



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:	Lydbury North Parish Council
Organisation (if applicable):	
Address:	c/o Parish Clerk, Brook Cottage, Llysty, Acton, Bishop's Castle, SY9 5LB
Email:	andyandmonty@btinternet.com
Telephone:	01588 630187 or 07507 492418

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

Name:	
Organisation (if applicable):	
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:

S2.2 (iv) Lydbury North policy; S2.3 Area wide policies and other allocations together with the explanation at 5.20 and 5.21

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

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).

The Parish Council supports the plan for Lydbury North and believes that the process that has taken place to deliver this policy is both legally compliant and sound.

Lydbury North Parish Council objects to the area wide policy as stated under section S2.3 and explained under 5.20 and 5.21 of the River Clun Special Area of Conservation on the basis of being unsound as a result of factual information being unjustified as explained below. The Parish Council is concerned about the consequent implications for this aspect of the policy on the 5 year housing supply.

5.20 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 some 10km from 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 it contains wholly unrealistic targets for reducing Phosphate levels to .01mg/litre in order to save the remaining FWPMs which are declared to be 'functionally extinct'.

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".

The hindrance to development in the River Clun catchment may seriously impact on capacity to meet the Government five year housing supply targets.

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)

In order to address the soundness of the policy under section S2.3 and as explained under 5.20 and 5.21 Lydbury North Parish Council believe that there should be:

- a) Specific reference to phosphate stripping at the sewage treatment plant in Lydbury North and Clun in order to meet water quality requirements on nutrient loads .
- b) The need for up to date data on which to draw appropriate conclusions and as a consequence a policy for the Clun Valley that is 'proportionate' to the risk.

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.

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	✓
When the Inspector's Report is published	✓
When the SAMDev Plan is adopted	✓

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.