

Telford and Wrekin Main Modifications to the Publication Version of the Local Plan
Public consultation 8th June to 5pm Monday 20th July

Word consultation response form

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Personal Details

Title	Mr
First Name	John
Last Name	Pearce
Address	
Commenting on behalf of (if relevant)	David Wilson Homes
Organisation (if relevant)	Harris Lamb
Telephone	
Email	

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The Planning Inspectors appointed to examine the Local Plan have recommended several Main Modifications to make the plan sound and legally compliant. These are shown on the **Schedule of Main Modifications** that has been published for consultation and have been subject to a further **Integrated Assessment Report Addendum**. These do not form part of the Main Modifications but are published alongside them and should be read in conjunction with the Main Modifications proposed.

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Furthermore, the Council has prepared a schedule of 'Additional Modifications' to the Plan. These are minor changes to the Local Plan to deal with factual updates and clarifications, or address typographical, grammatical and presentational issues that do not affect soundness or legal compliance of the document. The Council considers that these do not materially affect the Plan. These 'Additional Modifications' are not subject to consideration by the Inspector and do not form part of the formal examination.

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Q1: Which proposed Main Modification does this comment relate to? Please state clearly the modification reference (*for example MM008*):

MM021

Q2: Do you consider that this Main Modification is:

☒ Legally compliant

☐ Sound

☐ None of the above

Q3: Please give details of why you consider this Main Modification is not legally compliant and/or unsound. Please be as precise as possible.

Alternatively, if you wish to support the legal compliance or soundness of the Main Modification, please also use this box to set out your comments.

DWH object to the proposed changes set out in MM021 that specifically relate to the Council being able to reexamine viability once planning permission has been granted and a development is largely complete. Whilst it is acknowledged that the likelihood of this happening would be limited as it only applies to large sites where a viability case has been presented and accepted by the Council (when granting permission) if it were to be enforced or applied it could have a number of adverse outcomes. The first is that developers can not just renegotiate their land deals, especially after they have bought the land which normally happens once planning permission is granted. Having to fund contributions that were not factored in at the time of purchase will be very difficult to accommodate, if not impossible.

DWH are of the view that if the Council accepts that a site is not viable and grants permission on that basis that decision should stand. The policy only applies if viability improves. There is no acknowledgement of what would occur if viability worsened during the course of a development.

Should this wording be adopted and the policy applied it risks stalling large sites and the delivery of housing and affordable housing if developers are faced with making contributions that were not previously factored in. As such, we maintain our objection to the policy and the revised wording now proposed.



Q4: Please set out what change(s) you consider necessary to make the Main Modification legally compliant and/or sound, having regard to the test you have identified above where this relates to soundness.



You will need to say why the change(s) will make the Main Modification legally compliant and/or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

DHW contend that the policy was not sound in the first place and should have been deleted.

Notwithstanding the above, we object to the inclusion of the proposed wording and suggest that this should be deleted.



Q5: Do you have any comments on the Integrated Assessment Report Addendum, in respect to this particular Main Modification? Please provide them in the box below:

No comments



Q6: Do you have any comments on a Proposed Revision to the Policies Map? Please provide them in the box below:

No comments

Q7: Do you have any comments on one of the Councils Additional Modifications? Please provide them in the box below:

No comments

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Q1: Which proposed Main Modification does this comment relate to? Please state clearly the modification reference (*for example MM008*):

MM039

Q2: Do you consider that this Main Modification is:

☒ Legally compliant

☐ Sound

☐ None of the above

Q3: Please give details of why you consider this Main Modification is not legally compliant and/or unsound. Please be as precise as possible.

Alternatively, if you wish to support the legal compliance or soundness of the Main Modification, please also use this box to set out your comments.

DWH note that the introduction of the wording ‘at least’ reflects that used in the Environment Act (2024) where it stipulates the requirement to achieve biodiversity net gain. We welcome this clarification and that proposed text about how it is to be calculated.

DWH still have concerns about the Council’s aspirations for achieving 20% on larger sites. Whilst the changes to the text seek to clarify this is as an aspiration it is still included in the same paragraph as the statutory requirement. Furthermore, paragraph 7.15 still refers to the aspiration for 20% being in policy NE3. As there is no regulatory or statutory requirement for 20% any reference to this as an aspiration should be removed from the policy and left in the supporting text. Suggested change to paragraph 7.15 should be reworded.

We comment on this further in relation to MM040



Q4: Please set out what change(s) you consider necessary to make the Main Modification legally compliant and/or sound, having regard to the test you have identified above where this relates to soundness.



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Paragraph 7.15 should be reworded to:

Policy NE3 sets out the statutory requirements for BNG provision.



Q5: Do you have any comments on the Integrated Assessment Report Addendum, in respect to this particular Main Modification? Please provide them in the box below:

No comments



Q6: Do you have any comments on a Proposed Revision to the Policies Map? Please provide them in the box below:

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MM040

Q2: Do you consider that this Main Modification is:

☒ Legally compliant

☐ Sound

☐ None of the above

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DWH object to the requirement to provide more than 10% BNG with a local aspiration up to 20%. As noted in our comments to MM039, the wording in the Environment Act that requires BNG to be provided refers to 'at least', not 'more than 10%'. The policy should be changed to reflect this.

Furthermore, there is no statutory basis for the aspiration for 20%. As such, this should be removed from the policy and included in the supporting text instead.



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Point 1 of the Policy NE3 should be reworded as follows:

Proposals for major development that qualify for BNG should aim to provide at least 10% BNG.



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No comments



Q6: Do you have any comments on a Proposed Revision to the Policies Map? Please provide them in the box below:

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Q1: Which proposed Main Modification does this comment relate to? Please state clearly the modification reference (*for example MM008*):

MM067

Q2: Do you consider that this Main Modification is:

☒ Legally compliant

☐ Sound

☐ None of the above

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We comment further on the provisions for consultation on the Design Brief and Masterplan in our response to MM068.

The 4th new para after 9.15 states:

The Design Brief is a document that explains how the sustainable community will be developed and the Masterplan is a plan which shows how the sustainable community will be developed.

One will 'explain' and the other will 'show' how the sustainable community will be developed. It is not clear what is meant by this and they appear to be doing the same thing albeit with a very slight difference in the wording. This point should be clarified so its clear what the role of each document is.



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Wording of new 4th para after 9.15 to be clarified to clearly explain role of the Design Brief and the masterplan are what each is intended to do.

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No comments



Q6: Do you have any comments on a Proposed Revision to the Policies Map? Please provide them in the box below:

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MM068

Q2: Do you consider that this Main Modification is:

☒ Legally compliant

☐ Sound

☐ None of the above

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Delivery

The Main Modification (MM) requires any application for the site to coordinate uses and be based upon effective community engagement. It goes on to require that a Design Brief and Masterplan must also be prepared in consultation with the public and Council and that this must be approved before the first of grant of planning permission at the SC. Whilst DWH have no objection in principle to consulting with the public and engaging with the Council we question what value this is going to add.

The masterplanning of the site as a whole has been informed by extensive work to date to understand how the site works from a technical and environmental perspective. The masterplan as it currently stands is well advanced with its constituent parts and uses proposed on specific parts of the site having regard to the site specific circumstances. It will not be easy to just move things around to respond to suggestions made during a consultation exercise, which brings into question the validity of undertaking consultation if the scheme is largely already fixed and unable to respond to feedback.

Both of the respective parties have already, or will shortly have, completed public consultation on their respective parcels in relation to planning applications that are being prepared. Residents will already have had the opportunity to see what is being proposed and to comment on these. We, therefore, consider that there is limited benefit in requiring a further full public consultation to be undertaken. An ongoing information sharing exercise (such as a project website) to keep the public informed might be appropriate.

Infrastructure Delivery

In respect of infrastructure delivery we disagree with the suggested content of what the Design Brief and Masterplan should contain. Ideally, this needs to clarify provision of infrastructure that is required across all three SCs and what is required on each individual SC. As currently drafted this is a bit confusing as it conflates these requirements. A revised set of bullet points should include:

- Identify what infrastructure is expected to be provided by all three SCs (i.e. the secondary school), when this is expected to come forward and how each SC (or promoter within each SC) is expected to contribute to it (the timing of when it needs to be provided on site needs to be agreed with the promoters of SC3)
- Identify what infrastructure is required on each SC, when it is needed, who will provide it.
- Where infrastructure that is needed SC set out a mechanism for how the cost of this is to be shared/distributed by all parties within the SC

The Design Brief and Masterplan will be prepared for the Bratton SC so it needs to be clear about what is required for this SC and where on site this is to be provided and by whom or how it is to be provided. This will need to dovetail with the points we set out below in respect of the Framework Section 106 Agreement that is proposed.

Phasing

The two parties who are promoting the Bratton SC are proposing to bring their respective land interests

forward by way of planning applications at or around the same time. As such, we do not consider that there is a need to phase the SC as a whole. Both parties are currently preparing planning applications and are engaging with the Council on these and have obtained pre-application advice and EIA screening/scoping opinions. DWH are targeting submission of their application in September. In light of the progress that both parties are making we see little benefit in submitting details of the phasing of the site as whole.

Furthermore, DWH are proposing to submit a full application on its parcel. As a full application, no phasing will be proposed within this part of the site and development will follow a build programme that runs from the site entrance through the site. The requirement to show phasing should be updated so that these requirements are only needed where any phasing on a particular part of the SC is proposed.

Design Vision

The requirement to submit a design vision has the potential to duplicate what will already have been established in the Design Brief and Masterplan. Rather than having to set out a design vision, it would make more sense to show how the individual proposals for the SC accord with the Design Brief and masterplan. This would typically be done through the submitted Design and Access Statement with the planning application. This requirement should be re-worded.

Landscaping Strategy

Any proposed landscaping strategy is going to have regard to what is beyond the site. It is not clear why a physical separation between new and existing communities is required. Rather than looking to separate communities, opportunities should be explored to how they could link together. In any case, the application of a 'suitable buffer' is vague and does not provide clarity as to what would be required. Revised wording is proposed – please see below.

Heritage Assets

Where heritage assets are present or they need consideration this will be done through an HIA submitted alongside a planning application. The wording of this requirement is not clear as it refers to their context being reflected in the Design and Development Brief. We propose that this requirement is changed to refer to heritage assets being considered through a HIA submitted with the planning application.

Framework Section 106 Agreement

The remainder of the MM sets out how contributions to infrastructure are to be sought across the three SCs. DWH are working with the promoters of the other SCs to agree a Framework Section 106 Agreement. It is suggested that a framework be agreed that would require developers/promoters in all of the SCs to contribute towards infrastructure that was common to all three SCs (mainly the secondary school). This text and schedule would be a first tier in the legal agreement that each applicant for development in the SCs would need to include in individual legal agreements that are to be signed. This text/schedule would be the only part that would be common to all legal agreement across the three SCs.

For each developer/promotor in an individual SC, a second tier of the legal agreement would need to relate to how infrastructure within that SC was provided, who by and when. For example, if one developer was providing the land for a primary school, the other developer/s would need to make respective contributions to this. A second SC specific framework agreement could also be produced which would be used in all legal agreements for that particular SC.

In terms of the Framework Section 106 could the wording be amended such that planning permission would

be conditional on agreeing the framework agreement. Once agreed, the wording can be copied to relevant S106 agreements.

Finally, the last sentence duplicates what is said elsewhere within the policy and what would be required any way (adherence to other policies in the plan) and, as such, is superfluous.

In light of the above, the changes to the policy are not considered sound because it is not effective. They changes set out below would address our concerns over soundness.



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Public Consultation

The requirement to undertake public consultation on the Design Brief and Masterplan should not be required as the public will be consulted on the application, which will include the design brief. Consulting on the Design Brief would duplicate the consultation. This requirement should be removed.

Infrastructure Delivery

The three bullet points under infrastructure delivery should be amended to the following to make it clearer as to what each promotor/developer was contributing to in terms of site specific infrastructure or a wider need that was to be accommodated across all three SCs.

- Identify what infrastructure is expected to be provided by all three SCs (i.e. the secondary school), when this is expected to come forward and how each SC (or promoter within each SC) is expected to contribute to it (the timing of when it needs to be provided on site needs to be agreed with the promoters of SC3)
- Identify what infrastructure is required on each SC, when it is needed, who will provide it.
- Where infrastructure that is needed by each SC is to be provided set out mechanism for how the cost of this is to be shared/distributed by all parties within the SC

Phasing

Revise wording to add 'Where phasing of a particular parcel is proposed, details of ...'

Design Vision

Delete requirement to set out a design vision and re-word to say:

"The submitted Design and Access Statement accompanying a planning application should describe how the proposals accord with the design principles set out in the Design Brief and Masterplan for the Sustainable Community to ensure a high quality development with well-designed spaces and is a healthy and inclusive place is achieved."

Landscaping Strategy

Revised wording is proposed:

"Landscaping strategy. Proposals for the SC must include an appropriate landscaping strategy that has regard for existing features and development within and adjoining the site."

Heritage Assets

Revised wording is proposed:

“Applicants for planning permission on the SC, where there are heritage assets that may be affected by the development should identify and assess the significance of any heritage assets and submit a HIA alongside a planning application to fully consider these impacts.”

Framework Section 106

Can revised wording be added to clarify that once the Framework agreement has been agreed it can then be used in all future Section 106 Agreements and doesn’t need to be agreed again, unless there is a need to update it or change it.

Can the following wording be deleted as it repetitive and not needed.

“Any application for planning permission on the site shall have regard to the approved Design Brief, Masterplan and any other relevant policies within the Local Plan.”



Q5: Do you have any comments on the Integrated Assessment Report Addendum, in respect to this particular Main Modification? Please provide them in the box below:



“

Q6: Do you have any comments on a Proposed Revision to the Policies Map? Please provide them in the box below:



No comments

Q7: Do you have any comments on one of the Councils Additional Modifications? Please provide them in the box below:

No comments

Telford and Wrekin Main Modifications to the Publication Version of the Local Plan
Public consultation 8th June to 5pm Monday 20th July

Word consultation response form

Please use this form if you wish to comment on the Telford and Wrekin Main Modifications to the Publication Version of the Local Plan. Further information can be found on the Councils website at www.telfordandwrekinlocalplan.co.uk

This form may be scanned or returned via e-mail to: LocalPlan@telford.gov.uk

Alternatively, forms can be posted to; Strategic Planning Team, Telford & Wrekin Council, Southwater One, TF2 2FH

How we will use your information

The information you have provided will be used to inform Main Modifications to the Publication Version of the Telford and Wrekin Local Plan. We will only publish anonymised responses, parts of responses, or a summarised version of responses and will ensure individual survey respondents cannot be identified. This information is being processed under DPA – Schedule 2 (2a) (GDPR 2018 -Article 6 (1)e).

We will not share your personal information with any other external third parties unless required/permitted to do so by law. Your personal information will be held securely, and if shared it will be shared securely. We comply with data protection laws concerning the protection of personal information, including the General Data Protection Regulation (GDPR). For more information on how information is held by Telford & Wrekin Council please view the privacy page at <https://www.telford.gov.uk/terms>

We are asking for your personal details to allow us to contact you where we require clarification/further information. You do not have to include your personal details but not doing so might affect the council's ability to act on the information you have provided.

Personal Details

Title	Mr
First Name	John
Last Name	Pearce
Address	
Commenting on behalf of (if relevant)	David Wilson Homes
Organisation (if relevant)	Harris Lamb
Telephone	
Email	

NOTE: The questions below are numbered 1 to 7. Please attach any typed or written responses related to the questions below when submitting this form.

The Planning Inspectors appointed to examine the Local Plan have recommended several Main Modifications to make the plan sound and legally compliant. These are shown on the **Schedule of Main Modifications** that has been published for consultation and have been subject to a further **Integrated Assessment Report Addendum**. These do not form part of the Main Modifications but are published alongside them and should be read in conjunction with the Main Modifications proposed.

All comments received will be sent to the independent Planning Inspector for consideration. Any comments received after the consultation close deadline will not be accepted.

The Council has also published proposed revisions to the Policies Map. These do not form part of the Main Modifications but are published alongside them and should be read in conjunction with the proposed Main Modifications.

Furthermore, the Council has prepared a schedule of 'Additional Modifications' to the Plan. These are minor changes to the Local Plan to deal with factual updates and clarifications, or address typographical, grammatical and presentational issues that do not affect soundness or legal compliance of the document. The Council considers that these do not materially affect the Plan. These 'Additional Modifications' are not subject to consideration by the Inspector and do not form part of the formal examination.

Representations should only relate to the proposed Main Modifications. This consultation is not an opportunity to repeat or raise further representations about the published plan or to seek further changes to the plan.

Q1: Which proposed Main Modification does this comment relate to? Please state clearly the modification reference (*for example MM008*):

MM074

Q2: Do you consider that this Main Modification is:

☒ Legally compliant

☐ Sound

☐ None of the above

Q3: Please give details of why you consider this Main Modification is not legally compliant and/or unsound. Please be as precise as possible.

Alternatively, if you wish to support the legal compliance or soundness of the Main Modification, please also use this box to set out your comments.

DWH welcome the proposed change to reduce the affordable housing threshold in Telford to 20% from 25%. We do, however, query this requirement should now not be subject to public subsidy. The use of public subsidy to fund affordable housing helps ensure overall scheme viability, thereby ensuring other infrastructure and contributions can be fully funded. The use of public subsidy will help ensure delivery of the full affordable housing requirements whilst also ensuring that other infrastructure is delivered in full, and as such, we object to it being excluded when providing affordable housing.

The use of public subsidy for affordable housing can also help increase the delivery of affordable units over and above the policy requirement. It use should not be prevented from facilitating such an outcome.



Q4: Please set out what change(s) you consider necessary to make the Main Modification legally compliant and/or sound, having regard to the test you have identified above where this relates to soundness.



You will need to say why the change(s) will make the Main Modification legally compliant and/or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

Part a. of the policy should be amended to delete the proposed text 'without public subsidy'

Q5: Do you have any comments on the Integrated Assessment Report Addendum, in respect to this particular Main Modification? Please provide them in the box below:



No comments

Q6: Do you have any comments on a Proposed Revision to the Policies Map? Please provide them in the box below:



No comments

Q7: Do you have any comments on one of the Councils Additional Modifications? Please provide them in the box below:

No comments