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 effective representations.*

Part B: Representation

Name and Organisation:	**TREFONEN RURAL PROTECTION GROUP**

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:	SP2.6 and Hierarchy of Settlements Para 5.41 & Table 10	Policy:	SP2 Strategic Approach and Schedule SP2.2: Community Hubs	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.

The Draft Plan is **unsound** because the determination of settlement status for development and housing allocation is fundamentally flawed due to the **Hierarchy of Settlements** still containing additional relaxation wording **Para5.41** that is contrary to the full definition of Settlement requirements within the HofS and, critically, contrary to Climate Change policies (both adopted and proposed).

Additionally the HofS assessment scoring still contains many inaccuracies which makes it unfit for its intended purpose of being a **"***robust methodology*" for "*appropriate and robust assessment"* for ***objectively*** comparing settlements.

Para5.41 introduces an element of *subjective* assessment. That is completely at odds with the aims to the HofS Methodology, and for addressing the concerns of the SAMDev Examination Inspector in their Report 30th October 2015

The Threshold for Hub status of 48points was set by a "*3point gap*" in the original 2017 Table 10 settlement scoring as noted in HofS 2017 Para5.40. As previously raised, this gap **never existed**. That inaccuracy led to the addition of the relaxation wording in Para5.40 to make the policy fit the results rather than the results meeting the policy.

Subsequently in HofS 2018 the written reference to "*3point gap"* determining the threshold was omitted but, critically, the Threshold score remained unchanged at 48points and the relaxation wording was retained. Just removing the wording does not correct the mistake in setting the Threshold at 48points when full Hub criteria is not met by settlements above that score.

The issue of inaccurate assessment & scoring has not been fully addressed.

The HofS 2020 Para 2.8 disclaimer "Note" that *"it is not intended to represent a comprehensive assessment of all every services or facilities"* just compounds the inaccuracy. This assessment underpins the decisions on the development status of settlements and their development guidelines; and therefore it is **critical that it is 100% accurate**. As it is **not**, the whole outcome is flawed and unsound.

The officer's proposal of a "*larger range*" of services and facilities to compensate for the lack of these fundamental criteria is **not defined**, and is purely **subjective.**

It is patently obvious that facilities such as fortnightly mobile library visits, children's playgrounds, outdoor sport facilities & green space **cannot** possibly compensate in any way for lack of employment and/or public transport.

This relaxation makes the **Hierarchy of Settlements**, and therefore the Draft Local Plan, **unsound**.

We have raised these concerns at every stage of "Consultation" since the HofS was first published in October 2017, including information on known inaccuracies and areas of doubt that required checking to provide a true comparison between settlements against full Hub criteria.
We attach our submission to the most recent Regulation 18 consultation July 2020 detailing all the points of concern that make the Hierarchy of Settlements and therefore the Draft Local Plan, unsound.

There are clear contradictions between the Sustainability Objectives set out in the Sustainability Appraisal with the application & relaxation of full Policy criteria within the Hierarchy of Settlements and with Community Hub designations which are purported to give significant positive effects on sustainability.

(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

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	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.

1) The Hierarchy of Settlements must be amended.

It must correspond with and support the Spatial Vision, SP1 Shropshire Test, **SP3 Climate Change** and **Sustainability Objectives SO5, SO6, & SO12** which seek to minimise car travel and maximise trips by sustainable travel, and to reduce carbon emissions.

In **Para 5.41** setting a minimum range of only 5 from 20 services & facilities for a Hub settlement is patently far too low and must be increased.

In **Para 5.41** the relaxation wording must be removed
Remove "*In circumstances where there is no regular public transport service; and/or high speed broadband; and/or multiple significant employment opportunities, a larger range of services and facilities would be necessary to compensate to enable a settlement to achieve the specified point's threshold.*

The **full** Hub criteria set out in **Para 1.16 Table 2** and **Para 5.35 Table 6** must be used to determine Settlement status. Critically the requirement to have both "*significant employment opportunities"* **and** "*peak time public transport"* for Hub status must be met.

To achieve its stated purpose, the HofS must be an *objective* assessment and not include any element of *subjective* assessment.

The Settlement Threshold must be determined by the **full** Hub criteria, **not** by any "*gap*" that appears in the results, **nor** by any relaxation wording introduced to support inaccurate scoring results i.e. the Threshold must be set by the policy and **not** that the policy be re-written to fit the results.

The Table 10 assessment needs to be properly and fully reviewed using on the ground evidence of service & facilities and employment opportunities confirmed locally, not just reliance on the Mint Database information.

2) The list of Settlements must then be reviewed to confirm compliance with the **full** Hub criteria, and;
3) The Draft Plan settlement development status & allocations amended accordingly.

(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)

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	Part B Reference:

☑ 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:

To represent our member's views on the status of their village for current and future generations

(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:	Chair Trefonen Rural Protection Group	Date:	25/02/2021

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	Part B Reference: