

Appendix F.1: SAMDev Submission Plan Consultation Statement Addendum July 2014

Overview

- 1.1 This addendum updates the Consultation Statement published in March 2014 alongside the SAMDev Pre-Submission Draft (Final Plan). This provides an updated position to reflect the consultation on the Pre-Submission Draft Plan. This addendum will now form part of the Submission documents and should be read alongside the Consultation Statement published in March 2014.
- 1.2 The following table updates the consultation phases involved in the SAMDev Plan's preparation:

Production stage	SAMDev Consultation Document	Dates
Production	Issues and options	2 April – 25 June 2010
	Preferred Options and Policy Directions	9 March – 20 July 2012
	Draft Development Management Policies	31 Jan - 28 th March 2013
	Revised Preferred Options	1 July - 23 August 2013
	Pre-Submission Draft (Final Plan)	March 2014
	Submission	July 2014
Examination	Examination in Public	Expected Autumn 2014
Adoption	Adopted Plan	Expected early 2015

2. Pre-Submission Publication Draft (Final Plan)

- 2.1 In line with regulations 17 and 18 of the Town and Country Planning (Local Planning) (England) Regulations 2012, the Council made the SAMDev Pre-Submission Publication Draft Plan available for representations for 6 weeks between **17 March and 5pm on 28 April 2014**.
- 2.2 This stage of the plan preparation process was a lot more formal than previous stages, with respondents being asked to make representations on the 'soundness' of the Plan. In assessing the representations made, the Council has the ability to suggest a schedule of changes before they submit the plan to the Secretary of State for examination.

3. Consultation Process

Notification of the Pre-Submission Documents

- 3.1 The publication of a pre-submission draft is a formal part of the plan's preparation. To a large degree consultation arrangements are set out by the Town and Country Planning (Local Planning) (England) Regulations 2012.

This stage asked respondents to make representations on the 'soundness' of the plan, rather than making more general comments. This more formal procedure was reflected in the consultation arrangements.

- 3.2 In line with Regulation 17 of the 2012 Regulations the proposed submission documents that were open for representations were:
 - a) The SAMDev Plan;
 - b) Submission Policies Map;
 - c) Sustainability Appraisal;
 - d) Consultation Statement; and
 - e) The evidence base documents used to inform the plan
- 3.3 In line with Regulation 19 and 35 of the 2012 Regulations the proposed submission documents were made available at each of the Council's Principal offices and at each Library during normal office hours. Documents a) to d) from the above list were made available in hard copy, whilst the various documents under category e) were made available via the website at each of these locations. Each of the above documents was made available on a dedicated webpage on the Shropshire Council consultation pages – www.shropshire.gov.uk/samdev
- 3.4 Appropriate consultation bodies were notified of the publication of the Pre-Submission Plan in line Regulation 35 of the 2012 Regulations and were sent the Statement of Representations Procedure (included below in Appendix F.1). E-mail was used as the predominant source of communication for all consultees. For Specific Consultation Bodies, where an e-mail address was unknown the Council sent letters instead.
- 3.5 As well as correspondence with the specific consultation bodies, e-mails were sent to all other respondents on the Council's consultee database where an e-mail address was known. This included general consultation bodies, as well as individuals and local organisations. In total over 2,000 organisations and individuals were directly contacted.
- 3.6 Press releases were issued and placed on the Council website in advance of the publication of the draft plan. Given the formal stage of the plan preparation process, and in recognition of the significant level of local consultation carried out in the formulation of the Plan, it was not considered appropriate for the Council to undertake specific local consultation meetings during this stage.

Response Forms

- 3.7 A standard representation response form was provided on the SAMDev Consultation webpages, alongside guidance notes on completing the form in relation to issues of 'soundness'. The response form is included below as Appendix F.2 and the guidance notes are included as Appendix F.3. An on-line version of the response form was also provided through 'survey monkey' and was made available on the same webpage.

- 3.8 In order for representations to be considered as 'duly made' they had to be submitted before the deadline. However, the Council continued to accept responses after the deadline and these will be submitted alongside the 'duly made' representations in order for the Inspector to assess.

Summary of Responses

- 3.9 In total the Council received 475 'duly made' representations were made by 281 respondents. A summary of the key Issues raised and the Council's responses and a full summary of each representation are included in separate documents to be submitted for Examination in July 2014.

Appendix F.1i): Statement of Representations Procedure

Statement of Representations Procedure

The following details accompany the publication of the Shropshire Council Site Allocations and Management of Development (SAMDev) Plan as required by The Town and Country Planning (Local Planning) (England) Regulations 2012 – Regulations 19, 20 and 35. Shropshire Council has prepared the SAMDev Plan 2006-2026 and proposes to submit it to the Secretary of State under Regulation 22 of the Town and Country Planning (Local Planning) (England) Regulations 2012.

The title of the Plan which Shropshire Council proposes to submit to the Secretary of State:

Site Allocations and Management of Development (SAMDev) Plan

The subject matter of, and the area covered by, the Plan:

The SAMDev Plan sets out proposals for the use of land and policies to guide future development in Shropshire up to 2026 to help achieve the Vision and Objectives of the adopted Shropshire Core Strategy. It sets out development priorities for the Market Towns and Key Centres, the Community Hubs and Community Clusters, and sets out further detailed policies for the management of new development across Shropshire. It covers the whole of the administrative area of Shropshire Council (excludes Telford & Wrekin).

The period within which representations on the SAMDev Plan must be received by Shropshire Council:

Representations are invited on the 'soundness' of the SAMDev Plan. Representations can be made during the publication period which begins at 12.00pm on **17 March 2014** and ends at 5.00pm on **28 April 2014**. Representations received after this time will **not** be considered 'duly made'. The use of the representation form is strongly recommended as this will ensure that comments are related to matters relevant to the subsequent examination by a Planning Inspector. The representation form, and guidance on how to make a representation, can be downloaded from the Council's website at www.shropshire.gov.uk/samdev where an online version of the form is also available for use. All responses will be publicly available and cannot be treated as confidential, although address, telephone and email details will not be published.

Address to which representations about the SAMDev Plan must be sent:

Representations can be submitted by email, via the online form, or via post to the addresses below:

E-mail to: planning.policy@shropshire.gov.uk

Via the post: **Planning Policy Team**

**Shropshire Council
Shirehall
Abbey Foregate
Shrewsbury
Shropshire
SY2 6ND**

Online representation form available via: www.shropshire.gov.uk/samdev.

Responses received by e-mail will be acknowledged.

Representations may be accompanied by a request to be notified at a specified e-mail address of any of the following:

- (i) When the SAMDev Plan has been submitted for independent examination,
- (ii) When the Inspectors Report of the SAMDev Plan is published, and
- (iii) Adoption of the SAMDev Plan.

Inspection of the Proposed Submission documents:

From 12.00pm **17 March 2014** the SAMDev Plan Pre-Submission Draft, Sustainability Appraisal, Consultation Statement, Policies Map and Statement of Representations Procedure are available to view and download from the Council's website at www.shropshire.gov.uk/samdev.

Reference copies of the SAMDev Plan Pre-Submission Draft, Sustainability Appraisal, Consultation Statement, Policies Map and Statement of Representations Procedure are available for inspection during normal opening hours at our principal office:

**Shropshire Council
Shirehall
Abbey Foregate
Shrewsbury
Shropshire
SY2 6ND**

They are also available for inspection during normal opening hours at:

Bridgnorth Library, Listley Street, Bridgnorth, Shropshire, WV16 4AW

Ludlow Library, 7/9 Parkway, Ludlow, Shropshire, SY8 2PG

Oswestry Library, Arthur Street, Oswestry, Shropshire, SY11 1JN

Wem Library, High Street, Wem, Shrewsbury, Shropshire, SY4 5AA

At other Shropshire Council libraries the SAMDev Plan Pre-Submission Draft documents and paper copies of the Policies Maps for that area *only* will be available for inspection during normal opening hours.

Appendix F.1ii): Response Form



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:	
Organisation (if applicable):	
Address:	
Email:	
Telephone:	

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:

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

Support	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>
Object	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

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	<input type="checkbox"/>	No	<input type="checkbox"/>
Sound	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>

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	
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).

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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)

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.

Appendix F.1iii): Guidance Notes on Making Representations



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

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

Guidance Notes for Making Representations at Pre-Submission Publication Stage

1. Introduction

- 1.1 The Site Allocations and Management of Development (SAMDev) Plan has been published in order for representations to be made prior to its submission to the Secretary of State. Once submitted the representations made will be considered alongside the published SAMDev Plan by a Planning Inspector as part of the examination stage.
- 1.2 The Planning and Compulsory Purchase Act 2004 (as amended) states that the purpose of the examination is to consider whether the SAMDev Plan complies with the legal requirements, the duty to co-operate and is sound.
- 1.3 These guidance notes are intended to help anyone who wishes to make a representation on the publication version of the SAMDev Plan and are based upon advice from the Planning Inspectorate.

2. The Representations Form

- 2.1 We recommend that representations are made using the Representation Form provided. The Representation Form is available in two formats on Shropshire Council's website. A Word version of the form can be downloaded from the website whilst an on-line 'survey monkey' version of the form is also available. Both versions of the form ask the same questions. Both versions can be accessed on the Shropshire Council website at www.shropshire.gov.uk/samdev.
- 2.2 The period for making representations runs for 6 weeks from **12.00pm on Monday 17 March until 5pm on Monday 28 April 2014**
- 2.3 The Representations Form provides the opportunity for you to either object or support the SAMDev Plan Pre-Submission Draft. It asks you to provide the section of the Plan you are making your representation on and whether you consider it to be 'legally compliant' and 'sound'. Specific guidance on what these terms mean is provided below.

SAMDev Plan Submission July 2014: Appendix F.1 Consultation Statement Addendum

- 2.4 This is a very formal stage of consultation and must be in line with national legislation and regulations. It is therefore very important representations relate to the legal compliance and/or soundness of the Plan and are made within the 6 week representations period in order to be considered as duly made. Representations made after the 28 April 2014 and which do not relate to either the legal compliance or soundness of the plan will continue to be submitted to the Secretary of State but may not be considered as part of the examination into the Plan.

If you have more than one representation you wish to make on the Plan, please be aware it is important that you use a separate form for each. For instance, if you wish to make a representation on two different policies you will need to complete two separate Representations Forms.

3. Legal Compliance and Duty to Co-operate

- 3.1 The Inspector appointed to conduct the examination will first check that the SAMDev Plan meets the legal requirements under s20(5) (a) and the duty to co-operate under s20(5)(c) of the Planning and Compulsory Purchase Act 2004 before moving on to test for soundness.
- 3.2 You should consider the following before making a representation on legal compliance:
- I. The SAMDev Plan should be included within the current Shropshire Local Development Scheme (LDS) and the key stages should have been followed. The LDS The Shropshire Local Development Scheme is available at [http://shropshire.gov.uk/planningpolicy.nsf/viewAttachments/EWET-8YVD2S/\\$file/shropshire-lds-formal-publication-dec-2009.pdf](http://shropshire.gov.uk/planningpolicy.nsf/viewAttachments/EWET-8YVD2S/$file/shropshire-lds-formal-publication-dec-2009.pdf)
 - II. Community involvement in the preparation of the SAMDev Plan should be in line Shropshire Statement of Community Involvement (SCI), adopted in February 2011. The Shropshire SCI sets out how the Council will seek to engage and consult communities and organisations in the preparation of Development Plan Documents such as the SAMDev Plan. The SCI is available at [http://shropshire.gov.uk/planningpolicy.nsf/viewAttachments/EWET-8URCNQ/\\$file/statement-of-community-involvement-adopted-version-february-2011.pdf](http://shropshire.gov.uk/planningpolicy.nsf/viewAttachments/EWET-8URCNQ/$file/statement-of-community-involvement-adopted-version-february-2011.pdf)
 - III. The SAMDev Plan should comply with the Town and Country Planning (Local Development) (England Regulations) 2012 (the Regulations). On publication Shropshire Council must publish the documents prescribed in the Regulations. The documents prescribed in the Regulations can be viewed at the places outlined in Paragraphs 2.1 and 2.2.
 - IV. Shropshire Council is required to provide a Sustainability Appraisal Report when SAMDev Plan is published. The SA Report should identify the process by which the Sustainability Appraisal has been carried out, and the baseline information used to inform the process and the outcomes of that process. Sustainability Appraisal is a tool for appraising policies to ensure they reflect social, environmental, and economic factors.

- V. The SAMDev Plan must have regard to the Shropshire Sustainable Community Strategy. The Sustainable Community Strategy 2010-2020 was prepared by the Shropshire Partnership and was adopted by Shropshire Council in 2010. The document was subject to extensive local consultation but not to an independent examination. It is available at http://www.2shrop.net/live/images/cme_resources/Users/Shropshire%20Partnership/Shropshire%20Partnership/Community%20Strategy/Shropshire-s-Community-Strategy-2010-2020.pdf.

- 3.3 You should also consider whether the duty to co-operate has been complied with. The duty to co-operate came into force on 15 November 2011 and sets out the requirements that on for local Authorities submitting a Local Plan for examination must demonstrate constructive and active engagement with adjoining Local Authorities in the context of strategic cross boundary matters. The Planning and Compulsory Purchase Act 2004 (as amended) establishes that non-compliance with the duty to co-operate cannot be rectified after the submission of the SAMDev Plan.

4. Soundness

- 4.1 Soundness is explained fully in the National Planning Policy Framework in paragraph 182. The Inspector will need to be satisfied that the SAMDev is positively prepared, justified, effective and consistent with national policy. This is why it is important that representations made on the Plan need to relate to its 'soundness'. Each aspect of 'soundness' is explained below.

Positively Prepared

- 4.2 This means the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development. The NPPF has 12 principles through which it expects sustainable development can be achieved.

Justified

- 4.3 This means that the SAMDev Plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence, which includes:
- Evidence of participation of the local community and others having a stake in the area
 - Research/fact finding: the choices made in the plan are backed up by facts

- 4.4 The SAMDev Plan should also provide the most appropriate strategy when considered against reasonable alternatives. These alternatives should be realistic and subject to sustainability appraisal. The Plan should show how the policies and proposals help to ensure that the social, environmental, economic and resource use objectives of sustainability will be achieved.

Effective

- 4.5 This means the plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities. The plan should:
- Show sound infrastructure delivery planning
 - Have no regulatory or national planning barriers to delivery
 - Show delivery partners who are signed up to it: and
 - Show coherence with the strategies of neighbouring authorities

SAMDev Plan Submission July 2014: Appendix F.1 Consultation Statement Addendum

- be flexible and able to be monitored
- 4.6 The SAMDev Plan should indicate who is to be responsible for making sure that the policies and proposals happen and when they will happen. The Plan should be flexible to deal with changing circumstances, which may involve minor changes to respond to the outcome of the monitoring process or more significant changes to respond to problems such as lack of funding for major infrastructure proposals. Although it is important that policies are flexible, the plan should make clear that major changes may require a formal review including public consultation. Any measures which the Council has included to make sure that targets are met should be clearly linked to an Annual Monitoring Report.

Consistent with National Policy

- 4.7 The SAMDev Plan should enable the delivery of sustainable development in accordance with the policies in the National Planning Policy Framework (NPPF).
- 4.8 If you think the content of the SAMDev Plan is not sound because it does not include a policy where it should do, you should go through the following steps before making representations:
- Is the issue with which you are concerned already covered specifically by any national planning policy? If so, it does not need to be included.
 - Is what you are concerned with covered by any other policies in Shropshire's Planning Policy documents, in particular the adopted Core Strategy? There is no need for repetition between Local Plans covering the same geographical area.
 - If the policy is not covered elsewhere, in what way is the SAMDev Plan unsound without the policy?
 - If the SAMDev Plan is unsound without the policy, what should the policy say?