



For Shropshire
Council use

Respondent
no:

Shropshire Council Site Allocations and Management of Development (SAMDEV) Plan

**Pre-Submission Draft (Final Plan)
17 March 2014 – 28 April 2014**

Representations Form

**Please note you can also make representations to the SAMDev Pre-Submission Draft using our online form via:
www.shropshire.gov.uk/samdev**

This is a formal consultation on the legal compliance and soundness of the Site Allocations and Management of Development (SAMDev) Plan before it is submitted to the Secretary of State for examination by an Independent Planning Inspector. For advice on how to respond to the consultation and fill in this representations form please see the guidance notes available on the Council's website at www.shropshire.gov.uk/samdev.

Your details: Who is making this representation?

Name:	Justin Stevenson
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Telephone:	01743 239207

If you are acting as an Agent, please use the following box to tell us who you are acting for:

Name:	Mr R. Plowden
Organisation (if applicable):	Plowden Estate
Address:	
Email:	
Telephone:	

Your Representations

Please note, you must use a separate form for each representation you wish to make.

(Please refer to the accompanying Guidance Notes on Making Representations when completing this section)

In the box below please give the policy, paragraph or section of the Policies Map your representation relates to:

S2

Is your representation in support or objection? (please tick as appropriate)

Support

Yes

☐

No

☒

Object

Yes

☒

No

☐

In respect of your representation on the policy, paragraph or section of the Policies Map, do you consider the SAMDev Plan is:

Legally compliant

Yes

☐

No

☒

Sound

Yes

☐

No

☒

If your representation considers the SAMDev Plan is not sound, please say whether this is because it is not (*Please tick all that apply*):

Positively prepared	<input checked="" type="checkbox"/>
Justified	<input checked="" type="checkbox"/>
Effective	<input checked="" type="checkbox"/>
Consistent with National Policy	<input checked="" type="checkbox"/>

In the box below please specify your reason for supporting or objecting.

If you are objecting, you should make clear why the document is unsound having regard to the issues of 'legal compliance' or whether the document is not positively prepared, justified, effective or not consistent with national policy (Continue on a separate sheet if necessary).

Para 5.2 states that "the particular feature for which the River Clun SAC is notified is the Freshwater Pearl Mussel." This is incorrect – the Joint Nature Conservation Committee's (JNCC) Site Details for the River Clun lists under Annex II "species present as a qualifying feature, but not a primary reason for site selection" and goes on to list 6 species which include FWPMs.

It should also be noted that the SAC starts over 10,000 metres (as the crow flies) south of Lydbury North and that many of the sampling figures are 6 years out of date (from 2008).

The Nutrient Management Plan (NMP) remains a draft document, and even when

finalised will be an 'iterative' rather than 'definitive' plan requiring many years of research until firm conclusions can be reached. In the meantime the draft contains wholly unrealistic targets for reducing Phosphate levels to .01mg/litre in order to save the remaining FWPMs which the draft NMP declared to be 'non functional'.

We therefore conclude that **Policy S2.3.1** is seriously flawed in that it will be impossible to "clearly demonstrate that ...development in the River Clun catchment... will not adversely affect the integrity of the SAC".

This view is reinforced by Shropshire Council's guidance note 12 which states in paragraph 3.2 "with the nutrient management plan in production and with a very tight target for phosphate in the catchment (0.02mg/l) it is difficult to calculate an insignificant load of phosphate to the river (and so support a conclusion of 'likely to have no significant effect' when completing the in-combination test)"

All settlement policies S2.1-S2.2 (iv) in the Bishop Castle place plan area and within the Clun river catchment have reference to "the nutrient management plan and agreed management strategy for the river catchment". As already referred to above, currently there is not a NMP in place or an agreed management strategy. The NMP was meant to have been completed before the end of 2013, then the end of April 2014. The designation of the SAC on the river Clun recognises the habitat as of international importance and therefore its protection is set out in statute. It is therefore not necessary to refer to a document which is yet to be published to try and further ensure the SAC's protection as there is adequate protection under the adopted Core Strategy policies CS 17, CS18 and CS19 together with policy MD12 in the draft SAMDEV.

Please use the box below to explain the changes you think should be made to the SAMDev Plan in order to make it legally compliant or sound? You should explain your suggested revisions to the policy, paragraph or section of the Policies Map, and why this change would make the plan legally compliant or sound. Please be as precise as possible (Continue on a separate sheet if necessary)

Reference to at NMP should be removed from settlement policies S2.1-S2.2, S2.3 and S7.2(i)

Please be sure that you have provided all the information necessary to support your representations and any changes you are proposing. After this stage you will not be able to make any further representations about the SAMDev Plan to Shropshire Council. Any further submissions will only be possible at the invitation of the Inspector conducting the examination, who may seek additional information about the issues he/she has identified.

Do you consider it necessary to attend and give evidence at the examination?

Yes, I wish to give evidence about my representation at the examination.

No, I wish to pursue my representations through this written representation.

X

If you wish to attend the examination, please explain why you think this is necessary in the box below:

Do you wish to be notified of any of the following? *Please tick all that apply. We will contact you using the details you have given above.*

When the SAMDev Plan has been submitted for examination	<input checked="" type="checkbox"/>
When the Inspector's Report is published	<input checked="" type="checkbox"/>
When the SAMDev Plan is adopted	<input checked="" type="checkbox"/>

Please return this form by 5pm on Monday 28 April 2014

You can e-mail it to:

Planning.policy@shropshire.gov.uk

Or return it to: Planning Policy Team, Shropshire Council, Shirehall, Abbey Foregate, Shrewsbury, Shropshire, SY2 6ND

Please note, we will acknowledge receipt of representations made by e-mail.

Data Protection Act 1998 and Freedom of Information Act 2000

Representations cannot be treated in confidence. Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012 requires copies of all representations to be made publically available. The Council will place all the representations and the names of those who made them on its website, but will not publish personal information such as telephone numbers, emails or private addresses. By submitting a representation on the Pre-Submission SAMDev Plan you confirm that you agree to this.