is included in the Clive settlement (Wem Place Plan area). The green was formerly used by Clive Bowling Club. On 24.5.2018, the owners of the property issued notice to the Bowling Club that the facility was no longer available to them following the sale of the property.

At a public meeting of Clive Parish Council (3.1.2019), residents were advised by Eddie West of Shropshire Council that

- a) the Hierarchy of Settlements methodology would be applied consistently to all settlements across the county;
- b) that points would be removed if amenities were lost; and
- c) if this resulted in Clive dropping below the 48 point threshold for qualification for Community Hub status, it would no longer be classed as a Community Hub and would revert to Open Countryside.

No points were allocated to Clive for Outdoor Sports Facilities in the Hierarchy of Settlements 2017 (pp 35-36). The bowling green was erroneously added in the 2018 version of the document. The Parish Council notified Shropshire Council of this error at the time. I understand Eddie West agreed at that time to remove the points associated with the bowling green.

Shropshire Council has argued that the Open Space Needs Assessment (OSNA, 2017) includes the bowling green and it is up to the community to demonstrate that it is now surplus to requirements. Although this is demonstrably the case (since the Bowling Club now plays at an alternative green outside the Parish), the Playing Pitch and Outdoor Sports Strategy (PPOSS), supercedes OSNA and was formally adopted by Shropshire Council in Nov 2020. PPOSS does not include a bowling green. It is therefore unjustified and unsound to allocate points to a facility that, as evidenced by the Council's own documentation, does not exist.

2. Convenience Store

Clive Village Stores closed on 16.10.2020. Shropshire Council refused to accept that the permanent closure had taken place and, further, insisted on submission of a change of use planning application from the property owner. These planning applications have been submitted, however, the Council continues to include points for this non-existent facility. It is therefore unjustified and unsound to allocate points to a facility that does not exist.

3. Shropshire Council - Inaccurate and inconsistent assessment of community services and amenities

The Hierarchy of Settlements methodology used to determine those communities status has not been applied consistently throughout the whole of Shropshire with respect to how changes in amenities and services and subsequent reassessment of community status have been carried out.

When the village shop in Myddle closed in 2018 as well as the closure of the Post Office in Westbury in summer 2020, both settlements had points reduced and were removed as

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Part A Reference:

Part B Reference:

Community Hubs from the Plan. No requirement was made for submission of change of use planning applications.

In Clive's case, despite two amenities no longer existing prior to publication of the draft plan, Council refused to correct the points score for Clive and remove it from the list of Community Hubs. In doing so, it also deferred action requiring a major modification to be made to address what was otherwise a simple matter.

(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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Clive settlement should be removed from Schedule SP2.2, Community Hubs as the village does not possess the services and amenities required to meet the definition of a significant rural service centre, as defined by the Hierarchy of Settlements evidence base, and therefore does not qualify for a Community Hub designation.

(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.

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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)?

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:

Office Use Only	Part A Reference:
	Part B Reference:

(Please continue on a separate sheet if necessary)

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Signature:

Date:

24/02/2021

Office Use Only	Part A Reference:
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Name and Organisation:	Mr Nicholas Goldwyn
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- (Please tick one box)

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

Paragraph:	<input type="text"/>	Policy:	<input type="text" value="S8"/>	Site:	<input type="text"/>	Policies Map:	<input type="text"/>
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|--|------|--------------------------|-----|-------------------------------------|
| A. Legally compliant | Yes: | <input type="checkbox"/> | No: | <input type="checkbox"/> |
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Policy SP8 defines Community Hubs as significant rural service centres, as set out in Schedule SP2.2 of Policy SP2. It sets out that the Community Hubs have been identified through a Hierarchy of Settlements Assessment, which has assessed settlement function through consideration of:

- The population and number of households within a settlement; and
- The extent to which the settlement provides services and facilities, high speed broadband; employment opportunities; and other transport links (paragraph 3.54 of Policy SP8).

However, the evidence within this Hierarchy of Settlement assessment is not based on up to date or accurate information and has not been applied consistently to all settlements in the Local Plan area. Therefore Policy SP8 is not justified and is unsound.

Shropshire Council's approach to the identification of Community Hubs is guided by the application of a consistent methodology contained in the 'Hierarchy of Settlements' document,

which assesses the level of available services and facilities in an area. The Local Planning Authority considers this has been applied on a consistent basis, and where appropriate has responded to changing levels of provision locally. However, the application of paragraph 3.54 of Policy SP8 in the identification of Community Hubs is not based on up to date, accurate, or appropriate evidence, therefore rendering the Policy unjustified and unsound. Furthermore, the manner in which Shropshire Council has handled changes to local amenities and services throughout the Local Plan Review process has not been consistent across all settlements. Its deferral of matters relating specifically to the settlement designation of Clive (Wem Place Plan area) also leaves the Plan not effective.

Shropshire Council includes two amenities (Clive Village Stores and Clive Hall bowling green) in Clive's Hierarchy of Settlements assessment score, despite these two facilities not existing (the bowling green ceased to exist following the sale of Clive Hall in 2018 and the Village Stores closed in October 2020. Without these two amenities, Clive does not meet the criteria for Community Hub designation, and therefore Clive's inclusion as a Community Hub in Schedule SP2.2 is not based on accurate evidence and is not justifiable. In addition, the Council's deferral of matters relating to Clive settlement, renders the Plan not effective, and therefore unsound.

1. Bowling Green

A bowling green, situated within the private grounds of Clive Hall is included in the Clive settlement (Wem Place Plan area). The green was formerly used by Clive Bowling Club. On 24.5.2018, the owners of the property issued notice to the Bowling Club that the facility was no longer available to them following the sale of the property.

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3. Shropshire Council - Inaccurate and inconsistent assessment of community services and amenities

The Hierarchy of Settlements methodology used to determine those communities status has not been applied consistently throughout the whole of Shropshire with respect to how changes

Office Use Only	Part A Reference:
	Part B Reference:

in amenities and services and subsequent reassessment of community status have been carried out.

When the village shop in Myddle closed in 2018 as well as the closure of the Post Office in Westbury in summer 2020, both settlements had points reduced and were removed as Community Hubs from the Plan. No requirement was made for submission of change of use planning applications.

Clive settlement should be removed from Schedule SP2.2, Community Hubs as the village does not possess the services and amenities required to meet the definition of a significant rural service centre, as defined by the Hierarchy of Settlements evidence base, and therefore does not qualify for a Community Hub designation.

In Clive's case, despite two amenities no longer existing prior to publication of the draft plan, Council refused to correct the points score for Clive and remove it from the list of Community Hubs. In doing so, it also deferred action requiring a major modification to be made to address what was otherwise a simple matter.

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

Office Use Only	Part A Reference:
	Part B Reference:

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

(Please tick one box)

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Signature:

Date:

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	Part B Reference: