

Telford & Wrekin Local Plan – Inspector’s Matters, Issues & Questions (MIQs)

Date: 28 October 2016

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This paper provides the Council’s response to the Inspector’s MIQs –

Matter 7 – Environmental Resources

7.1 Is the Local Plan’s approach to the safeguarding of mineral resources, bearing in mind the changes to policy ER2 that are now suggested, clearly expressed and sufficiently justified?

7.1.1 The Local Plan’s approach to safeguarding mineral resources in Policy ER2¹ takes account of the requirements of the four tests of soundness².

7.1.2 Policy ER2 is **positively prepared**. Mineral resources in the borough will be pragmatically safeguarded to ensure that viable economic deposits are not sterilised by other forms of development, including providing provision for prior extraction. At the same time it is also important not to unduly burden industry with costly, overly onerous, mineral assessments in the urbanised area where economic mineral resources have been virtually worked out and/or are in areas where it is considered environmentally unacceptable to be worked. This could adversely affect the viability of other development such as house building during periods of low economic growth or recession, in turn affecting the ability of the Council to meet its housing requirement³. Overall, the policy does not stymie development.

7.1.3 Policy ER2 is **justified**, representing a balanced approach between the needs of industry and the need to protect the environment⁴. Alternative approaches are not appropriate in so far as:

(a) To have no mineral safeguarding would not only be contrary to national planning guidance but could result in industry not providing the necessary raw materials for economic development; and

(b) To safeguard all the geological horizons where mineral extraction has taken place since the industrial revolution would be too onerous and not reflective of local circumstances. Most of the geographic area of central, north-east and south Telford has been worked out including

¹ As amended by changes set out in the Submission Version of the Plan (Document) A1 and shown in the Minor Modifications Schedule (Document A5a – refer P47)

² NPPF, paragraphs 182

³ This is considered further in Document B6d

⁴ Paragraphs 142, 143

the mineral working over the 1960s to 1980s associated with the development of the New Town as reclamation projects. The remaining areas within the urban area can now be released from mineral safeguarding areas.

- 7.1.4 The policy is **effective**. Mineral safeguarding will be effective in allowing economic mineral resources to be worked where it: is environmentally effective to do so; will not result in sterilisation of meaningful amounts of mineral resources; and will protect mineral resources not needed at present for future generations.
- 7.1.5 Safeguarding of mineral resources is **consistent with national policy** to deliver sustainable development as stated in paragraph 143 of the NPPF.
- 7.1.6 The Local Plan's approach to mineral safeguarding also complies with the PPG. The Council has adopted a systematic approach to safeguarding mineral resources by: commissioning the British Geological Survey (BGS) jointly with Shropshire to undertake a minerals safeguarding report⁵; consulting stakeholders such as industry and other duty to cooperate local authorities⁶; and articulating a mineral safeguarding policy.
- 7.1.7 The only two operating quarries within the borough are Blockleys Brickworks and Leaton Quarry. They both have sufficient space on-site for storage, handling and transport. A future quarry that obtains planning permission will need to demonstrate (in addition to other criteria) that it also satisfies the requirements for storage, handling and transport. It is important to note that Telford has a modern road network (including the M54) and the Telford International Rail Freight Park, connecting the borough to regional and national transport systems. If required, these strategic transport options could be used by the minerals industry. There is therefore no need to identify other transport infrastructure in the Plan.
- 7.1.8 The Council's approach is therefore consistent with national policy. The Council has made some modifications to Policy ER2 in the spirit of partnership working and recognising where the policy could be improved⁷. The outstanding objections of the Minerals Products Association are addressed in the responses to Questions 7.2, 7.3 and 7.4.
- 7.1.9 The Council also confirms it will discuss this position statement with the Minerals Product Association further and may produce a supplementary Statement of Common Ground.

⁵ C6h

⁶ A6

⁷ Document G3

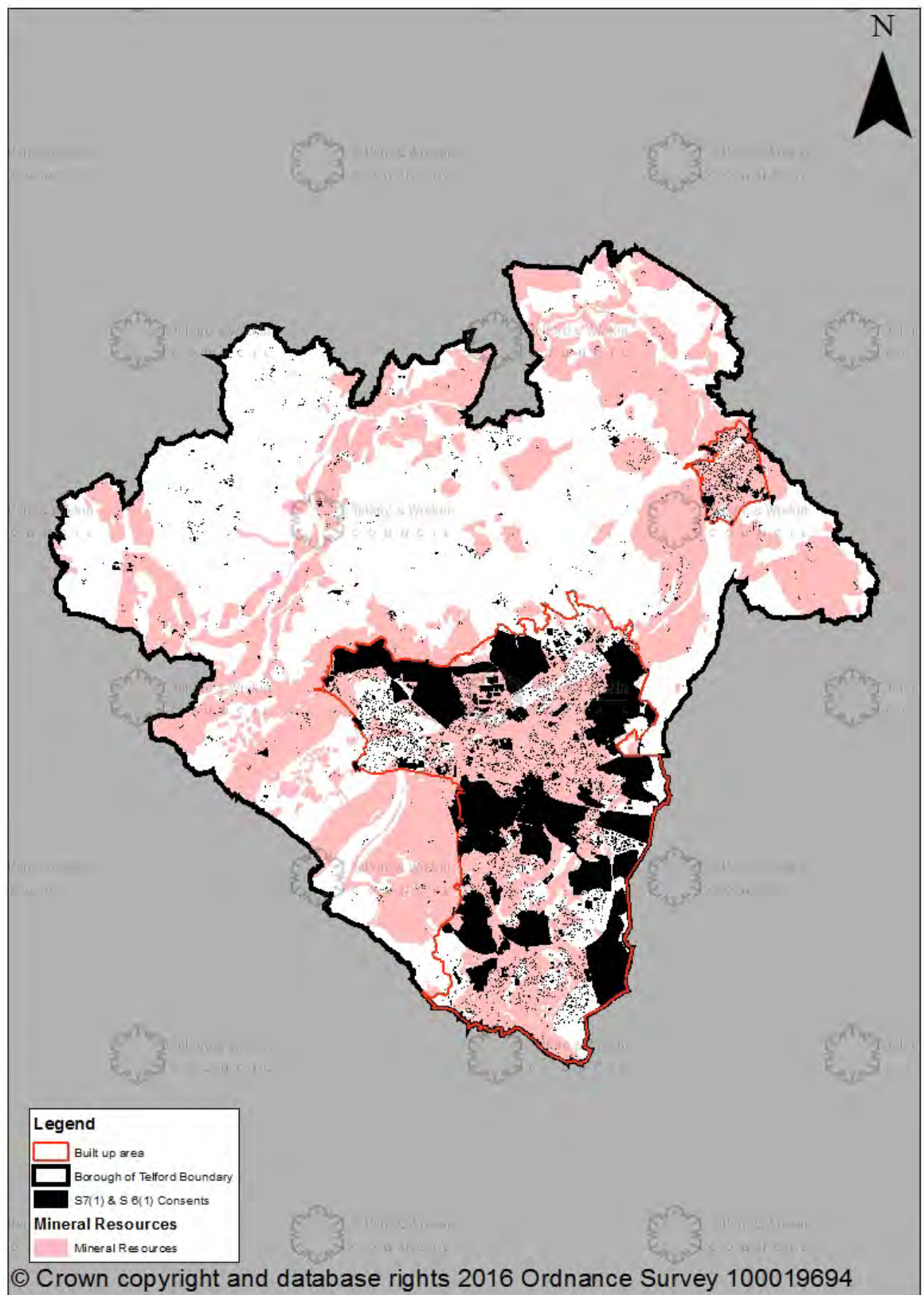
7.2 Are the extent and nature of the Mineral Safeguarded Areas, including the exclusion of urban areas, sufficiently justified with reference to the evidence base and relevant policy and guidance?

- 7.2.1 The Mineral Safeguarding Areas⁸ (MSA) have been taken from the most recent data published by the British Geological Survey (BGS) in their report 'Minerals Safeguarding Areas for Shropshire and Telford & Wrekin'⁹, which was jointly commissioned by Shropshire and Telford & Wrekin Councils.
- 7.2.2 The Council has not deviated from the boundaries of the recommended individual MSA units in its proposed modifications nor the recommended distances for the individual buffer widths for each MSA unit in the rural areas. As such the individual MSA units and buffer widths can be taken as indicative of where the mineral is or has been (in certain locations the mineral resources may already been worked out) in the rural areas.
- 7.2.3 Where the MSA units mapping differs from that contained in the BGS report is that the MSA units have not been extended into the urban areas of Telford and Newport. Most of the Telford urban area has had its minerals worked out but there remain some viable mineral resources around the edge of the urban areas, as well as extant mineral planning permissions to work Hadley brick clay quarry, adjacent to Blockleys brickworks and a small dormant brick clay site at Donnington Wood.
- 7.2.4 These two sites will not be disadvantaged by not extending the MSA for brick clay within the urban area. This is because these quarries have been extended to their maximum due to: the limited extent of the surface geological resource; worked out adjoining areas; the presence of road infrastructure; and - in the case of Hadley Quarry - adjoining housing and a dormant inert landfill site at the New Acres site.
- 7.2.5 Telford also benefits from land with New Towns Act consents (see Figure 1 overleaf) that have no time expiry date and consequently development could proceed without the need for planning permission. Therefore any mineral resources not worked before these Section 6(1) and 7(1) developments take place are effectively sterilised.

⁸ The Council has used this term throughout the Local Plan

⁹ C6h

Figure 1 Map showing extent of sites with planning permission and section 6(1) and 7(1) New Towns Act consents



- 7.2.6 In addition, there are large areas of northern Telford, particularly housing built before the New Town era, which consists of a significant proportion of the current housing stock, where mineral resources exist but have already been built on. In the absence of a windfall development, these mineral resources will not be recovered by surface mining/quarrying. The absence of any comprehensive planned redevelopment of public housing in Telford in the Local Plan is also likely to preclude development of mineral resources within built up area of the town.
- 7.2.7 There are some surface coal and fireclay resources that extend under existing housing at Muxton in the north-east of Telford. The opportunity to work these coal and fireclay resources has been lost, they are shown as MSA in the rural area, but not within the urban part of Telford. This is considered a pragmatic approach.
- 7.2.8 In the case of Newport, the urban fringe immediately outside the urban area either has an MSA area or a buffer zone for the entire town boundary within Telford & Wrekin (the town boundary in the east is with Stafford within the Staffordshire MPA area). There is no danger of any minerals not being safeguarded around the Newport urban fringe.
- 7.2.9 For the more extensive boundary around Telford & Wrekin, Shropshire Council has imposed its own MSA boundaries and buffer zones within its local authority area. For Telford the majority of the urban boundary with the urban fringe is covered either by MSAs or buffer zones. There are only a few areas along the Telford boundary where had the MSA units been extended into the urban areas it would have resulted in MSA buffer zones also being shown outside the urban area, e.g. along the A5 going eastwards from the town.
- 7.2.10 This approach of excluding MSA within built up areas has been broadly accepted in urban areas elsewhere. In Birmingham the Inspector accepted this approach but recommended¹⁰ the inclusion of a minerals assessment for development greater than 5 ha in areas where BGS maps show mineral resources. The Greater Manchester Joint Minerals Plan (2013) also excludes MSA from urban areas where the policy¹¹ allows proposals to be considered as they come forward and does not prevent extraction of minerals in the urban area in appropriate circumstances. In other urban areas with single tier (unitary) authorities the position is similar; Stoke, and various London Boroughs (Hillingdon, Hounslow and Redbridge) also avoid the blanket covering of urban areas with MSA.
- 7.2.11 In conclusion, Policy ER2 is sufficiently flexible to allow on the one hand, mineral extraction proposals within the urban areas and in the urban fringe in

¹⁰ (Paragraph 249, Birmingham Development Plan, Inspector's report, March, 2016)

¹¹ (Paragraph 4.5 Greater Manchester Minerals Plan April 2013)

rural areas to be granted permission in appropriate circumstances, whilst not placing onerous requirements on non-mineral proposals which could otherwise affect their viability and economic development within the borough.

7.3 Is it clear which areas are now proposed as buffer zones in the Council's proposed changes?

7.3.1 Yes, the attached map¹² has been prepared in line with the NPPF¹³. The Council has separately signed a Statement of Common Ground with the Minerals Product Association¹⁴.

7.4 Has adequate provision been made for the supply of mineral resources in accordance with relevant national policies? [Inspector's note: the Council's response to the comments of representors on this matter, including in respect of site allocations, are particularly requested.]

7.4.1 The Council wishes the inspector to read this response alongside that provided by Shropshire Council who will present evidence as part of this Council's team (refer Appendix 1).

7.4.2 The NPPF¹⁵ indicates that mineral planning authorities should make adequate supplies of mineral resources available to industry to sustain the economy.

7.4.3 The minerals currently being worked in the Borough are crushed rock at Leaton Quarry, near Wrockwardine and brick clay at Hadley Quarry¹⁶.

7.4.4 In the case of aggregates provision, based on the NPPF¹⁷, the West Midlands Aggregates Working Party (AWP) sets supply requirements targets for both crushed rock and sand & gravel for each sub region, based on minimum 10 year and minimum seven year landbank requirements respectively.

7.4.5 For the sub region of Shropshire and Telford & Wrekin, based on the annual Local Aggregate Assessment¹⁸, there is a 46 year landbank for crushed rock and a 17 year landbank for sand and gravel if resolutions to grant planning permission are included.

¹² G6

¹³ NPPF, paragraph 143

¹⁴ G3

¹⁵ NPPF, paragraphs 142 and 143

¹⁶ There is also an old minerals planning permission at Donnington Wood quarry which became dormant in 1972 but resumed working in 1988 and became dormant again in the late 1990s. It has an imposed expiry date of 2042 under the minerals review since the original planning permission has no condition imposing an expiry date. The remaining area that has not been worked and built on is to the west of Redhill Way (A5060) is unlikely to be worked due to its small size and infrastructure restraints.

¹⁷ NPPF, paragraph 145

¹⁸ G11 Pages 53-54, including Table 32

Sand and gravel

7.4.6 The Shropshire Council Sites Allocation and Management of Development Plan (SAMDev)¹⁹ states that the sand & gravel production requirement for the plan period 2006 – 2026 was 11.48mt, which is to be delivered through:

- 4.36mt at existing operational sites;
- 4.60mt in unworked site commitments (Sleap / Barnsley Lane / Woodcote Wood);
- 4.10mt in preferred allocations in the Shropshire Council SAMDev Plan;
- 1mt windfall allowance

7.4.7 This generates a surplus of 2.58mt, so no provision is required from Telford & Wrekin towards the sub region's needs during this period. However, the production requirement of 11.48mt was calculated from the former sub-regional apportionment of 0.82mtpa and AWP has agreed to assess production against the 10 year average, which is currently 0.69mtpa. This means the productive requirement for the Telford & Wrekin Local Plan period 2016 to 2031 would be 10.35mt, met from:

- 2.8mt at existing operational sites;
- 4.1mt at unworked site commitments (at Sleap [later in the Plan period] and Woodcote Wood. It is accepted that Barnsley Lane is unlikely to be worked in the foreseeable future);
- 4.10mt in preferred allocations in the Shropshire Council SAMDev Plan;
- 1mt windfall allowance

7.4.8 This generates an adequate supply of 12mt against a requirement of 10.35mt, reinforcing the Council's position that Pave Lane is not required currently, but could come forward as a reserve²⁰ if required. Shropshire Council is to start work shortly on a Local Plan Review which will roll its plan period forward to cover the period 2016 – 2036. The Plan Review process will include consideration of whether there is a need to identify additional sand and gravel reserves to secure an adequate and steady supply for sub-region during the new plan period.

7.4.9 The sand and gravel site at Woodcote Wood has been previously recommended for inclusion as a preferred site and Pave Lane was rejected by

¹⁹ <https://shropshire.gov.uk/planning-policy/local-plan/>

²⁰ Shropshire and Telford & Wrekin jointly commissioned an independent consultants report by Entec (2010) into sand and gravel resources. This report recommended that the Pave Lane site is the least preferred site of those considered for potential allocation. It is deemed appropriate as a reserve site if an increase in supply is required.

the Planning Inspector into the first Shropshire and Telford & Wrekin Minerals Local Plan Public Inquiry in 1997²¹.

7.4.10 Both councils accepted the Inspector's recommendations after a second public inquiry in 1999, concerning the inclusion of the Woodcote Wood site, in the adopted Joint Minerals Local Plan²². It was also considered that working the Woodcote Wood and Pave Lane sites concurrently would be unacceptable in terms of the cumulative impact in the local area.

Crushed rock

7.4.11 Leaton quarry²³ provides Telford & Wrekin's contribution to the sub regional crushed rock landbank. Further provision of crushed rock resources within the Borough are not necessary at this time.

Brick clay

7.4.12 The NPPF²⁴ requires a 25 year supply of brick clays for brickworks. Permissions were granted at Hadley Quarry to secure reserves to maintain supplies for more than 25 years at Blockleys brick works. There is a sufficient amount of workable brick clay until 2031. Other clay supplies will have to be imported, e.g. brick clay from Staffordshire and fireclay from Caughley, Shropshire.

Coal and coal bed mineral resources

7.4.13 The NPPF²⁵ also requires Councils to indicate areas where coal extraction may be acceptable. The surface mine coal resources of the Coalbrookdale Coalfield are virtually exhausted and the only few remaining areas which have not already been sterilised by built development are considered not to be in environmentally acceptable locations^{26 27}. Industry has shown no interest in developing these small areas of surface coal and fireclay resources for the plan period.

7.4.14 Coal bed mineral resources are most likely to be located in the unworked deep mined coal resources of Granville Colliery (closed in 1979) and in the

²¹ G15

²² G16

²³ Crushed rock production within the Borough has concentrated at Leaton since the 1980s when other crushed rock quarries in the Wrekin area closed down but were not exhausted, i.e. Ercall Quarries (Wrekin Quartzite) and Maddocks Hill Quarry (Camptonite).

²⁴ Paragraph 146.

²⁵ Paragraph 147, NPPF

²⁶ Paragraph 149, NPPF

²⁷ These are: the Muxton coal and fireclay resource area which has already been referred to in the Council's response to question 7.2; a small area of land between Dawley Road and New Works Lane, next to the former Huntington Lane surface mine, which having been included in four surface mine applications since the 1980s, was excluded from the Huntington Lane surface mine appeal permission and is next to the Lawley development to the east; a small area west of the northern part of the Huntington Lane surface mine in Shortwood where the coal seam outcrops in the wood; and a small area close to Little Wenlock village.

north east of the Borough bordering on and extending into Shropshire in the Lilleshall/Sheriffhales area. Any further conventional oil and gas resources are not known. Industry has shown no interest in developing underground coal mines in the Lilleshall/Sheriffhales area so far and is unlikely to do so in the plan period.

Conclusion

7.4.15 Adequate provision has been made for minerals and aggregate supplies within the sub region of Shropshire and Telford & Wrekin for the plan period.

7.5 Has adequate provision been made for waste management facilities in line with relevant national policies?

7.5.1 Yes. In considering relevant national policies²⁸ adequate provision has been made for new and expanded waste management facilities through policy ER7 and accompanying evidence base²⁹. The Council has:

1. Worked collaboratively as part of the West Midlands Resource Technical Advisory Body to address duty to cooperate issues including the use of cross boundary Waste Management Facilities (WMF)³⁰.
2. Estimated waste capacity gaps and considered how these might be met, taking account of planning assumptions made in the recently signed 24 year municipal waste contract.
3. Identified areas³¹ appropriate for WMF, which provide the greatest level of choice and flexibility, whilst including appropriate exceptions such as use of PDL that might not be suitable for residential development.
4. Provided a policy framework that allows for development of new and expanded WMF, whilst providing appropriate environmental and community protection, including the prevention of bad neighbour uses.

7.5.2 In preparing the Local Plan the Council has met the requirements of the Waste Framework Directive. In order to clarify the position of existing major waste facilities the Council has produced the following map (refer Figure 2). This shows the full list of local waste management facilities included within the Waste Evidence Base Report³².

²⁸ National Planning Policy for Waste, Annex B
NPPF paragraph 162

NPPG paragraph 014 (ID: 28-014-20141016)

NPPG paragraph 055 (ID: 28-055-20141016)

²⁹ C6b, section 8.1

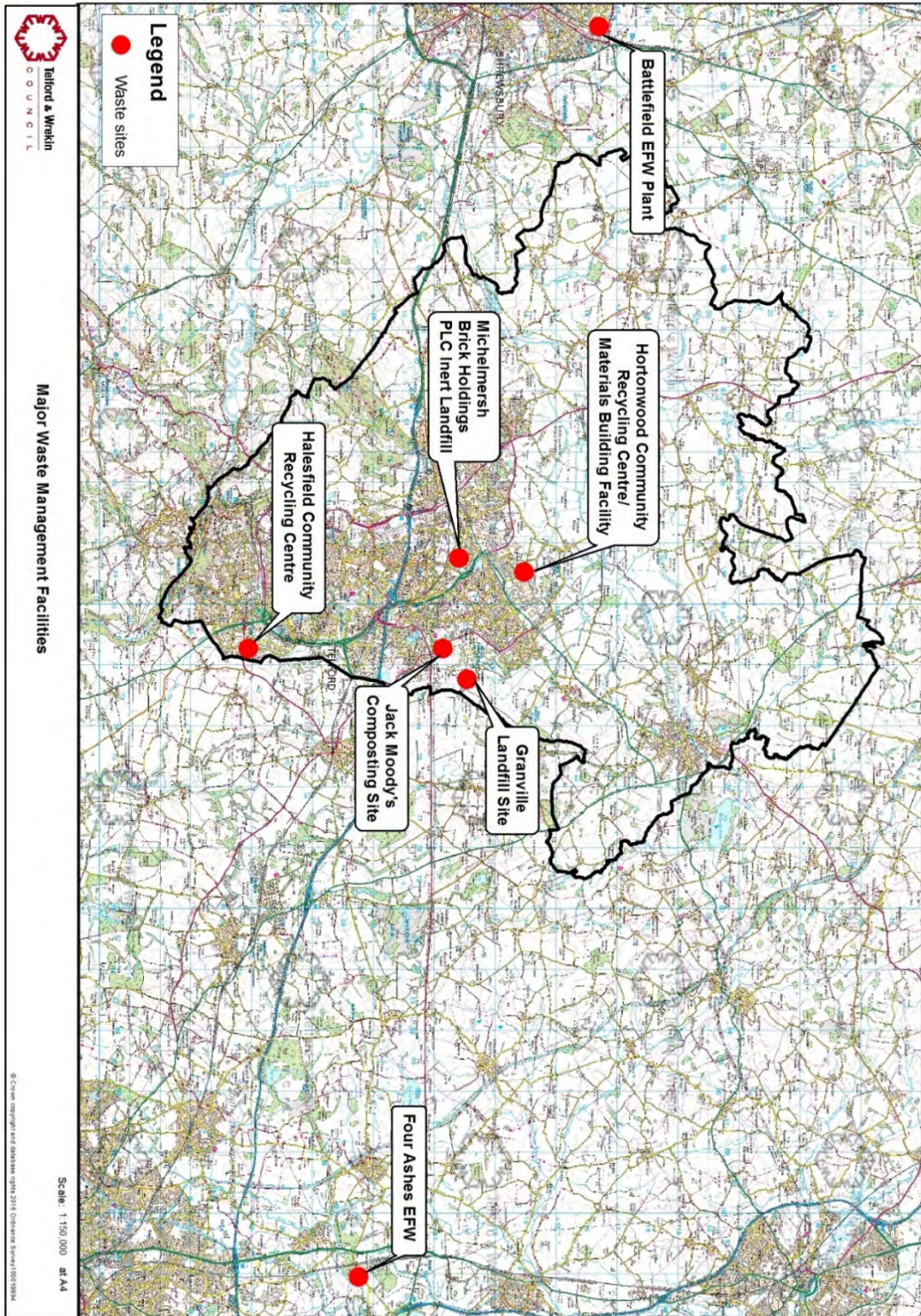
E3, paragraphs 3.91 – 3.92.

³⁰ Includes Battlefield Energy from Waste Plant, Shrewsbury and Four Ashes, Energy from Waste Plant, Staffordshire.

³¹ See Strategic Employment Areas on Policies Map.

³² C6b, section 5.2.

Figure 2 Major Waste Management Facilities, Telford & Wrekin



7.6 Is the Local Plan's approach to flood risk management, including the allocation of sites for development, sufficiently justified with reference to up-to-date evidence and consistent with national policy?

- 7.6.1 The Telford and Wrekin Flood Risk Assessment (SFRA) Level 1 (2007)³³, SFRA Level 2 (2008)³⁴, SFRA Level 2 Addendum (2015)³⁵, Telford and Wrekin Scoping Water Cycle Study (2012)³⁶, Telford and Wrekin Detailed Water Cycle Study (2014)³⁷, Telford and Wrekin Detailed Water Cycle Study – Update (2015)³⁸ and the associated maps provide comprehensive and detailed assessments, in accordance with the NPPF³⁹ paragraph 14 and PPG⁴⁰.
- 7.6.2 The Council's site appraisal process has removed sites that fall completely within Flood Zone 3a or 3b or 50% or more of the site falls within Flood Zone 3a or 3b. Of the allocated housing and employment sites, the SFRA addendum⁴¹ identifies two housing allocations (H1⁴² and H2⁴³) and one employment site (E26⁴⁴) as partially affected by Flood Zones 2 and 3. Where sites are affected by flooding, the recommendations set out in Appendices A and B of the SFRA addendum and Section 11 of the Level 2 SFRA report will be followed at the planning application stage.
- 7.6.3 As stated within the IA⁴⁵, the majority of the sites are not located within an area of flood risk, and are unlikely to affect flood risk in the wider catchment, bar those sites which are partially located within a flood risk area. The IA states that these sites have the potential for minor negative effects on flood risk and that mitigation provided through Policy ER12 and National policy should ensure that development at these sites be directed away from any area of flood risk. The IA considers that the cumulative effect of the local plan will be neutral on flooding given the mitigation measures available.
- 7.6.4 Two parties challenged the policy, one that it was too onerous and the other that criterion (ix) of the policy did not go far enough to include tree planting. In regards to the policy being too onerous, the policy has been written in view of evidence (see paragraph 7.6.1 above) and the Council has sought the expert

³³ C6f-i

³⁴ C6f-ii

³⁵ C6f-iii

³⁶ C6c-i

³⁷ C6c-ii

³⁸ C6c-iii

³⁹ Paragraph 14

⁴⁰ Paragraph 005 Reference ID: 7-005-20140306

⁴¹ C6f-iii There is an error in the SFRA Level 2 addendum. The Council will issue a correction sheet separately.

⁴² C6f-iii, Appendix B, Wall Brook: H1 - Flood zones 2, 3a and 3b affect areas to the north east and the western portion where the Wall Brook flows

⁴³ C6f-iii, Appendix A, Housing: H2 – a small area at the southern tip of the site is affected by Flood Zones 2 and 3, where the Wesley Brook crosses the site

⁴⁴ C6f-iii, Appendix B, Mad Brook: The employment allocation E26 is affected on the western boundary by Flood zone 3b

⁴⁵ A3, pages 152-156

advice of the Environment Agency (EA) from the outset in accordance with the PPG⁴⁶. The Council has had extensive discussions with the EA such that, during Regulation 19, the EA responded by stating

'We have no significant comments to make on this as we have bottomed out the Policy Wording and supporting evidence for both the Flood Risk/Waste Water elements...'⁴⁷.

- 7.6.5 The EA has submitted a further representation to the examination (Appendix 2) confirming that the Council's approach is appropriate.
- 7.6.6 In regards to tree planting, Policy NE2 provides an appropriate basis to require replacement and enhancement planting associated with the management of water courses.
- 7.6.7 The Council's approach to address flood risk is considered the most appropriate strategy to be applied at Local Plan level. Strategic Flood Risk Assessments have been utilised to determine the appropriateness of the allocated sites^{48 49}, with site specific requirements for future development managed through the policies set out in the Local Flood Risk Management Strategy (2015) and subsequent SUDS Developer Guidance Document. Policy ER12 would ensure other development proposals are considered in accordance with relevant provisions with the NPPF⁵⁰.

⁴⁶ Paragraph: 014 Reference ID: 34-014-20140306

⁴⁷ PUB599

⁴⁸ C6f-ii

⁴⁹ C6f-iii assesses the flood risk to a number of potential housing and employment sites further to those assessed in the Level 2 SFRA.

⁵⁰ NPPF paragraphs 93,94, 99, 100 [bullet-points 1,2, 3 and 4], 101 and 102

**APPENDIX 1
of Matter 7**

Statement from Shropshire Council regarding Question 7.4

Submission from Adrian Cooper, Planning Policy & Strategy Manager, Shropshire Council

Question 7.4: Has adequate provision been made for the supply of mineral resources in accordance with relevant national policies?

1. Shropshire Council and Telford & Wrekin Council work closely together on strategic issues relating to environmental resources as recognised in the 'Duty to Co-operate Protocol' agreed between the two authorities. The authorities are confident that these working arrangements will deliver an adequate and steady supply of mineral resources sufficient to meet local needs and provide for an appropriate contribution to cross boundary needs for these materials consistent with the requirements of national policy.

Aggregates

2. In accordance with national guidance, a joint 2016 Local Aggregate Assessment for Shropshire was endorsed by the West Midlands Aggregates Working Party (WMAWP) on 26th October 2016 and will be published by both Councils shortly. The Local Aggregate Assessment takes into account the supply and demand for aggregates in Shropshire including the area administered by Telford & Wrekin Council. The majority of aggregate production takes place in the area administered by Shropshire Council. There is currently no sand and gravel working in Telford & Wrekin, but crushed rock from a single site contributes about a quarter of the annual sales. Both areas contain facilities where construction, demolition and excavation waste is recycled to produce aggregates.
3. There are currently 10 permitted sites for sand and gravel working in Shropshire, 5 of which were operational. The LAA indicates that sand and gravel production in Shropshire and Telford & Wrekin in 2015 had significantly recovered from recent years and is now above both the 10 year rolling average for sand gravel sales (0.69mt) and the 3 year average (0.67mt). The majority of the material produced is used locally within Shropshire to supply the construction industry with building sand, concrete and concrete products. About 70% of current sand and gravel reserves is contained in three site commitments (Sleap, Woodcote Wood, Barnsley Lane) which have remained unworked for over 5 years. This strongly suggests that both local demand and cross boundary markets are not currently strong enough to support the level of capital investment in infrastructure which would be required to implement these sites, although mineral working at Woodcote Wood is expected to commence during the next few years.
4. In Shropshire, the landbank of permissions for sand and gravel working has remained consistently above the minimum requirement level of 7 years. The permitted landbank of permissions was equivalent to about 15 years' production in 2015. Shropshire Council has consistently responded positively to both planned and windfall applications to release more material to maintain productive capacity to counter balance the impact of the unworked site commitments referred to above.
5. The Shropshire Site Allocations and Management of Development (SAMDev) Plan was adopted in December 2015 and identified a production requirement for the plan period of 11.48mt, which was to be delivered through:
 - 4.36mt at existing operational sites;
 - 4.60mt in unworked site commitments (Sleap / Barnsley Lane / Woodcote Wood);
 - 4.10mt in preferred allocations identified in the SAMDev Plan;

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Submission from Adrian Cooper, Planning Policy & Strategy Manager, Shropshire Council

- 1mt windfall allowance (to account for known interest in potential mineral working at unplanned sites);

This generated a surplus of 2.58mt, meaning that no provision was required from Telford & Wrekin to maintain 'an adequate and steady supply of sand and gravel'.

6. However, the 'production requirement' of 11.48mt was calculated using the former sub-regional apportionment of 0.82mtpa and WMAWP has since agreed to assess production against the 10 year average, which is currently 0.69mtpa. This means that recalculating the productive requirement for the remaining Telford & Wrekin plan period from 2016 to 2031 would require 10.35mt (15years at 0.69mt). This requirement can be met from:

- 2.8mt from current reserves at existing operational sites (this allows for resource depletion since the completion of the calculation for the SAMDev Plan);
- 4.1mt at unworked site commitments (comprising Sleaf [later in the Plan period] and Woodcote Wood [assumes a start in the next few years]). No contribution has been assumed from Barnsley Lane which is unlikely to be worked in the near future);
- 4.10mt in preferred allocations in the SAMDev Plan;
- 1mt windfall allowance (as described under 5 above);

This generates a supply of 12mt against a requirement of 10.35mt, thus reinforcing the point that further site allocations are not required at this point.

7. To supplement the approach taken in the SAMDev Plan, draft Telford & Wrekin Local Plan Policy ER4 provides further flexibility for additional mineral working at sustainable sites to come forward in circumstances where additional reserves of sand and gravel are required, for example to reflect a significant local increase in demand or a significant reduction in productive capacity across the sub-region.

Brick Clay

8. No brick manufacture takes place in Shropshire, but the Shropshire Local Plan recognises and supports the continued export of brick clay and fireclay to brickworks in Telford and elsewhere in the West Midlands. In Shropshire, adequate permitted reserves of brick and fireclay clay exist to maintain supplies for about 25 years at current output rates. Draft Telford & Wrekin Local Plan Policy ER4 also recognises this cross-boundary relationship and confirms that no new supplies are required.

APPENDIX 2
7.6 of Matter 7

Statement from Environment Agency regarding Question

Ms. Tina Kelly – Programme Officer
c/o: Telford & Wrekin Council
Development Management
PO Box 457
Wellington Civic Offices
Telford
TF2 2FH

Our ref: SV/2012/106308/CS-
03/EW1-L01
Your ref:
Date: 27 October 2016

Dear Madam

TELFORD & WREKIN COUNCIL LOCAL PLAN EXAMINATION

I write in connection with the forthcoming Telford and Wrekin Council Local Plan Examination and, specific to matters within our remit, the approach taken with regards flood risk management. The Environment Agency is a statutory consultee and have been engaged in on-going dialogue with Telford & Wrekin Council from the outset, through various iterations of the Plan, and the associated evidence base, in order to make it sound.

The importance of an up to date and robust evidence base is supported by the National Planning Policy Framework (NPPF). Paragraph 158 of the NPPF requires demonstration of a “proportionate evidence base” and ensure that “the Local Plan is based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area.”

We therefore worked with the Planning Policy Team at Telford & Wrekin to ensure that all forms of flooding were fully taken into account as part of the plan making process. This evidence base would inform site allocations for residential and employment and to subsequently inform future waste and mineral sites. The need for this evidence is supported by the NPPF and NPPG to help avoid inappropriate development in areas at risk of flooding.

In consideration of the above, and Question 7.6 of your Draft Matters, Issues and Questions Paper, I would offer the following comments at this time.

The question asks whether the Local Plan’s Approach to flood risk management, including the allocation of sites for development, is sufficiently justified with reference to up-to-date evidence and consistent with national policy.

Planning Practice Guidance (Taking flood risk into account in the preparation of

Environment Agency
Hafren House, Welshpool Road, Shelton, Shropshire, Shrewsbury, SY3 8BB.
Customer services line: 03708 506 506
www.gov.uk/environment-agency

Cont/d..

Local Plans): Paragraph 005 (Reference ID: 7-005-20140306) outlines how the Local Plan should consider flood risk matters, with reference to a Sequential Approach and the need for a robust evidence base i.e. Strategic Flood Risk Assessment (SFRA).

Specific to Telford & Wrekins Local Plan (Policy ER12 – Flood Risk Management) there is a requirement for development to be located in accordance with the Sequential Test and Exception tests along with the SFRA and Local Flood Risk Management Strategy. This flood risk sequential approach has also informed the allocations within the Plan, amongst other matters outside of the Environment Agency remit, to ensure that development is located in areas of the lowest level of flooding. Where sites do have a portion of flooding associated with them the Land Drainage team have assessed the sites and confirmed that a sequential approach can also be applied within the boundary of the site to ensure all built development is located within Flood Zone 1, the low risk Zone.

SFRA update: The NPPG states that “When approaching submission, if key studies are already reliant on data that is a few years old, they should be updated to reflect the most recent information available”.

Telford & Wrekin have previously produced both a Level 1 and 2 SFRA (2007 and 2008 respectively) but it was felt that this SFRA evidence base needed to be updated in consideration of the proposed growth throughout the plan period and to better sync with the Local Plan submission and allocated sites that were not picked up in those documents.

On the 2 November 2015 we received a Phase 2 SFRA Addendum which provided an updated assessment of the allocated sites not addressed in the 2008 SFRA along with documenting roles and responsibilities since the introduction of the Flood and Water Management Act 2010 and the creation of Lead Local Flood Authorities (LLFA).

The updated SFRA, in conjunction with the recently produced Local Flood Risk Management Strategy, offers a comprehensive suite of information on all sources of flooding throughout the borough and demonstrates how Telford & Wrekin can sustainably accommodate growth over the plan period.

Climate change: In February of this year the Environment Agency released updated guidance on how climate change could affect flood risk to new development. This was introduced to help ensure that new housing, and other development, remain safe and resilient to flooding, without increasing flood risk elsewhere. This was discussed with Telford & Wrekin Council at that time as they were in the advanced stages of their final submission at this time.

We confirmed that, in instances where local plans, and the associated evidence base, are well advanced, the application of these updated allowances could significantly slow down completion or add to costs. We would therefore, other than particularly vulnerable or sensitive locations, continue to base our advice on the existing allowances. Therefore we did not request the Council to further revisit the SFRA in consideration of the updated allowances. However, we did recommend that the Councils Land Drainage Team provide confirmation that the updated allowances would not impact upon the delivery of the allocated sites.

After reviewing the new Climate Change guidance the Land Drainage Team confirmed that, whilst three of the allocated sites do have areas of Flood Zone 3 (High Risk) associated with them, the increased allowances would not impact upon their ability to

accommodate the required housing numbers/employment use. Policy ER 12 of the Local Plan has included reference to the updated Climate Change guidance to ensure that the document contains the most up-to-date evidence and is consistent with national policy and associated guidance.

Conclusion: The Local Plan, as stated above, provides a robust and comprehensive evidence base with regard to matters of flood risk management. The Plan is supported by an up to date Strategic Flood Risk Assessment (SFRA) whilst the latest Climate Change guidance has also been factored to ensure that the allocated sites are suitable for development.

Yours faithfully

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