

SHROPSHIRE LOCAL PLAN EXAMINATION

Stage 1 Hearing Statement

Representor unique Part A Ref *	A0128
Matter	Matter 3 Development Strategy (Policies SP1 – SP15)
Relevant questions nos	Q15: (Is the Community Hub and Community Cluster approach to development set out in Policies SP8 and SP9 justified and effective and consistent with national planning policy? Do these policies duplicate parts of other policies?)

*Your unique reference can be found in the Schedule of Respondents (Schedule 3 of document SD014.01) at:

<https://shropshire.gov.uk/planning-policy/local-planning/local-plan-review/draft-shropshire-local-plan-2016-2038-examination/examination-library/earlier-regulation-18-plan-making-stages-of-consultation/regulation-19-pre-submission-draft-of-the-shropshire-local-plan-consultation/>

Introduction:

Clive Parish Council has participated fully in the review of the Shropshire Local Plan through all stages of the Plan's preparation.

Clive Parish Council has consistently made the case that the designation of Clive as a Community Hub is based on a false understanding of the available community infrastructure. Numerous items of correspondence between Clive Parish Council and the Local Planning Authority have pointed out that the village no longer has a shop or bowling green. The correspondence has provided evidence that these two facilities have been permanently lost and that there is no hope of their re-opening.

Despite this evidence, officers have continually failed to update the assessment score for Clive and have changed its status from SAMDev classification as "open countryside" to "community hub" based on this inaccurate information.

In this Local Plan inspection, we would like to make the case that Clive does not reach the 48-point threshold of Community Hub. The evidence shows that Clive should therefore retain its status as open countryside, as set out in SAMDev.

This has implications for proposed Local Plan policies SP2, SP8 and S17. Clive should be correctly designated as open countryside and the proposed housing allocation and changes to the development boundary should be abandoned.

Background:

Paragraph 3.24 of Strategic Policy SP2 of the Regulation 19 draft local plan 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 this submission, it will be argued that Clive does not meet the requirements of policy SP2 or **3.54 in SP8**.

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 (HoS) document. The HoS (most recently updated in August 2020) supports the Local Plan Review and in particular **Policies SP2, SP8 and settlement policy S17**, by setting out the methodology and conclusions for identifying different types of settlements in Shropshire. The purpose of the evidence of the HoS 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. The manner in which Shropshire Council has handled changes to local amenities and services throughout the Local Plan Review process has been inconsistent across settlements. Its deferral of matters relating specifically to the settlement designation of Clive (Wem Place Plan area) also means the Plan is not effective.

Clive Parish Council's objections and main modification request focus predominantly on Shropshire Council's decision to include two amenities (Clive Village Store and Clive Hall bowling green) in Clive's HoS assessment score, despite the fact that these two facilities no longer exist. Without these two amenities, Clive does not meet the criteria for Community Hub designation, and therefore Clive's inclusion as a Community Hub in SP2 and Settlement Policy S17.2 and S17.4 is not based on

accurate evidence and is not justified. Combined with Shropshire Council's deferral of matters relating to Clive settlement, this means the Plan is not effective, and therefore it is unsound.

Clive Parish Council and 45 other individuals made submissions at the Regulation-19 consultation stage, all contesting Clive's classification as a Community Hub. Shropshire Council made a number of comments to these submissions, which we would value the opportunity to respond to.

1: "Shropshire Council considers that the methodology applied with the Hierarchy of Settlements Assessment is appropriate and has been applied consistently across Shropshire, including in relation to Clive."

The Parish Council supplied 13 pieces of evidence to the Regulation-19 consultation which showed that the HoS Assessment was inconsistently applied to Clive. The settlement of Myddle was previously proposed as a Community Hub. When its convenience store closed in 2018, Myddle's HoS Assessment score was reduced, bringing the settlement below the 48-point threshold for Community Hub status. Similarly, the assessment score for Westbury was reviewed and points reduced following the closure of the Post Office in the summer of 2020. As both Myddle and Westbury fell below the 48-point threshold, they were removed as Community Hubs from the draft Local Plan.

Planning Policy officers had previously assured the Parish Council both in writing and at a community meeting, that the HoS Assessment would accurately reflect the available amenities. Mr E. West cited the case of Myddle at a community meeting on 03.01.2019, *"About 4 months ago Myddle was proposed as a Community Hub. Then the shop closed, so they dipped under the 48 point threshold and they came out of the process for being a Community Hub"*. Mr E. West was questioned further about the shop as it had recently been sold and said, *"if the shop was to close during this process...then Clive would fall out of Community Hub status. Shropshire Council has to live by the consistent methodology they have adopted"*.

Clive Parish Council notified Shropshire Council on several occasions of the loss of amenities in Clive. The loss of the bowling green was notified following the sale of Clive Hall in 2018 and the loss of the village shop in 2020; yet Clive's HoS assessment score has never been amended. Myddle and Westbury Parish Councils were simply able to notify Shropshire Council of the loss of their amenities whilst Clive Parish Council was told that it would need to prove that the former bowling green was surplus to requirements and that a change of use planning application would be needed as proof of the permanent loss of the village shop. To the best of our knowledge, no other settlements have been required to go to such lengths in demonstrating the loss of amenities. Moreover, when Clive Parish Council has supplied the required evidence, Shropshire Council has either ignored the evidence or failed to act upon it. It does not therefore appear that the HoS methodology has been applied fairly or consistently.

The approach taken by the Local Planning Authority is concerning, as it has resulted in inconsistent treatment of settlements throughout the Plan development. As a result, it also potentially now means a "main modification" to the Plan, rather than being appropriately addressed following the Regulation 18 Consultation round. This calls into question the soundness of the Plan's development and the validity of the previous consultation processes.

2: Re: the former bowling green in Clive, the Planning Policy response claims that “[the bowling green] remains a designated open space and is included within the Council’s published Open Space Needs Assessment (OSNA) undertaken to inform the draft Shropshire Local Plan”.

Clive Parish Council’s assertion that the former bowling green can no longer be counted as an outdoor sports facility is based on Clive Bowling Club being given unequivocal notice in 2018 to vacate the land and remove all club buildings and equipment as the new owners required “vacant possession of the land”. The land has remained in private ownership for 4 years and used as a private lawn for Clive Hall. There has been no public access or availability to use the land for bowling over this time. As the green has been a lawn for 4 years, it has not been maintained to the standard for bowling to take place.

On 14.11.2019, Shropshire Council agreed that the bowling green should be removed from Clive’s HoS assessment as an Outdoor Sports Facility. Shropshire Council did not however adjust the score, and now claims that it remains as a bowling green, citing its inclusion in the Open Space Needs Assessment (OSNA). In our representation at the Regulation-19 consultation, we pointed out that the OSNA (2017) was based on information dating back to 2009. In the 2017 report, only 500 sites were randomly assessed and “on-site surveys were not undertaken”. The OSNA itself acknowledged, “without a catchment area analysis it cannot detect the reality of variations in provision within each Place Plan Area”. The 2017 OSNA used unverified, historic data and therefore contains significant inaccuracies

In 2020 Shropshire Council formally adopted its Playing Pitch and Outdoor Sports Strategy Assessment Report (PPOSS). In this comprehensive assessment of bowls clubs and greens, Clive is not recorded as having such a facility. The assessment of bowling greens (Part 7 of the report, page 148 ff) shows all bowling greens in Shropshire. Table 7.2 lists all greens. There are no greens listed for the Clive Hall postcode (SY4 3JJ).

This study therefore does not consider Clive Hall to offer a bowling green facility. In spite of this, the Local Planning Authority justifies its retention as a local facility for Clive because of its inclusion in the Council’s OSNA 2017.

3: Planning Policy reference to NPPF para. 97 (now para. 99)

The planning policy response cites paragraph 97 of the National Planning Policy Framework (NPPF) **“Existing open space, sports and recreational buildings and land, including playing fields should not be built on unless...”**

We are uncertain as to the citing of this paragraph in the Council’s response. The former bowling green is a private residential lawn. There is no suggestion that the lawn is to be built on by the owner and so no planning permission has been sought. Reference to this paragraph as justification for claiming that a private lawn is a public bowling green appears largely irrelevant.

4: The Planning Policy response notes that the PPOSS states: “[...] Where pitches have not been recorded within the report they remain as pitches and for planning purposes continue to be so.”

As already discussed, the issue is not whether to build upon the former bowling green, we do not dispute that should the owner wish to build upon the bowling green that appropriate planning permission would need to be sought.

The PPOSS does not mention the bowling green in Clive, either as present or as lapsed. There are multiple examples in the PPOSS of other sites such as the Ford Bowling Club, Moreton Say Tennis and Bowls, and Lion Quays Leisure Club where bowls is listed as “lapsed” and there are various recommendations to explore alternative uses for these sites.

If Shropshire Council viewed it as a valuable outdoor sports facility it should be listed in the PPOSS as a “lapsed” site. The PPOSS Action Plan also states that: *“the identification of sites in the Action Plan is based on their strategic importance within the Authority”*. It could be surmised that the bowling green was not included in the PPOSS as the Shropshire Council had already acknowledged that the bowling green no longer existed.

It is of course very difficult for Clive Parish Council to prove a negative. It would be our assertion however, that it is difficult to declare that a private lawn, to which the public has no access, which does not have an associated bowling club, and on which no bowls has been played for four years is a “community outdoor sports facility”.

5: “the Hierarchy of Settlements Assessment does not include Renshaw’s Field, which is, of course, an Outdoor Sports Facility in Clive which was recently purchased by Renshaw’s Field Association... Any future update of the Hierarchy of Settlements would need to reflect the presence of this facility.”

Renshaw’s Field is already in the HoS as an “Amenity Green Space” and contributes 3 points to the HoS score. We do not believe that in the HoS assessment that a field can be counted twice, as both Outdoor Sports Facility and Amenity Green Space as this would be “double accounting” and inconsistent with the HoS methodology. We would suggest that this is either an error by Shropshire Council or further evidence of the inconsistent application of the HoS methodology. Primary school children do play on the field but the field would not meet the requirements of an “outdoor sports facility”.

6: Re: the closure of the village shop: “Whilst generally the loss of community facilities is something resisted by local communities and local Town and Parish Councils, it is understood in this instance the Parish Council supported this Planning Application to re-use this building, and therefore accept the loss of any future opportunity to use the premises for a local convenience store.”

The Parish Council made it clear at the Extra Ordinary meeting of 24.09.2021 that it would not support or lobby for the intentional loss of amenities/services in order to drop out of Community Hub status. The Parish Council has done its best over the years to support both the village shop and the Post Office. The Post Office was successfully relocated to the Village Hall on a mobile outreach basis. The shop had however been financially unsustainable for many years despite the efforts of multiple tenants and owners. The shop had already spent a considerable amount of time vacant, and the concern was that the building would become increasingly derelict. The owner had made clear their intention not to re-let the building as a shop.

The Parish Council sincerely regretted the loss of the convenience store but the fact remained that the shop was not a sustainable business. The Parish Council supported the change of usage planning application as a pragmatic response to the reality of the situation. The reasoning behind the change of use application was sound and understandable, and the sympathetic renovation will make excellent use of the building. The Local Planning Authority agreed and granted planning permission.

7: The Planning Policy response notes: **“As this closure occurred during the Covid-19 pandemic it was considered important to establish why the facility had closed and whether this was a permanent closure.”**

The Parish Council attempted on numerous occasions to engage with the Planning Policy officers to discuss the reasoning behind the closure of the shop. The owner of the shop building also wrote to Shropshire Council on several occasions to explain why they would not be re-letting the building and what they intended to do with the space. However, Shropshire Council’s failure to acknowledge the permanent closure of the shop until July 2021, two months after they had granted change of use planning permission, meant that the HoS assessment for Clive was not updated for the draft Local Plan.

8: The Planning Policy response goes on to state; **“Given this Planning Permission, this would of course need to be acknowledged in any future update of the Hierarchy of Settlements Assessment. However, importantly, even if the shop in Clive is removed from the Hierarchy of Settlements Assessment, it is considered that Clive would still exceed the Community Hub threshold”.**

The Parish Council informed Shropshire Council of the permanent closure of the shop in October 2020, and that planning permission was granted for change of usage in May 2021, but no response was received. It is our belief that there was sufficient time to adjust the Hierarchy of Settlements prior to the submission of the draft Local Plan, but that Shropshire Council failed to act in a timely manner.

We also strongly dispute the assertion *that “even if the shop is removed from the Hierarchy of Settlements Assessment, it is considered that Clive would still exceed the Community Hub threshold”*. The evidence that we have provided demonstrates that taking into account the loss of the bowling green and the shop, Clive parish should have a score of 47 which is below Shropshire Council’s stated threshold.

Conclusion:

1. Despite many communications over many years, the Parish Council’s concerns that the parish has been assigned an incorrect HoS assessment score have been ignored.
2. Shropshire Council has not used the same approach to scoring Clive as it has used for other settlements such as Myddle and Westbury, both of which had their scores adjusted when changes occurred.
3. Despite earlier reassurance, the bowling green’s closure was not acknowledged in the scoring. Shropshire Council’s recent inclusion of the green’s future potential for public

access is flawed because the green has not been maintained and is no longer capable of being brought back into use as a bowling green.

4. The open space at Renshaw's Field is already counted as Amenity Green Space and cannot therefore, as suggested by officers be counted as an outdoor sports facility as well.
5. The Parish Council supported the change of use from the village shop to residential use because it was clear that the shop would not be re-opened and that it was better to allow a sympathetic redevelopment than to risk the building's deterioration.
6. Officers had repeatedly promised that Clive's settlement score would be corrected and reduced accordingly to reflect the loss of the shop and the bowling green. This however has not been done.

It is our belief and that of the 45 other respondents to the Regulation-19 consultation, that Clive does not possess the amenities as stated within the HoS assessment. If the HoS assessment were to reflect accurately the facilities of the village, then according to the methodology adopted by Shropshire Council, Clive would score 47 points, below the appointed threshold for Community Hub status. The failure of Shropshire Council to act upon accurate information in a timely manner calls into question the validity of the Hierarchy of Settlements and hence the soundness of the Local Plan that it informs.

The Local Plan Inspectors are respectfully asked to:

- 1. Require officers to update the information in the Hierarchy of Settlements document to reflect the loss of the village shop and the bowling green. The correct score for Clive is 47.**
- 2. Remove Clive from Schedule SP2.2: Community Hubs, because Clive is open countryside.**
- 3. Revert to the SAMDev development boundary for Clive.**
- 4. Delete S17.2(i) Land at Flemley Park Farm (LCV012 and CLV018) which is based on an incorrect assumption that Clive can sustain an allocation of 20 dwellings in addition to a windfall contribution.**
- 5. Delete Clive from paragraph 5.245 in S17.**
- 6. Delete paragraph 5.247 in S17.**