

TELFORD & WREKIN COUNCIL

CABINET - 7 JANUARY 2016

COUNCIL - 21 JANUARY 2016

TELFORD & WREKIN LOCAL PLAN

REPORT OF THE ASSISTANT DIRECTOR: PLANNING SPECIALIST

LEAD CABINET MEMBER: COUNCILLOR RICHARD OVERTON

PART A) – SUMMARY REPORT

1.0 SUMMARY OF MAIN PROPOSALS

- 1.1 The Telford & Wrekin Local Plan (the Local Plan) will set out how and where development will take place in the Borough and will guide future planning decisions up to 2031.
- 1.2 The Council completed a period of public consultation on the Local Plan over the summer and early autumn of 2015. Officers have produced this latest version of the Local Plan after having taken into account representations made in response to this consultation. The changes to the plan published for consultation do not alter the overall thrust of the Local Plan. The housing requirement of 15,555 new homes by 2031 is unchanged but other changes have been made to improve the Plan, clarify matters and to respond to representations received.
- 1.3 This report confirms that the Council is now ready to publish a version of the Local Plan that it intends to submit to the Secretary of State for Independent Examination and requests that Cabinet recommend this version of the Local Plan to Council for Council to authorise publication and submission to the Secretary of State for an independent examination. This latest version of the Local Plan (“the Publication Version”) and Policies Map is attached at Appendices 1 and 2.
- 1.4 The Council has also prepared an Infrastructure Delivery Plan (the IDP) which provides the estimated infrastructure needs associated with the levels of growth anticipated in the Local Plan. No projects identified in the IDP have been identified as critical to the delivery of the Local Plan. The IDP will be published on the Council’s website.

2.0 RECOMMENDATIONS

2.1 That Cabinet approve the Publication Version of the Telford & Wrekin Local Plan and the Policies Map (in Appendices 1 and 2) and recommend to Council that it be published and submitted to the Secretary of State for independent examination in accordance with the relevant provisions of the Planning and Compulsory Purchase Act 2004 and the Town and Country Planning (Local Planning) (England) Regulations 2012;

2.2 That Cabinet authorise the Assistant Director: Planning Specialist (or any officer authorised by this Assistant Director) to exercise all the Council’s powers (besides those which are non-executive powers) relating to the processing of the Local Plan through to adoption including all the powers under the 2012 Regulations and the 2004 Act relating to the preparation and submission of documents and information to the Secretary of State, the independent examination and further publication up to adoption;

2.3 That Cabinet authorise the Assistant Director: Planning Specialist (or any officer authorised by this Assistant Director), during the period between publication/submission and the end of the independent examination, to recommend to the planning inspector conducting the independent examination any changes to the Publication Version of the Local Plan or the Policies Map which the Assistant Director: Planning Specialist (or any officer authorised by this Assistant Director) considers appropriate in response to representations which may be received or changes in circumstances which may occur during this period.

3.0 SUMMARY IMPACT ASSESSMENT

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| COMMUNITY IMPACT | Do these proposals contribute to specific Priority Plan objective(s)? | |
| | Yes | Council priorities are reflected in the Local Plan objectives. The objectives form a thread throughout Local Plan documents, to make sure the quantity, type and location of future development support the delivery of the Council's priorities. |
| | Will the proposals impact on specific groups of people? | |
| | Yes | The Local Plan relates to the whole Borough and those who live, work and visit the area. |
| TARGET COMPLETION/ DELIVERY DATE | Subject to Cabinet approval, it is proposed to publish the Local Plan for representations between 1 February and 11 March 2016 | |
| FINANCIAL/ VALUE FOR MONEY IMPACT | Yes | <p>Budgetary provision has been made to meet the estimated cost of the publication of the Regulation 19 version of the Local Plan and examination process.</p> <p>The Infrastructure Delivery Plan (IDP) details and quantifies the impact on the Borough's infrastructure if all of the developments set out in the Local Plan were to be delivered. The IDP priorities the infrastructure developments as either 'critical', 'important' or 'desirable' and these classifications are explained in paragraph 4.11 to the report. Table 2 summarises the estimated costs and funding gap for works programmed to be delivered up to 2020, and Table 3 provides the same summary for works programmed to be delivered between 2021 and 2031. There are no infrastructure works classified as 'critical' to the delivery of the Local Plan. It is important to note that the IDP does not commit the Authority to undertaking any works if sufficient funding cannot be secured from LEP Growth Deal funding, central government grant, private funding and developer contributions, although the Authority may choose to use council prudential borrowing to bridge the funding gap for projects, either on a temporary basis whilst funding is secured or to facilitate developments which are of strategic importance. There is currently no budget provision for this and any Council prudential borrowing would add pressure to both the capital and revenue budgets in future years. Projects will be brought forward for funding approval as the subject of separate reports, if necessary JAC 22.12.15</p> |
| LEGAL ISSUES | Yes | The Local Plan is now at the publication stage as set out in Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012. The publication procedure requires the Council to publish the Local Plan (plus certain other documentation) for a period of not less than six weeks. This publication period provides opportunity for representations to be made about this version of the Local Plan. Only after this publication procedure is |

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| | <p>complete can the Local Plan be submitted to the Secretary of State for independent examination.</p> <p>Approval of this version of the Local Plan for the purposes of submission to the Secretary of State is a non-executive Council function requiring a decision of the full Council.</p> <p>The 2012 Regulations and the 2004 Act set out the rules which govern how the Local Plan has to be published and how it is submitted to the Secretary of State. For the Local Plan to be properly submitted to the Secretary of State, the Council must have complied with all of these rules and must be generally satisfied that the Local Plan is ready for independent examination.</p> <p>The purpose of the independent examination is to determine whether, in respect of the Local Plan, a number of specified requirements are satisfied and whether the Local Plan is “sound”. The planning inspector appointed by the Secretary of State to carry out the Examination will consider the Local Plan, the representations made and all other prescribed documents. The Regulations and the Act set out the rules relating to any hearing held as part of the independent examination.</p> <p>The appointed planning inspector is required to make recommendations to the Council and give reasons for those recommendations. The outcome of this stage of the process may be a recommendation that the Local Plan be adopted or that it not be adopted or the planning inspector may recommend that modifications be made which enable the Council to adopt. Essentially, the Council can only adopt the Local Plan if the planning inspector either recommends adoption or recommends modifications and those modifications have been made.</p> <p>Adoption of the Local Plan is a non-executive function to be exercised by full Council. IR 03/12/15</p> |
| <p>OTHER IMPACTS, RISKS & OPPORTUNITIES</p> | <p>The Council has a statutory responsibility to update its Development Plan Documents. It is essential that the Local Plan be progressed without delay as there is potential for the policies in the existing Core Strategy to have increasingly less weight in the determination of planning decisions after December 2016.</p> <p>The Government is committed to a plan led planning system. Having an up to date and adopted plan would allow the Council to pursue other matters including a Community Infrastructure Levy and to bid for funds. Having an up to date plan will provide more certainty for developers, investors and the public and will help make sure that services and facilities are provided to support local communities.</p> |
| <p>IMPACT ON SPECIFIC WARDS</p> | <p>Borough wide impact.</p> |

PART B) – ADDITIONAL INFORMATION

4.0 BACKGROUND

- 4.1 The Telford & Wrekin Local Plan (the Local Plan) will set out how and where development will take place in the Borough and will guide future planning decisions up to 2031.
- 4.2 The Cabinet approved a consultation version of the Local Plan for publication at its meeting of 23 July 2015 and in accordance with the broad timetable set out in Table 1 below:

Table 1: Timescale for preparation and adoption of the Telford & Wrekin Local Plan

| Year | Month | Type of plan |
|------|--------------------|---|
| 2015 | August - September | Consultation Version (Regulation 18 T&CP 2012) |
| 2016 | January - February | Publication Version (Regulation 19 T&CP 2012) |
| 2016 | Summer | Examination Version |
| 2016 | December | Adopted Version |

- 4.3 Between 3 August and 25 September 2015 the Council completed a period of public consultation on a consultation version of the Local Plan in accordance with the 2012 Regulations. Officers within the Council's Environment and Planning Policy team have reviewed all the representations made by 385 residents, organisations, parish and town councils and businesses comprising over 1800 individual comments. A statement has been prepared which sets out the following:
- (i) Which bodies and persons the Council invited to make representations
 - (ii) How those bodies and persons were invited to make representations
 - (iii) A summary of the main issues raised by the representations
 - (iv) How those main issues have been taken into account and addressed in the Publication Version of the Local Plan
- 4.4 This statement will be published via the following link: www.telford.gov.uk/localplan
- 4.5 They have also taken account of internal comments and advice from officers in other service areas in the Council.
- 4.6 As a result of the comments and advice received and as explained in the abovementioned statement and at paragraph 4.6 of this report, officers have made a number of revisions to the Local Plan. The changes do not alter the overall thrust of the Local Plan particularly the Borough's housing requirement of 15,555 new homes by 2031 but other changes have been made that:

- improve the Local Plan;
- clarify and address concerns raised by consultation representations received; and
- respond to reasonable requests for changes.

4.7 This report confirms the view of officers that the Council is now ready to publish a version of the Local Plan which it intends to submit to the Secretary of State for independent examination. This latest version of the Local Plan (“the Publication Version”) is attached at Appendices 1 and 2.

4.8 The main changes proposed in the Publication Version of the Local Plan are summarised as follows:

- Section 1 – paragraph 1.3.2.1 has updated the Council’s current position with regard to its duty to cooperate with other public bodies in the plan making process.
- Section 2 has been updated to take account of new issues such as the release of the 2015 Index of Multiple Deprivation and comments from the West Midlands Integrated Transport Authority on HS2 and the local rail service. An extra aim has been added requiring the Local Plan to minimise the impact of new development on natural resources and encouraging their efficient use.
- In Section 3, the Strategic Policy SP1 *Telford* has been strengthened to emphasise that Telford Town Centre will be supported as the borough’s sub regional centre. The supporting text to Policy SP4 *Presumption in favour of sustainable development* has been strengthened to confirm how the Council will require developers to make contributions in the form of planning obligations. SP Policies 1, 2 and 3 (Telford, Newport and the Rural Area) make clear the Council’s preference to policies make clear the Council’s desire to prioritise development, after taking into account of housing and employment land allocations, on previously developed land to protect high quality agricultural land.
- The Key Diagram (Page 32) has been altered to reflect new boundaries of three proposed strategic landscapes. One of them, the Lilleshall Village, gives extra protection to the village of Lilleshall from unwanted development and maintains its freestanding character. The revised Key Diagram also confirms that two of the shopping centres in the borough (Lawley and Ironbridge) should be District Centres giving the shops in these areas more protection including from proposed changes of use to other non-retail uses. These changes to the Key Diagram are also reflected in changes to Policies NE7 *Strategic Landscapes* and EC4 *Hierarchy of centres*.
- Policy EC1 *Strategic employment areas* – has been amended with a reduction in the minimum amount of employment land expected to be delivered over the lifetime of the Local Plan from 110 ha to 76 ha. This reflects the anticipated delivery of new employment land linked with consultants’ advice in establishing the Objectively Assessed Need that has informed the borough’s housing requirement.
- Other employment policies have been redrafted to emphasise support for waste related uses on some employment site allocations and other uses that are ancillary to B Use Class activity. Such an approach prevents the Council from having to allocate specific sites for waste related uses.
- The retail policies have been restructured and individual policies renamed to improve the robustness of the Plan.
- Policy EC4 – *Hierarchy of centres* – has been adjusted. Lawley and Ironbridge have been identified as District Centres.

- Policy EC5 – *Telford Town Centre* has been rewritten. It confirms more forcefully that Telford Town Centre will be promoted as a sub regional centre based on a shopping centre that looks outwards. It gives a commitment to promoting visitor and leisure facilities and the International Centre and confirms that the Council will continue to work with partners to improve pedestrian and vehicular links into the Town Centre including to and from Telford Central station. It states clearly that Telford Town Park will be protected and enhanced.
- Policy EC6 – *Market Towns and District Centres* - maintains the Council's commitment to resist the loss of retail in primary shopping areas and allow more flexibility to facilitate change in the shape of our high street to reflect recent changes in legislation and shopping patterns across the country.
- Policy EC9 – *Evening and night time economy* has been amended to confirm that the Council will support additional night time activity in Oakengates as well as Telford Town Centre, Wellington and Newport. This change reflects the uniqueness of Oakengates as the home to The Place theatre.
- Policy EC11 has been renamed *Improving links to tourist destinations*.
- In Section 5 – Housing, Policies HO4 *Housing mix* and HO7 *Specialist housing needs* have been redrafted to strengthen our commitment to promote a broader mix of housing types including for the elderly. Policy HO5 *Affordable Housing* retains the same commitment to secure an element of affordable housing for schemes of 11 or more homes but (the now outdated) references to the Government's Planning Practice Guidance have been removed.
- Policies affecting the provision of rural housing have been substantially rewritten. Policy HO10 *Residential development in the rural area* has been adjusted to provide an update on sites with planning permission or minded to grant approvals (Allscott and Crudgington) and to clarify where new housing will be supported in Edgmond. It clarifies that Lilleshall is now located within a Strategic Landscape. The effect of the revisions to this policy make clear that other rural settlements with some previously developed land such as Roden will not be supported as areas for extensive new housing. Policy HO11 has been renamed as *Affordable rural exceptions* and redrafted to confirm where exceptions to rural housing policy will apply. It is considered that such an approach is in conformity with the NPPF.
- Section 6 – Natural Environment – has been rewritten in response to representations. It is now structured in a way that will help developers understand more clearly what they will need to do to comply with the policies in this section. The functions of the Green Network have been revised and updated to address current requirements to protect its qualities and character. The Policies Map has been prepared which corrects cartographical errors noted by residents. Additional sites have been identified as Green Network within Newport.
- In Section 7 – Community - the term *social infrastructure* has been replaced with the term *community facilities*. Policy COM1 has been rephrased to use the language of Core Strategy Policy CS10.
- Minor typographical changes have been made to Section 8 – Connections.
- Section 9 has been renamed *Built environment and heritage* to emphasise the intention to celebrate and protect the borough's heritage. Policy BE1 now reads Design Criteria to make sure it can be applied in both rural and urban settings. The supporting text has been redrafted it to make it more locally applicable. The revised text has also drawn on Wrekin Local Plan Policy UD2. Policy BE2 *Residential alterations* is a catch all policy for simple

applications such as extensions to houses and changes of use such as flat conversions and Houses in Multiple Occupation. The policy makes clear that the Council will prepare a Supplementary Planning Document to clarify how this policy will be interpreted.

- The heritage policies in Section 9 have been restructured and renumbered to reflect the heritage hierarchy. Policy BE3 *Ironbridge Gorge World Heritage Site* has been made more substantial with stronger links to the draft World Heritage Site Management Plan that is being prepared. Policy BE5 *Conservation Areas* has been revised to make clear that the Council requires traditional shop fronts in conservation areas to be preserved and to confirm that the Council will not support development which adversely affects the setting of such heritage assets. Policy BE6 *Buildings of local interest* has been redrafted to make it more locally applicable. It specifically refers to Duke of Sutherland cottages as an example of a local type of building which the Council would protect.
 - Section 10 - Environmental resources – has been redrafted to reflect representations from developers, recent ministerial advice and the need to clarify how waste will be managed. Policy ER1 – *Renewable energy* - has removed references to PassivHaus and BREEAM and it clarifies that it does not cover wind energy to be consistent with an announcement by the Secretary of State in June 2015. Such an approach complies with current government guidance.
 - Policy ER4 *Sand and Gravel Resources* now identifies Pave Lane as a reserve site for sand and gravel extraction if other sites in Shropshire do not come forward. The criteria for waste management facilities in Policy ER7 *Waste management facilities* have been revised to ensure the borough will retain its waste management capacity without the need to allocate sites in the Local Plan.
 - The appendices to the Local Plan have been updated and an extra monitoring indicator included.
 - To clarify their purpose and location, Housing Site Allocation H1 (Muxton) has been renamed Muxton and Donnington Sustainable Urban Extension and Site H2 as the Priorslee Sustainable Urban Extension. The area of Housing Site Allocation H5 (The Beeches) has been reduced to make sure that the area of land allocated for new housing is the minimum required to enable the full restoration and re-use of the listed building on the site. The area of Housing Site Allocation H10 (The Nedge) has been reduced to clarify the parts of the site where new development will be supported. This site will still be a low density housing scheme with extensive areas of open space. The likely density for this site allocation (8 dwellings per hectare) reflects this.
 - Changes to the other appendices have been made (confirming, for example, that the housing yields associated with the various Housing Site Allocations are indicative only) and renumbering them. The tables in the car parking standards for residential development have been simplified.
- 4.9 The opportunity to review the Local Plan in the light of comments received during the Regulation 18 consultation has allowed officers to remove typographical errors, cut out repetitions for example, merge policies covering leisure, culture and tourism development and tourist accommodation. Minor stylistic changes across the Local Plan have improved its readability overall. Other minor changes have been made to the Policies Map, including corrections to the Green Network site designation and the confirmation of primary shopping area boundaries across the borough's market towns (Newport and Wellington) and seven district centres. The urban area boundary of Newport on the Policies Map has been adjusted to reflect all unimplemented planning permissions in the town.

- 4.10 Publication of a version of the Local Plan with these changes has to be carried out in accordance with Regulation 19 of the Town and Country Planning (Local Planning) (England) Regulations 2012. This stage of the plan making process differs from previous rounds of consultation. The purpose of this stage in the process is to provide an opportunity for stakeholders to comment on the Publication Version of the Local Plan and on other matters that will be considered by the planning inspector appointed by the Secretary of State to conduct the Independent Examination. As well as having to be satisfied in respect of other prescribed matters, the planning inspector will have to decide whether, as a matter of planning judgement, the Local Plan is 'sound'. Soundness means that the Local Plan is:
- Positively prepared – the plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development;
 - Justified – the plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence;
 - Effective – the policies in the Local Plan should be deliverable; and
 - Consistent with national policy – the plan should enable the delivery of sustainable development as defined by the National Planning Policy Framework. (Local Plans should be based upon and reflect the presumption in favour of sustainable development).
- 4.11 At the time of writing, officers are finalising the evidence base that will support the Publication Version of the Local Plan and completing a refreshed Sustainability Appraisal and viability assessment of its amended policies. Officers are also awaiting the outcome of the government's Housing and Planning Bill and case law around the thresholds for affordable housing.
- 4.12 The person appointed to conduct the independent examination into the Local Plan will ask the Council to demonstrate that the Borough's infrastructure can accommodate the additional jobs and houses set out in the Local Plan. With this in mind the Council has prepared an Infrastructure Delivery Plan (the IDP). The IDP represents research with a range of public and private sector agencies which deliver essential public services to the Borough. The Infrastructure Delivery Plan (IDP) identifies infrastructure projects that support the delivery of sustainable development as set out in the Local Plan, these projects are prioritised as:
- Critical – projects that must happen to enable the scale and spatial pattern of physical growth proposed in the Local Plan
 - Important – infrastructure that is unlikely to prevent development in the short term
 - Desirable – infrastructure that is unlikely to prevent development in the short to medium term
- 4.13 No projects identified in the IDP have been identified as critical to the delivery of the Local Plan. The IDP identifies the estimated; costs, delivery timescales and funding gaps for each project and will remain a live document to reflect the potential for changes in the delivery of development as the Local Plan progresses and the continuing relevance of infrastructure schemes. It should be noted that the delivery of projects identified as desirable will, in most cases, be contingent on the availability of external funding.
- 4.14 The IDP will also help inform the Council's decision making on priority areas for investment and whether the Council wishes to adopt a Community Infrastructure Levy. Members will recall the motions to Council (February 2012 and October 2015) in respect of the adoption of a Community Infrastructure Levy (CIL) for the Borough. The October motion was referred directly to Cabinet. Members should also be aware that the government launched a review

of the Community Infrastructure Levy on 19 November to assess the effectiveness of CIL. It is anticipated that the results of the review will be reported to Ministers in March/April 2016.

4.15 Table 2 below presents a summary of the IDP costs by project priority up to 2020/21.

| Project Priority | Estimated costs £,000 | Funding secured £,000 | Estimated funding gap £,000 |
|------------------|--------------------------|--------------------------|--------------------------------|
| Critical | 0 | 0 | 0 |
| Important | 65,228 | 32,395 | 32,833 |
| Desirable | 12,374 | 3,320 | 9,054 |

4.16 Table 3 below presents a summary of the IDP costs by project priority 2020/21 to 2030/31

| Project Priority | Estimated costs £,000 | Funding secured £,000 | Estimated funding gap £,000 |
|------------------|--------------------------|--------------------------|--------------------------------|
| Critical | 0 | 0 | 0 |
| Important | 67,919 | 9,789 | 58,130 |
| Desirable | 6,753 | 0 | 6,753 |

5 IMPACT ASSESSMENT

5.1 The changes to the Plan since the Local Plan (Regulation 18) stage have been screened for significance with regard to the Sustainability Appraisal (SA) work. The screening found that the changes are minor seeking only to provide further clarification or avoid repetition. The changes do not significantly affect the findings of the SA.

6 PREVIOUS MINUTES

30 May 2013: Local Plan, Strategy & Options.

12 December 2013: Local Plan Update.

24 April 2014: Consultation on Proposed Housing and Employment Sites.

23 July 2015: Telford & Wrekin Local Plan.

7 BACKGROUND PAPERS

Cabinet report: 23 July 2015

Report prepared by Vincent Maher and Gavin Ashford

APPENDIX 1: Telford & Wrekin Local Plan Publication Version – January 2016

This document is available to view on the Council website from the following link
<http://apps.telford.gov.uk/CouncilAndDemocracy/Meetings/Meeting/MTM0MQ%3d%3d>

APPENDIX 2: Telford & Wrekin Local Plan Policies Map – January 2016

This document is available to view on the Council website from the following link
<http://apps.telford.gov.uk/CouncilAndDemocracy/Meetings/Meeting/MTM0MQ%3d%3d>