

**Central Telford Area Action Plan
Notes of Exploratory Meeting held at
Grays Hotel & Conference Centre, Telford on 5 November 2009**

1.0 Introductions

- 1.1 The Inspector opened the Exploratory Meeting at 10:00 hours and introduced himself as Paul Clark, a Chartered Town Planner who has been appointed by the Secretary of State to hold an Examination into the soundness of the Central Telford Area Action Plan. He also introduced Jonathan Lloyd, Programme Officer for the Examination, who is acting as an independent officer under the Inspector's direction and not as an employee of the Council.
- 1.2 The Inspector explained that he had invited representatives of Telford & Wrekin Council (T&WC) and of the Government Office for the West Midlands (GOWM) to participate in this meeting. He also stated that he had had requests from others to participate but, for reasons which he had explained to them, he would rather that participation is limited to T&WC and GOWM, however, the meeting is held in public. A note of the meeting will be produced and published on the CTAAP page on the Council's website.
- 1.3 The Inspector invited T&WC and GOWM representatives to introduce themselves, they were:
- Michael Barker, Head of Planning & Transport, T&WC
 - Matthew Wedderburn, Team Leader Development Plans, T&WC
 - Stuart Freeman, Business Manager Traffic & Transport, T&WC
 - Mike Price, Acting Head of Local Planning, GOWM
 - Imran Hussain, Planning Officer, GOWM

2.0 Purpose of the Meeting

- 2.0 The Inspector explained that the "Examination" of the Central Telford Area Action Plan (AAP) started when the Council formally submitted the AAP to the Secretary of State on 4 September 2009 and continues until he issues his binding report to the Council unless the plan is first withdrawn.
- 2.1 The Examination includes a hearing to discuss representations made seeking changes to the plan, preceded by a Pre-Hearing Meeting, at which procedural and programming matters would be discussed.
- 2.2 The Inspector explained that there are three possible outcomes of the Examination, if it runs its course:-
- The Inspector finds the plan sound, without any need for change.
 - The Inspector may make a change to the submitted AAP if that change is itself sound in accordance with all of the soundness tests including the requirements for consultation and sustainability appraisal.
 - The Inspector finds the plan unsound, unless the Examination is suspended for further work to be undertaken or terminated by withdrawal of the plan.

- 2.3 The Inspector informed the meeting that from his initial examination of the AAP he is minded to find the plan unsound because the absence of detail or content would make it ineffective or in conflict with national policy. The Exploratory Meeting will look at those issues to see what more work needs to be done to provide that material. The Inspector stated that it is not intended to imply that, should the work be done, the plan will be found sound on all counts; rather it is intended to identify what additional material is needed for the Inspector to come to a view on whether the plan is sound or not.
- 2.4 The Inspector emphasised that the Exploratory Meeting is not intended to pre-empt or even to rehearse the Hearings themselves. There remain issues, which will not be explored at the Exploratory Meeting, which may yet lead to a finding of unsoundness. Concerning those issues, the Inspector explained that the Council has a considerable body of evidence in support of its case and others also have a body of evidence in support of their case. The Inspector will consider that evidence in due course; the Exploratory meeting is not intended to pre-empt that discussion.
- 2.5 Furthermore, it is not intended to discuss detailed procedural or programming matters, or detailed aspects of the policies and proposals of the AAP at this meeting. This will take place at the Pre-Hearing Meeting and the Hearing sessions.

3.0 Scope

- 3.1 The Inspector explained that his concerns have been set out in a series of e-mails to the Council during the course of the examination so far. He raised questions in these emails, to which the Council has responded. The questions and responses have been posted on the CTAAP page on the Council's website.
- 3.2 In terms of the tests of soundness, the Inspector commented that his concerns do not cover the test of compliance with legal requirements. Although he will make checks during the Hearings, at present he does not have any undue concerns about those.
- 3.3 Nor do the concerns which the Inspector wishes to discuss at this meeting deal with the merits of the plan. He stated that there are matters which he will explore during the Hearings concerning the evidence base and the consideration of alternatives but the Council clearly has a case to argue on those points, so he doesn't need to explore that now.
- 3.4 For clarification, the Inspector confirmed that he is principally concerned with two matters, namely:
- Aspects of consistency with national policy
 - The effectiveness of the plan; does it answer the questions of what, where, how much and when in relation to its proposals
- 3.5 The Inspector confirmed that he has no concerns with the vision and objectives of the plan which he found impressive. Also, he is not aware that any representation has significantly questioned these. The Inspector explained that what concerned him is the effectiveness of the plan in translating the vision and objectives into Actions.

4.0 Vagueness, imprecision, ineffectiveness

- 4.1 The Inspector explained that he started his analysis of the plan by reading the plan in detail. The vision felt right and the number of objectives were impressive, though maybe too many. However, he was disappointed at the relative absence of actions to translate the vision into reality.
- 4.2 The Inspector then considered the representations that had been submitted. He found that a large number of them, including those from the Council's own estates department, Transforming Telford, Southwater Events Group, Housing and Communities Agency, Highways Agency, GOWM, Harris Lamb and the Telford Trustees all make the same point that the plan is insufficiently detailed to be sound. The Inspector described many of these organisations as the Council's "friends" and he commented that he would have expected the Council to have taken on board these comments.
- 4.3 The Inspector referred to Para 4.7 of PPS12 which refers to the precise definition of site specific criteria through masterplanning using an area action plan (if required) or through an SPD. Therefore, an AAP should contain masterplans; they should only be in an SPD where there is no AAP. Contrast this with the CTAAP where such development studies as exist are outside the AAP, not within it and for much of the central core simply don't exist.
- 4.4 The Inspector also referred to Para 5.6 of PPS12 which states that in areas of change, an AAP should identify the distribution of uses and their interrelationships, including specific site allocations and set out as far as possible the timetable for the implementation of the proposal. Contrast CTAAP where the distribution of uses, in terms of what quantity goes where and is specifically allocated to a site, is noticeably lacking.
- 4.5 The Inspector concluded from the above that the following further work is required:
- To distil from the development studies that exist those elements which are prescriptive (as opposed to purely illustrative) and import those elements into the plan. Supporting evidence should explain why the element is prescribed (e.g why is a footpath proposed from point a to point b; why is road access to be taken from point c; why is the density/height/dwelling mix proposed so required; why should a particular piece of supporting infrastructure be provided).
 - For those sites without development studies, work needs to be done to justify and specify quantities, layout, positions of access, heights, supporting infrastructure, phasing/sequencing with risk analysis, trigger points and contingency plans. A potential investor needs to know what, where, how much and when in respect of actions on each site.
 - Risk analysis needs to be more robust; table 11 seems to treat all proposals as equally key and tends to propose mitigation of the risk rather than real contingency planning. The risk analysis should distinguish between risks of non-fulfilment which would reduce or moderate the success of the plan and those actions (e.g. the Box Road downgrading) which are fundamental. For the latter category,

table 11 should specify the threshold which would trigger a contingent action and should specify the contingent action, e.g. an identified risk is that development might not come forward on a particular town centre core site. The plan should specify what measure (e.g. failure to develop a certain quantity of use within a certain time) would trigger the contingent action and what that contingent action would be (e.g. allow that quantity of proposed development on a sequentially less preferable site). The Inspector commented that the owners of the Shopping Centre had expressed concerns at development proceeding too quickly. This risk has not been identified in the plan. Triggers for contingent action might be vacancy rates in existing floorspace; contingent action might be to reduce the rate at which new floorspace is permitted.

- Further information is needed about the sequencing of events. Several representations have pointed out that some actions and proposals are dependent on the downgrading of the box road which is not scheduled to happen until after 2015 when some of the developments proposed will have been carried out. The sequencing of development on open car parks and their replacement by others elsewhere is not clear at all.
- Work is needed to demonstrate how aspirations currently unsupported by identified actions would be achieved, e.g there are stated aspirations for the Hollinswood character area but no specific proposals to achieve them. The Council should either remove the aspiration or come forward with actions to achieve the aspiration.

4.6 The Inspector invited T&WC and GOWM to respond to his observations on the plan. Michael Barker thanked the Inspector for the opportunity to have an open discussion on the plan and he stressed the importance of the document to the Council. Mr Barker explained that the preparation of the plan has been a long process and the Council has been looking at improvements to Telford Town Centre for many years. Mr Barker acknowledged that other related documents had not been properly linked to the plan, but the Council can address this. In response to the Inspector's concerns regarding lack of detail in the plan, Mr Barker explained that the Council had, on the advice of its consultants, sought to ensure flexibility in the plan to encourage the market to bring forward development schemes. The fact that two major planning applications have recently been submitted for the Town Centre demonstrates a desire on the part of developers to invest in the area.

4.7 Mr Barker explained that much of the detailed information referred to by the Inspector is available and it can be brought into the plan to help provide information about how much, when, where etc. Mr Barker acknowledged the importance of monitoring progress in delivery of the plan, so that modifications can be made if circumstances require it.

4.8 Mr Barker emphasised the unique nature of Telford Town Centre in this locality and that it is different in many respects to a traditional town centre. The centre is successful; all areas of land are in active use; there is no derelict land or areas in need of regeneration. The plan proposes ways for the area to be used more successfully, it is about making a successful town centre more successful.

- 4.9 Mr Barker agreed with the Inspector's comments about risk analysis and that the plan focuses on mitigation. Further work can be undertaken to clarify the risks associated with too much or too little development taking place.
- 4.10 Mr Barker concluded by confirming that the Council will wish to work positively with other organisations to address the concerns of the Inspector. He confirmed that much additional material is already available or in the course of preparation and further work can also be undertaken which he felt would enable a positive outcome to the examination.
- 4.11 In response to the Inspector, Mike Price agreed with the Inspector's view that there is a need for more precision and detail in the plan and that information from the Council's studies needs to be included in the plan. Furthermore, the plan would benefit from editing to make it more succinct. Mr Price suggested that more work could be done on "what if" scenarios and this could be linked to monitoring, trigger points and options.
- 4.12 The Inspector commented on a number of the points made by Mr Barker and Mr Price. In response to the issue of ensuring flexibility in the plan, the Inspector stated that the impression he had reached was that, in response to objections received, the Council had retreated into a plan which sought to accommodate everyone but as a result was not clear about what the Council wanted to happen. The Inspector advised that if the Council wants a certain amount of retail development, to be clear and firm about this. The new Plans System is about making hard decisions. However, it is also important for the plan to have mechanisms that recognise that things do not always happen as we want. Triggers can be identified so that if certain things have not happened by a specific date then have a Plan B, or even a Plan C for critical proposals. This approach enables the plan to be precise and to be able to deal with uncertainty.
- 4.13 Mr Barker commented that as we are dependent on developers the plan was drafted to give them freedom and to provide a platform for the Town Centre to grow and develop. The previous owners of the Shopping Centre had maintained the centre but they adopted a cautious approach to further development. He recognised that the plan should be more precise in its proposals e.g. sequencing.
- 4.14 The Inspector stated that after the Exploratory Meeting the Council will need to clarify as soon as possible what work is already underway and what more is needed. Mr Barker stressed the importance of keeping the plan succinct and suggested an edit by GOWM might be appropriate. The Inspector agreed with Mr Barker and also with GOWM's diagnosis of why the plan was already lengthy, namely the area's division into character areas. However, the Inspector also stated that because a plan is bulky, it does not make it unsound.
- 4.15 The Inspector advised that to avoid an even bulkier document, to distil the things that are essential. The "front-loaded" plans system should enable the submission of planning applications almost to become a formality. The Council should provide clear advice about what is essential in relation to developments and if the Council is unconcerned about aspects of developments, to say so.

- 4.16 Mr Barker commented that Telford Town Centre has many of the characteristics of an out of town centre. The Council's ambition is to make it more of a traditional centre and it is a challenge for the plan to achieve this.

5.0 Proposals still under development

- 5.1 The Inspector expressed concern about the amount of work still in progress, much of which is fundamental to the plan which led him to the conclusion that the plan was submitted prematurely. He referred to Core Strategy Policy CS4 which has 6 bullet points, one of which is to reduce dependence on the car. He stated that there is very little in the way of specific proposals in the CTAAP that would help to achieve this objective, for example, he highlighted the absence of a parking strategy. The Inspector also referred to affordable housing polices and to the advice in PPS3 that figures and percentages need to be specified in the AAP.
- 5.2 Mr Price commented that GOWM would like to see more information on affordable housing. Mr Barker commented that the plan is seeking to create a new housing market with opportunities for town centre living.
- 5.3 Matthew Wedderburn stated that the Council has commissioned an Affordable Housing Viability Study, which is now complete. The study will provide a basis for including figures in the plan.
- 5.4 Mr Barker informed the meeting that the Council has recently set up a housing strategy delivery unit in partnership with the Homes and Communities Agency. The unit is focusing on delivery.
- 5.5 Stuart Freeman explained the transport elements of the plan. The context is that the existing road network does not have the capacity to accommodate the projected growth in the plan. Also, the existing network designed around the car is not what is required for the Town Centre of the future. Since the submission of the plan, detailed modelling has been undertaken regarding the downgrading of the box road. Design options have been produced and a preferred option is available for the downgrading together with capacity enhancements, pedestrian and cycle links.

6.0 Corporate buy-in

- 6.1 The Inspector introduced this item by commenting that the Council had been open, honest and transparent in having the debate about the future of its Town Centre land holdings publicly. The Inspector commented that he had initially been troubled by the fact that, although the Council is legally a single entity, one element of the Council had submitted the plan whilst another had made representations that it was unsound. The Inspector confirmed that having heard Mr Barker's explanation of this and having received a letter from David Sidaway he is reassured that there would be corporate working to resolve any differences and so he is no longer troubled about this matter.
- 6.2 However, there are aspects of corporate buy-in which do give him cause for concern. The LDF system is different from previous planning systems in that it should not be solely about land use planning. The Inspector cited a few examples to illustrate this point:

- The plan includes an aspiration to develop a night-time economy in the Town Centre. This should be backed up by strong licensing and cleansing policies and include liaison with the Police
- Proposals to upgrade and improve open spaces will require action by the Council's parks/open spaces teams and this should be referred to in the plan.
- The plan refers to a desire to change travel modes, but there is no reference for example to travel planning, buy-in from the bus and rail operators or real-time public transport information.

References to these would demonstrate corporate buy-in and support.

- 6.3 Mr Barker responded by confirming that all these elements do exist in other related documents, (e.g. the Community Strategy and Priority Plans for all Service Areas) though they have not been referred to in the plan. Mr Barker recognised the need to cross reference these in the plan.
- 6.4 Mr Freeman confirmed that the Council follows the principles set out in PPG13 and these are reflected in the LTP. There is also a public transport partnership involving bus and rail operators which meets quarterly and the upgrading of Quality Bus Routes continues to develop.
- 6.5 Mr Price confirmed that what were previously regarding as non-planning issues should now form part of an AAP and that a clear delivery programme is needed.
- 6.6 The Inspector confirmed that more work needs to be done to distil from these other strategies the elements that support what is proposed in the AAP.
- 6.7 Mr Barker commented that the Council's planning and transport functions are now part of the same service area and that the council is strong on delivery.
- 6.8 Mr Wedderburn confirmed that the Council sees spatial planning as broader than land use planning. It has established a corporate officer structure (LDF Board) which involves senior officers from across the Council. The Board is involved in the development of all planning documents, for example, Telford Town Park, schools planning. Mr Wedderburn acknowledged that the AAP is not explicit about this process.
- 6.9 The Inspector confirmed that he is reassured by Mr Wedderburn's comments that this is a two-way process. The Inspector also confirmed that he understands the reasons why Mr Barker has stressed the importance of separating the Council's planning and estates functions.
- 6.10 The Inspector referred to a letter he had recently received from Mr Sidaway the Council's property manager in which he sought to reassure the Inspector that he is keen to work with planning colleagues. The Inspector confirmed that he found the letter's contents reassuring.
- 6.11 Mr Barker commented that in recognition that the market is competitive as well as complementary, he has been at pains to avoid giving preferential treatment to the Council's property interests.

- 6.12 Mr Price advised that the plan should signpost to other relevant strategies. The Inspector commented that it is important to identify a common purpose with other strategies and that this is part of the spatial planning approach.
- 6.13 Mr Barker referred to the Inspector's earlier comments regarding the night-time economy. At present there is no night-time economy in the Town Centre therefore the Council has the advantage of working with a largely blank canvas as it is not trying to fit night-time activities into well established areas. The Inspector commented that the plan has the opportunity to do this in a way which gets it right, but this is not in the plan.

7.0 Landowners' buy-in

- 7.1 The Inspector introduced this item by commenting that there are a number of major landowners within the Town Centre who will be an important part of the delivery of the plan. However, it is clear from the representations submitted that they are not all on board and some regard the plan as unsound. Without these major landowners' buy-in, the plan will be ineffective. The Inspector cited as an example the fact that some of the existing car parks are required for development, but the landowner is not supportive of the plan.
- 7.2 The Inspector referred to the fact that the new planning system requires a front-loaded approach where significant differences need to be resolved before the submission of a plan for examination. The Inspector stressed the importance of the Council reaching general agreement with the major landowners, if necessary, with the help of arbitration, otherwise the plan runs the risk of being ineffective.
- 7.3 The Inspector referred to a letter which he had received from Drivers Jonas, agents for the Telford Trustees, owners of the Shopping Centre and that he had found the letter helpful. However, he was not supportive of their request to be able to cross examine the council at the hearings as this approach should not be necessary.
- 7.4 The Inspector commented that this lack of support for the plan also applies to the owners of the retail parks.
- 7.5 The Inspector acknowledged that while it may not be possible to eliminate all points of disagreement, the Council should strive to achieve a much greater degree of agreement with the major landowners.
- 7.6 In response to the Inspector's comments, Mr Barker explained that he could not refer in detail to the dealings between the Council and the Shopping Centre owners. Over a long period, there has been dialogue between them, sometimes it has been positive, sometimes negative. The Council is aware of Telford Trustee's aspirations and the plan does not inhibit these. However, the Council wants to ensure a competitive market which enables developers to undertake development that is appropriate. Its aim has been to provide a fair and open playing field for development to come forward.
- 7.7 The Inspector stressed the fact that the Council is dependent upon Telford Trustees for the delivery of the plan. Mr Barker informed the Inspector that a meeting at a senior level between the Council and Telford Trustees has been

organised, with the intention of reaching agreement between the parties. The Inspector commented that he was reassured by this.

- 7.8 The Inspector referred to the fact that the plan does not recognise the risk of development happening too fast. Mr Barker commented that the RSS panel report addresses this.
- 7.9 Mr Price commented that he was aware of other discussions taking place outside the AAP. He felt that the Council needed as much buy-in as possible to assist the plan going forward.
- 7.10 The Inspector commented that he is also looking for buy-in to the plan from other organisations e.g. bus and railway operators. If organisations have committed to an action, this should be in the plan. Mr Barker confirmed that this buy-in does exist, it will need to be demonstrated in the plan.

8.0 Compliance with national policy

- 8.1 The Inspector referred to Questions 97-106 which he had sent to the Council via the Programme Officer. Mr Price commented that the plan should not be a reiteration of national policy but it needs to demonstrate that the approach required by national policy has been used, e.g. climate change. Mr Barker stated that the Council had deliberately not repeated material from other documents in the plan. It has a climate change strategy, but it has not been linked to the plan
- 8.2 The Inspector stated that the plan should contain things you want people to do; supplementary guidance will define how they will do it. He also referred to the supplement to PPS1 which encourages local planning authorities when allocating sites to consider low-carbon options e.g. micro generation. Also, the Town Centre has some large sites and Combined Heat and Power options could be considered.
- 8.3 Mr Barker commented that the issue is to what extent requirements are written into policy rather than being dealt with through the development control process. The Inspector stressed the fact that climate change is a Government priority and questioned whether this is something that should be left to developers or rather, should be dealt with in the plan. Mr Wedderburn commented that the Council recognises the importance of the issue and proposes an SPD on reducing the carbon footprint.
- 8.4 The Inspector referred to issues raised by the Coal Authority in their representation. Mr Barker advised that there are two areas within the Borough where there is workable coal present, neither of which is within Telford Town Centre. An Inquiry was held recently in relation to one of the areas and planning consent was granted. The remnants of former coal mining exist within the CTAAP area, e.g. mine shafts, but these will be dealt with through the development control process.
- 8.5 The Inspector referred to PPS guidance regarding flood risk. Mr Wedderburn confirmed that the Strategic Flood Risk Assessment had been fed into the plan. The Inspector referred to references in the plan to sites being within flood zones and the need to take precautions. He advised that more detailed information is required in the plan on this matter.

8.6 The Inspector referred to PPG24 and enquired whether any noise studies had been undertaken. Mr Barker confirmed that work has been undertaken and that noise is not a significant issue for the plan.

9.0 Any other business

9.1 Mr Barker commented that the meeting had been a useful opportunity to identify and clarify issues relating to the plan and the Council is happy to work with the Inspector and other stakeholders.

10.0 The way forward

10.1 The Inspector requested that the Council prepares a schedule of further work required arising from the Exploratory Meeting and to submit this to the Inspector together with a timetable for this work. That will then enable the Inspector to form a view about the scale and nature of changes needed. If changes come from material that has already been consulted on then further consultation is not necessary. However, if the work is new it will need to be consulted on. The Inspector stated that he anticipates that there will be further information that will require consultation.

10.2 The Inspector confirmed that the Inspectorate does not normally hold plans in suspension for longer than 6 months. He requested that the Council comes to a view on the following options by 13 November:

- Option a: Withdraw the plan, do extra work and then re-submit. The Council would require GOWM agreement to this and it would not necessarily have the same Inspector for the hearing.
- Option b: Request a suspension of the examination. This is likely to be acceptable to the Inspectorate if it is for a defined period and there is an agreed work programme and timetable, with regular progress reports to the Inspector and GOWM.
- Option c: Proceed with the examination, which would then enable the Council to establish what the Inspector's views are on all aspects of the plan. The Inspector stated that this is the default option, which he does not favour.

10.3 Mr Price commented that GOWM will work with the Council to look at options and timescales.

10.4 Mr Barker stated that the Council wants to work to achieve a successful and effective plan. The plan is very important to the Council and much work has already been undertaken. Mr Barker indicated that the Council is likely to favour a 6 month suspension. Mr Barker enquired what the arrangements would be for ongoing contact with the Inspector during a suspension. The Inspector requested that the Council outline what their preference would be and he would discuss it with the Inspectorate. The Inspector also stressed that any correspondence between the Council and the Inspector should be placed on the website.

10.5 In conclusion, the Inspector thanked Mr Barker and his colleagues for their positive responses and also the members of the audience for their patience.

The meeting ended at 13:00 hours.