



Telford & Wrekin Local Plan Review
Examination in Public
Matter 6- Development Management Policies
Boningale Developments Ltd

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Document Control

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1. Matter 6- Development Management Policies

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

1.1. Policy HO3- Housing Mix and Quality

- 1.2. Draft Policy HO3 is not considered to be sound, justified nor effective.
- 1.3. While we are supportive of offering a range of different homes to suit a variety of needs, it is clear that Draft Policy HO3 requires additional flexibility to ensure that assessment can take place on a site-by-site basis and to prevent the unnecessary delay of housing delivery. We consider that the policy contains rigid requirements that do not fully take into account site size and viability.
- 1.4. Part 6 of Policy HO3 sets out that all major developments must include M4(2)/M4(3) housing in accordance with the council's requirements or national standards (whichever is higher). Should the Council set a higher optional requirement for accessible, adaptable and wheelchair homes, it is critical that reference is made to the PPG's (ID:56-007-20150327) criteria. This clarifies that optional technical standards should only be applied where there is clear evidence that demonstrates a need and where their implementation is both viable and feasible. It is unlikely to be viable or feasible for all major developments to fully comply with M4(2)/M4(3), particularly in relation to some housing typologies, such as flats over garages, maisonettes, and low-rise apartments. Little evidence has been provided to show that these requirements are proportionate or necessary across all tenures and housing types. The Council must therefore provide clear and detailed evidence demonstrating a need for higher optional standards, where optional standards are required, as well as thorough viability testing across different site context and housing typologies.

1.5. Policy HO4- Affordable Housing Requirements

- 1.6. While we are in complete support of the Council's pursuit of securing affordable housing to meet the needs of local communities across the borough, the Framework and the PPG



(ID: 10-001-20251216) sets out that the delivery of affordable housing and policy requirements should be informed by evidence of need and an assessment of viability, to ensure that policies are realistic and deliverable. Draft Policy HO4 sets out that within all major residential developments a minimum of 25% affordable homes in the Telford built-up area, and 35% in Newport and the rural area, will be required.

1.7. First and foremost, the Local Plan Review Viability Assessment update note (2024) specifically suggests that the Council requires a minimum of 20% affordable homes in and around Telford, derived from viability evidence. Further, the note sets out the anticipated challenges of delivering 20% affordable housing on the allocated sustainable community sites and goes on to convey that "*the delivery of any large site is challenging.*" Aligned with our comments on Matter 5, many of the allocated sites are of a strategic scale and are concentrated in and adjacent to Telford. By the admission of the Council's own evidence documents, it will be a challenge for many of these large allocated sites to deliver the required minimum of 25% affordable housing, and thus we consider that the plan cannot be found sound until this requirement is reduced.

1.8. The DLP EDNA Update (2025) sets out that there is an identified need for 824 affordable homes per year to 2040 in Telford and Wrekin. In its current form, we consider that the draft plan will not be effective in meeting this need. Additional sites in locations where the viability is greater, such as sustainably located land in rural areas, must be allocated to help increase affordable housing delivery. Further, according to the PPG "*an increase in the total housing figures included in the plan may need to be considered where it could help deliver the required number of affordable homes.*" Therefore, in line with our Regulation 19 Representations, the Council should consider increasing the housing requirement to accommodate more affordable housing.

1.9. **Policy HO6- Supported and Specialist Housing**

1.10. Policy HO6 is certainly not clear and unambiguous, particularly regarding what constitutes an "identified local need."

1.11. The Policy fails to specify the type and level of evidence required to demonstrate local need for specialist and supported housing, nor does it define what would be considered



sufficient evidence. This lack of clarity creates uncertainty for both developers and decision-makers, which could lead to inconsistent application and unnecessary delays in delivery. Further, the responsibility for providing evidence and identifying need should not fall entirely on applicants, as this would impose excessive evidential burden and could again lead to significant delays in the planning process. The Council should already have robust, up to-date evidence as part of the plan-making process, clearly detailing the scale and type of specialist and supported housing needed and the locations most in need. Without revisions to Draft Policy HO6 to clearly define what constitutes an 'identified local need' and provide applicants with transparent guidance, the policy cannot be considered effective, clear or unambiguous.

1.12. Policy HO12- Housing Development in the Rural Area

1.13. In our Regulations 19 representation (E154) we raised concerns that Policy HO12 is overly restrictive, and that flexibility should be retained to ensure that otherwise viable sites for sustainable development should not be prevented from coming forward.

1.14. As drafted Policy HO12 is not consistent with national policy, placing significant additional restrictions on development. For example with reference to criteria 1.a. there may be a number of reasons why a planning permission has not been implemented, however lack of implementation on one site should not form the basis of refusing development on an unrelated site, an approach which would suppress housing delivery and be at odds with the emphasis in the NPPF on significantly boosting the supply of homes, and maintaining a five year supply of homes.

1.15. The drafting of Policy HO12 is also broadly restrictive and negatively worded. For example the draft wording states that “

The council will support housing development in the rural area by:

...

- b. Allocating housing sites in some rural villages to support local services;*
- c. Supporting a limited amount of housing development in key settlements*



1.16. This contrasts with the language in the NPPF which states, at paragraph 83:

“To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services”,

1.17. and at paragraph 125:

“Planning policies and decisions should ... give substantial weight to the value of using suitable brownfield land within settlements for homes and other identified needs, proposals for which should be approved unless substantial harm would be caused.” (paragraph 125).

1.18. National policy already provides an effective means to manage development in rural areas, restricting unsustainable or harmful development whilst enabling development which meets local needs, and positively contributes to the objectives of sustainable development. The Council has not presented any evidence to justify a policy which seeks to go significantly beyond national policy in constraining development in rural areas. Policy HO12 is not justified, effective or consistent with national policy and should be substantially rewritten, or deleted.

Issue 3: Whether the Climate Change (CC) Policies are Justified, Effective and Consistent with National Policy

Policy CC1- Sustainable Construction and Carbon Reduction

1.19. In its current form, Draft Policy CC1 does not provide sufficient flexibility to ensure that development viability and deliverability will not be jeopardised. While the principle of sustainable construction is strongly supported, the policy as drafted imposes prescriptive requirements that could create undue constraints and delays to development. To address this, the policy should be reworded to include the phrase *“where feasible and viable, all new buildings should...”* This would ensure that sustainability objectives are balanced with practical deliverability and viability. A more flexible approach is required to account for varying site types and contexts. For instance, not every site will have access to local renewable energy sources to meet energy needs, nor would it be viable to provide on-site



renewable energy sources. Without scope for a site-by-site assessment, the policy risks significantly constraining or even preventing development on sites where complete compliance is either unviable or unrealistic. As currently drafted, the policy conflicts with paragraph 16(b) of the NPPF (2024), which sets out that plans should be drafted in a way that is “aspirational but deliverable.” Consequently, the requirements of Draft Policy CC1 are neither justified nor consistent with national policy and must be amended to establish soundness.

Policy CC2- Renewable Energy in Developments

1.20. Policy CC2 part 1 reiterates that all new development should incorporate renewable energy production and storage onsite, unless existing local renewable energy sources are available and achievable to provide power to the site. As emphasised above, in its current form, this draft policy is overly prescriptive and doesn't consider that it will not be viable for all new development to include renewable energy production and storage on-site, or that not every site will be in proximity to a local renewable energy source. Draft Policy CC2, part 1 therefore requires rewording to include the phrase “where feasible and viable” to provide sufficient flexibility and to prevent unnecessary delays to delivery.

Policy CC5- Flood Risk Management and Sustainable Drainage Systems

1.21. The integration of SuDS is supported, however, Draft Policy CC5 places disproportionate emphasis on the Council's SuDS Handbook as a mandatory design standard. National standards and best practice guidance already provide a consistent and detailed framework for SuDS design. The current wording of Draft Policy CC5 Part 2(a) is overly prescriptive and risks creating unnecessary complexity and delay to development. To provide sufficient flexibility, the Council's SuDS Handbook should only be referenced as supplementary guidance.

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

Policy NE3- Biodiversity Net Gain



1.22. Draft Policy NE3 is not considered to be justified, effective and consistent with national policy.

1.23. The Council should not seek to require biodiversity net gain above and beyond the statutory minimum of 10%. Increasing the requirement to 20% would impose significant additional costs and delays on developers, rendering schemes unviable and likely curtailing overall housing delivery. Such an approach would massively impact applicants' ability to deliver other critical plan objectives, including affordable housing.

1.24. The current wording of Draft Policy NE3 suggests that 20% biodiversity net gain should be delivered on all major developments unless viability evidence demonstrates otherwise, which is overly prescriptive and completely unrealistic. Any reference to 20% net gain should therefore be removed. It is pertinent to note that the PPG (ID: 74-006-20240214) clearly sets out 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." There is currently no clear and robust evidence or justification for requiring 20% biodiversity net gain rather than the statutory minimum of 10%. Therefore, Draft Policy NE5 is certainly not consistent with national policy and poses a significant risk to development viability and deliverability across the plan area.

Policy NE4- Development Greening Factor

1.25. Draft Policy NE4 is not considered to be justified, effective and consistent with national policy. The policy requires all major residential developments to achieve a minimum Greening Factor of 0.4. As currently drafted, this draft policy is overly prescriptive and fails to account for site-specific constraints, rendering it unsuitable for all types of development. It is pertinent to note that Natural England's Urban Greening Factor (UGF) was created as a tool to improve green infrastructure provision, particularly in urban areas and previously developed areas, rather than as a rigid requirement, applied universally. This policy therefore completely misinterprets the purpose of UGF and imposes an inflexible standard that could lead to serious viability issues and constrain the delivery of other critical policy objectives such as affordable housing. This requirement, would impose a significant evidential burden on applicants, resulting in substantial cost and time implications. To ensure soundness and compliance with national policy, the policy must



be amended to state that that greening is encouraged where appropriate and application of the policy should be assessed on a site-by-site basis.

Issue 5: Whether the development design (DD) policies are effective and consistent with national policy

Policy DD1- Design Criteria

1.26. Draft Policy DD1 sets out an extensive list of design requirements for new development. At present, the policy is unnecessarily long, and repeats provisions found elsewhere in the plan, such as housing mix detailed in Policy HO3. Paragraph 16e of the NPPF (2024) advises that plans should avoid unnecessary duplication of policies. Therefore, to improve clarity, effectiveness and consistency with national policy, Draft Policy DD1 should be refined into a more focused set of requirements. This should be accompanied by guidance detailed in an up-to-date Design SPD to provide further clarity and ensure consistency.

Policy DD2- Housing Development Design

1.27. Draft Policy DD2 provides detailed design guidance specifically for housing development. Similar to our comments on Draft Policy DD1, Draft Policy DD2 contains an extensive list of guidance that is unnecessarily long, and duplicates provisions found elsewhere in the plan. This is not consistent with paragraph 16e of the NPPF (2024), which advises against duplication of policies. We recommend that Policies DD1 and DD2 be combined into a single, streamlined policy. This approach would minimise repetition, improve clarity for applicants and decision-makers, and ensure consistency with national policy.

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



Policy ST1- Sustainable Travel

1.28. Draft Policy ST1 sets out requirements for major development within the urban areas of Telford and Newport, and, on a case-by-case basis, in rural areas, to promote sustainable travel. While the principle of this draft policy is supported, it lacks sufficient clarity in several provisions and imposes requirements that go above and beyond national policy and statutory obligations, which could lead to significant viability issues.

1.29. Requirement C is overly ambitious, mandating that all major development must meet multi-generational needs for travel and incorporate dementia-friendly design. This requirement could lead to significant viability and deliverability challenges and is not supported by robust evidence. We recommend that this element be framed as an aspiration rather than a requirement. Such an approach would be more appropriate for developments focussed on specialist housing or elderly care, rather than being applied universally across all development types. Therefore, it is considered that Draft Policy ST1 is overly prescriptive and requires greater flexibility to prevent unnecessary delays to development.

Policy ST3- Impact of Development on Highways

1.30. While the intention of Draft Policy ST3 to manage impacts of development on highways is understood, the current wording is overly rigid and lacks flexibility, which could lead to unnecessary delays to development. The policy also requires greater clarity, as certain provisions are ambiguous and risk inconsistent application. Specifically, requirement (a) sets out that major development must ensure that the *“cumulative impact of new development on local and strategic road networks are mitigated in a co-ordinated and plan-led manner.”* However, the phrasing *“mitigated in a co-ordinated and plan-led manner”* is highly subjective and unclear. Clear guidance on acceptable methods for mitigating cumulative impact is essential. These ambiguities result in the policy being inconsistent with national policy, particularly paragraph 16d of the NPPF (2024), requiring plans to be clear and unambiguous.

Policy ST4- Design of Roads and Streets



1.31. Draft Policy ST4 is not considered to be justified, effective and consistent with national policy. The current wording of the draft policy is overly prescriptive and lacks flexibility, which could constrain practical implementation and delay development. In particular, part 1 of the policy requires compliance with multiple guidance documents, including the Manual for Streets and the latest Local Highways Authority guidance. Complete adherence to multiple guidance documents could create uncertainty and unnecessary complexity for developers. While these documents provide valuable best practice, the weight attached to them within this policy is disproportionate and should be removed to allow for greater flexibility for site-specific solutions. It is pertinent to note that local guidance documents do not undergo the same scrutiny and examination as the Local Plan and therefore should not be included in the main text of the draft policy. To ensure the plan is found sound part 1 of the policy, and any other overly prescriptive elements, should be removed from Draft Policy ST4.

Issue 7: Whether the policies for community infrastructure, culture and open space are positively prepared, justified, effective and consistent with national policy

Policy CI3- Provision and Management of Public Open Space

1.32. While the principle of Draft Policy CI3 is supported, it is overly prescriptive and lacks sufficient flexibility, which could impact deliverability and viability of development. This policy imposes rigid requirements for on-site provision without sufficient consideration of site-specific constraints or viability. We therefore consider that this policy is not justified, effective, or consistent with national policy, as it fails to meet the tests of soundness set out in the NPPF. To improve deliverability, the policy should adopt a more flexible approach, supported by a clear viability assessment.

Issue 7: Whether the policies for the historic environment (HE) are justified, effective and consistent with national policy and guidance.



Policy HE1- Heritage Assets, Policy HE3- Listed Buildings, and Policy HE4 Conservation Areas

1.33. Draft Policy HE1, HE3 and HE4 are not considered justified, effective and consistent with national policy. While the principle of conserving and enhancing heritage assets is supported, these policies are overly prescriptive and lack flexibility, which risks constraining development and causing unnecessary delay.

1.34. In particular, Draft Policy HE1's blanket restriction on outline applications for proposals 'affecting' heritage assets is unrealistic, overly rigid, and may prevent otherwise acceptable, sustainable, and sensitively designed schemes from progressing. This approach goes beyond national policy requirements and could significantly delay housing delivery at a time when addressing the national housing crisis is critical. Part 11 of this draft policy should therefore be removed to ensure the plan remains sound and deliverable. To maintain viability and consistency, the policy should align with national policy instead of imposing additional burdens that could stagnate development and impact the plan's overall effectiveness.

1.35. Critically, all three of these policies conflict with a number of the proposed site allocations detailed in Draft Policies HO1 and HO2, due to overly prescriptive wording. Policy HE3, for instance, sets out that "the Council will not support development that would detract from or damage the setting of a listed building." This wording is too rigid and fails to acknowledge that some of the Council's allocated sites are located in close proximity to listed buildings and will inevitably have some impact on their setting. For instance, the draft allocation 'Land South of the Dale, Church Aston' lies less than 100 metres from a Grade II* listed building and, once developed, is likely to have some degree of impact on its setting. This reinforces the need for a more flexible and balanced approach that enables sensitive development whilst also ensuring appropriate protection and enhancement of important heritage assets. This would not only ensure that the plan is consistent throughout without any contradictions, but it would also enhance the overall deliverability and effectiveness of the plan.



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