

# Waters Upton Neighbourhood Plan

Summary of representations  
submitted to the Independent  
Examiner

Comments received during  
Publication of Waters Upton  
Neighbourhood Development Plan  
Proposals Period 20th January –  
6th March 2015

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Date received	Name of contributor	Comments
15/02/15	Waters Upton Parish Council (Katrina Baker Clerk)	<p>Waters Upton Parish Council understood that the PUBLICATION PERIOD, immediately prior to the examination by an appointed Examiner, was a final opportunity for any objections to be registered.</p> <p>Residents have already made their observations at the CONSULTATION STAGE and will again vote on the NEIGHBOURHOOD PLAN at the Referendum.</p> <p>We now have some concern regarding a recent press release included on the Telford &amp; Wrekin Council Planning Portal, 30th January 2015. This quotes Councillor Charles Smith, Cabinet Member, as saying “The consultation process over the next few weeks will give local people an opportunity to express their opinion on the Plan”.</p> <p>Following earlier discussions with officers of Telford &amp; Wrekin Council we were advised that residents only needed to respond if they had new views to record.</p> <p>Waters Upton Parish Council would like to put on record that following the original advice we have actively recommended that residents do not post comments of support if they have already made their views clear during the many stages of consultation.</p> <p>Residents’ views have been recorded in detail within the CONSULTATION STATEMENT, provided with the Examination Version of the Waters Upton Neighbourhood Plan.</p>
25/02/15	Mobile Operators Association (John Cooke)	<p>Thank you for your recent consultation on the above. We have considered the proposal relevant to the Mobile Operators Association and offer the following comments on their behalf.</p> <p>We would like to offer our support to the inclusion of Policy WUA2 within the Waters Upton Neighbourhood Plan. We welcome the inclusion of this policy within the Neighbourhood Plan to facilitate telecommunications development and support its provisions which we find to be generally in accordance with the guidance within National Planning Policy Framework (NPPF) relating to both development planning and to support for communications infrastructure</p>
25/02/15	John Brown	<p><b>Representations submitted in response to the Consultation relating to the Waters Upton Neighbourhood Plan (WUNP) made on behalf of Messer’s Brown and Hockenhull.</b></p> <p><b>(Objection)</b></p> <ol style="list-style-type: none"> <li>1. The WUNP itself correctly identifies that it should be developed in accordance with the NPPF and with the Development Plan, to include the adopted Core Strategy. Only a draft Neighbourhood Plan or Order that meets the basic conditions (as are set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 and as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004) can be put to a referendum and be made. The basic conditions include both a requirement to have regard to national policies and advice contained in guidance issued by the Secretary of State; and also that the making of the order should be in general conformity with the strategic policies contained in the development plan for the area of the Authority (or any part of that area).</li> <li>2. The examination version of the Neighbourhood Plan fails to satisfy those basic conditions, as a number of its objectives run counter to the Development Plan and other relevant Planning Policies, including the NPPF. Accordingly, it is clear that it is fundamentally flawed in its conception and we would suggest it be withdrawn, edited and resubmitted prior to the process proceeding any further. This will avoid the risk of the inspecting officer dismissing the plan, delaying its incorporation / adoption. Whilst the concept of Neighbourhood Planning is to enable local people to shape the development of their community, it must be within the overarching framework established by the Local Planning Authority, to ensure that the Borough-wide requirements are properly met.</li> <li>3. The WUNP seeks to resist additional housing development within the village of Waters Upton (save for infill and development on the site referred to as SHLAA 551) and explicitly seeks to counter the Core Strategy Policy which identifies Waters Upton village as a rural ‘Service Centre’. Core Strategy Policy CS7 identifies Waters Upton as one of three settlements within which</li> </ol>

		<p>development within the rural area should be focussed. The Core Strategy seeks to focus housing, employment and services in the identified settlements in order to maximise the accessibility to services and facilities to rural residents. The WUNP seeks to achieve the benefits of improved employment, services and facilities for the Parish, without providing the essential level of additional housing which is necessary in order to support those services and the rural community. WUNP Housing Objective 1 specifically asserts that Waters Upton should be removed from Core Strategy Policy CS7 in this context. This key objective within the WUNP means that it fails to satisfy the remit of a Neighbourhood Plan and as such its approach is fundamentally flawed. Further, the WUNP seeks to distribute new housing development within the Parish, rather than focussing it on the <i>settlement</i> identified by the Core Strategy as the most sustainable focus for such development i.e. Waters Upton; again, this approach is flawed and is entirely contrary to the Core Strategy approach which seeks to focus housing and facilities in those settlements which are identified as being suitable and accessible.</p> <p>4. The WUNP also runs counter to a key objective of the NPPF, namely to <i>boost significantly the supply of housing</i> : by seeking to undermine the identified demand for new housing and reduce the number of new homes to be provided within the settlement of Waters Upton, the WUNP fails to comply with this objective. Whilst the WUNP identifies a certain degree of new housing development that it perceives as acceptable, this is insufficient to demonstrate <i>a significant boost</i> .</p> <p>5. Addressing specific sections of the WUNP, we would highlight the following:</p> <ol style="list-style-type: none"> <li>1. Please note that figure 2.2 is on page 12, not 11 as stated on page 17.</li> <li>2. Housing - Notwithstanding any assertions as to localised supply of affordable housing (page 18), compliance with the Core Strategy must be demonstrated: Core Strategy Policy CS7 requires that all new housing development will be expected to deliver 40% affordable housing and any application for new development would have to accord with this requirement. There are other appropriate mechanisms which allow any individual scheme to submit evidence to support a case for a lower proportion, if otherwise they would not be viable; the WUNP is not the appropriate mechanism to regulate this and should not be used to undermine the overarching Borough-wide requirements.</li> <li>3. The settlements identified in figure 2.2 do not have any support facilities such as schools, shops or crèches. The settlement of Waters Upton does have those facilities and this is one reason why it was selected to form the focus for new development. The WUNP (page 17) asserts that there is a loss of community involvement and spirit and overdevelopment is referred to in this context; and reference is made on page 21 to two local pubs having closed. The NPPF at para 55 however, identifies a requirement to promote sustainable development in rural areas: housing development is identified as a means of boosting communities and helping to sustain the vitality of those communities – the focus of the WUNP on resisting significant new development runs counter to this thereby contravening the Core Strategy.</li> <li>4. Education – Contrary to the assertion made on page 21, Crudgington Primary School does have the potential to be extended with the consent of the adjacent land owner.</li> <li>5. Getting around – the WUNP at page 21 refers to a reduced level of public transport provision serving a number of settlements within the parish. However, as identified in the NPPF, the provision of additional housing development in rural communities is what supports and sustains them sufficiently to enable the necessary investment in such services. An increase in the scale of Waters Upton will likely result in an improved bus service, as the economy of scale for the transport provider will make additional services more viable. Pathways, cycle routes and roads would also see improvement.</li> <li>6. Housing Demand – Strutt and Parker have demonstrated during the recent planning application (ref: TWC/2014/0761) that there is demand in the village of Waters Upton for family homes. Recently the development land at Parish Room Croft sold before going to open market.</li> </ol> <p><b>OBJECTIVES:</b></p> <p><u>Housing (page 25):</u></p> <ol style="list-style-type: none"> <li>1. Objective 1 - The neighbourhood plan should not seek to change the core strategy, but accord with it – so objective 1 cannot be accommodated.</li> <li>2. Objective 2 - Insists on a Community Levy – CIL is not in place in Telford and Wrekin yet and there is no other means to accommodate this other than a 106 agreement – which will be at the discretion of the Local Authority according to the</li> </ol>
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		<p>requirements generated by each specific scheme.</p> <ol style="list-style-type: none"> <li>Objective 3 - Whilst it is understood that local needs should be given priority, it should not solely take the form of single storey units. Lifetime homes with access lifts are just as accommodating as single storey units and they are more 'land efficient'.</li> <li>Objective 4 – Waters Upton is classified as a 'service centre' within the core strategy and objective 4 is therefore contrary to the core strategy. Confining development to brownfield sites is also not supported by the core strategy and each site has to be reviewed on its own merits. Brownfield sites do not always present viable development opportunities, so to limit development in this manner would be unduly restrictive and would be contrary to the NPPF objectives.</li> </ol> <p><u>Green Areas and Public Spaces:</u> No Comment</p> <p><u>Amenities and employment :</u></p> <ol style="list-style-type: none"> <li>Additional housing development will boost the community, which will assist towards the Objectives 1 and 4 identified on page 26 in terms of encouraging the use of community buildings and providing employment opportunities, making for a more sustainable community. The objectives of the WUNP as currently drawn are conflicting in this key aspect.</li> </ol> <p><u>Local Character (page 27):</u></p> <ol style="list-style-type: none"> <li>Objective 4 – The main settlement of Waters Upton is no longer a linear development. The spur roads of Orchard Close, Pinfold Croft, River lane and Upton Stones have dissolved this. Waters Upton is naturally moving towards a cluster settlement which reduces travel distances to essential services for the local residents. Any future developments in Waters Upton should continue this cluster approach so as not to stretch the village, which would make accessibility more challenging. This is contrary to WUNP Housing Objective no.3 where accessible properties are promoted. If an accessible property is located towards the end of a linear development it would not be within easy walking distance of the community facilities, defeating its principle purpose.</li> </ol> <p><u>Getting Around:</u> No Comment</p> <p><b>Neighbourhood Plan Policies:</b></p> <p><u>Housing:</u></p> <ol style="list-style-type: none"> <li>Policy WUH1: The Neighbourhood Plan fails to recognise Waters Upton as a 'Service Centre'. This is clearly interpreted by the Core Strategy in CS7. Growth cannot be limited. Shaping places identifies appropriate land to extend the village.</li> <li>Policy WUH2: Limitation on scale of development is not in accordance with policy CS7. Limiting affordable homes is contrary to policy CS7 which states 40% is required.</li> <li>Policy WUH3: This Policy proposal is in conflict with both Policies WUH1 and WUH2 of this Neighbourhood Plan in terms of scale of development. Designation of a specific site which is remote from the settlement of Waters Upton, without the capacity to extend the primary school to cope with the extra demand, is not in keeping with the Core Strategy in principle. Each available site should be considered on its own merits. The SHLAA site 551 is not identified in the Shaping Places documentation and sits outside the settlement of Waters Upton.</li> <li>Policy WUH4 : No comment</li> </ol> <p><b>Green Areas and Public Spaces :</b> No Comment</p> <p><b>Amenities and Employment :</b></p> <p>Policy WUA1 seeks to promote the retention, protection and development of local services and community facilities in the Parish, which objectives would be facilitated by the boost of housing in Waters Upton as the identified focus for such</p>
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26/02/15	Mark Hockenhull	<p><b>Representations submitted in response to the Consultation relating to the Waters Upton Neighbourhood Plan (WUNP) made on behalf of Messer's Brown and Hockenhull.</b></p> <p><b>(Objection)</b></p> <ol style="list-style-type: none"> <li>1. The WUNP itself correctly identifies that it should be developed in accordance with the NPPF and with the Development Plan, to include the adopted Core Strategy. Only a draft Neighbourhood Plan or Order that meets the basic conditions (as are set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 and as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004) can be put to a referendum and be made. The basic conditions include both a requirement to have regard to national policies and advice contained in guidance issued by the Secretary of State; and also that the making of the order should be in general conformity with the strategic policies contained in the development plan for the area of the Authority (or any part of that area).</li> <li>2. The examination version of the Neighbourhood Plan fails to satisfy those basic conditions, as a number of its objectives run counter to the Development Plan and other relevant Planning Policies, including the NPPF. Accordingly, it is clear that it is fundamentally flawed in its conception and we would suggest it be withdrawn, edited and resubmitted prior to the process proceeding any further. This will avoid the risk of the inspecting officer dismissing the plan, delaying its incorporation / adoption. Whilst the concept of Neighbourhood Planning is to enable local people to shape the development of their community, it must be within the overarching framework established by the Local Planning Authority, to ensure that the Borough-wide requirements are properly met.</li> <li>3. The WUNP seeks to resist additional housing development within the village of Waters Upton (save for infill and development on the site referred to as SHLAA 551) and explicitly seeks to counter the Core Strategy Policy which identifies Waters Upton village as a rural 'Service Centre'. Core Strategy Policy CS7 identifies Waters Upton as one of three settlements within which development within the rural area should be focussed. The Core Strategy seeks to focus housing, employment and services in the identified settlements in order to maximise the accessibility to services and facilities to rural residents. The WUNP seeks to achieve the benefits of improved employment, services and facilities for the Parish, without providing the essential level of additional housing which is necessary in order to support those services and the rural community. WUNP Housing Objective 1 specifically asserts that Waters Upton should be removed from Core Strategy Policy CS7 in this context. This key objective within the WUNP means that it fails to satisfy the remit of a Neighbourhood Plan and as such its approach is fundamentally flawed. Further, the WUNP seeks to distribute new housing development within the Parish, rather than focussing it on the <i>settlement</i> identified by the Core Strategy as the most sustainable focus for such development i.e. Waters Upton; again, this approach is flawed and is entirely contrary to the Core Strategy approach which seeks to focus housing and facilities in those settlements which are identified as being suitable and accessible.</li> </ol>

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		<p><b>Conclusion:</b></p> <p>In Summary the WUNP has not been developed in accordance with the NPPF or the Development Plan, including the adopted Core Strategy, for the reasons detailed in this consultation response.</p> <p>As the WUNP fails to meet the basic conditions that are set out in paragraph 8(2) of Schedule 4B to the Town and Country Planning Act 1990 and as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004, this Neighbourhood Plan cannot be approved.</p>
27/02/15	Environment Agency (Graeme Irwin)	<p><b>Waters Upton Neighbourhood Plan – Examination Version</b></p> <p>Thank you for referring the above consultation which was received on the 21 January 2015. We have reviewed the submitted document and would offer the following comments at this time.</p> <p><b>Evidence Base:</b> As stated in my previous response it is understood that Telford &amp; Wrekin’s Local Plan will replace the existing Core Strategy (2007) and Wrekin Local Plan (saved policies 2000) and will run from 2015 to 2031. We also note that the Council are in the process of developing an Outline Water Cycle Strategy (WCS) which, along with the Strategic Flood Risk Assessment (SFRA), is a key tool to ensure the Council are abreast of the infrastructure requirements of the Borough and <i>that forthcoming Neighbourhood Plans are consistent with the wider aims and aspiration of the area</i> .</p> <p>In this instance the Waters Upton Neighbourhood Plan (WUNDP) precedes the forthcoming Shaping Places Local Plan and updated SFRA and WCS evidence base. Therefore reference to the current Core Strategy is referred to in the submitted WUNDP. There is a current SFRA document as well as a Strategic Housing Land Availability Assessment (SHLAA) which identifies a number of potential sites in Waters Upton.</p> <p>The Waters Upton Plan itself does not identify any specific sites for housing, although Objective 4 seeks to restrict development to infill development with any larger development (the Dairy Crest site and potential SHLAA sites) confined to brown field sites. As previously stated we would expect all development to be located within Flood Zone 1, the low risk Zone. We would also expect to see no development within 8 metres of the top of the banks of any watercourses, with specific reference to the Rivers Tern, Meese and Strine. These watercourses are designated Main River and fall under the jurisdiction of the Environment Agency.</p> <p>We would expect the document to confirm that all built development will be located within Flood Zone 1 and that it should accord with existing planning policy, in this instance the NPPG and Telford &amp; Wrekin’s Core Strategy (inc. SFRA and WCS). We note Objective 1 which confirms the need to ‘protect rivers and wildlife corridors’ and, similarly, the inclusion of Policy WULC1 which seeks to secure this objective. We welcome this Policy but would recommend that it is accompanied by further text to steer developers as to how this can be achieved.</p> <p>In the absence of any specific development sites we would welcome a reference to ensure that there will be no built development in the areas liable to flooding i.e. Flood Zone 2 and 3, as defined in the Telford &amp; Wrekin Strategic SFRA (2008) and/or a site specific Flood Risk Assessment (FRA), or within 8 metres from the top of bank of any watercourse. Appendix A1 of the SFRA (Assessment all possible allocations for Housing) does highlight potential housing sites in Water Upton, a number of which lie adjacent to the River Tern.</p> <p>We would also welcome a reference to SuDS design standards and the types of options available to reduce flood risk, improve water quality (contributing to wider Water Framework Directive (WFD) objectives) and improve ecology. Whilst, the detail would also be informed by discussion with the Telford &amp; Wrekin’s Land Drainage team, we include the following wording to assist: opportunities, where appropriate, should help to conserve and enhance watercourses and riverside habitats. Where necessary, this should be through management and mitigation measures for the improvement and/or enhancement of water quality and habitat of any aquatic environment in or adjoining the development site.</p> <p><b>Source Protection Zones:</b> In our previous response we made reference to Source Protection Zones (SPZ) which are prominent</p>

		<p>within the Waters Upton area. Development should be kept out of SPZ 1 (high risk) to ensure no detrimental impact on groundwaters and potable water supplies. As previously stated there is a borehole on the Dairy Crest site, with an associated SPZ1 surrounding it. It is understood that this borehole is to be decommissioned prior to any redevelopment of the site.</p> <p>I trust the above is of assistance at this time. We would be happy to co-operate further on the areas detailed above.</p>
27/02/15	Homes & Communities Agency (Steven Sheasby)	<p>The Homes and Communities Agency is the national housing, regeneration and social housing regulation agency for England, and its vision is for successful places with homes and jobs.</p> <p>We have reviewed your discussion document, and note the range of local consultation exercises that have been undertaken with the local community to date, which is a positive approach in the preparation of your Neighbourhood Plan.</p> <p>A range of objectives have been identified, and those of particular interest to the Homes and Communities Agency (HCA) relate to housing.</p> <p>The HCA welcomes that you explore the issue of affordable housing in the Neighbourhood Plan and that Objective 2 of the Housing Objectives requires that the amount of affordable housing provided should be based on demand.</p> <p>The HCA does, however, recommend that the wording for Policy WUH2 is amended. At present, it states that <i>'Affordable homes should be limited to no more than required'</i>. However, in accordance with paragraph 50 of the National Planning Policy Framework, the converse is also true and there should also be no less affordable housing than required. Therefore, we would recommend that the wording of this policy is amended to say that <i>'Affordable housing should be provided in accordance with up to date evidence of housing need'</i>.</p> <p><b>Sources of further information</b></p> <p>The HCA website provides a range of information relating to housing, affordable housing, rural housing, gypsy and traveller provision, economic development and communities and neighbourhoods, and is accessible via <a href="http://www.homesandcommunities.co.uk/ourwork">http://www.homesandcommunities.co.uk/ourwork</a></p> <p>The website also provides information in relation to various funding streams available via the Agency which may be of interest, including:</p> <ul style="list-style-type: none"> <li>• The Custom Build Fund (the fund will run until March 2015, although it may close to new applications earlier than March 2015 if the entire budget has been allocated or looks likely to be allocated before that date);</li> <li>• Community Led Project Fund (funding is available until 31 March 2015 or until the funding is fully committed whichever occurs first);</li> <li>• Affordable Homes Programme (2011-2015 and 2015-18), including Traveller Pitch Funding;</li> <li>• Help to Buy (which is available in England from registered house builders and will run until 31 March 2016, or earlier if the funding is taken up);</li> <li>• Care and Support Specialised Housing Fund (over five years from 2013/14, £160m of capital funding is available for specialist housing providers to bring forward proposals for development of specialist housing to meet the needs of older people and adults with disabilities outside of London.</li> </ul> <p>In addition to the above, the HCA website has a specific section dedicated to communities and neighbourhoods via <a href="http://www.homesandcommunities.co.uk/communities-and-neighbourhoods">http://www.homesandcommunities.co.uk/communities-and-neighbourhoods</a> which incorporates a range of resources including articles, information, tool kits and other sources of information from a range of existing networks and sector groups including (note: the HCA does not officially promote or endorse any individual group or service): <a href="http://www.homesandcommunities.co.uk/community-led-development">http://www.homesandcommunities.co.uk/community-led-development</a></p>

		We hope that the above information is helpful in the preparation of your plan.
05/02/15	Natural England (Susan Murray)	<p><b>Planning consultation:</b> Waters Upton Neighbourhood Plan  <b>Location:</b> Borough of Telford &amp; Wrekin</p> <p>Thank you for your consultation on the above was received by Natural England on 07 January 2015. Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development. Natural England (NE) has reviewed the Waters Upton Neighbourhood Development Plan (WUNP) and considers that it fails to address the natural environment. NE offers the following comments.</p> <p><b>Waters Upton Neighbourhood Plan 2014-2031 (WUNP) – Examination Version (Amended December 2014)</b></p> <p><i>Document Structure</i></p> <p>Structurally, the document contains a confusing array of headings and sub-headings. There are also a number of inconsistencies relating to section numbering and headings. This can be easily rectified so that it is more user friendly. The WUNP is particularly confused at the beginning of the document. Clearly, the information provided at page 7 (i.e. 'How this Plan is organised') needs to be provided ahead of 'Introduction' which (according to the structure provided on page 7) should be clearly entitled 'Section One (.1)' or, for greater clarity, - 'Section A.1'. (i.e. would recommend switching pages 6 &amp; 7 for greater reader understanding.)</p> <p><i>Section 1 (.1) Introduction</i></p> <p>NE supports the WUNP's focus upon the protection and enhancement of green spaces and recognition of a need to encourage an increased pattern of walking and cycling within the Plan Area and its surroundings.</p> <p><i>Section 1 (.2) Background (p18-19)</i></p> <p>We welcome the inclusion of 'Green spaces and public spaces' as a key theme of the Plan. We do, however, note that this theme relates solely to defined children's play areas and identified small scale 'manicured' green open space. The description of existing 'green spaces' fails to recognise the importance and value of wider green infrastructure, including the natural environment, for people and wildlife. We would welcome a amendment to this 'theme' to include this wider multi-functional green infrastructure, perhaps retitling this theme as 'Green infrastructure'.</p> <p>Multi-functional GI can involve habitats and green spaces resulting from a need to mitigate or compensate for unavoidable losses or impacts, in addition to spaces which may not be priority habitat but which provide a wide range of functions of benefit to the development and community. Such functions include improved flood risk management, provision of accessible green spaces, climate change adaptation, biodiversity and landscape enhancement (including better functionality of local ecological networks) as well as quality of life benefits for the local community (including health and economic well-being and access to wildlife).The provision of GI is supported by the National Planning Policy Framework (NPPF, DCLG March 2012).</p> <p>Evidence and advice on green infrastructure, including the economic benefits of GI can be found on the Natural England Green Infrastructure web pages.</p> <p>Telford &amp; Wrekin Council (TWC) itself recognises the value of GI in its document 'Green Infrastructure Evidence and Analysis Document'.</p> <p><a href="http://www.telford.gov.uk/downloads/download/227/green_infrastructure_evidence_and_analysis_document">http://www.telford.gov.uk/downloads/download/227/green_infrastructure_evidence_and_analysis_document</a> In this document, TWC tells us that the majority of the land within the Borough, and indeed the Ercall Magna Ward, can be described as GI given that they have included agricultural land in their interpretation. Indeed, agricultural land provides a considerable habitat for wildlife. It is, therefore, made clear to us that much of the WUNP Area is comprised of GI and much of what the community values about the Plan Area is, itself, GI. By consequence, Natural England considers it disappointing to see that GI is not mentioned within the WUNP and would welcome its inclusion.</p> <p>Furthermore, a Neighbourhood Plan should set a community's vision for the future. Therefore, and whilst the level of detail provided can be variable, Natural England considers the intentions of the WUNP may be more readily conveyed from identification of desirable corridors / routes that the community would support.</p> <p>Natural England also notes that a number of river corridors cross the Plan Area (e.g. Tern, Meese, and Strine). These are valuable 'Blue Infrastructure' and can offer significant multi-use GI benefits. Perhaps the WUNP could provide Policy to specifically support</p>

		<p>enhancement of these assets for people and wildlife, potentially identifying specific areas of opportunity.  <i>Section 1(.3) Process Summary (in response to the statement relating to NE at p23)</i>  Natural England recommend's the inclusion of a description of existing green infrastructure (GI) within the Plan Area, consideration of a wider GI 'theme', and provision of a related wider GI policy to provide for the needs of both people and wildlife.  <i>Section 2: (4) Visions and Objectives: 'Green Areas and Public Spaces'</i>  All 3 proposed objectives are supported. We also welcome the acknowledgement of the value of green spaces to health and well-being.  However, Natural England is disappointed to see that there are no proposed objectives relating to the natural environment, wildlife or GI. The stated objectives relate to the preservation and enhancement of open space and public corridors for people only. We would wish the objectives here also recognise the value of wider multi-functional GI for both people and wildlife.  Specific recommended changes:</p> <p>OBJECTIVE 1: To protect and enhance the area's green infrastructure network, offering particular protection to the area's green spaces and corridors. These are visually valuable and offer benefits to health and well-being, as well as local ecology.  OBJECTIVE 2: (as suggested.)  OBJECTIVE 3: To protect and enhance the network of sustainable travel in the Area (e.g. the Rights of Way, as well as provide new safe and attractive routes for pedestrians / cyclists / equestrian). Also, maintain stiles and way-markers enabling the communities and visitors to appreciate the rural area and, at the same time, contributing to health and fitness.  <i>Section 2: (4) Visions and Objectives: 'Getting Around'</i>  NE supports Objective 2 to 'improve pedestrian and cycle way connections within the Plan area and further afield as appropriate.'  <i>Section 3 – The Neighbourhood Plan Polices: 6. Green Area and Public Spaces'</i>  NE supports the principle of the 3 policies provided here. In particular, we are happy to see Policy WUGS3 recognise the benefits of multi-functional green open space.  Specific recommended changes:  Policy WUGS1: to include 'enhancement' of green spaces and the GI network. Improved GI connectivity benefits both the community and wildlife.  Policy WUGS2: to include 'enhancement' of pedestrian / rights of way network to incorporate potential new routes for sustainable movement. The creation of new attractive routes to local green spaces and identified areas of priority habitat should be particularly supported as they can also act as ecological corridors improving connectivity of habitat.  Policy WUGS3: amend as follows ..'multi-functional benefits of green and blue infrastructure.'  <i>Section 3: 10. Monitoring and Review of the Plan</i>  No comments.</p> <p><b>Habitat Regulations Assessment (HRA) – HRA not required</b>  Where a Neighbourhood Plan could potentially lead to significant environmental effects it will be necessary to screen the Plan in relation to the Habitats and Species Regulations (2010), as amended (the 'Habitats Regulations'). One of the basic conditions that will be tested at Examination is whether the making of the plan is compatible with European obligations and this includes requirements relating to the Habitats Directive.  <b>In relation to the Habitats Regulations, a Neighbourhood Plan cannot progress if the</b></p> <p><b>likelihood of significant effects on any European Site, either alone (or in combination with other plans and projects) cannot be ruled out)</b> (see Schedule 2, The Neighbourhood Planning (General) Regulations 2012). Therefore measures may need to be incorporated into the Neighbourhood Plan to ensure that any likely significant effects are avoided in order to secure compliance with the Regulations. A screening exercise should be undertaken if there is any doubt about the possible effects of the Plan on European protected sites. This will be particularly important if a Neighbourhood Plan is to progress <b>before</b> a Local Plan has been adopted and/or the Neighbourhood Plan proposes development which has not been assessed and/or included in the Habitats Regulations Assessment for the Local Plan.</p> <p><b>Natural England does not consider the WUNP need be accompanied by a HRA as proposals are unlikely to result in significant effects upon European Sites.</b>  <b>Strategic Environmental Assessment (SEA) – SEA not required</b></p>
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05/03/15	Dairy Crest Limited	<p><b>Representations by Dairy Crest Limited</b></p> <p>We act on behalf of Dairy Crest Limited in respect of the current Waters Upton Neighbourhood Plan Consultation which closes on the 06 March 2015. Our client has a freehold interest in the Dairy Crest site, Crudgington, Telford. Following the recent closure of this large factory, it is proposed that the site should be redeveloped for residential and commercial purposes to ensure that this large brownfield site is brought back into an active and sustainable use. These development proposals are the subject of a current planning application reference TWC/2015/0157.</p> <p>We write to confirm our support for the emerging Neighbourhood Plan, particularly in respect of Policy WUH3 which states that if larger scale developments are required in the Parish to achieve Borough wide housing targets, these should be fulfilled by developing the Dairy Crest site. It is considered that the detailed approach to prioritising residential development on brownfield land is consistent with Paragraph 12 of the National Planning Policy Framework (NPPF) which details that promoting the reuse of previously developed is a core principle of the planning system.</p>

		Similarly we confirm our support for Policy WUA5 which seeks to encourage and support small businesses with this being compliant with paragraph 17 of the NPPF which sets out that one of the core land-use planning principles is to “ <i>promote mixed use developments and encourage multiple benefits from the use of land in urban and rural areas</i> ”. It is considered that suitably sized commercial floorspace as part of future developments would support the wider role of Waters Upton and Crudgington.
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## Local Planning Authority's Submission in Respect of the Waters Upton Neighbourhood Plan

## **Local Planning Authority's Submission in Respect of the Waters Upton Neighbourhood Plan**

### **Introduction**

1. The Waters Upton Neighbourhood Plan ("WUNP") has been submitted to Telford & Wrekin Council, the local planning authority ("LPA"), pursuant to Regulation 15 of the Neighbourhood Planning (General) Regulations 2012. Further, the WUNP has been publicised pursuant to Regulation 16 of the 2012 Regulations. The Regulation 16 publication period expired on 6<sup>th</sup> March 2015. The Waters Upton Parish Council ("WUPC") is the qualifying body in respect of the WUNP.
2. The LPA has a duty to assist the qualifying body in connection with the making of proposals for the WUNP. However, in spite of meetings, discussions and exchanges of correspondence between the LPA and WUPC, a number of significant issues of concern remain outstanding.
3. The LPA has appointed an independent examiner to carry out an examination under paragraph 7 of Schedule 4B to the Town and Country Planning Act 1990 and will send documentation to the examiner as soon as possible.
4. In order to assist whoever may be interested in the WUNP and, in particular, to assist the WUPC and the examiner, the LPA considers it appropriate to set out its concerns regarding the Examination Version of the WUNP as clearly as possible. In these circumstances, the LPA has prepared this submission which will be included with the documentation to be forwarded to the examiner.

### **This Submission**

5. The LPA has reached no final or concluded view on whether the policies within the Neighbourhood Plan meet the basic conditions recorded under paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990. It is for the Independent Examiner in the first instance to record his findings in his Report to be issued under paragraph 10 of Schedule 4B of the Town and Country Planning Act 1990. However the LPA has identified a number of relevant National Planning Policy Framework provisions and Local Plan provisions that it considers may be relevant to the Examiner's determination under paragraph 8 and 10. Its provisional view is that these are all provisions that will need to be carefully considered against the relevant provisions of paragraph 8(2).
6. This submission comprises a written summary of the key issues and, set out as an Appendix, a comprehensive Table identifies the specific sections/policy areas which the LPA wishes to identify.



## **Issues which the LPA wishes to identify**

### **A. Waters Upton Neighbourhood Plan OBJECTIVE 1:**

*‘To remove the “settlement suitable for development” definition from the central area of Waters Upton and to consider the entire Parish as rural*

Comment 1: Core Strategy policy CS 7 requires that development within the rural area will be **focussed upon** three settlements – one of which is Waters Upton. WUNP Objective 1 appears to seek to remove Waters Upton as one of the named settlements requiring that the entire Parish be considered as rural instead.

Comment 2: The purpose of policy CS 7 is to direct development towards the most sustainable locations. NPPF para 6 and 14 seek the same objective. However, WUNP Objective 1 appears to seek to remove Waters Upton as one of the named settlements.

### **B. Waters Upton Neighbourhood Plan OBJECTIVE 4**

*‘To restrict any developments to no more than infill sites. If there is evidence that a larger scale development is necessary, due to a future change in TWC policy, development should be confined to brown field sites (such as Dairy Crest) or SHLAA site 551’*

Comment 1: In the context of the objectives of NPPF para 47, i.e. to ‘boost significantly the supply of housing’, and CS7 which requires development to be focussed upon the named settlements, Objective 4, appears to be restrictive in nature without a secure justification. There is a need to demonstrate a sound basis by which development should be restricted to infill sites or to one or two properties.

Comment 2: SHLAA Site 551 is not previously developed land and its promotion for development has not been assessed against development plan policies

(NB: The LPA considers that Core Strategy CS7 generally takes precedence over saved Wrekin Local Plan Policy H10 and that H10 should only be applied where development is proposed on land in the settlements named in H9 but outside of the three named settlements in CS7.)

Comment 3: Whilst the NPPF para 17 encourages the effective use of land by reusing land that has been previously developed (brownfield land), neither the NPPF nor the adopted Core Strategy requires that development should be restricted to brownfield land.

### **C. Waters Upton Neighbourhood Plan Policy WUH1**

*Planning Permission should only be granted for development in the Parish that complies with the historical conditions set out in the Wrekin Local Plan and the Core Strategy H10. To be restricted to 1 or 2 dwellings on a suitable infill plot within the existing built up frontage and does not cause an extension of the village into open countryside.*

Comment 1: CS7 is in conformity with the NPPF and takes precedence over WLP policies H9 and H10 where there is conflict. CS7 requires that the Borough’s

Rural housing should be focussed in the three settlements (one of which is Waters Upton). WUH1 with its restriction to “one or two dwellings” appears to frustrate the ability to deliver this objective.

Comment 2: In addition, CS7 expects new housing to deliver 40% affordable housing and a restriction of all proposals to “one or two dwellings” appears to frustrate the ability to deliver this objective.

Comment 3: The objective of NPPF para 47 is to ‘boost significantly the supply of housing’. However, as stated above, WUH1 and Wrekin Local Plan Policy H10 involve a restriction to “one or two dwellings” and WUH1 does not provide any reasoned justification for this restriction in one of the three named settlements.

(NB: The LPA considers that Core Strategy CS7 generally takes precedence over saved Wrekin Local Plan Policy H10 and that H10 should only be applied where development is proposed on land in the settlements named in H9 but outside of the three named settlements in CS7.)

#### **D. Waters Upton Neighbourhood Plan Policy WUH2**

*Planning Permission should only be considered for small scale development in the Parish that provides at least some bungalows or single floor units.*

*Affordable homes should be limited to no more than required. Bi annual Housing Surveys, undertaken by the Parish Council, will provide evidence of need.*

Comment 1: The WUNP does not provide sufficient justification for why only “small scale” development should be considered and does not provide a definition of ‘small scale’. The LPA would like to refer to para 47 of the NPPF which seeks to to ‘boost significantly the supply of housing’ and the paragraph 14 presumption in favour of sustainable development which applies when plan making.

#### **E. Waters Upton Neighbourhood Plan Policy WUH3**

*If larger scale developments are required in the Parish to achieve Borough wide housing targets, these should be fulfilled by developing the Dairy Crest site and SHLAA site 551. These were the sites identified by residents, as those most suitable for development, that will have the least detrimental effect on the rural character of the Parish and conserve agricultural land for future generations, as it is essential and adds to the local character. These developments should include sufficient affordable homes to meet the needs of the Parish.*

Comment 1: The purpose of this policy is to preclude other sites other than the Dairy Crest Site and SHLAA Site 551 from coming forward for any larger scale development which may be required. The LPA would like to refer to para 47 of the NPPF which seeks to to ‘boost significantly the supply of housing’ and CS 7 which requires that the Borough’s Rural housing, including 40% (not “sufficient”) affordable housing, will be focussed on the three settlements (one of which is Waters Upton).

Comment 2: SHLAA Site 551 is not previously developed land and its promotion for development has not been assessed against development plan policies

### **Evidence, requests and overall accuracy and structure**

- The WUNP is seeking to make certain requests such as those relating to CIL and car parking and the LPA would like to raise the question whether it is appropriate for a NDP to do this
- The LPA would suggest that the WUNP requires more clarity through improved definitions (such as green space) to provide meaning and application
- Generally, the LPA will suggest that the Independent Examiner consider whether the WUNP has a clear vision for the area, whether its overall structure is coherent and whether it provides justified rationale for its policies. The LPA will invite the Independent Examiner to consider whether the WUNP is more of a response to consultation opinion rather than a response to demonstrable evidence.
- The LPA will invite the Independent Examiner to consider whether the WUNP is overly focussed upon a primary purpose of excessive restriction of development in and around Waters Upton and less so on pursuing overall benefit for the area.

### **Consultation Period**

In view of the issues raised in this submission, the LPA considers that interested people and bodies should be given reasonable opportunity to consider these issues and respond in writing. To be as fair as possible to all, the LPA is recommending that an appropriate period be allowed for representations to be made in response to this submission. All representations will be forwarded to the Independent Examiner.

**Telford & Wrekin Council – Table of Comments on Examination Version of Waters Upton Neighbourhood Plan**

Telford & Wrekin Council comments to pre-submission WUNP	Action recommended by Telford & Wrekin Council	Waters Upton response to pre-submission WUNP comments	Telford & Wrekin Council comments to Examination WUNP
<b>General</b>			
			<p>To make the plan more coherent and present a more logical ‘story’ it is recommended that the plan would benefit from re ordering its sections and be edited to remove duplications and to undertake and accuracy check.</p> <p>A suggested ordering of the plan :</p> <p>Foreword Contents Introduction (including a description of the Plan process and consultation NB assemble all comments relating to consultation in one part of the plan) Parish Profile ( the description of the parish) Issues ( the main environmental, social and economic issues facing the parish Vision, aims and objectives Policies</p> <p>Check for consistency regarding the use of terms such as ‘Neighbourhood Plan’ and ‘the plan’. Eg. The plan is a <i>neighbourhood development plan</i> called the <i>Waters Upton Neighbourhood</i></p>

			<p><i>Plan.</i></p> <p>Suggest that this distinction is made in the introduction to the plan and that for simplicity – explain that the term ‘the Plan’ is used throughout the document to mean the Waters Upton Neighbourhood Plan.</p>
<b>Foreword</b>			
			<p>The Foreword is written as an executive summary of the plan. Since the plan is very small – this probably removes the need for an executive summary. Suggest the Foreword is used to introduce and ‘endorse’ the plan by the Local Ward Member or similar.</p>
<b>Introduction</b>			
Must also conform to the saved policies from the Wrekin Local Plan.	Include Wrekin Local Plan	TR1 wording will be amended	<p>Para 1( wording ) The Government has introduced a new type of planning document called a <i>neighbourhood development plan</i>.</p> <p>Para 2 ( wording) ....based upon...<i>national and local planning policy</i>.</p> <p>.</p>

<b>Background</b>			
<p>P16. –The most recent local housing needs survey (2010) identified the need for a minimum of four additional affordable homes in the parish. In addition, the recently published Strategic Housing Market Assessment (2014), which addresses the requirement to establish the objectively need for housing, identifies a need for additional private sector and affordable homes up to 2031.</p>	<p>Clarify evidence base</p>	<p>TR2 Needs survey in EB is 2011 37 homes have been approved since this survey. Remains unchanged</p>	<p>This section is about the features and qualities of the parish rather than background to the (preparation) of the plan. Recommend that this is renamed ‘ Parish Profile’(or similar)</p>
<p>P16. – in the fourth paragraph, reference is made and commentary presented relating to housing land supply in the rural area. This section seeks to establish a five year housing land supply position specifically for the rural area, and to use this to demonstrate an ‘oversupply’ and ‘overbuild’ in the rural area since 2006. This approach would benefit from</p>	<p>Please amend the third and fourth paragraphs on p16 accordingly.</p> <p>Please amend accordingly</p>	<p>TR3 Our interpretation of the National Planning Policy Framework and the 5 yr supply differs from the TWC interpretation. The wording is unchanged while we seek legal clarification.</p> <p>TR4 We are aware of your 2013 monitoring report. This appears to concur with our statement.</p>	<p>More information about the parish would be useful including the size of the area. This could be very useful in justifying what is appropriate development.</p> <p>Fig 2.2 and page 17 refer to eight settlements) but only 3-4 are listed and described.</p> <p>Fig 2.7 Place this in the relevant section (insert between page 18 and 19). NB the use of different symbols will help to distinguish between the two different types ( so the map is easily read if printed in black and white)</p> <p>It would be useful to explain and expand upon the purpose of the diagrams on pages 14,15 and 16 eg. the evolution and change in the village and the implications of this change.</p> <p>It would be useful to explain the issue(s) behind the item on rights of way ie. explain the purpose of the issue ( what is it trying to say and achieve )</p>

<p>being more in line with national policy. The calculation of, and the delivery of housing against, the five year land supply target is based on, and applied across, the whole borough. Therefore, it is not appropriate to apply the figure of 17 dwellings per year over five years as a basis for a five year calculation, because the five year position has already been assessed and is presented in the Five Year Housing Land Supply Statement, which is available on the Council's website. Therefore, any shortfall in the supply of land against a five year target could be addressed in any part of the borough, providing the proposal is on accordance with the NPPF, in particular paragraph 14.</p> <p>For clarity, the Council has now published the Annual Monitoring Report (2013), which is available on the Telford and Wrekin Council website at <a href="http://www.telford.gov.uk/info/1004/planning_policy/1540/annual">http://www.telford.gov.uk/info/1004/planning_policy/1540/annual</a></p>			<p>Is the section on amenities and employment or just about amenities?</p> <p>Para 3,4,5 and 6 ( page 21 under heading "Local Character (history – heritage))</p> <p>These form part of the description of the parish (alongside all other features described in this part of the plan) – all of which provide local character/history /heritage ie. useful to retain these but perhaps better located in the background section.</p> <p>Recommend that it would be better to avoid emotive language eg. 'urban plague' ( para 6 page 21). Better to explain (in more objective language) what you mean by 'urban development' and why 'it is detrimental to the parish.</p> <p>Update using the latest 2014 annual monitoring report</p> <p>We are informed that the local primary school currently has capacity :</p> <p>Crudgington School currently has an overall capacity of 150 and 119 pupils on roll leaving 31 surplus places at present.</p> <p>The school currently takes approximately 27% of their roll from within their attendance area. The</p>
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<a href="#">_monitoring_report_amr</a>			<p>others mainly come from the northern fringe of Wellington and other local rural catchments.</p> <p>If any housing was built it would be expected that the pupils from it would take up the surplus places and in time displace potential pupils from farther afield as the school's admission policy gives priority to pupils living within its attendance area.</p>
<b>Process Summary</b>			
			<p>This section is concerned with a description of the plan process and the consultation therefore it would be better located in the Introduction section of the plan.</p> <p>Final paragraph page 23 replace with : The Neighbourhood Plan has been subject to a Strategic Environmental Assessment ( SEA) screening process which confirmed that the plan does not require a SEA.</p>
<b>Section Two</b>			
<b>Visions &amp; Objectives</b>			
			<p>It would be helpful if this part could describe what the overall vision is for the parish.</p> <p>Briefly explain how the vision and objectives have been formed from the previous sections in the</p>



			plan i.e. formed from consultation and the understanding of what type of place the parish is and what the main issues are.
<b>Housing</b>			
<p>Objective 1 as with Policy WUH1 (see comment below) would appear to contradict the strategic policies of the Wrekin Local Plan and Core Strategy by seeking to limit future development in Waters Upton.</p> <p>For comments on objective 2, please see response to Policy WUH4 below.</p>	<p>TR5 Mr M Barker has informed us on several occasions, as recorded in the EB, that Shaping Places will reflect this. Wording remains unchanged</p>		<p>Objective 1</p> <p>Core Strategy policy CS 7 requires that development within the rural area will be <b><i>focussed upon</i></b> three settlements – one of which is Waters Upton. WUNP Objective 1 appears to seek to remove Waters Upton as one of the named settlements requiring that the entire Parish be considered as rural instead.</p> <p>The purpose of policy CS 7 is to direct development towards the most sustainable locations. NPPF para 6 and 14 seek the same objective. However, WUNP Objective 1 appears to seek to remove Waters Upton as one of the named settlements.</p> <p>Objective 2</p> <p>TheLPA is concerned that the Independent Examiner may find that NDP Objective 2 cannot insist on a Community Levy on all new development</p>

			<p>Objective 4</p> <p>In the context of the objectives of NPPF para 47, i.e. to 'boost significantly the supply of housing', and CS7 which requires development to be focussed upon the named settlements, Objective 4, appears to be restrictive in nature without a secure justification. There is a need to demonstrate a sound basis by which development should be restricted to infill sites or to one or two properties.</p> <p>SHLAA Site 551 is not previously developed land and its promotion for development has not been assessed against development plan policies</p> <p>(NB: The LPA considers that Core Strategy CS7 generally takes precedence over saved Wrekin Local Plan Policy H10 and that H10 should only be applied where development is proposed on land in the settlements named in H9 but outside of the three named settlements in CS7.)</p> <p>Whilst the NPPF para 17 encourages the effective use of land by reusing land that has been previously developed (brownfield land), neither the NPPF nor the adopted Core Strategy requires that development should be</p>
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			restricted to brownfield land.
<b>Green Area &amp; Public Spaces</b>			
<p>Objective 1 requires evidence of the loss of green areas which has not been provided. A more positive objective would be 'to protect green areas'.</p> <p>We would support the green area and public spaces objectives.</p>		TR6 Noted. Wording will be amended.	<p>This objective requires definition as it could refer to areas of potential infill development referred to in 'Housing Objective 4'. A method of defining this could be green space that is publicly accessible and provides amenity value. Suggest that this could this be marked on Fig 2.7 with an accompanying definition / justification.</p>
<b>Amenities &amp; Employment</b>			
<p>Objective 3; The plan highlights the lack of cemetery space within the parish. This is echoed within the Borough and should therefore be something which is considered as part of the wider Shaping Places Local Plan.</p> <p>How this could be achieved on a parish level may be more difficult, but dialogue with the parish should identify a solution so that should opportunities arise this can then be considered.</p>		TR7 Noted	<p>Suggest amend wording 'To work with Telford &amp; Wrekin Council to realise opportunities for the provision of additional cemetery space within the borough, where opportunities arise'.</p>

## Section Three

### 5. Housing WUH1

<p>The Council supports the inclusion of an area-wide policy relating to the distribution of housing development in the Neighbourhood Plan (NP). However, a key test is whether or not the policy is in general conformity with the strategic policies of the development plan and the NPPF, as mentioned in page 5 of the draft NP. The current development plan (Core Strategy CS7) identifies Water Upton as a location for sustainable development within the rural area, alongside Tibberton and High Ercall, whilst development outside these areas will be strictly controlled. Wrekin Local Plan Policy H10 (which is saved) sets out additional criteria, but this pre-dates the Core Strategy/NPPF and relates specifically to housing development. Policy WUH1, as written, would appear to contradict the strategic policies</p>	<p>WUH1 Amend Policy WUH1/Objective 1 to reflect the strategic policies of the development plan.</p> <p>More justification required in support of the policy</p>	<p>TR8 See TR5. The wording in the policy is quoted from H10. We have re – read H9, H10&amp; CS7 in full and cannot see any conflict. The wording will be changed to clarify the Wrekin Local Plan policies. The 5 year housing Land Supply Statement April 2014 confirms that the Core Strategy is up to date. The comment ‘ relates specifically to housing’ is confusing as the policy WUH1 only covers housing. As this policy accords with current TWC policies Only the wording detailed</p>	<p>CS7 is in conformity with the NPPF and takes precedence over WLP policies H9 and H10 where there is conflict. CS7 requires that the Borough’s Rural housing should be focussed in the three settlements (one of which is Waters Upton). WUH1 with its restriction to “one or two dwellings” appears to frustrate the ability to deliver this objective.</p> <p>In addition, CS7 expects new housing to deliver 40% affordable housing. A restriction to “one or two dwellings” appears to frustrate the ability to deliver this objective</p> <p>The objective of NPPF para 47 is to ‘boost significantly the supply of housing’. However, as stated above, WUH1 and Wrekin Local Plan Policy H10 involve a restriction to “one or two dwellings” and WUH1 does not provide any reasoned justification for this restriction in one of the three named settlements</p> <p>(NB: The LPA considers that Core Strategy CS7 generally takes precedence over saved Wrekin Local Plan Policy H10 and that H10 should only</p>
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<p>of the development plan by seeking to limit future development in Water's Upton. Indeed, this approach is reflected under Objective 1 of the Plan.</p> <p>Granting consent for only very small infill developments is unlikely to lead to the provision of new affordable homes.</p> <p>The policy refers to H10 of the Core Strategy this is incorrect as H10 is a policy in the Wrekin Local Plan. It appears there is a contradiction of the two policies WUH3 and WUH1 and in addition to this H10 has not been applied since the adoption of the NPPF. From a heritage perspective, infill sites need to take into consideration the character of the area by increasing the density. Policy WUH1 would benefit from concentrating on compliance with the NPPF and urban design policy contained in that</p>		<p>above, will be amended.</p> <p>TR9 WUH3 acknowledges the emerging Shaping Places document and the possible need for greater development than existing TWC policies permit. Further, we do not accept that you can choose to ignore H10 as this is a current policy and we are in a rural area. No change made.</p>	<p>be applied where development is proposed on land in the settlements named in H9 but outside of the three named settlements in CS7.)</p>
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WUH2			
<p>The Council supports the inclusion of policies seeking to influence the type and nature of new development within the Plan area. This policy seeks to promote bungalow development above other types of dwelling i.e houses or apartments. Clearly, such an approach would need to accord with NPPF (paragraph 50) by delivering a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities within the context of Water Upton. In addition, rural development should be located where it will enhance or maintain the vitality of rural communities. In addition, no detail is provided under the policy as to how the 'regular housing surveys' will be undertaken.</p> <p>Waters Upton Parish Council has worked with Telford &amp; Wrekin Council to develop two small affordable housing schemes in Waters Upton</p>	<p>Ensure wording is in conformity with the strategic policies of the development plan and provide sufficient evidence to support them</p>	<p>TR10 TWC appear to ignore the National Planning Policy Framework requirement on choice as at the Planning Committee meeting to consider TWC/2013/0685</p> <p>The officer present stated that 'inclusion of a bungalow, as requested by the P.C., could not be enforced'. Bi annual housing surveys will be undertaken by the P.C. this will be added to the policy. Wording will be amended.</p> <p>TR11 As majority of the existing planning consent is outline only, we</p>	<p>The LPA (or the NDP) cannot prevent the submission and consideration of a planning application.</p> <p>There appears to be three aims to the policy :</p> <ul style="list-style-type: none"> <li>• Restrict to Small scale development</li> <li>• Require the provision of bungalows or single (storey) floor units</li> <li>• Restrict the provision of affordable housing to "no more than required"</li> </ul> <p>The WUNP does not provide reasoned justification for why only "small scale" development should be considered and would need to provide a definition of 'small scale'.</p> <p>The LPA refers to para 47 of the NPPF which seeks to to 'boost significantly the supply of housing' and the para 14 presumption in favour of sustainable development which applies when plan making.</p> <p>Suggest the production of separate policies to address the amount and type of housing based upon evidence and reasoned justification</p>

<p>village. These include a mix of affordable tenures and property types.</p> <p>The most recent local housing needs survey (2010) identified the need for a minimum of four additional affordable homes in the parish. This includes bungalows or level access accommodation, which may release existing family homes.</p> <p>The statement about the Parish Council and Telford &amp; Wrekin Council working together to update the local housing needs survey is welcomed. The development of bungalows or level access accommodation is also welcomed – these could in a range of tenures, including open market and affordable. A number of property types could be considered (e.g. 2 bedroom dormer bungalows that are fully wheelchair accessible and contain two bathrooms, including a ground floor wet room).</p> <p>The implementation of existing</p>		<p>envisage TWC working with the P.C. to ensure development provides affordable and mix of type of housing in line with local requirements. No changes made.</p>	
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planning consents is likely to increase the need for affordable homes in the Parish in the future.			
<b>WUH3</b>			
<p>It is not clear from reading the policy whether the wording seeks to allocate specific sites or simply refer to them as potential sites.</p> <p>Site 551 is not being promoted by the Council through Shaping Places Local Plan process, however, this does not preclude other sites from coming forward that accord with the development plan and neighbourhood plan policies, provided this can be justified by the evidence.</p> <p>Any development within the Parish should include a proportion of affordable housing to meet local needs (of the whole parish).</p> <p>Notwithstanding the above, in the case of mixed tenure developments the strong preference is for affordable</p>	<p>Amend wording to be in conformity with the strategic policies of the development plan and provide sufficient evidence</p> <p>Amend wording to make clear which sites are being referred to.</p> <p>Prepare a Policies Map showing the extent of the allocation boundaries</p>	<p>TR12 Noted. Wording will be amended.</p> <p>TR13 Parish wide surveys, included in the EB, justify the sites identified in the plan.</p> <p>TR14 Noted. Wording will be amended.</p> <p>TR15 Noted. Wording will be amended.</p> <p>TR16 A detailed response is included in appendix 2 at the end of this document</p>	<p>The purpose of this policy is to preclude other sites other than the Dairy Crest Site and SHLAA Site 551 from coming forward for any larger scale development which may be required. The LPA would like to refer to para 47 of the NPPF which seeks to to 'boost significantly the supply of housing' and CS 7 which requires that the Borough's Rural housing, including 40% (not "sufficient") affordable housing, will be focussed on the three settlements (one of which is Waters Upton).</p> <p>Comment 2: SHLAA Site 551 is not previously developed land and its promotion for development has not been assessed against development plan policies</p>



<p>homes to be provided on site, rather than as a <i>commuted sum</i>.</p> <p>For any affordable homes it is expected that preference will be given to local residents (or those with a strong local connection) who have a housing need. Also that an affordable housing provider will prepare a <i>Local Lettings Plan</i> (all affordable tenures) for agreement and will work with the Parish Council and the Borough Council on the allocation/sale of affordable homes. It is also expected that arrangements will be made to ensure that any new affordable homes (all tenures) will remain as affordable in perpetuity.</p>			
<b>WUH4</b>			
<p>It is difficult to assess whether or not this policy is justified as no evidence is presented in support of this approach. Clearly, the Council is not currently progressing a CIL/tariff at this time, and any CIL approach if it were to be</p>	<p>Amend wording</p> <p>Amend wording to reflect the current approach to securing developer contributions</p>	<p>TR17 Noted. Wording will be amended.</p> <p>TR18 Noted. Wording will be amended.</p>	<p>The full NDP will need to comply with the National Planning Policy Framework therefore the statement ...'where this complies with the NPPF' is not required.</p>

<p>adopted would cover the rural area. Without a CIL being in place any approach to developer contributions must accord with current legislation re. s106. These obligations can only be requested in line with the necessity tests as set out in the NPPF.</p> <p>In addition this, it is difficult to see how this approach can be achieved in accordance with WUH1.</p> <p>In practice all new developments (including affordable housing) are expected to provide contributions to local infrastructure and service provision.</p>			
<b>WUH5</b>			
<p>There seems to be no evidence to support the need for 3 spaces per dwelling. Clearly in a rural area with limited public transport higher parking standards would generally be applied. The number of parking</p>	<p>Amend wording</p> <p>More justification is needed to support the policy</p> <p>It would seem more appropriate to put this policy in the 'Getting</p>	<p>TR19 Noted. Wording will be amended.</p>	<p>The council will be developing borough wide parking standards as part of the new Local Plan and will, where appropriate, take a flexible approach to provision especially where alternative means of travel will be limited. This approach will require parking need to be proportionate to the needs of development. Suggest rewording the</p>

<p>spaces should be proportionate to the number of bedrooms, a 1 bedroom houses will not require 3 spaces. The document states that there is no demand for 3-4 bedroom houses in Waters Upton, therefore if the NP is aiming to encourage smaller houses/bungalows then 3 spaces per dwelling is not justified. This should be based on suitable criteria e.g. 1 parking space per bedroom potentially up to a maximum. 3 spaces is a high standard, which also may be inappropriate for bungalow or level access accommodation.</p> <p>Adequate parking should be a policy however there is a difference between want and need. Three spaces is not sustainable and would suggest the bungalows would have three spaces to one bedroom. Wording should be amended to use appropriate parking standards. Remove “at least 3 spaces” proportionate to development.</p>	<p>Around’ section</p>	<p>TR20 The policy will be moved into ‘getting around’</p>	<p>policy to ‘<i>Seek adequate parking provision to meet the needs of residents which takes into account the lack of affordable, frequent, alternative public transport</i>’.</p>
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Sufficient evidence is required to support the approach.			
<b>Green Areas and Public Spaces WUGS1</b>			
<p>This policy is concerned with the protection of existing valuable green space, play areas and recreational space.</p> <p>Consider re-wording to protect valuable green areas, play areas and recreational space. The word “including” needs to be removed.</p> <p>This issue should also be considered in the context of urban design i.e. the design and quality of the whole place including the open spaces. For example; existing policy UD4 in the Wrekin Local Plan relates to open space in the wider context of the overall quality of an area. A positively worded policy would be more NPPF compliant e.g. ‘To ensure the protection and retention of....’</p> <p>Prepare policies map to show extent of green spaces.</p>	Amend wording	<p>TR21 Noted. Wording will be amended.</p> <p>TR22 included in WUNP page 13</p>	<p>Need to define what is considered to be a ‘<i>valuable green space</i>’. This may include that which is publicly accessible and provides amenity value. Could this be marked on Fig 2.7 with an accompanying definition / justification?</p>

<b>WUGS2</b>			
<p>The Council does not have a CIL and as such they must accord with current legislation re S106 obligations. These obligations can only be requested where they are needed to make a development acceptable. This must be seen in the round against the wider issue of the compound effects on viability.</p> <p>It is not clear what the policy is seeking and evidence to support the policy. It is difficult to see how this approach can be achieved in accordance with WUH1 &amp; WUH2.</p> <p>Wording of the policy needs to be more explicit and defined, expand on 'community gain' as 'any development' is not precise enough.</p>	Amend wording	<p>TR23 Noted. Wording will be amended.</p> <p>TR214 Noted. Wording will be clarified.</p> <p>TR25 Noted. Wording will be amended.</p>	
<b>WUGS3</b>			
<p>The Council and the NPPF supports the maintenance of rights of way. The NPPF goes further in encouraging policies which "protect and enhance".</p>	Amend wording	<p>TR26 Noted. Wording will be amended.</p>	

<p>The policy may provide more detail of doing this within the local area.</p> <p>Consider re-wording as policy is worded as more of an objective than policy.</p>			
<b>WUGS4</b>			
<p>The policy encourages a joint approach and encourages different stakeholders to promote the benefits of green spaces. Green Infrastructure provides a multi-functional space which is capable of providing so many benefits for communities. What the policy seems to do is just focus on one function of open space, that is leisure and recreational. The policy should maximise all the benefits of green infrastructure in the area.</p> <p>This policy appears to be more to do with implementation and delivery issue than policy.</p> <p>This policy would benefit from reference to the existing Green Infrastructure Framework</p>	Amend wording	TR27 Noted. Wording will be amended.	

Evidence & Analysis document <a href="http://www.telford.gov.uk/gi">http://www.telford.gov.uk/gi</a>			
<b>7. Amenities &amp; Employment WUA1</b>			
<p>Policy WUA1 and related Objective 1 raise a number of questions:</p> <ul style="list-style-type: none"> <li>• Who are the management committees?</li> <li>• How would the policy be achieved/implemented – what planning tools/measures would be used?</li> <li>• Would this involve the development of a new/extended Parish Centre? (Page 17 of the NP identifies that meeting rooms are currently of an insufficient size).</li> <li>• Would developer contributions be sought e.g. for additional parking, to achieve the objectives of this policy?</li> <li>• Should the policy seek to protect the existing community facilities from change of use or redevelopment?</li> <li>• The Village Hall and Parish Centre are named in the plan. Are there any other community facilities in the Parish that would fall under this policy? It would</li> </ul>	Revise policy	TR28 Noted. Wording will be amended.	

<p>be easier to implement if there were a list or a map identifying where these facilities area.</p> <p>The NPPF does not include a requirement to work with management committees to enhance the use of community buildings. The Core Planning Principles in the NPPF paragraph 17 does include 'deliver(ing) sufficient community and cultural services and facilities to meet local needs'</p> <p>Paragraph 28 of the NPPF states that Neighbourhood Plans should <i>"promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship"</i>, so perhaps a requirement to protect existing community facilities should be incorporated within the policy.</p> <p>Paragraph 70 of the NPPF also includes more specific</p>			
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<p>requirements to <i>‘plan positively for the provision and use’</i> of community facilities, guard against their unnecessary loss, and ensure that the location of such facilities and services is integrated with the location of housing and economic uses.</p> <p>Core Strategy policy CS10 states that <i>“improvements to existing community facilities to meet the needs of local residents will be supported”</i>. Waters Upton’s policy objectives would be in general conformity with this.</p> <p>Wrekin Local Plan policy H22 requires contributions from major residential developments for the provision of new community facilities. As Waters Upton is not currently seeking contributions from development then conformity with this policy is not so relevant. It is recommend that they seek to incorporate a requirement for contributions within their policy to fund enhancements to community facilities in the</p>			
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<p>parish, where these might be needed.</p> <p>As currently worded this appears to be more of an objective than a planning policy.</p>			
<b>WUA2</b>			
<p>It is unclear how improvements to wifi and broadband connectivity are to be achieved e.g. through developer contributions? Large scale development could include broadband and the use of developer contributions could be considered in order to achieve improvements to communications infrastructure.</p> <p>NPPF paragraph 42 states that <i>“The development of high speed broadband technology and other communications networks ... plays a vital role in enhancing the provision of local community facilities and services”</i>.</p> <p>NPPF paragraphs 43 to 45 state that plans should be supportive of</p>	<p>Amend wording Combine with Policy WUA3</p>	<p>TR29 Noted. Wording will be amended.</p>	<p>The second sentence of the policy <i>‘To enhance the provision of local community facilities and services and work with partners to ensure the social, economic and environmental impacts is kept to a minimum’</i> requires clarification.</p> <p>Does this refer to the impact of development or the provision of high speed broadband or both?</p> <p>Suggest it should clarify the word ‘impact’ ie. beneficial impact ( such as enabling employment opportunities to work from home) or detrimental impact ( such as visual intrusion)</p> <p>This could be strengthened by stating that the Parish will work with partners to maximise the social, economic and environmental impacts of high speed broadband whilst working proactively in partnership with suppliers, the council and developers to minimise the possible negative impacts.</p>

<p>telecommunication proposals in their area but only to a degree that allows efficient operation of networks and in a way that is sympathetic to the area. Proposals can only be resisted in limited circumstances.</p> <p>The draft policy is supportive of wifi and broadband provision however only in community buildings, so as currently drafted it is partially in conformity with the NPPF.</p> <p>Core Strategy policy CS9 promotes the enhancement of communications, whilst minimising their social, economic and environmental impact.</p> <p>Wrekin Local Plan policy T21 supports the development of new telecommunication systems, provided that there is no negative impact on the surrounding environment and amenity. Policy WUA2 could include safeguards to ensure that improvements to communications infrastructure</p>			
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<p>do not have a negative impact on the local environment and amenity.</p> <p>The emerging Shaping Places Local Plan (Strategy &amp; Options document 2013) proposed a policy to <i>“help guide the siting and design of new telecommunications development and promote high quality broadband”</i>. Although this is not specific to community buildings as the WUA2 policy is.</p> <p>Consider re-wording as policy is worded as more of an objective than policy. Also consider combining with WUA3.</p>			
<b>WUA3</b>			
<p>The same comments for policy WUA2 will apply to this policy – the only difference is that references to community buildings would now be replaced with the wider parish.</p>	Combine with policy WUA2	TR30 Noted. Wording will be amended.	
<b>WUA4</b>			
<p>The policy wording should make clear whether it is seeking to provide cemetery space within</p>	Amend wording	TR31 Noted. Wording will be amended.	

<p>development schemes or seeking contributions from development proposals to fund new cemetery provision.</p> <p>Is there a site identified for the new cemetery provision? If so; then this should be proposed to be allocated for that use in order to safeguard it against other development proposals that may come forward over the plan period.</p> <p>The Core Strategy and Wrekin Local Plan do not contain any requirements for cemetery provision. The only reference to cemetery provision in the NPPF relates to Green Belt locations, of which there are none in Telford &amp; Wrekin borough. Reference is made, however, to 'community' facilities (para 156), and cemeteries would fall into that category.</p> <p>Policy would benefit from being guided and informed by the evidence contained in Green Infrastructure Evidence &amp; Analysis document and Local</p>			
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<p>Green Infrastructure Needs Study for evidence.</p> <p>Consider re-wording and making clear what is meant by an 'appropriate planning application'. Consider how it could be applied to provide additional space and how it relates to the existing cemetery with the scale of development and capacity evidence base.</p> <p>Consider including specific requirements for developer contributions towards new cemetery provision within the policy.</p> <p>Consider making an allocation within the plan if there is a specific site or area of land already identified for additional cemetery provision. Prepare policies map to show extent of the allocation.</p>			
<b>WUA5</b>			
<p>This policy is worded more like an objective rather than a policy.</p>	<p>Amend wording</p>	<p>TR32 Noted. Wording will be amended.</p>	

<p>If there is a specific site or land identified for this additional parking then proposing an allocation for that land within the plan may be appropriate. It may also be appropriate to seek contributions from development proposals in order to fund this additional parking provision. Consider proposing an allocation for the land to be used for additional parking provision.</p> <p>There is no longer any car parking standards set within either national or local planning policy. Although Shaping Places Local Plan Policy Option 16 of the Strategy &amp; Options document proposes either maximum parking standards or a more flexible approach.</p> <p>NPPF Paragraph 41 states that sites and routes which could be critical in developing infrastructure to widen transport choice should be identified and protected. This may not be entirely relevant, it depends whether or not additional car</p>			
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<p>parking would 'widen transport choice'.</p> <p>The Core Strategy does not contain any policies that are specific to car parking provision, although CS8 does promote sustainable forms of transport.</p> <p>Wrekin Local Plan policy LR1 states that proposals for community facilities should demonstrate adequate car parking provision – although this applies to new, not existing facilities.</p> <p>Local evidence on parking need for the Village Hall in Waters Upton would help in determining parking requirements for the village. This could be sought as a contribution from a planning application which could include on-site, off-site provision as well as continuing funding for management &amp; maintenance.</p> <p>Consider re-wording as policy is worded as more of an objective than policy.</p>			
<b>WUA6</b>			



<p>The majority of small businesses will already get business rates relief because of their size, planning policy may not be the means to achieve this. Although, Amenities &amp; Employment policy objective 4 refers to supporting the alternative use of redundant buildings and seek to provide employment opportunities, this is relevant to planning policy and ought to be incorporated within the policy wording rather than in the policy objective.</p> <p>Consider re-wording as policy is worded as more of an objective than policy and incorporating the Amenities &amp; Employment policy objective 4 relating to the reuse of redundant buildings in to the policy wording.</p>	<p>Amend wording</p>	<p>TR33 Noted. Wording will be amended.</p>	
<b>8. Local Character WULC1</b>			
<p>Consider rewording to define 'may adversely affect' and 'to resist'. Consider in the light of NPPF paragraph 14 r.e. the weight of adverse effects.</p> <p>Relate policy to Green</p>	<p>Amend wording</p>	<p>TR34 Noted. Wording will be amended.</p>	<p>Suggest wording to <i>'To work with relevant partner organisations and agencies to ensure that rivers and wildlife corridors are protected from unacceptable development'</i>.</p> <p>This could be, for example, to prevent development which puts unacceptable levels of pressure on receiving water courses and leading</p>

Infrastructure Evidence & Analysis and NPPF paragraph 58 and consider positive wording 'To ensure the protection of..' rather than 'to resist future development...' in terms of NPPF. The planning system does not have the power to 'protect them at all times from inappropriate use' since lots of those uses will not be things which require permission.			to deterioration in water quality as per the EU water framework development.
<b>WULC2</b>			
Consider rewording to define 'trees' e.g. protected trees and define 'significant features' and include 'seek to retain or enhance'. To help inform the policy relate to Green Infrastructure Evidence & Analysis and reference NPPF paragraph 58.  Consider combining with policy WULC3 to include the Waters Upton Village Well.	Amend wording Combine with Policy WULC3	TR35 Noted. Wording will be amended.	Replace the word 'must' with the word 'should'
<b>WULC3</b>			
This policy might be better included in policy WULC2 along	Combine with Policy WULC2	TR36 Noted. Wording will be	The term 'absolute minimum' is unspecified.

with 'significant features'. Clarification on the status of the ownership could be made in background text under the Local Character (history-heritage) section. Policy should be related to the NPPF paragraph 58.		amended.	Wording would be better phrased as 'Demonstration that a development has employed all possible means to minimise light pollution'.
<b>9. Getting Around WUT1</b>			
<p>Policy is in line with NPPF policy to support sustainable transport, improving travel choice and accessibility to opportunities. Transport policies within the emerging Shaping Places Local Plan will reflect this with measures to secure contributions to support transport services.</p> <p>Large scale development can provide opportunity for public transport. There is limited scope for enhancement to existing bus service without increase in existing bus subsidy unless this is secured through S106 agreement, however it is unlikely to be sustainable past the end of the S106 monies without additional subsidy.</p>	Amend wording	TR39 Noted. Wording will be amended.	No need to refer to the Local Plan as conformity is a requirement for the plan to be made (and this requirement is described earlier in the plan.)

Consider re-wording as policy is worded as more of an objective than policy.			
<b>WUT2</b>			
<p>This policy is in line with NPPF policy to support sustainable transport and improving links to services, facilities and open space. Transport policies in the emerging Shaping Places Local Plan will reflect this policy with measures to secure funding contributions to support improvements to walking and cycling routes which improve connections to services and facilities.</p> <p>However, there is no evidence on which cycle routes either new or existing the neighbourhood plan is trying to improve, where cyclist want to get to or how improvements could be achieved.</p> <p>The policy would also be difficult to apply to infill development, but may be achievable with major developments.</p>	Amend wording	TR40 Noted. Wording will be amended.	

Suggested change of wording should be 'where appropriate' shall maintain and enhance pedestrian and cycle routes.			
<b>WUT3</b>			
			Will need to be in accordance with WLP and emerging Local Plan policy position
<b>General Comments</b>			
<p>Many policies are general in nature and require further evidence (see specific policy comments for further information).</p> <p>Amend any contradictions between policies and supporting text.</p> <p>Phrases such as 'make every effort' are very difficult to define and enforce. Therefore, wording of the policy needs to be more explicit and defined to be effective.</p> <p>It would be useful to read the relating policy objectives with the policy. Locating the objectives immediately before</p>	Consider comments	<p>TRG1 Noted.</p> <p>TRG2 Noted.</p> <p>TRG3 Noted.</p> <p>TRG4 This approach could be better during examination but for the long term use we prefer the existing format..</p> <p>TRG5 Noted.</p> <p>TRG6 Noted.</p>	

<p>the policy would assist this.</p> <p>Consider how all policies conform with the NPPF.</p> <p>Policies emphasise considerably protection and preservation. They would benefit from making explicit what is being protected to justify what is appropriate.</p> <p>Policies would benefit from being precise and specific to the matters they seek to address. They would also benefit from more reasoned justification as supporting text under each policy.</p>		<p>TRG7 Noted.</p> <p>TRG8 Noted. Wording amended</p> <p>TRG9 Noted.</p> <p>TRG10 Complies with emerging Shaping Places.</p> <p>TRG11 Noted.</p> <p>TRG12 Noted.</p> <p>TRG13 Clarification requested from</p>	
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<p>Reference is made to Local Strategic Planning Policy. We recommend that this reads Local Planning Policy</p> <p>To avoid contradiction, the neighbourhood plan should have design criteria to enhance the opportunity of Conservation Status as not a conservation area.</p> <p>The conformity of focusing development on Crudington with the adopted Local Planning Policy needs to be considered.</p> <p>Fig 2.2 Distribution of Dwellings in the Parish doesn't show clear division of where numbers lie.</p> <p>No consideration is given to barn conversions and affordable housing exceptions which</p>		<p>TWC.</p> <p>TRG14 Noted.</p> <p>TRG15 Noted.</p>	
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<p>conflicts with Wrekin Local Plan policy H23</p> <p>Figures need to be checked i.e. number of houses and references given.</p> <p>Should consider opportunity for new school if major development came forward</p> <p>There is no mention of arts, culture, creative industries e.g. providing access to our developing infrastructure. Creative Industries could be included under the Amenities and Employment Objectives as an option for the small business site provision. The parish centre and community buildings might</p>			
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be an option as a space for cultural provision for the local area. Cultural wellbeing could also be identified among the issues to be considered in relation to health and wellbeing in Green Areas and Public Spaces Objective 1.			
<b>SEA/SA</b>			
<p>We recommend that written confirmation is sought from DCLG for not completing an Sustainability Appraisal. Sustainability impacts need to be considered as part of good planning.</p> <p>In terms of Strategic Environmental Assessment, this needs to be shown to be considered and screened under EU regs and a screening opinion received from the statutory consultees; Environment Agency, English Heritage and Natural England. As to whether the NP has potential to create “significant environmental effects”, this is based on the views of the statutory consultees and Waters Upton making a screening</p>		TR 16 Noted. We are still of the view that there is no impact. We have requested confirmation of this.	

determination.			
<b>Policies Map</b>			
Prepare a policies map to include those areas/sites which need to be spatially represented on a plan, for example areas of protected open space relating to Policy X, and also show specific site allocation boundaries.	Prepare policies map	TR17 Policies are Parish wide other than the identified SHLAs.	

3b

Waters Upton Parish Council's  
Submission in Respect of the  
Waters Upton Neighbourhood Plan

## Comments

### Waters Upton Neighbourhood Plan - Telford & Wrekin Council Submission (08/07/15 to 22/07/15)

Comment by	Waters Upton Parish Council (Mrs Katrina Baker)
Comment ID	2
Response Date	20/07/15 10:05
Consultation Point	Waters Upton Neighbourhood Plan - Telford & Wrekin Council Submission ( <a href="#">View</a> )
Status	Processed
Submission Type	Email
Version	0.2

#### Comment:

#### **Waters Upton PC response to the TWC submission onto planning portal**

##### **The TWC Tabulation**

The TWC tabulation appears to us to be an exercise in overcomplicating the process. The response to the original Consultation Period was 7 pages long compared with the latest response to the Publication Period of 39 pages plus a 7 page submission. The WUNP is only 31 pages long including many photographs. The latest tabulation has 37 new points, mainly prefaced with "it would be helpful" or "it would be useful". Our aim in producing the WUNP was to have a simple document that gave the residents preferences for the future development of the parish, we did not intend to cover every last subject that may arise, that is for the LPA's more detailed Local Plan.

The key concerns of TWC appear to be covered in detail by their 7 page submission and this we address below.

##### **The TWC Submission**

##### **Introduction.**

2. We disagree with this statement. There have been no discussions or correspondence identifying the "number of significant issues of concern" prior to 30th June 2015.

##### **Issues identified.**

The Core Strategy policies currently run until 2016 and there are three raised by TWC at various points in the Submission and one not referred to (CS1) which is also relevant.

Saved policy H9 & CS7 identify three settlements on which development will be focused for the rural area.

Saved policy H10 states "within the suitable settlements identified in policy H9 development will be permitted where" then goes on to restrict this to infill etc. as WUH1.

CS1 covers the scale of development required in the rural area and states that the rural need will be met by approximately 170 new dwellings over the 10 years of the Core Strategy. This target has been exceeded already.

There are also several references, within the submission, suggesting that the WUNP restricts development. The Plan has four policies on housing and in sequence WUH1 reflects the current policies of TWC as detailed above. WUH2 provides for future growth, to meet local needs, if infill is exhausted. WUH3 identifies the sites preferred by residents, as detailed in the Evidence Base, should larger sites be required in the parish to meet Borough wide housing needs.

These policies only restrict development when read in isolation. Collectively they allow for an increase in the size of the parish by over 50% (excluding SHLAA 551) and include the re-use of a brown field site which is already the subject of a planning application.

With regard to the NPPF this document requests on many occasions that the policies are considered as a whole and not taken in isolation. We consider that the WUNP is not in conflict with NPPF paragraphs 14, 17 & 47 when read as a whole rather than quoting isolated text.

The over complication and confusion of TWC's interpretation of policies is best illustrated in the NB remark following section B, comment 2. The inference is that the LPA can retrospectively decide which policies take precedence and we cannot understand the muddled thinking when comparing settlements named in H9 and CS7.

Since the TWC submission was produced two new relevant pieces of information have been published. On Wednesday 15th July 2015 at a planning Committee meeting the application for the first 111 houses at the Dairy Crest site in Crudgington was approved. This is a key part of the WUNP as it was the site preferred by residents for any larger scale development and is a brown field site.

TWC have now published their replacement for Shaping Places, now called Telford & Wrekin Local Plan – Consultation Version. This covers the period until 2031 and whilst at the current emerging stage, carries little weight; it does identify the housing requirements for the rural area. There are now 5 villages identified to provide a total of 80 new homes up until 2031, of which Waters Upton is one. They also expect this number to be delivered on small infill sites.

This revised housing requirement is less than that provided for in the WUNP and appears to align with the WUNP policies.

WUNP Steering Group

3c

# The Coal Authority's Submission in Respect of the Waters Upton Neighbourhood Plan

## Waters Upton Neighbourhood Plan - Telford & Wrekin Council Submission

Event Name	Waters Upton Neighbourhood Plan - Telford & Wrekin Council Submission
Comment by	The Coal Authority (Miss Rachael Bust)
Comment ID	1
Response Date	15/07/15 10:22
Consultation Point	Waters Upton Neighbourhood Plan - Telford & Wrekin Council Submission ( <a href="#">View</a> )
Status	Processed
Submission Type	Email
Version	0.2

### Comment:

Dear Sirs

#### **Waters Upton Neighbourhood Plan – Submission**

Thank you for the notification of the 8 July 2015 consulting The Coal Authority on the above NDP. I note that the consultation period is very short being only 14 days.

The Coal Authority is a non-departmental public body which works to protect the public and the environment in coal mining areas. Our statutory role in the planning system is to provide advice about new development in the coalfield areas and also protect coal resources from unnecessary sterilisation by encouraging their extraction, where practical, prior to the permanent surface development commencing.

As you will be aware parts of Telford and Wrekin lies within the current defined coalfield. However as you will also be aware the Waters Upton NDP area is outside of the defined coalfield and therefore The Coal Authority has no specific comments to make on the Neighbourhood Plan.

In the spirit of ensuring efficiency of resources and proportionality it will not be necessary for you to provide The Coal Authority with any future updates to the emerging Neighbourhood Plan. This letter can be used as evidence for the legal and procedural consultation requirements.

The Coal Authority wishes the Neighbourhood Plan team every success with the preparation of the Neighbourhood Plan.

# 3d

Joint response to Examiner with  
suggested re-wording on objectives  
and policies - with policy refs



# Waters Upton Neighbourhood Plan

## Housing

Existing Waters Upton Neighbourhood Plan		Comparison with Reg 18 T&W Local Plan	Suggested WUNP text
Objective 1	To remove the “settlement suitable for development” definition from the central area of Waters Upton and to consider the entire Parish as rural	<p>Policy HO10 ( and supporting text) states that residential development be directed to specified locations including 5 named settlements and only allows development elsewhere in the rural area where it can satisfy 4 criteria.</p> <p><i>5.63 The council’s approach elsewhere in the rural area will be one of strict control and only to support new housing in exceptional</i></p>	To direct housing towards small infill sites within the built up area of Waters Upton.

Existing Waters Upton Neighbourhood Plan		Comparison with Reg 18 T&W Local Plan	Suggested WUNP text
		<i>circumstances.</i>	
Objective 2	To provide a more balanced range of housing (size, type and affordability ) with sufficient parking, in line with local demand, when development is being considered on in-fill plots. To insist on a Community Levy on all new developments.	With the exception of the reference to CIL, ( the objective – which reads like a policy – should not include this insistence ), this objective is quite close in its purpose to the emerging plan.	To provide an appropriate mix of housing type, size and tenure to meet local need.
Objective 3	To prioritise new development to enable residents to remain within the Parish in bungalows or single floor units.	Policy SP 3 states that development within the rural area will address the needs of rural communities.  The council will support : <i>Proposals which meet the local housing needs of a community, to be</i>	To meet the local housing needs of the community.

Existing Waters Upton Neighbourhood Plan		Comparison with Reg 18 T&W Local Plan	Suggested WUNP text
		<i>evidenced by the developer, consistent with the housing policies of the Local Plan</i>	
Objective 4	To restrict any developments to no more than infill sites. If there is evidence that a larger scale development is necessary, due to a future change in TWC policy, development should be confined to brown field sites (such as Dairy Crest) or SHLAA site 551	Policy HO10 ( and supporting text) states that residential development should be small infill sites and be directed to 5 named settlements, sites with unimplemented planning permission and areas with extensive PDL ( inc. Crudgington)	To restrict residential development to small infill sites within the built up area of Waters Upton and the previously developed Dairy Crest site at Crudgington.

## Green Spaces

Existing Waters Upton Neighbourhood Plan		Comparison with Reg 18 T&W Local Plan	Suggested WUNP text Plan
Objective 1	To protect the green areas. These are visually valuable and impact on health and wellbeing. To continue to enhance and maintain these areas	Policies SP3 and NE1.	To protect, maintain and enhance visually valuable green areas within villages which offer benefits to health , wellbeing and local ecology
Objective 2	To safeguard and enhance the play areas and recreational space for use by people of all ages, thus encouraging outdoor activities and promoting life long fitness	Policy NE7 and NE8 seek to protect and plan for new public open spaces	To protect, maintain and enhance existing formal and informal sports and recreational facilities which encourage outdoor activities and promote life-long fitness.
Objective 3	To protect rights of way, stiles and way-markers enabling the communities and	Policies SP3 and C1	To protect Public Rights of Way and maintain Stiles and Way-markers which enable communities and visitors to appreciate the rural area.

	visitors to appreciate the rural area and, at the same time, contribute to health and fitness		
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## Amenities & Employment

Existing Waters Upton Neighbourhood Plan		Comparison with Reg 18 T&W Local Plan	Suggested WUNP text Plan
Objective 1	To work in partnership with local organisations to encourage the use of community buildings and facilities and to increase the parking provision	Policy COM1, Policy C5 and Appendix E will control any new use	To encourage the use of community buildings and facilities working in partnership with local organisations.
Objective 2	To enable upgrading of Wi-Fi facilities to allow a greater and broader use of community facilities.	Policies C8 and C9	To upgrade broadband, use of Wi-Fi facilities and IT technology for employment purposes allowing greater and broader use of our community facilities.
Objective 3	To increase available cemetery space at locations within the Parish	Policy COM1 and Telford & Wrekin Infrastructure Delivery Plan	To increase available cemetery space at locations within the Parish.
Objective 4	To encourage and support, wherever possible, alternative use of redundant	Policy SP3, EC3	To support alternative use of redundant buildings and seek to provide employment opportunities

Existing Waters Upton Neighbourhood Plan		Comparison with Reg 18 T&W Local Plan	Suggested WUNP text Plan
	buildings and seek to provide employment opportunities. To make available favourable business rates		

## Local Character

No changes proposed except Objective 4

Existing Waters Upton Neighbourhood Plan		Comparison with Reg 18 T&W Local Plan	Suggested WUNP text Plan
Objective 1	To protect rivers and wildlife corridors which are an integral part of the Parish landscape	Natural environment section of the Local Plan especially Policy NE5	No change
Objective 2	To protect and enhance existing sandstone walls, hedges and trees and significant features which give the Parish its character and define its heritage.	Built and Natural environment sections of the Local Plan especially Policies BE1 and NE6	No change
Objective 3	To maintain, protect and improve the Waters Upton Village Well and all historical features including listed buildings.	Policy SP3 and the Built environment section of the Local Plan especially policies BE1 and BE4	No change



Existing Waters Upton Neighbourhood Plan		Comparison with Reg 18 T&W Local Plan	Suggested WUNP text Plan
Objective 4	To protect the landscape character of the villages within the Parish and continue to define their own identities. To recognise and protect the importance of our villages which are set within a distinct rural landscape of linear design villages with generous curtilages. To avoid light pollution.	Policies SP3, HO10, HO11	To protect the landscape character of the villages within the Parish and continue to define their own identities. To recognise and protect the importance of our villages which are set within a distinct rural landscape with generous curtilages. To avoid light pollution in the built up areas.

## Getting Around

Existing Waters Upton Neighbourhood Plan		Comparison with Reg 18 T&W Local Plan	Suggested WUNP text Plan
Objective 1	To seek to improve public transport as much as rural distribution allows thus relieving the need for excessive vehicle movements.	Policies NE1, NE2	No change
Objective 2	To improve pedestrian and cycle way connections within the plan area and further afield as appropriate.	Policy C1	No change

## Housing

Existing Waters Upton Neighbourhood Plan		Comparison with Reg 18 T&W Local Plan	Suggested WUNP text Plan
Policy WUH1	Planning Permission should only be granted for development in the Parish that complies with the historical conditions set out in the Wrekin Local Plan and the Core Strategy H10. To be restricted to 1 or 2 dwellings on a suitable infill plot within the existing built up frontage and does not cause an extension of the village into open countryside.	An application for planning permission will be taken in accordance with the new development plan ( when adopted ) unless there are material considerations that indicate otherwise.	<p>Applications for planning permission will be determined in accordance with the Development Plan unless there are material considerations that indicate otherwise.</p> <p>Development will be restricted to small infill sites within the built up area of Waters Upton which do not cause a visual intrusion into the open countryside.</p>
Policy WUH2	Planning Permission should only be considered for small scale development in the	Policy SP 3 states that development within the rural area will address the needs of rural	Planning applications will be supported which address evidence based local housing needs.

Existing Waters Upton Neighbourhood Plan	Comparison with Reg 18 T&W Local Plan	Suggested WUNP text Plan
	<p>Parish that provides at least some bungalows or single floor units. Affordable homes should be limited to no more than required. Bi annual Housing Surveys, undertaken by the Parish Council, will provide evidence of need.</p>	<p>communities.</p> <p>The council will support :  <i>Proposals which meet the local housing needs of a community, to be evidenced by the developer, consistent with the housing policies of the Local Plan</i></p> <p>Policy HO 5 applies a rural 35% affordable housing requirement to sites comprising 11 dwellings or more ( therefore a higher threshold than the small infill sites anticipated in Policy HO10).</p>

Existing Waters Upton Neighbourhood Plan		Comparison with Reg 18 T&W Local Plan	Suggested WUNP text Plan
Policy WUH3	<p>If larger scale developments are required in the Parish to achieve Borough wide housing targets, these should be fulfilled by developing the Dairy Crest site and SHLAA site 551. These were the sites identified by residents, as those most suitable for development, that will have the least detrimental effect on the rural character of the Parish and conserve agricultural land for future generations, as it is essential and adds to the local character.</p>	<p>Policy HO10 ( and supporting text) states that residential development should be small infill sites and be directed to 5 named settlements, sites with unimplemented planning permission and areas with extensive PDL ( inc. Crudgington)</p>	<p>Development of the previously developed Dairy Crest site at Crudgington will be supported.</p>

Existing Waters Upton Neighbourhood Plan		Comparison with Reg 18 T&W Local Plan	Suggested WUNP text Plan
	These developments should include sufficient affordable homes to meet the needs of the Parish.		
Policy WUH4	To work with Telford& Wrekin Council to obtain a community gain, through S106 conditions, on all new development where this complies with the National Planning Policy Framework.	<p>Appendix A Delivery and monitoring</p> <p><b>Paragraph 8</b> The Council will continue to use Section 106 and 278 agreements to secure on-site and strategic off-site infrastructure in the absence of a Community Infrastructure Levy. Should the levy eventually be introduced, .... the Council will then seek to scale back the use of Section</p>	To work with Telford& Wrekin Council to secure community gain, through S106 conditions on all new development, and will require that such funding directly benefits the local community.

Existing Waters Upton Neighbourhood Plan		Comparison with Reg 18 T&W Local Plan	Suggested WUNP text Plan
		<p>106 and 278 agreements to circumstances where they are:</p> <ul style="list-style-type: none"> <li>• Necessary to make the development acceptable in planning terms</li> <li>• Directly related to the development</li> <li>• Fairly and reasonably related in scale and in kind to the development</li> </ul>	

## Green Spaces and Public Spaces

Existing Waters Upton Neighbourhood Plan		Comparison with Reg 18 T&W Local Plan	Suggested WUNP text Plan
WUGS1		Policies NE1, NE7	To ensure the protection and retention of green areas, play areas and recreational space which are locally important and that contribute to the quality, character and amenity of the settlement.
WUGS2		Policy C1	No change
WUGS3		Policies NE1	The parish will work with partners and stakeholders to make sure that public open space is used for the widest range of uses.



## Amenities & Employment

Existing Waters Upton Neighbourhood Plan		Comparison with Reg 18 T&W Local Plan	Suggested WUNP text Plan
WUA1	To promote the retention, protection and development of local services and community facilities in the Parish including Churches, the Village Shop, the Parish Centre, Crudgington Primary School, and the Village Hall, to meet the needs of residents.	Policy COM1	To sustain, retain and enhance local services and community facilities in the Parish including Churches, the Village Shop, the Parish Centre, Crudgington Primary School, and the Village Hall.
WUA2	To promote and support the development of high speed broadband technology and other communications networks, within the parish. To enhance the	Policies C8 and COM1	To promote and support the development of high speed broadband technology and other communications networks, within the parish to enhance the provision and use of local community facilities and services. Work with partners to ensure any adverse impact is kept to a minimum.

Existing Waters Upton Neighbourhood Plan		Comparison with Reg 18 T&W Local Plan	Suggested WUNP text Plan
	provision of local community facilities and services and work with partners to ensure the social, economic and environmental impact is kept to a minimum.		
WUA3	To ensure that the land identified for additional cemetery space in Waters Upton, identified in the S106 for planning application W/2008/0619, is forthcoming if the development goes ahead.	Policies COM1	To work with interested parties to deliver additional cemetery space in the Parish when needed.
WUA4	To ensure that the land identified for additional parking at the Village Hall in Waters Upton, identified in the S106 for planning application	Policies C5, C6, C7	To work with interested parties to help secure the additional parking needed for the Village Hall and the Church in Waters Upton and other community sites in the Parish when needed.

Existing Waters Upton Neighbourhood Plan		Comparison with Reg 18 T&W Local Plan	Suggested WUNP text Plan
	TWC/2013/0685, is forthcoming if the development goes ahead.		
WUA5	To encourage and support small businesses, and to promote the use of suitable redundant buildings for appropriate business use.	Policies SP3, EC3 and BE1	To encourage and support small businesses. To promote the use of suitable redundant buildings for appropriate employment use.

## Local Character

Existing Waters Upton Neighbourhood Plan		Comparison with Reg 18 T&W Local Plan	Suggested WUNP text Plan
WULC1	To ensure the protection of rivers and wild life corridors.		To ensure the protection of rivers, water courses and wildlife corridors
WULC2	Future development must seek to retain or enhance features that characterise the villages such as, sandstone walls, hedges, protected trees and Waters Upton Village Well	Policy BE1	No change
WULC3	To keep to an absolute minimum, light pollution in the Parish. The latest designs of external lighting must be used in any new development, to restrict light pollution.	Policy ER1	To keep to an absolute minimum, light pollution in the Parish. The most appropriate designs of external lighting must be used in any new development.

# Getting around

Existing Waters Upton Neighbourhood Plan		Comparison with Reg 18 T&W Local Plan	Suggested WUNP text Plan
WUT1	To work with Telford & Wrekin Council and Shropshire Council to improve and promote public transport opportunities in line with the Shaping Places and other emerging policies.	Policy C1	To improve and promote public transport opportunities with Telford & Wrekin Council, Shropshire Council and other interested parties.
WUT2	To ensure any new planning applications, where appropriate, include support for providing or improving pedestrian and cycle way routes.	Policy C1	To improve pedestrian and cycle routes with Telford & Wrekin Council and other interested parties.
WUT3	Any development must make provision for adequate parking (2 spaces per property, or 1 per bedroom, whichever is the	Policies C1, C2, C5 and Appendix E	All development must make provision for adequate parking and servicing and address any local <b>off-site</b> highway impacts.

Existing Waters Upton Neighbourhood Plan		Comparison with Reg 18 T&W Local Plan	Suggested WUNP text Plan
	greater) taking into consideration the needs of rural residents due to the lack of affordable, reliable, alternative transport.		

## Appendix : Key Policies contained in the Telford & Wrekin Local Plan : Regulation 18 version

### Policy SP 3

#### **Rural area**

Development within the rural area will address the needs of rural communities. Development will make the most effective and efficient use of land, giving preference to the reuse of previously-developed land where this is in a sustainable location. The Plan supports the delivery of approximately 900 new homes (net of clearance) in the rural area up to 2031.

Where development is brought forward in the rural area, the Council will support:

1. The retention and appropriate expansion of businesses on existing sites, through the location, redevelopment, modernisation and expansion of businesses to be provided in sustainable locations;
2. Provision for the essential needs of agriculture, forestry or rural businesses;
3. Provision of infrastructure needed to support a sustainable rural economy;
4. Proposals which meet the local housing needs of a community, to be evidenced by the developer, consistent with the housing policies of the Local Plan;
5. The appropriate diversification of the agricultural economy;
6. Recreation uses appropriate to a rural location;
7. Provision for renewable energy projects;
8. The sustainable re-use of rural buildings for employment uses, which support the rural economy and communities, and the provision of re-use for housing in sustainable locations;
9. Protection of the best and most versatile agricultural land by using areas of poorer quality land in preference to higher quality land for new development.

**This policy contributes towards achieving all of the objectives.**

### Policy HO 5

#### **Affordable housing thresholds and percentages**

All residential developments shall contribute towards meeting the affordable housing needs of the borough on schemes comprising 11 dwellings or more, or where gross floorspace is greater than 1,000 square metres.

To ensure that new residential development sites (including mixed use schemes containing residential development) provide for the range of housing needs identified and create a balance of tenures, the following percentages will be applied:

1. 25% to be applied to Telford; and
2. 35% to be applied to Newport and in any other location.

In applying these percentages, schemes that seek to deliver a higher percentage may be appropriate, depending on individual site circumstances, subject to other relevant policies of the plan, in particular Policy HO1.

**his policy contributes towards achieving objectives 8, 9, 10, 18 and 21.**

### **Policy HO 10**

#### **Residential development in the rural area**

Provision will be made for a net increase of approximately 900 dwellings in the rural area up to 2031.

A. The Council will direct the bulk of this new housing to the following sites and areas:

1. Sites with unimplemented planning permissions; and
2. Areas with extensive amounts of previously developed land including redundant buildings that are not suitable for other rural uses, including Allscott and Crudgington.

B. The Council will also support a limited amount of new housing in the following villages:

Edgmond, High Ercall, Lilleshall, Tibberton and Waters Upton that can demonstrate that they will help meet the requirement.

C. Elsewhere in the rural area, the Council will only support applications for new housing that:

1. Represent exceptional quality or innovative design;
2. Would result in the optimal use of a heritage asset (a listed building, conservation area or Building on the Local List) and would be appropriate enabling development;
3. Can demonstrate that they will help enhance or maintain the vitality of nearby rural settlements; or
4. Are consistent with Policy HO11.

**This policy contributes towards achieving objectives 4, 8 and 21.**

### **Policy HO 11**

#### **Rural exceptions**



As an exception to normal rural housing policy, the following residential development may be supported.

A. Solely affordable rural housing

Small scale affordable schemes provided that the proposal meets an identified local need.

B. Self and custom build housing

Self-build and custom-build housing proposals where a local connection can be demonstrated. Housing of this kind should be appropriately located and be of an appropriate scale and design for the location.

C. Conversions and re-use of redundant buildings

Conversion to residential will only be supported where:

1. The building is of sufficient architectural or historical merit or makes a significant contribution to the character of the local area, to justify residential conversion to ensure retention; or
2. The use would meet an essential rural workers need or be part of a scheme for the re-use of a building or complex of buildings for employment purposes providing that the building is of a permanent and substantial construction and are capable of conversion without major or complete construction.

The conversion should not lead to dispersal of activity on such a scale as to prejudice a town and village vitality, and should ensure that their form, bulk and general design are in keeping with surroundings.

D. Agricultural and forestry workers accommodation

Permanent accommodation for rural workers will be supported by the Council providing applicants can demonstrate that there is an essential need to live permanently at or near their place of work. In assessing the need the Council will take into account whether:

1. There is a clear functional need for the person to be readily available on the site at most times;
2. The worker is fully or primarily employed on the site to which the proposal relates;
3. The business is financially sound and has a clear prospect of remaining so;
4. The dwelling sought is of an appropriate size commensurate with the established functional requirement; and
5. The need cannot be met by an existing dwelling on the unit or by other existing accommodation in the area.

Where there is insufficient evidence temporary permission for temporary accommodation may be granted for a period of three years provided the above criteria is sought to be met.

Where a dwelling or temporary form of accommodation is granted under this policy, an appropriate condition or legal agreement restricting occupancy may be required to ensure it remains for the purpose of which it was built or accommodated. The granting of any workers dwelling primarily on the ground of providing security will not be supported.

**This policy contributes towards achieving objectives 4, 21 and 25.**