

Telford and Wrekin Local Plan

Response to Inspector's Matters, Issues and Questions (MIQs)

Matter 6 – Development Management Policies

Issue 1: Whether the other housing policies are justified, effective, and consistent with national policy

Policy HO3 – Housing mix and quality

Q59: Are the requirements of Policy HO3 including requirements for internal space standard (Criterion 2) and M4 (2)/M4 (3) housing justified by the evidence? Can all developments provide a mix of house types and sizes?

In considering whether the Council can demonstrate whether higher building regulations standards are justified, the planning practice guidance is clear regarding the evidence that is required. This is further reinforced through the ministerial statement of 13th December 2023 The PPG states at Paragraph: 007 Reference ID: 56-007-20150327, in relation to the question:

“What evidence should local planning authorities use to demonstrate a need to set higher accessibility, adaptability and wheelchair housing standards?” that there is a wide range of published official statistics and factors which local planning authorities can consider and take into account, including:

- the likely future need for housing for older and disabled people (including wheelchair user dwellings).
- size, location, type and quality of dwellings needed to meet specifically evidenced needs (for example retirement homes, sheltered homes or care homes).
- the accessibility and adaptability of existing housing stock.
- how needs vary across different housing tenures.
- the overall impact on viability.

Viability is therefore just one of a number of considerations. In order to be suitably justified, evidence base demonstrating that this review has been undertaken, and most importantly the results of this review should be provided to ensure that these requirements are suitably justified as required by paragraph 35 of the NPPF.

We have not been able to identify any justification provided by the Council for the introduction of NDSS in local plan policy, and therefore Policy HO3 is considered to be unsound as per the requirements of NPPF paragraph 36. Furthermore, the Whole Plan Viability Assessment (2023) does not go into detail on the impact of NDSS on viability.

An inflexible policy approach imposing NDSS on all housing removes the most affordable homes and denies lower income households from being able to afford homeownership. The Council should focus on upholding high quality design and ensuring that dwellings are fit for purpose, rather than being an arbitrary size.

Parts 5 and 6 of Policy HO3 relate to proposed accessibility standards, requiring development to accord with the Council's Homes for All SPD. We object to this part of the policy as currently worded, because the Homes for All SPD pre-dates the emerging plan and should therefore be reconsulted on following the adoption of the emerging plan.

Polices HO4 and HO5 – Affordable Housing

Q61: Are the provisions of Policy HO4 in terms of affordable housing requirements justified by the evidence and deliverable?

DIO objects to Policy HO4, which requires 25% affordable housing for developments within the Telford built-up area. It is noted that the proposed amendments to the built-up area boundary being re-drawn to include the Sustainable Communities, triggering the 25% affordable housing requirement for these sites. The Whole Plan Viability Assessment (June 2023) and subsequent Update Note (December 2024) state that the plan is considered to be unviable if a 25% requirement for Telford is pursued, and recommends that this is reduced to 20%. Furthermore, paragraph 6.10 of the Viability Assessment Update Note expresses additional concern that the Sustainable Communities may struggle to deliver 20% affordable housing.

Whilst it is recognised (as set out in the Viability Assessment at paragraph 10.43) that the Council has a good track record of securing funding to deliver affordable housing on large greenfield and brownfield sites, DIO wishes to highlight that it is significantly more challenging to deliver affordable housing on brownfield sites, which are often subject to higher abnormal costs including demolition and remediation. Planning Practice Guidance¹ on viability states the following:

“Policy requirements, particularly for affordable housing, should be set at a level that takes account of affordable housing and infrastructure needs and allows for the planned types of sites and development to be deliverable, without the need for further viability assessment at the decision making stage.”

Should the 25% affordable housing requirement be progressed despite the recommendations of the Viability Assessment, it is highly likely that brownfield sites, such as Parsons and Venning Barracks, may struggle to deliver the proposed policy compliant affordable housing. For this reason, Policy HO4 is considered to be unsound as it is not justified.

Whilst DIO supports the inclusion of ‘subject to viability’ wording as part of the policy, it is considered that the evidence base justifies reducing the 25%, especially where it involves brownfield sites.

Policy HO11 Self and custom housebuilding

Q65: Is Policy HO11 justified and supported by the evidence in its approach to self-build and custom housebuilding?

DIO objects to Policy HO11 on the basis that the proposed 3% self/custom build requirement for developments in excess of 100 dwellings would result in a significant overprovision of self/custom-build housing over the plan period.

The Economic and Housing Development Needs Assessment (EHDNA) Update (February 2025) states at paragraph 7.164 that there is an indicative need for the plan period of 289 custom and self-build plots. The 3% requirement would theoretically lead to 115 plots being delivered at the North East of Muxton SUE alone during the plan period, plus a further 215 dwellings at the other two Sustainable Communities and a further 45 dwellings at other identified housing allocations which pass the 100 dwelling threshold. This would equate to 375 self/custom build dwellings, which far exceeds the identified need.

Self/custom build dwellings are a highly bespoke and individualised form of development which are typically not suited to be sited within large residential developments. There are practical implications of delivering self/custom build dwellings, which are a highly bespoke product, within a strategic urban

¹ Planning Practice Guidance: Paragraph: 002 Reference ID: 10-002-20251216

extension scheme which is subject to a design brief which may result in a conflict regarding design and other detailed matters.

Additionally, introducing self/custom build development into a large-scale site could result in a health and safety risk on site for major housebuilders due to the introduction of additional contractors who may not meet their robust health and safety standards. It could therefore be a challenge to integrate custom/self-build development into a large-scale residential development and slow down delivery. The inclusion of a blanket mandatory requirement for larger developments to provide an element of self/custom build housing would require robust justification to meet the tests of soundness set out in NPPF paragraph 36.

It is noted that part 4 of Policy HO11 allows developers to build out plots as traditional market housing if a buyer has not been identified within 6 months. This element of the policy wording is supported as drafted, as it allows flexibility for plots to be released for onward sale, should the market not support their development by those on the self-build register. However, it still represents a potential slowing down in the delivery of otherwise much needed housing. It is considered that the provision of self/custom build plots should be left to the discretion of the developer based on market trends, which are liable to change over the plan period.

Issue 3: Whether the climate change (CC) policies are justified, effective and consistent with national policy.

Policy CC1 – Sustainable construction and carbon reduction

Q90: Are the requirements in Policy CC1 intended to exceed standards in current and/or future Building Regulations? If yes, is this clear, and are the requirements justified and consistent with national policy? What effect will they have on development viability?

DIO objects to Policy CC1 on the basis that, as currently worded, the policy is not effective because insufficient flexibility has been built in to the requirements.

Part F of Policy CC1 requires development to “include facilities to recycle water”. NPPF paragraph 16b requires local plans to be “prepared positively, in a way that is aspirational but deliverable”. Whilst DIO supports the aspiration for new development to include water recycling facilities, it is requested that Part F is amended to require the provision of facilities to recycle water ‘where possible’, to ensure that sufficient flexibility is provided. This will ensure that the policy is deliverable and does not lead to undue constraints on developments where water recycling cannot feasibly be incorporated.

The supporting text to Policy CC1, which states at paragraph 6.12 that the policy requirements will apply unless they are demonstrated to be unviable, are welcomed. However, it is requested that the text in paragraph 6.12 is added to the main body of the policy to provide greater clarity for developers and decision makers in line with the requirements of NPPF paragraph 16d for policies to be clearly written and unambiguously.

Policy CC2 – Renewable energy in development

Q91: Is part 1 justified and realistic for all development? Is there any unnecessary duplication with Policy CC1?

DIO objects to Policy CC2 on the basis that, as currently worded, the policy is not effective because insufficient flexibility has been built in to the requirements.

Whilst the provision of renewable energy generation is supported in principle and is in line with the Future Homes Standard, the requirement to provide on-site storage of renewable energy is considered

to be onerous as it will not be feasible on all development sites. It is therefore requested that the requirement for on-site energy storage is removed from Part 1 of Policy CC2.

In addition, there are elements of Policy CC2 which DIO does not consider contain sufficient flexibility to meet the requirement of NPPF paragraph 16b for plans to be prepared in a way which is “*aspirational but deliverable*”. For example, in relation to the provision of heating and cooling systems, Part 5c states that “sustainable alternatives to heat networks such as individual renewable heat should be utilised” and Part 6f states that “*address residual cooling load through renewable sources*”. Whilst we note that these requirements represent the final point of the hierarchy for heating/cooling, it is requested that the proposed wording is amended to require these elements ‘where possible’, to ensure that sufficient flexibility is provided.

Finally, it is considered that the requirements set out in Policy CC2, including decentralised heating systems should be the subject of supporting evidence to demonstrate where they have been delivered as part of a major residential development in a location that is comparable to Telford. Without this evidence there is a risk that the provision of such systems will be unviable and therefore unjustified. It is considered that the requirements of Policy CC2 should be required on a ‘subject to viability’ basis and this wording should be added to the policy. This will allow for site-specific scenarios to be considered, in particular those which are previously developed and may therefore be subject to additional abnormal costs. Alternatively it is considered that the Council should provide evidence that demonstrates where heat network systems have been successfully and viably deployed in major housing schemes

Issue 4: Whether the natural environment (NE) policies are justified, effective and consistent with national policy.

Policy NE3 – Biodiversity net gain (BNG)

Q102: Is the aspiration for qualifying development to achieve 20% BNG, subject to viability, justified and consistent with national policy and guidance? Is it clear, so as to be effective, what is expected from development proposals? What effect will the policy have on housing delivery and other Plan requirements, including affordable housing and infrastructure?

DIO objects to Policy NE3 as currently worded. Part 1 of the policy requires development to deliver “*in excess of a minimum 10% biodiversity net gain, with an aspiration for 20%, subject to viability*” (Savills emphasis). DIO considers that the Council should not seek to require biodiversity net gain (BNG) in excess of the 10% statutory requirement, as required by primary legislation. Planning Practice Guidance published in February 2024 states that:

“Plan-makers should not seek a higher percentage than the statutory objective of 10% biodiversity net gain, either on an area-wide basis or for specific allocations for development unless justified. To justify such policies they will need to be evidenced including as to local need for a higher percentage, local opportunities for a higher percentage and any impacts on viability for development. Consideration will also need to be given to how the policy will be implemented”.

The December 2025 consultation version of the NPPF, although not the version of the NPPF this Plan is being assessed against, further evidences the direction of Government policy in relation to this matter; stating at paragraph 2 of draft policy N1:

“Development plans should only set local standards for biodiversity net gain which are in excess of the statutory net gain requirement where this is for specific site allocations, and is fully justified and deliverable...”

The above is clear that robust justification needs to be provided to justify the Council seeking BNG in excess of the mandatory 10% requirement. We note that paragraph 7.16 of the plan states that an Environment Technical Paper will be prepared to demonstrate that:

“the impact on viability of delivering in excess of 20% BNG is limited as it is the initial statutory 10% which has the biggest impact”.

A Green and Natural Environment Topic Paper (TP04) was published in September 2025, which states that:

“Research by a range of bodies has indicated that the impact to viability of delivering more than the statutory 10% uplift is limited, as the main cost to a development is to reach the statutory 10%. BNG costs are low when compared to other policy costs, and, if considered and designed early into a project, have a negligible impact on viability especially if delivered onsite.”

Reference is made to a report by Kent County Council in relation to viability of BNG in Kent, and two Defra reports from 2019 and 2020 respectively. This is not effective justification (as required by paragraph 36 of the NPPF). The Kent County Council report is not spatially relevant to Telford and Wrekin, and is likely to be based on a very different set of land value assumptions than experienced in Telford & Wrekin, whilst the DEFRA reports are over 5 years old, pre-dating the implementation of statutory BNG.

As suitable evidence related to the viability, feasibility and ultimately achievability of BNG has yet to be provided, it is considered that the policy is unsound due to a lack of robust justification.

We request that Policy NE3 is amended to reflect the 10% minimum requirement set out in the Environment Act 2021. As written, the policy lacks sufficient justification to accord with the tests of soundness set out at NPPF paragraph 36.

Policy NE4 – Development Greening Factor (DGF)

Q104: What is the justification for the DGF in addition to BNG? Is there evidence to show the Greening Factors of 0.4 for major residential-led, and 0.3 for major non-residential-led development, are deliverable, taking account of other Plan requirements?

DIO objects to Policy NE4 on the basis that the existing Biodiversity Net Gain requirement already necessitates improvements to urban greening through the statutory requirement to demonstrate 10% BNG. Additionally, the provision of on-site public open space typologies and SuDS features as part of new development provides additional greening. A further policy requirement in addition to the above requirements could be onerous, particularly given the significant costs associated with the ongoing maintenance of some of the suggested features such as green walls and roofs.

Whilst it is noted that the Green Space Factor Study (June 2023) recommends the progression of a Development Greening Factor for the borough, this has not been supported by evidence in the Whole Plan Viability Assessment to demonstrate the impact this requirement could have on viability. Whilst DIO are committed to providing urban greening as part of the redevelopment of Parsons and Venning Barracks, it is considered that this can be achieved via existing requirements for BNG, open space and SuDS provision and there is therefore no need for a further policy requirement for this.

Should Policy NE4 be retained, it is requested that the ‘minimum’ factor is amended to a ‘target’. This would provide greater flexibility for applicants and would avoid a prescriptive approach which may not be feasible for certain development sites. Failing this, it is considered that the development greening factor should be required on a ‘subject to viability’ basis, to allow for scenarios where delivering this requirement would make a scheme unviable.

Issue 6: Whether the policies for sustainable travel (ST) and transport networks are justified, effective and consistent with national policy and guidance.

Policy ST5 – Electric vehicle (EV) infrastructure and parking design

Q127: Are the requirements for EV charging infrastructure soundly based given the relevant provisions in Building Regulations?

DIO supports Policy ST5 which sets out proposed standards for electric vehicle charging infrastructure and parking design. It is noted that electric vehicle charging points are now a requirement under adopted Building Regulations. Therefore, there is no need for the duplication of Building Regulations within planning policy, as supported by NPPF paragraph 16(f) which requires planning policies to serve a clear purpose.

Part 1 of Policy ST5 states that all new development is expected to meet the requirements set out in the Council's latest parking standards document. It is understood that the existing parking standards are provided Appendix F of the adopted Local Plan, which will be superseded following the adoption of the Local Plan Review. Clarity is therefore requested on whether the Council intends to publish further guidance on parking standards through a Supplementary Planning Document or via alternative means.