

REPRESENTATIONS ON BEHALF OF BLOOR HOMES LIMITED

The following representations are submitted on behalf of Bloor Homes Limited (BHL). BHL have land interests at both the 'Land at Bratton' and 'Land North East of Muxton' proposed Sustainable Communities.

MM021 – Policy S7 Developer contributions and infrastructure delivery

MM021 sets out proposed modifications to Policy S7 (Developer contributions and infrastructure delivery). The modifications propose to amend the "claw-back" trigger to "upon the completion of 75% of housing units" for strategic schemes of over 500 units such as Bloor Homes' (BHL) sites at Bratton and Muxton. MM021 then sets out that following a viability review where updated costs/normal profit has been exceeded then developer contributions will be sought to either a policy compliant level, or to a maximum of 70% in the uplift in the value of the scheme (whichever is lowest).

Representations on behalf of BHL were submitted to the Regulation 19 consultation, and hearing statements were submitted on this matter. BHL remain of the view that the Council's proposal to "claw back funding" is a completely unreasonable and unjustified approach. Such a clause will create uncertainty for developers wishing to invest in the area, and it is not reflective of the significant risks they take when developing such sites, especially the sustainable communities which take place over a significant number of years across which time the economic climate can experience significant turbulence.

The level of risk taken on by developers when progressing major development schemes such as the proposed Sustainable Communities should not be underestimated. By way of example, BHL's c2,000 dwelling Sandon Gate scheme in Stafford has required an up front investment of c£50m (fees, land and infrastructure) to enable the first sales completion, and is not expected to become cash positive until around three quarters of the dwellings are built and sold, which more than a decade.

The principle of clawing back 'super profit' is not supported, but as discussed in BHL's hearing statements on Matter 4, Issue 1, Question 42 even were such a clause found to be sound, the Council's proposal to undertake a review at 75% completion of the housing units is entirely unjustified by evidence, policy or regulations and could have a significant impact on the completion of strategic scale development sites in the Borough. On sites of significant scale, such as the sustainable communities, even at 75% of housing units being completed there is likely to remain several years of delivery over which time the economic climate and market can change. Therefore, undertaking a review of viability at this stage would be unreasonable.

A more appropriate mechanism for schemes in excess of 500 dwellings would be to undertake phase by phase viability appraisals with the affordable housing provision for each phase (within the policy requirement of 20%) to be adjusted accordingly. This method ensure the most up to date costs and revenues are taken into account when undertaking viability

appraisals. It will often mean that earlier phases provide a reduced amount of affordable housing as the infrastructure burden is higher, with the amount of affordable housing being viable increasing as the development progresses.

For schemes of 500 units or less any 'super profit' should be shared equally between the developer and the Council – there is no justification for a 70/30 bias in favour of the Council given the fact that they do not take on any of the risk.

Finally, were such a clause to be retained in the adopted policy despite the significant concerns raised above, it is imperative that it also allows for developers to trigger a review should the economic and market conditions make the approved developer contributions unviable.

MM032 – Policy CC5 Flood risk management and sustainable drainage systems

This MM proposes a new criteria between c and d requiring investigation of the existing capacity of existing drainage assets to ensure development will not overload the asset. Statutory undertakers are required to deliver infrastructure capacity to meet the needs of new development.

Therefore, whilst early engagement is encouraged and supported, this could identify a lack of capacity. In such circumstances, this would not mean that a proposed development would be unacceptable as the infrastructure capacity would be improved to meet the demands of development.

It is recommended that the wording of the addition be limited to requiring the investigation of the asset, and ongoing engagement where appropriate.

MM040 – Policy NE3 Biodiversity Net Gain

The proposed MM to this policy is broadly supported in that it now recognises that the national requirement for BNG is 10% and that should also apply locally. As supporting up to 20% on major developments is a local ambition rather than requirement, the removal of reference to a viability assessment is welcomed.

As 20% is a local ambition, it remains the case (as set out in previous representations) that this may be more appropriately located only in the supporting text, as in MM039. Furthermore it is queried whether "up to" is the right terminology as it suggests that 20% is a limit.

MM67 – Introduction to Policy HO2

BHL welcome the proposal to provide clarity on consultation requirements for the Design Brief and Masterplan through amendments to the Council's Statement of Community Involvement (SCI).

However, it is important that the required approach in the SCI is a proportionate approach given the significant consultation undertaken for the sustainable communities during the Local Plan Review that has established the broad parameters of what is required, and that further

consultation will be undertaken specifically in relation to the individual planning application proposals.

MM068 – Policy HO2 Sustainable Communities, SC1 Land at Bratton

MM068 includes the narrowing down of proposed employment uses on the site to Use Class E(g) specifically. This would limit the potential uses in the employment area to uses which can be carried out in a residential area without detriment to its amenity consisting of: offices to carry out any operational or administrative functions; research and development of products or processes; and industrial processes. This is considered to be overly restrictive and should be broadened to allow for a range of uses that support the new sustainable community and provide employment opportunities.

Indeed, the only E class use which may be inappropriate in this location would be E(a) for the display or retail sale of goods, other than hot food. The other uses, subject to appropriate technical and environmental assessment could be suitable in this location and would help deliver a range of employment opportunities and uses which offer further facilities to the local community that may not be able to be accommodated in a local centre, and enhance the viability of the employment land for delivery.

The delivery section of the policy starts *“Any application on the site will be required to coordinate uses across the site, based on effective community engagement”*. Whilst it is unlikely to be intended, requiring this to be **based on** community engagement could create unreasonable expectations and future issues in the determination of the applications. Whilst the feedback from community consultation is important in informing the preparation and evolution of development scheme proposals, it cannot be determinative as design development will also need to take account of, and respond to, the findings of the technical and environmental assessments required to support the planning application, best design practice and an understanding of market matters to ensure that the scheme is deliverable.

Therefore, it is recommended that the wording is changed to *“having regard to”* or similar to avoid ambiguity.

The policy and proposed modification then discusses the Design Brief and Masterplan requirements for the delivery of the allocation site, including the intention to approve the Design Brief and Masterplan prior to determining the first planning application for all or part of the allocation. The proposed mechanism for approving these documents should be clarified in the supporting text to ensure a consistent approach and to provide certainty for developers and the community. This will ensure the interpretation of the policy is unambiguous in this regard.

The matters that are to be addressed in the Design Brief and Masterplan are set out in MM068. BHL make the following representations in relation to criteria 1, 4 and 9.

Criterion 1 relates to infrastructure delivery. The proposed wording is generally supported and the draft Design Brief produced for Land at Bratton includes detail on this matter. However, it is important that land value is also accounted for to establish the fair and equitable apportionment of contributions between all relevant parties for shared infrastructure within a

single allocation (e.g. a primary school), and between the Sustainable Communities (i.e. the secondary school). This is required to establish the fair and equitable apportionment of contributions between all relevant parties. This should, therefore, be clarified in the policy wording and in the supporting text.

Criterion 4 goes on to require a design vision which is supported. Indeed, there is a strong design vision for Land at Bratton expressed within the draft Design Brief that has been shared with the Council. However, the modification also suggests that the vision should establish design principles for the Sustainable Community.

Previous representations on behalf of BHL, including to the Regulation 19 consultation and verbal representations made at the hearing sessions, have highlighted that the Design Brief must clearly articulate the goals and aspiration of the new neighbourhood, explain how the masterplan provides a broad framework for the scale and disposition of the proposed uses, and spaces, together with access and movement and green and blue infrastructure strategies. It should also establish the key design principles that will ensure a consistent approach to high quality place making and provide appropriate guidance as to how that should be achieved.

Clearly at this early stage in the scheme design process, broad guidance should be provided that leaves room for creative interpretation and flexibility to respond to application site specific and / or changing circumstances through the life of the project. The Brief should not, therefore, include more detailed or prescriptive design guidance or coding in relation to, for example, development character, built forms and densities, or street, SUDS and public open space design. They are matters for the individual planning applications themselves, initially through the preparation of a Design and Access Statement, but also potentially a Design Code prior to the detailed design process.

This approach will ensure that there is an overarching framework for the delivery of the allocation that still allows for a site specific approach to be undertaken to deliver interesting places that address the site specific constraints and opportunities and deliver places with a strong sense of identity.

Therefore, it is suggested that this is clarified in the policy or supporting text to avoid ambiguity and ensure all parties understand the extent and requirements of the Design Brief.

Criterion 9 relates to the delivery of play, recreation and outdoor sports. It requires development to have regard to the *"Council's adopted Playing Pitch and Outdoor Recreation Strategy, using Sport England's Pitch Calculator"*. Whilst the Playing Pitch Strategy has been developed using the Sport England Pitch Calculator, this could change in time and, therefore, become inconsistent and out-of-date. The policy also does not reference what information the play provision should be based on, which is inconsistent.

It is suggested that references to the appropriate evidence documents, and future updates should be included in the supporting text instead of in the policy itself, or a suitable cross reference to the Local Plan's open space policies including Policy CI3 is added. This will ensure the policy does not become out of date in this regard, and the expectations for the site are clear.

The proposed modifications to the policy then includes reference to a framework Section 106 agreement being agreed prior to the grant of any planning permission. No detail in relation to the content or provisions for such an agreement has been provided to date and it is currently unclear how it would work in practice without unduly limiting the grant of planning permissions and scheme delivery that are required at the earliest opportunity to address the identified development needs. Indeed, as currently written it suggests that all matters need to be agreed between all parties across all 3 sustainable communities before any planning permission can be granted. That is clearly entirely unreasonable and unworkable.

BHL propose that a single Memorandum of Understanding is agreed between all parties for the three sustainable communities on the key infrastructure matters, then each application would have its own Section 106 Agreement that deals with the following:

Part A – Securing the proportionate contributions towards the provision of a new secondary school on site SC3.

Part B – Dealing with the common infrastructure within the relevant sustainable community e.g. between the two parties involved in Land at Bratton.

Part C – Dealing with the application site specific infrastructure requirements and contributions.

This approach has been used effectively to deliver significant development sites with numerous parties elsewhere (an example can be provided if helpful) and avoids the complexities of agreeing a single Section 106 Agreement over a significant number of parties who are at different stages in the process, e.g. some sites are being promoted without a developer on board and will need to go to market, introducing additional parties at potentially late stages compared to other sites.

The remaining proposed modifications to Policy HO2:SC1 are broadly supported by BHL.

MM069 – Policy HO2 Sustainable Communities, SC2 Land North East of Muxton

Representations on behalf of the consortium for Land North East of Muxton have been submitted and are supported by BHL.

MM069 includes the addition of reference to “*two local centres*”, but the Masterplan for the allocation has always shown the provision of three local centres given the form and spread of the Site. This will ensure that all residents have a local centre within a reasonable walking and cycling distance from home. To differentiate the local centres and help ensure their viability, BHL propose to deliver a more traditional local centre, and a local centre that incorporates some roadside retail uses within their land interests. This will ensure the connectivity of residents to daily services, but enable a more viable approach by offering a choice of uses. The policy should accordingly reflect this in both the references to the number of local centres, and the permitted use classes to ensure that the ambitions for the site and the viability of the local centres can be achieved in accordance with the policy.

As set out in the Consortium representations, the references to the employment land and the amount expected to be delivered in the Venning Barracks needs to be clarified to ensure the total of 5.6 hectares can be met appropriately across the site. The Masterplan for the allocation includes employment land within BHL's site and it is proposed that this could sit with the proposed roadside retail local centre, but it would not necessarily form part of that centre.

The policy wording as proposed could be interpreted as being restrictive of employment land provision outside the local centres, unless it is included in the Venning Barracks site, but a more flexible approach must be taken to ensure the employment land requirement can be met over the lifetime of the development.

A review of the Masterplan for the allocation has been carried out (see attached). This has confirmed that in relation to the employment requirement, achieving the "majority" of 5.6ha at Venning Barracks is unachievable due to the limited capacity of that site. Whilst some bespoke small-scale provision in local centres might be appropriate, it is clear that to meet the 5.6ha another employment area is required as shown on the Bloor Masterplan. The policy should be revised to enable this to come forward, if there is a need for the allocation as a whole to deliver 5.6ha of employment land. In relation to use classes, the policy should be flexible in this area which could be suitable for a range of employment uses and sui generis subject to the suitable design of the area. This will support the ability to deliver a viable employment and retail area.

As set out in representations to MMO68, there a number of matters in the delivery section of the policy that require further modification.

The delivery section of the policy starts *"Any application on the site will be required to coordinate uses across the site, based on effective community engagement"*. Whilst it is unlikely to be intended, requiring this to be **based on** community engagement could create unreasonable expectations and future issues in the determination of the applications. Whilst the feedback from community consultation is important in informing the preparation and evolution of development scheme proposals, it cannot be determinative as design development will also need to take account of, and respond to, the findings of the technical and environmental assessments required to support the planning application, best design practice and an understanding of market matters to ensure that the scheme is deliverable.

Therefore, it is recommended that the wording is changed to *"having regard to"* or similar to avoid ambiguity.

The policy and proposed modification then discusses the Design Brief and Masterplan requirements for the delivery of the allocation site, including the intention to approve the Design Brief and Masterplan prior to determining the first planning application for all or part of the allocation. The proposed mechanism for approving these documents should be clarified in the supporting text to ensure a consistent approach and to provide certainty for developers and the community. This will ensure the interpretation of the policy is unambiguous in this regard.

The matters that are to be addressed in the Design Brief and Masterplan are set out in MMO69 (and are similar to those at MMO68). BHL make the following representations in relation to criteria 1, 3 and 8.

Criterion 1 relates to infrastructure delivery. The proposed wording is generally supported. However, it is important that land value is also accounted for to establish the fair and equitable apportionment of contributions between all relevant parties for shared infrastructure within a single allocation (e.g. primary school's), and between the Sustainable Communities (i.e. the secondary school). This is required to establish the fair and equitable apportionment of contributions between all relevant parties. This should, therefore, be clarified in the policy wording and in the supporting text.

Criterion 3 goes on to require a design vision which is supported. However, the modification also suggests that the vision should establish design principles for the Sustainable Community.

Previous representations on behalf of BHL, including to the Regulation 19 consultation and verbal representations made at the hearing sessions, have highlighted that the Design Brief must clearly articulate the goals and aspiration of the new neighbourhood, explain how the masterplan provides a broad framework for the scale and disposition of the proposed uses, and spaces, together with access and movement and green and blue infrastructure strategies. It should also establish the key design principles that will ensure a consistent approach to high quality place making and provide appropriate guidance as to how that should be achieved.

Clearly at this early stage in the scheme design process, broad guidance should be provided that leaves room for creative interpretation and flexibility to respond to application site specific and / or changing circumstances through the life of the project. The Brief should not, therefore, include more detailed or prescriptive design guidance or coding in relation to, for example, development character, built forms and densities, or street, SUDS and public open space design. They are matters for the individual planning applications themselves, initially through the preparation of a Design and Access Statement, but also potentially a Design Code prior to the detailed design process.

This approach will ensure that there is an overarching framework for the delivery of the allocation that still allows for a site specific approach to be undertaken to deliver interesting places that address the site specific constraints and opportunities and deliver places with a strong sense of identity.

Therefore, it is suggested that this is clarified in the policy or supporting text to avoid ambiguity and ensure all parties understand the extent and requirements of the Design Brief.

Criterion 8 relates to the delivery of play, recreation and outdoor sports. It requires development to have regard to the *"Council's adopted Playing Pitch and Outdoor Recreation Strategy, using Sport England's Pitch Calculator"*. Whilst the Playing Pitch Strategy has been developed using the Sport England Pitch Calculator, this could change in time and, therefore, become inconsistent and out-of-date. The policy also does not reference what information the play provision should be based on, which is inconsistent.

It is, therefore, suggested that references to the appropriate evidence documents, and future updates should be included in the supporting text instead of in the policy itself, or a suitable cross reference to the Local Plan's open space policies including Policy CI3 is added. This will ensure the policy does not become out of date in this regard, and the expectations for the site are clear.

The proposed modifications to the policy then includes reference to a framework Section 106 agreement being agreed prior to the grant of any planning permission. No detail in relation to the content or provisions for such an agreement has been provided to date and it is currently unclear how it would work in practice without unduly limiting the grant of planning permissions and scheme delivery that are required at the earliest opportunity to address the identified development needs. Indeed, as currently written it suggests that all matters need to be agreed between all parties across all 3 sustainable communities before any planning permission can be granted. That is clearly entirely unreasonable and unworkable.

BHL propose that a single Memorandum of Understanding is agreed between all parties for the three sustainable communities on the key infrastructure matters, then each application would have its own Section 106 Agreement that deals with the following:

Part A – Securing the proportionate contributions towards the provision of a new secondary school on site SC3.

Part B – Dealing with the common infrastructure within the relevant sustainable community e.g. between the Muxton Consortium.

Part C – Dealing with the application site specific infrastructure requirements and contributions.

This approach has been used effectively to deliver significant development sites with numerous parties elsewhere (an example can be provided if helpful) and avoids the complexities of agreeing a single Section 106 Agreement over a significant number of parties who are at different stages in the process, e.g. some sites are being promoted without a developer on board and will need to go to market, introducing additional parties at potentially late stages compared to other sites.

The remaining proposed modifications to Policy HO2:SC2 are broadly supported by BHL.

MM074 – Policy HO4 Affordable Housing Requirements

MM074 proposes a number of modifications including reducing the affordable housing requirement in the Telford built-up area (for schemes without public subsidy), including the Sustainable Communities down to 20%. This brings the requirement closer to the Council's own Viability evidence which is broadly supported.

However, it is noted that the Viability Report recognises that the sustainable communities may not be viable even at 20%, and this is without the benefit of reviewing the expected

infrastructure contributions (including education) which have since been shared by the Council through pre-application discussions, and those expected to be required in due course in relation to highway infrastructure.

Reference to public subsidy should be removed from the affordable housing requirement. Providing such wording renders the requirement ambiguous and, as discussed below, confirming public subsidy at the application stage is unlikely to be possible.

The policy (as modified) would rightly require a viability appraisal to be submitted with applications that would fail to meet the affordable housing requirement. However, as part of that appraisal the policy would require application to demonstrate that they *"have made reasonable endeavours to make up the shortfall in affordable housing by applying for public subsidy (grant funding) to bridge the viability gap"*. However, applicants are unable to apply for such funding ahead of securing planning permission for a development scheme. Therefore, this wording should be removed from the policy as it is unjustified and cannot be complied with.

MM081 – Policy HO11 Self-Build and Custom Housebuilding

MM081 proposes to reduce the requirement of application sites delivering 100+ homes to provide self-build or custom housebuilding from 5% to 3%.

The EHDNA 2025 states that as at October 2023 the Council had a total of 137 entries onto the Register since 2016 (and it is understood that this is cumulative with no entries removed when needs have been met or the party is no longer interested). When then looking at the requirement for the fifth base period, the EHDNA confirms there was a duty to consent permission for 12 plots, and 59 plots were approved. Therefore, the need was met and exceeded despite there being no percentage requirement for self-build or custom-build plots in the extant Local Plan.

As set out in previous representations, BHL remain of the view that there is no evidence of need to support the proposed requirement and that a permissive policy for appropriate self-build or custom housebuilding would likely meet the perceived demand on the register.

Should the Council continue to include a percentage requirement, whilst the inclusion of the proposed marketing requirement is supported, alongside, the Council should consider how it defines self-build and custom build housing to enable a variety of homes to be offered to meet the purported demand.

The PPG confirms that self-build and custom housebuilding covers a wide spectrum of projects, including instances where individuals commission their home, making key design and layout decisions, but the home is built ready for occupation. These homes wouldn't always be sold as a plot and there may be circumstances where developers of wider sites could offer such services. This should be recognised in Policy HO11, its supporting text and/or the Glossary.

MM118 Policy ML1 Mineral Safeguarding

MM118 includes adding reference to the proposed mineral safeguarding area in the exceptions to the policy to sites that are allocated for development in the Local Plan. This modification is strongly supported by BHL and reflects the need to deliver new homes in the plan period, the wider availability of mineral resource, and in the case of BHL's sites at Bratton and Muxton is reflective of the potential amenity impacts that prior extraction would have, given the proximity of the site's to existing residential areas.



- LEGEND**
- Site Boundary
 - Residential
 - Retained Residential
 - Primary School
 - Mixed-use Local Centre
 - Extra Care
 - Mobility Hub*
 - Employment
 - Open Space
 - Natural Grassland/Wildflower
 - Informal Play/Seating/Information Areas
 - Pitched Sports
 - Allotments
 - SUDS
 - Existing Watercourse
 - Existing Vegetation
 - Reinstated Hedgerow
 - Proposed Trees
 - Proposed Woodland/Buffer Planting
 - Children's Play - LEAP
 - Children's Play - NEAP
 - Key Focal Space
 - Nodal Space
 - Primary Street
 - Secondary Street
 - Tertiary Street
 - Public Footpath
 - Footpath/cyclepath
 - Informal Footpath
 - View Corridor

*Mobility hubs are accessible spaces where public, shared, and active forms of travel are co-located alongside public realm and community facilities to facilitate safe, convenient and active journeys.

TOTAL ALLOCATION LAND BUDGET	AREA Ha
Residential (inc retained)	74.5 (c.2,830 units @ 38dph)
Employment	5.6
School	4.8
Mixed-use Local Centre	1.8 (could inc resi)
Extra Care	0.7
Pitched Sports	9.2
Multi-functional POS	80.9
Highways	4.1
Total	c.181.6



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

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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	Mark
Last Name	Rose
Address	
Commenting on behalf of (if relevant)	Bloor Homes Limited
Organisation (if relevant)	Click or tap here to enter text.
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*):

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.

MMO21 sets out proposed modifications to Policy S7 (Developer contributions and infrastructure delivery). The modifications propose to amend the “claw-back” trigger to “upon the completion of 75% of housing units” for strategic schemes of over 500 units such as Bloor Homes’ (BHL) sites at Bratton and Muxton. MMO21 then sets out that following a viability review where updated costs/normal profit has been exceeded then developer contributions will be sought to either a policy compliant level, or to a maximum of 70% in the uplift in the value of the scheme (whichever is lowest).

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The level of risk taken on by developers when progressing major development schemes such as the proposed Sustainable Communities should not be underestimated. By way of example, BHL’s c2,000 dwelling Sandon Gate scheme in Stafford has required an up front investment of c£50m (fees, land and infrastructure) to enable the first sales completion, and is not expected to become cash positive until around three quarters of the dwellings are built and sold, which more than a decade.

The principle of clawing back ‘super profit’ is not supported, but as discussed in BHL’s hearing statements on Matter 4, Issue 1, Question 42 even were such a clause found to be sound, the Council’s proposal to undertake a review at 75% completion of the housing units is entirely unjustified by evidence, policy or regulations and could have a significant impact on the completion of strategic scale development sites in the Borough. On sites of significant scale, such as the sustainable communities, even at 75% of housing units being completed there is likely to remain several years of delivery over which time the economic climate and market can change. Therefore, undertaking a review of viability at this stage would be unreasonable.

A more appropriate mechanism for schemes in excess of 500 dwellings would be to undertake phase by phase viability appraisals with the affordable housing provision for each phase (within the policy requirement of 20%) to be adjusted accordingly. This method ensure the most up to date costs and revenues are taken into account when undertaking viability appraisals. It will often mean that earlier phases provide a reduced amount of affordable housing as the infrastructure burden is higher, with the amount of affordable housing being viable increasing as the development progresses.

For schemes of 500 units or less any ‘super profit’ should be shared equally between the developer and the Council – there is no justification for a 70/30 bias in favour of the Council given the fact that they do not take on any of the risk.

Finally, were such a clause to be retained in the adopted policy despite the significant concerns raised above, it is imperative that it also allows for developers to trigger a review should the economic and market conditions make the approved developer contributions unviable.

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.

As discussed above and in previous representations, the “claw-back” clause is not supported. If it is retained, to ensure it is justified and effective it must be amended as set out above.

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



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

No

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

No

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Email	

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

MM032

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.

This MM proposes a new criteria between c and d requiring investigation of the existing capacity of existing drainage assets to ensure development will not overload the asset. Statutory undertakers are required to deliver infrastructure capacity to meet the needs of new development.

Therefore, whilst early engagement is encouraged and supported, this could identify a lack of capacity. In such circumstances, this would not mean that a proposed development would be unacceptable as the infrastructure capacity would be improved to meet the demands of development.

It is recommended that the wording of the addition be limited to requiring the investigation of the asset, and ongoing engagement where appropriate.



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.

As discussed above, this proposed modification could lead to the policy being ambiguous and delaying much needed development. Therefore, it is recommended that the wording of the addition be limited to requiring the investigation of the asset, and ongoing engagement where appropriate.



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



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

No

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

No

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Public consultation 8th June to 5pm Monday 20th July

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Personal Details

Title	Mr
First Name	Mark
Last Name	Rose
Address	
Commenting on behalf of (if relevant)	Bloor Homes Limited
Organisation (if relevant)	Click or tap here to enter text.
Telephone	
Email	

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

MM040

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.

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The proposed MM to this policy is broadly supported in that it now recognises that the national requirement for BNG is 10% and that should also apply locally. As supporting up to 20% on major developments is a local ambition rather than requirement, the removal of reference to a viability assessment is welcomed.

As 20% is a local ambition, it remains the case (as set out in previous representations) that this may be more appropriately located only in the supporting text, as in MM039. Furthermore it is queried whether “up to” is the right terminology as it suggests that 20% is a limit.



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.

As discussed above, the reference to a local ambition of 20% BNG should be removed from the policy wording itself to avoid ambiguity.

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



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

No

Q7: Do you have any comments on one of the Councils Additional Modifications? 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

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

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BHL welcome the proposal to provide clarity on consultation requirements for the Design Brief and Masterplan through amendments to the Council's Statement of Community Involvement (SCI).

However, it is important that the required approach in the SCI is a proportionate approach given the significant consultation undertaken for the sustainable communities during the Local Plan Review that has established the broad parameters of what is required, and that further consultation will be undertaken specifically in relation to the individual planning application proposals.



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.

N/A

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

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



No

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

No

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

MM068

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.

MMO68 includes the narrowing down of proposed employment uses on the site to Use Class E(g) specifically. This would limit the potential uses in the employment area to uses which can be carried out in a residential area without detriment to its amenity consisting of: offices to carry out any operational or administrative functions; research and development of products or processes; and industrial processes. This is considered to be overly restrictive and should be broadened to allow for a range of uses that support the new sustainable community and provide employment opportunities.

Indeed, the only E class use which may be inappropriate in this location would be E(a) for the display or retail sale of goods, other than hot food. The other uses, subject to appropriate technical and environmental assessment could be suitable in this location and would help deliver a range of employment opportunities and uses which offer further facilities to the local community that may not be able to be accommodated in a local centre, and enhance the viability of the employment land for delivery.

The delivery section of the policy starts "Any application on the site will be required to coordinate uses across the site, based on effective community engagement". Whilst it is unlikely to be intended, requiring this to be based on community engagement could create unreasonable expectations and future issues in the determination of the applications. Whilst the feedback from community consultation is important in informing the preparation and evolution of development scheme proposals, it cannot be determinative as design development will also need to take account of, and respond to, the findings of the technical and environmental assessments required to support the planning application, best design practice and an understanding of market matters to ensure that the scheme is deliverable.

Therefore, it is recommended that the wording is changed to "having regard to" or similar to avoid ambiguity.

The policy and proposed modification then discusses the Design Brief and Masterplan requirements for the delivery of the allocation site, including the intention to approve the Design Brief and Masterplan prior to determining the first planning application for all or part of the allocation. The proposed mechanism for approving these documents should be clarified in the supporting text to ensure a consistent approach and to provide certainty for developers and the community. This will ensure the interpretation of the policy is unambiguous in this regard. The matters that are to be addressed in the Design Brief and Masterplan are set out in MMO68. BHL make the following representations in relation to criteria 1, 4 and 9.

Criterion 1 relates to infrastructure delivery. The proposed wording is generally supported and the draft Design Brief produced for Land at Bratton includes detail on this matter. However, it is important that land value is also accounted for to establish the fair and equitable apportionment of contributions between all relevant parties for shared infrastructure within a single allocation (e.g. a primary school), and between the Sustainable Communities (i.e. the secondary school). This is required to establish the fair and equitable apportionment of contributions between all relevant

parties. This should, therefore, be clarified in the policy wording and in the supporting text. Criterion 4 goes on to require a design vision which is supported. Indeed, there is a strong design vision for Land at Bratton expressed within the draft Design Brief that has been shared with the Council. However, the modification also suggests that the vision should establish design principles for the Sustainable Community.

Previous representations on behalf of BHL, including to the Regulation 19 consultation and verbal representations made at the hearing sessions, have highlighted that the Design Brief must clearly articulate the goals and aspiration of the new neighbourhood, explain how the masterplan provides a broad framework for the scale and disposition of the proposed uses, and spaces, together with access and movement and green and blue infrastructure strategies. It should also establish the key design principles that will ensure a consistent approach to high quality place making and provide appropriate guidance as to how that should be achieved.

Clearly at this early stage in the scheme design process, broad guidance should be provided that leaves room for creative interpretation and flexibility to respond to application site specific and / or changing circumstances through the life of the project. The Brief should not, therefore, include more detailed or prescriptive design guidance or coding in relation to, for example, development character, built forms and densities, or street, SUDS and public open space design. They are matters for the individual planning applications themselves, initially through the preparation of a Design and Access Statement, but also potentially a Design Code prior to the detailed design process.

This approach will ensure that there is an overarching framework for the delivery of the allocation that still allows for a site specific approach to be undertaken to deliver interesting places that address the site specific constraints and opportunities and deliver places with a strong sense of identity.

Therefore, it is suggested that this is clarified in the policy or supporting text to avoid ambiguity and ensure all parties understand the extent and requirements of the Design Brief.

Criterion 9 relates to the delivery of play, recreation and outdoor sports. It requires development to have regard to the "Council's adopted Playing Pitch and Outdoor Recreation Strategy, using Sport England's Pitch Calculator". Whilst the Playing Pitch Strategy has been developed using the Sport England Pitch Calculator, this could change in time and, therefore, become inconsistent and out-of-date. The policy also does not reference what information the play provision should be based on, which is inconsistent.

It is suggested that references to the appropriate evidence documents, and future updates should be included in the supporting text instead of in the policy itself, or a suitable cross reference to the Local Plan's open space policies including Policy CI3 is added. This will ensure the policy does not become out of date in this regard, and the expectations for the site are clear.

The proposed modifications to the policy then includes reference to a framework Section 106 agreement being agreed prior to the grant of any planning permission. No detail in relation to the content or provisions for such an agreement has been provided to date and it is currently unclear how it would work in practice without unduly limiting the grant of planning permissions and scheme delivery that are required at the earliest opportunity to address the identified development needs. Indeed, as currently written it suggests that all matters need to be agreed between all parties across all 3 sustainable communities before any planning permission can be granted. That is clearly

entirely unreasonable and unworkable.

BHL propose that a single Memorandum of Understanding is agreed between all parties for the three sustainable communities on the key infrastructure matters, then each application would have its own Section 106 Agreement that deals with the following:

Part A – Securing the proportionate contributions towards the provision of a new secondary school on site SC3.

Part B – Dealing with the common infrastructure within the relevant sustainable community e.g. between the two parties involved in Land at Bratton.

Part C – Dealing with the application site specific infrastructure requirements and contributions.

This approach has been used effectively to deliver significant development sites with numerous parties elsewhere (an example can be provided if helpful) and avoids the complexities of agreeing a single Section 106 Agreement over a significant number of parties who are at different stages in the process, e.g. some sites are being promoted without a developer on board and will need to go to market, introducing additional parties at potentially late stages compared to other sites.

The remaining proposed modifications to Policy HO2:SC1 are broadly supported by BHL.



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.

As set out in the above representation the following amendments are required to ensure the policy is sound, otherwise the policy would fail to be effective.

1. The permitted use classes for the employment area should be widened to only exclude Use Class E(a).
2. The application, Design Brief and Masterplan should “have regard to” rather than be “based on” effective community engagement.
3. Clarification in the supporting text should be added to set out the process for approving the Design Brief and Masterplan.
4. When setting out the requirements of the Design Brief reference should be made to land value in relation to infrastructure provision and costs.
5. Clarification should be provided to confirm that detailed design principles or coding is not expected within the Design Brief as these are detailed matters for the individual planning applications themselves as discussed above.
6. References to evidence documents such as the Playing Pitch Strategy and the Play, Recreation and Open Space Strategy should be consistent and are more appropriately located in the supporting text, not in the policy itself.
7. The proposal for a Framework Section 106 Agreement between all three Sustainable Communities is unreasonable and unworkable. As discussed above, an effective way of dealing with the infrastructure requirements across the three allocations would be a single Memorandum of Understanding with each application then having its own Section 106 Agreement covering contributions to off-site infrastructure, dealing with common infrastructure within an allocation, and then dealing with site-specific requirements.



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

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



No

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

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MM069

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☒ 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.

Representations on behalf of the consortium for Land North East of Muxton have been submitted and are supported by BHL.

MMO69 includes the addition of reference to “two local centres”, but the Masterplan for the allocation has always shown the provision of three local centres given the form and spread of the Site. This will ensure that all residents have a local centre within a reasonable walking and cycling distance from home. To differentiate the local centres and help ensure their viability, BHL propose to deliver a more traditional local centre, and a local centre that incorporates some roadside retail uses within their land interests. This will ensure the connectivity of residents to daily services, but enable a more viable approach by offering a choice of uses. The policy should accordingly reflect this in both the references to the number of local centres, and the permitted use classes to ensure that the ambitions for the site and the viability of the local centres can be achieved in accordance with the policy.

As set out in the Consortium representations, the references to the employment land and the amount expected to be delivered in the Venning Barracks needs to be clarified to ensure the total of 5.6 hectares can be met appropriately across the site. The Masterplan for the allocation includes employment land within BHL’s site and it is proposed that this could sit with the proposed roadside retail local centre, but it would not necessarily form part of that centre.

The policy wording as proposed could be interpreted as being restrictive of employment land provision outside the local centres, unless it is included in the Venning Barracks site, but a more flexible approach must be taken to ensure the employment land requirement can be met over the lifetime of the development.

A review of the Masterplan for the allocation has been carried out (see attached). This has confirmed that in relation to the employment requirement, achieving the “majority” of 5.6ha at Venning Barracks is unachievable due to the limited capacity of that site. Whilst some bespoke small-scale provision in local centres might be appropriate, it is clear that to meet the 5.6ha another employment area is required as shown on the Bloor Masterplan. The policy should be revised to enable this to come forward, if there is a need for the allocation as a whole to deliver 5.6ha of employment land. In relation to use classes, the policy should be flexible in this area which could be suitable for a range of employment uses and sui generis subject to the suitable design of the area. This will support the ability to deliver a viable employment and retail area.

As set out in representations to MMO68, there a number of matters in the delivery section of the policy that require further modification.

The delivery section of the policy starts “Any application on the site will be required to coordinate uses across the site, based on effective community engagement”. Whilst it is unlikely to be intended, requiring this to be based on community engagement could create unreasonable expectations and future issues in the determination of the applications. Whilst the feedback from community consultation is important in informing the preparation and evolution of development

scheme proposals, it cannot be determinative as design development will also need to take account of, and respond to, the findings of the technical and environmental assessments required to support the planning application, best design practice and an understanding of market matters to ensure that the scheme is deliverable.

Therefore, it is recommended that the wording is changed to “having regard to” or similar to avoid ambiguity.

The policy and proposed modification then discusses the Design Brief and Masterplan requirements for the delivery of the allocation site, including the intention to approve the Design Brief and Masterplan prior to determining the first planning application for all or part of the allocation. The proposed mechanism for approving these documents should be clarified in the supporting text to ensure a consistent approach and to provide certainty for developers and the community. This will ensure the interpretation of the policy is unambiguous in this regard.

The matters that are to be addressed in the Design Brief and Masterplan are set out in MMO69 (and are similar to those at MMO68). BHL make the following representations in relation to criteria 1, 3 and 8.

Criterion 1 relates to infrastructure delivery. The proposed wording is generally supported. However, it is important that land value is also accounted for to establish the fair and equitable apportionment of contributions between all relevant parties for shared infrastructure within a single allocation (e.g. primary school's), and between the Sustainable Communities (i.e. the secondary school). This is required to establish the fair and equitable apportionment of contributions between all relevant parties. This should, therefore, be clarified in the policy wording and in the supporting text.

Criterion 3 goes on to require a design vision which is supported. However, the modification also suggests that the vision should establish design principles for the Sustainable Community. Previous representations on behalf of BHL, including to the Regulation 19 consultation and verbal representations made at the hearing sessions, have highlighted that the Design Brief must clearly articulate the goals and aspiration of the new neighbourhood, explain how the masterplan provides a broad framework for the scale and disposition of the proposed uses, and spaces, together with access and movement and green and blue infrastructure strategies. It should also establish the key design principles that will ensure a consistent approach to high quality place making and provide appropriate guidance as to how that should be achieved.

Clearly at this early stage in the scheme design process, broad guidance should be provided that leaves room for creative interpretation and flexibility to respond to application site specific and / or changing circumstances through the life of the project. The Brief should not, therefore, include more detailed or prescriptive design guidance or coding in relation to, for example, development character, built forms and densities, or street, SUDS and public open space design. They are matters for the individual planning applications themselves, initially through the preparation of a Design and Access Statement, but also potentially a Design Code prior to the detailed design process.

This approach will ensure that there is an overarching framework for the delivery of the allocation that still allows for a site specific approach to be undertaken to deliver interesting places that address the site specific constraints and opportunities and deliver places with a strong sense of identity.

Therefore, it is suggested that this is clarified in the policy or supporting text to avoid ambiguity and ensure all parties understand the extent and requirements of the Design Brief.

Criterion 8 relates to the delivery of play, recreation and outdoor sports. It requires development to have regard to the "Council's adopted Playing Pitch and Outdoor Recreation Strategy, using Sport England's Pitch Calculator". Whilst the Playing Pitch Strategy has been developed using the Sport England Pitch Calculator, this could change in time and, therefore, become inconsistent and out-of-date. The policy also does not reference what information the play provision should be based on, which is inconsistent.

It is, therefore, suggested that references to the appropriate evidence documents, and future updates should be included in the supporting text instead of in the policy itself, or a suitable cross reference to the Local Plan's open space policies including Policy CI3 is added. This will ensure the policy does not become out of date in this regard, and the expectations for the site are clear. The proposed modifications to the policy then includes reference to a framework Section 106 agreement being agreed prior to the grant of any planning permission. No detail in relation to the content or provisions for such an agreement has been provided to date and it is currently unclear how it would work in practice without unduly limiting the grant of planning permissions and scheme delivery that are required at the earliest opportunity to address the identified development needs. Indeed, as currently written it suggests that all matters need to be agreed between all parties across all 3 sustainable communities before any planning permission can be granted. That is clearly entirely unreasonable and unworkable.

BHL propose that a single Memorandum of Understanding is agreed between all parties for the three sustainable communities on the key infrastructure matters, then each application would have its own Section 106 Agreement that deals with the following:

Part A – Securing the proportionate contributions towards the provision of a new secondary school on site SC3.

Part B – Dealing with the common infrastructure within the relevant sustainable community e.g. between the Muxton Consortium.

Part C – Dealing with the application site specific infrastructure requirements and contributions.

This approach has been used effectively to deliver significant development sites with numerous parties elsewhere (an example can be provided if helpful) and avoids the complexities of agreeing a single Section 106 Agreement over a significant number of parties who are at different stages in the process, e.g. some sites are being promoted without a developer on board and will need to go to market, introducing additional parties at potentially late stages compared to other sites.

The remaining proposed modifications to Policy HO2:SC2 are broadly supported by BHL.



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.

As set out in the above representation the following amendments are required to ensure the policy is sound, otherwise the policy would fail to be effective.

1. The wording in relation to employment land should be revised as it is not possible to deliver the "majority" of the employment land on the Venning Barracks site and the remaining land in the local centres. Therefore, it should be flexible to enable a further employment area to come forward to meet the requirement. The uses in that area should be flexible so that a range of employment uses and sui generis could be delivered to support a viable employment and retail area.
2. References to the number of local centres should be updated from two to three.
3. The application, Design Brief and Masterplan should "have regard to" rather than be "based on" effective community engagement.
4. Clarification in the supporting text should be added to set out the process for approving the Design Brief and Masterplan.
5. When setting out the requirements of the Design Brief reference should be made to land value in relation to infrastructure provision and costs.
6. Clarification should be provided to confirm that detailed design principles or coding is not expected within the Design Brief as these are detailed matters for the individual planning applications themselves as discussed above.
7. References to evidence documents such as the Playing Pitch Strategy and the Play, Recreation and Open Space Strategy should be consistent and are more appropriately located in the supporting text, not in the policy itself.
8. The proposal for a Framework Section 106 Agreement between all three Sustainable Communities is unreasonable and unworkable. As discussed above, an effective way of dealing with the infrastructure requirements across the three allocations would be a single Memorandum of Understanding with each application then having its own Section 106 Agreement covering contributions to off-site infrastructure, dealing with common infrastructure within an allocation, and then dealing with site-specific requirements.



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

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



No

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

No



- LEGEND**
- Site Boundary
 - Residential
 - Retained Residential
 - Primary School
 - Mixed-use Local Centre
 - Extra Care
 - Mobility Hub*
 - Employment
 - Open Space
 - Natural Grassland/Wildflower
 - Informal Play/Seating/Information Areas
 - Pitched Sports
 - Allotments
 - SUDS
 - Existing Watercourse
 - Existing Vegetation
 - Reinstated Hedgerow
 - Proposed Trees
 - Proposed Woodland/Buffer Planting
 - Children's Play - LEAP
 - Children's Play - NEAP
 - Key Focal Space
 - Nodal Space
 - Primary Street
 - Secondary Street
 - Tertiary Street
 - Public Footpath
 - Footpath/cyclepath
 - Informal Footpath
 - View Corridor

*Mobility hubs are accessible spaces where public, shared, and active forms of travel are co-located alongside public realm and community facilities to facilitate safe, convenient and active journeys.

TOTAL ALLOCATION LAND BUDGET	AREA Ha
Residential (inc retained)	74.5 (c.2,830 units @ 38dph)
Employment	5.6
School	4.8
Mixed-use Local Centre	1.8 (could inc resi)
Extra Care	0.7
Pitched Sports	9.2
Multi-functional POS	80.9
Highways	4.1
Total	c.181.6



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Personal Details

Title	Mr
First Name	Mark
Last Name	Rose
Address	
Commenting on behalf of (if relevant)	Bloor Homes Limited
Organisation (if relevant)	Click or tap here to enter text.
Telephone	
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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.

MM074 proposes a number of modifications including reducing the affordable housing requirement in the Telford built-up area (for schemes without public subsidy), including the Sustainable Communities down to 20%. This brings the requirement closer to the Council's own Viability evidence which is broadly supported.

However, it is noted that the Viability Report recognises that the sustainable communities may not be viable even at 20%, and this is without the benefit of reviewing the expected infrastructure contributions (including education) which have since been shared by the Council through pre-application discussions, and those expected to be required in due course in relation to highway infrastructure.

Reference to public subsidy should be removed from the affordable housing requirement. Providing such wording renders the requirement ambiguous and, as discussed below, confirming public subsidy at the application stage is unlikely to be possible.

The policy (as modified) would rightly require a viability appraisal to be submitted with applications that would fail to meet the affordable housing requirement. However, as part of that appraisal the policy would require application to demonstrate that they "have made reasonable endeavours to make up the shortfall in affordable housing by applying for public subsidy (grant funding) to bridge the viability gap". However, applicants are unable to apply for such funding ahead of securing planning permission for a development scheme. Therefore, this wording should be removed from the policy as it is unjustified and cannot be complied with.



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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Reference to public subsidy should be removed for the reasons set out above.

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

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



No

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

No

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

MM081

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.

MM081 proposes to reduce the requirement of application sites delivering 100+ homes to provide self-build or custom housebuilding from 5% to 3%.

The EHDNA 2025 states that as at October 2023 the Council had a total of 137 entries onto the Register since 2016 (and it is understood that this is cumulative with no entries removed when needs have been met or the party is no longer interested). When then looking at the requirement for the fifth base period, the EHDNA confirms there was a duty to consent permission for 12 plots, and 59 plots were approved. Therefore, the need was met and exceeded despite there being no percentage requirement for self-build or custom-build plots in the extant Local Plan.

As set out in previous representations, BHL remain of the view that there is no evidence of need to support the proposed requirement and that a permissive policy for appropriate self-build or custom housebuilding would likely meet the perceived demand on the register.

Should the Council continue to include a percentage requirement, whilst the inclusion of the proposed marketing requirement is supported, alongside, the Council should consider how it defines self-build and custom build housing to enable a variety of homes to be offered to meet the purported demand.

The PPG confirms that self-build and custom housebuilding covers a wide spectrum of projects, including instances where individuals commission their home, making key design and layout decisions, but the home is built ready for occupation. These homes wouldn't always be sold as a plot and there may be circumstances where developers of wider sites could offer such services. This should be recognised in Policy HO11, its supporting text and/or the Glossary.



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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The policy should be modified to remove a percentage requirement on developments of 100 dwellings and over to deliver self-build or custom-build housing for the reasons discussed above.

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



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

No

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

No

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

MM0118

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.

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MM118 includes adding reference to the proposed mineral safeguarding area in the exceptions to the policy to sites that are allocated for development in the Local Plan. This modification is strongly supported by BHL and reflects the need to deliver new homes in the plan period, the wider availability of mineral resource, and in the case of BHL's sites at Bratton and Muxton is reflective of the potential amenity impacts that prior extraction would have, given the proximity of the site's to existing residential areas.



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.

N/A

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

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



No

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No