

Telford & Wrekin Local Plan 2022-2040

Main Modifications Consultation

Richborough

Professional memberships and accreditations



1. Introduction

- 1.1. These representations are prepared by Fisher German on behalf of our client Richborough, in respect of their land interests west of Wellington Road, Horsehay, Telford. This land, as identified on Figure 1 below, is a proposed allocation in the Regulation 19 document (Local Plan Policy HO1 – Site Reference HO12). The identification of the site as a residential allocation is fully supported.

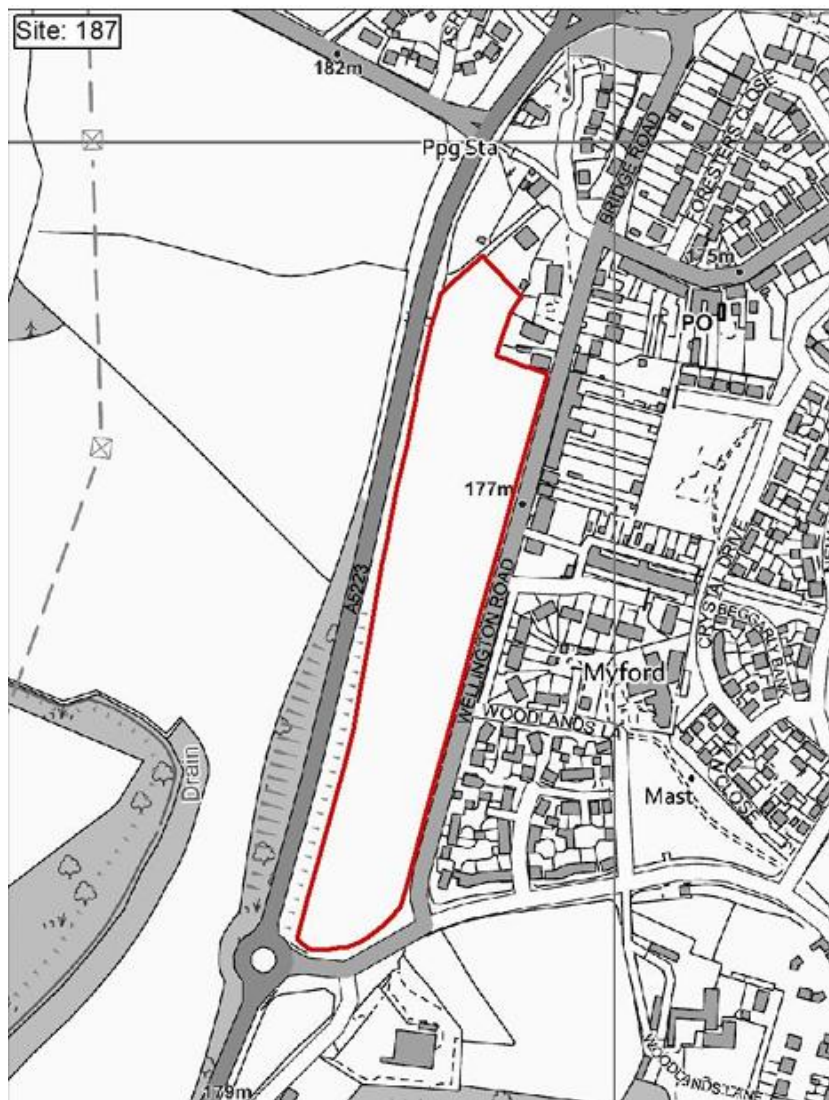


Figure 1: Site Boundary of residential allocation – West of Wellington Road, Telford.

- 1.2. Richborough submitted an outline planning application for 80 dwellings on the 17 December 2025 (App ref: TWC/2026/0005), and it was validated on the 7 January 2026. The application remains under consideration, but it is hoped a positive resolution will be reached shortly.

2. Representations

2.1 - MM001 (General Changes)

- 2.1. Richborough support the amendment to the Plan period to update the Plan period to now extend to 2041, as this now complies with the requirement of NPPF Paragraph 22 which states *“strategic policies should look ahead over a minimum 15 year period from adoption, to anticipate and respond to long-term requirements and opportunities, such as those arising from major improvements in infrastructure”*. The wording here is important, as the word ‘should’ strongly suggests this requirement is needed as a matter of soundness, particularly Part D of NPPF Paragraph 36 which states **“consistent with national policy – enabling the delivery of sustainable development in accordance with the policies in this Framework and other statements of national planning policy, where relevant”**. There are numerous examples of other examinations where such a requirement has been required through main modifications, thus as a matter of intrinsic fairness and consistency this change is required. Moreover, as set out above, it is required as a matter of soundness also.

5.1 - MM005 (Development Strategy)

- 2.2. This required change to the housing requirement is to reflect the change of Plan period proposed in the aforementioned Main Modification. This is again a necessary change to ensure that the Plan is justified and consistent with National Policy, particularly NPPF Paragraph 11 and 62.
- 2.3. Justification for the overall approach to establishing a housing requirement was provided in Richborough’s Regulation 19 and Matter 3 response. It was established that the approach adopted by Telford was justified, particularly through the Telford Economic and Housing Development Needs Assessment (EHDNA). Richborough concurred with the conclusions of the document and that adopting a requirement higher than base LHN has been specifically justified in Telford and Wrekin both demographically and having regard for a need to meet a proportion of unmet needs.
- 2.4. However, when having regard for the change in Plan period it was necessary to update the housing requirement accordingly.

6.1 - MM023 (Introduction to Policy CC1)

- 2.5. Richborough support the changes proposed to Policy CC1 through MM023. In particular this proposed change reflects the arguments put forward in Richborough’s Matter 6 statement, particularly insofar as it relates to Optional Technical Standard.
- 2.6. The proposed Main Modification simply makes reference to the minimum building regulation standards, without attempting to require additional standards without justification, which accords with previously submitted comments and complies with the requirements of the PPG in respect of optional technical standards.

6.2 - MM024 (Policy CC1 Sustainable construction and carbon reduction)

- 2.7. Richborough have no objections to the proposed amendments to this policy. Richborough support the proposed addition of 'where relevant and practicable' to Part 2 of Policy CC1, which Richborough consider is an important distinction, particularly to ensure that the Policy is effective in operation, particularly to ensure that a pragmatic approach can be taken to decision making to ensure that the Policy is not enforced in an unduly robust approach.

6.4 - MM026 (Policy CC2 Renewable energy in developments)

- 2.8. Richborough support the significant changes proposed to Policy CC2. Whilst it is recognised that climate change and reducing emissions are important, as set out in Richborough's Matter 3 statement, the Policy as drafted was overly onerous and not commensurate. In particular Richborough support the redrafting of Part 1 of the Policy in line with comments provided in the Matter 3 statement. The wording to encourage on site energy generation and storage rather than require it is clearly more appropriate and deliverable, and is thus required to be effective and justified.
- 2.9. Richborough further support the proposed deletion of Parts 4-6 of the Policy as proposed, as was neither justified or effective, for the reasons set out in Richborough's previous submissions.

7.3 - MM037 (Policy NE2 Trees, hedgerows and woodlands)

- 2.10. Richborough support the changes to Policy NE2. Firstly, the addition of '*where relevant*' to the first part of Part 2 of the Policy, to ensure that these requirements are not unduly applied to applications for which provision would not be commensurate.
- 2.11. Furthermore, the changes to Part 3 of the Policy were necessary for soundness. As previously drafted the Policy sought to treat mature and ancient specimens and apply the wholly exception test of NPPF Paragraph 193 - for ancient specimens to all mature specimens. As set out in Richborough's Regulation 19 response and Matter 6 statement strong concern was raised to this. In particular that Paragraph 193 of the Framework is clear that examples of irreplaceable habitats include ancient woodland and veteran trees. Veteran trees are explicitly described in the Framework glossary as being designated "*because of its age, size and condition, is of exceptional biodiversity, cultural or heritage value. All ancient trees are veteran trees. Not all veteran trees are old enough to be ancient, but are old relative to other trees of the same species. Very few trees of any species reach the ancient life-stage*". The NPPF does not describe mature trees, but the Woodland Trust which is clearly knowledgeable on the subject describes any tree which produces fruits or flowers as mature.
- 2.12. It was clearly inappropriate to group veteran trees with mature trees as trees can become mature whilst young and can be classified as mature whilst in poor condition. This clearly conflicts with national policy as had national policy wanted to afford that protection to mature trees it would have done so. Moreover, they are clearly differentiated by the relative meaning of the two words, and it was not commensurate to apply such high protection to both.

- 2.13. Richborough provided proposed wording in Regulation 19 and Matters statements to aid the examination which has been utilised. This Richborough considers achieves the aims of the Policy, but applies protections in a way which is commensurate and will not unduly prevent schemes coming forward because of potential impacts on mature specimens. These changes were necessary for soundness and are supported.

7.6 - MM040 (Policy NE3 Biodiversity Net Gain)

- 2.14. Again, Richborough support the proposed changes to this Policy and as set out in Regulation 19 and Matters statements, concerns were raised in respect of the draft submission Policy. In particular significant concern was raised through Richborough's Regulation 19 representation at Paragraph 2.13-2.15, notably that the policy appeared to suggest that schemes were not required to deliver 20% BNG if this was supported by site specific viability. This approach was incorrect and contrary to the PPG which is clear that where an increase from 10% (as secured by legislation) is sought it needs to be both assessed for impacts on site viability and specifically and locally justified.
- 2.15. The PPG 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**" (Paragraph: 006 Reference ID: 74-006-20240214) (our emphasis).
- 2.16. The changes to encourage an achievement of a 20% BNG improvement rather than a requirement reflects the recommended changes Richborough advocated for at Regulation 19 and through Matters Statements. In particular this change is supported by the above provisions of the PPG, in particular given the lack of localised evidence of need. Richborough raised concerns in relation to the viability evidence and how it attempted to justify the increase in BNG and how the costs of this were factored into viability evidence. These changes are necessary to ensure the adopted Policy is consistent with the requirements of the Framework and PPG.

7.9 - MM043 (Policy NE4 Development Greening factor)

- 2.17. Richborough support the amendments to Policy NE4. Whilst Richborough raised fundamental concerns in relation to Policy NE4 within their Regulation 19 response, including the justification for the Policy, it is acknowledged that the changes proposed by the Main Modifications do improve the policy. In particular the addition of 'aim' in part 2 of the Policy, which allows some flexibility in the application of the Policy. This is particularly necessary when having regard for the lack of supporting viability evidence outlining the implications of the Policy on site viability.

9.2 - MM065 (Policy HO1 Housing Allocations)

- 2.18. Richborough support the amendment to Policy HO1. In particular the clarification that design briefs are to instead be read as Design and Access Statements, which are better known within the industry and thus less

ambiguous as to what is expected. Whilst required as part of the national validation checklist, Richborough have no objection to this expectation of the Policy and thus its inclusion in the Plan. This change was required for the purposes of soundness, to ensure compliance with NPPF 16d and 36c in particular.

- 2.19. The additional reference to the SFRA is noted and supported by Richborough, given in general the SFRA will be more accurate than the EA flood mapping.

15.2 - MM130 (Appendix A Housing allocations)

- 2.20. Richborough support the proposed change as part of MM130 to amend the 'estimated housing number' for HA12: Land West of Wellington Road, changing from 70 to 80. Whilst Richborough's Regulation 19 response set out that it was acknowledged that these targets were effectively indicative, Richborough are of the strong view that 80 dwellings more accurately represents an appropriate yield for the site. Particularly having regard for a need to make effective use of land and the context of the site. Richborough has a planning application submitted for up to 80 units on the site currently. Whilst only at outline, this is supported by a level of evidence which provides a level of certainty in respect of likely site delivery which supports a modification from 70 to 80 units.