

TELFORD AND WREKIN LOCAL PLAN EIP

MATTER 8: SITE ALLOCATIONS (K24/40a)

INTRODUCTION

As set out in **Document K24/40** the Inspector required the Council to provide more detailed working to show how 315 sites (those which had progressed through the first two of the three stage exercise) were reduced to 17 allocations.

With regard to the Council's recently published response (**Document K24/40a**) we would suggest that:

- i. **General:** The response does not provide the information requested, and
- ii. **Our promoted Lawley Site (435 part) specifically:** The response does confirm the points we have previously raised as matters of concern (both during the consultation exercise and during hearing session 8 in the course of the EIP), that the site assessment process was and remains flawed in that it was factually wrong, was not at all transparent and therefore neither robust nor sound.
- iii. **Mineral Safeguarding Areas:** I have also included comments on the Council's use of Mineral Safeguarding Areas in relation to this land.

Dealing with each in turn:

GENERAL

- The additional information provided does not explain fully the process of reducing the sites from 315 to 17.
- Appendix 1 provides a very brief summary of the planning assessment criteria but no indication as to how these have been applied to individual sites.
- Appendix 2 which purports to set out the planning considerations for each site relates only to 99 sites – the introductory text suggesting that the other sites 'had already been sieved out'.
- There is no explanation as to why or how those 216 sites were discarded or the SF score which was afforded to each.
- Whilst the total SF score is shown for each of the 99 Appendix 2 sites we are not told which SF criteria have been scored and which have not.
- Given that the whole purpose of requesting this additional information was to provide clarification of the Council's planning assessment methodology, it is suggested that this is still totally lacking.
- Document K24/40a suggests that all (non-allocated) sites advocated during the Matter 8 Hearing Session 'scored less than 5 when judged against the Strategic Fit Criteria'. Surely, provision of the information suggested above is the minimum which could be expected in order to demonstrate the process in a transparent manner.

PROMOTED LAWLEY SITE (435 part)

- We have previously expressed our concern that the Council chose to consider the Parkhill Estates Ltd (PEL) proposed allocation together with large, separate areas

promoted by others as one single site for consideration – an action which we believe seriously prejudices any planning assessment of our site. (The attached Drawings 1 and 2 show our submitted potential allocation site and the larger site considered by the Council for clarification purposes). Whilst indications had been provided in the past by PEL to show how the adjoining land ownerships might ultimately be developed comprehensively, the PEL land should have been assessed in its own right. We have previously set out how this disadvantaged the assessment of our site so will not repeat it here. (My further references to our Lawley Site relate to our submitted site and not the whole of Site 435).

- Document K24/40a states that ***'None of the allocated sites scored less than 5 except at Lawley (SHLAA references 445 and 613)'*** – two of the four sites making up Allocation H17 which lies immediately adjacent to our Lawley Site. These 'exception' sites achieved Strategic Fit (SF) scores of only 4 and 3 respectively (which in itself begs the question – how have they made it this far in the site selection process?)
- It would have been more appropriate to assess those sites against our promoted site as this was originally included in the New Town Regeneration Programme and was consequently remediated by surface mining and specifically made fit for development in the 1980s and 1990s as part of the same exercise as the wider Lawley area. This whole regeneration programme was created by the then Development Corporation to provide for the comprehensive development of the core New Town.
- The Lawley land was originally intended to be developed for housing in due course. (As part of a complicated land swap at the time, we obtained an area of land – part of our promoted site - from TDC/English Partnerships in return for giving them the land immediately to the east (now forming allocation H17).
- It was NOT intended that only the section of the reclaimed site in public ownership would be developed with the section in private ownership remaining undeveloped. If that had been the vision and intention, the publicly funded reclamation scheme would not have provided for compaction of the land to enable immediate development.
- An indication of the 'loaded' manner in which the Council's assessment exercise has been carried out is contained in Document A3a Appendix IX. Here, dealing with Site 435, only reasons for the site not being progressed are listed:
 - negative effect on the strategic green space and/or valuable landscapes
 - does not support the strategic employment areas/eastern arc
 - does not support areas of social deprivation
 - does not maximise infrastructure investment
 - not public land
- Disregarding for the time being the inaccuracy of certain elements when considering our Lawley Site, the first four 'negatives' apply equally to the now 'allocated' Lawley sites but this is not mentioned. Only 'positive' comments appear for those sites, for example:

- supports growth in the urban area of Telford.
 - protects strategic green space and valuable landscapes
 - supports local urban centres
 - site is well connected to existing infrastructure.
 - site is public land.
- Conversely in this case, the first four ‘positives’ apply equally to our Lawley Site. We believe that it is exactly this contrived and unbalanced manner of presenting evidence that has necessitated the Inspector’s request for ‘detailed working’ which still has not been provided.
 - Document K24/40a goes on to state that the low scoring Lawley sites (445 and 613) were included for allocation for three ‘exceptional’ reasons:
 - First - they benefit from Section 7(1) New Towns Act consent for housing, a consent that does not time expire (Yes - because the Development Corporation/Council secured deemed consent on all of its landholding at Lawley – but did not seek to include any private land.)
 - Second - they are currently located within the Wrekin Local Plan Urban Area of Telford (Yes - because the Council defined the Urban Area of this part of Telford purely on the basis of its land ownership boundary)
 - Third - if developed, they will help consolidate the new community at Lawley (Yes - in exactly the same way as our Lawley Site would)
 - It is interesting to compare the SF scores for the four sites making up allocation H17 with that of the submitted Lawley Site:

| SF CRITERION | 445 | 569 | 591 | 613 | (435) |
|--|-----|-----|-----|-----|--------------|
| 1. Focusing growth on the urban areas of Telford and Newport | ✓ | ✓ | ✓ | ✓ | ✓ |
| 2. Protection of strategic green space and valuable landscapes | ✓ | ✓ | ✓ | ✗ | ✓ |
| 3. Sustaining and enhancing local urban centres | ✓ | ✓ | ✓ | ✓ | ✓ |
| 4. Promote sustainable urban extensions | ✗ | ✗ | ✗ | ✗ | ✗ |
| 5. Supports the strategic employment areas/eastern arc | ✗ | ✗ | ✗ | ✗ | ✗ |
| 6. Supports areas of social deprivation | ✗ | ✗ | ✗ | ✗ | ✗ |
| 7. Maximises opportunity for infrastructure investment | ✓ | ✓ | ✓ | ✗ | ✓ |
| 8. Responds to the availability of public land. | ✗ | ✓ | ✓ | ✓ | ✗ |
| 9. Balanced provision complimentary with existing commitments | ✗ | ✗ | ✗ | ✗ | ✗ |
| 10. Harnesses transport connections | ✗ | ✗ | ✗ | ✗ | ✓ |
| TOTAL | 4 | 5 | 5 | 3 | 5 |

- The Lawley Site scores 5 and is readily comparable with sites 569 and 591. It clearly scores better than sites 445 and 613 and yet failed to even make the final selection process whilst those two sites form part of a proposed allocation.

During Hearing Session 8, I made reference to the fact that the Lawley area has been the subject of a major consultation exercise including a comprehensive “Enquiry by Design” stage, facilitated by independent consultants and the Princes’ Trust. In this exercise, the Council was persuaded that the process should not be limited by purely ownership boundaries and should look at sensible ‘planning units’ with land outside the public ownership boundary. Our Lawley land was therefore master-planned at the same time and was ‘agreed’ by the participants to be an obvious area for development, with the main Wellington-Dawley Road being the planning unit boundary rather than an arbitrary line through the fields which only accorded with a public-private sector ownership boundary.

Our land was therefore master-planned for development but despite this, the final ‘planning’ document which was produced excluded our land on the basis that the intention was really only updating existing New Towns Act consents rather than granting new permissions.

(This was no theoretical ‘masterplanning’ exercise – the whole of the ongoing Lawley development, including the new district centre with retail and health facilities has been built out in accordance with the Framework Plan developed through this process.)

However, I did draw attention to one important and relevant aspect in that the new Lawley Boulevard which sweeps down through the main development area joins the existing major road (Lawley Drive) at exactly the point where it can be extended into the land to the west of Lawley Drive and Arleston Lane. This point was chosen because it can be extended at grade across the main road into a remaining area of public ownership and, it could then go straight through our land to join the Wellington-Dawley Road and facilitate both development and sustainable transport links between key areas of the Town. To assist in understanding this situation, I have attached a Drawings 3 and 4 which demonstrate this.

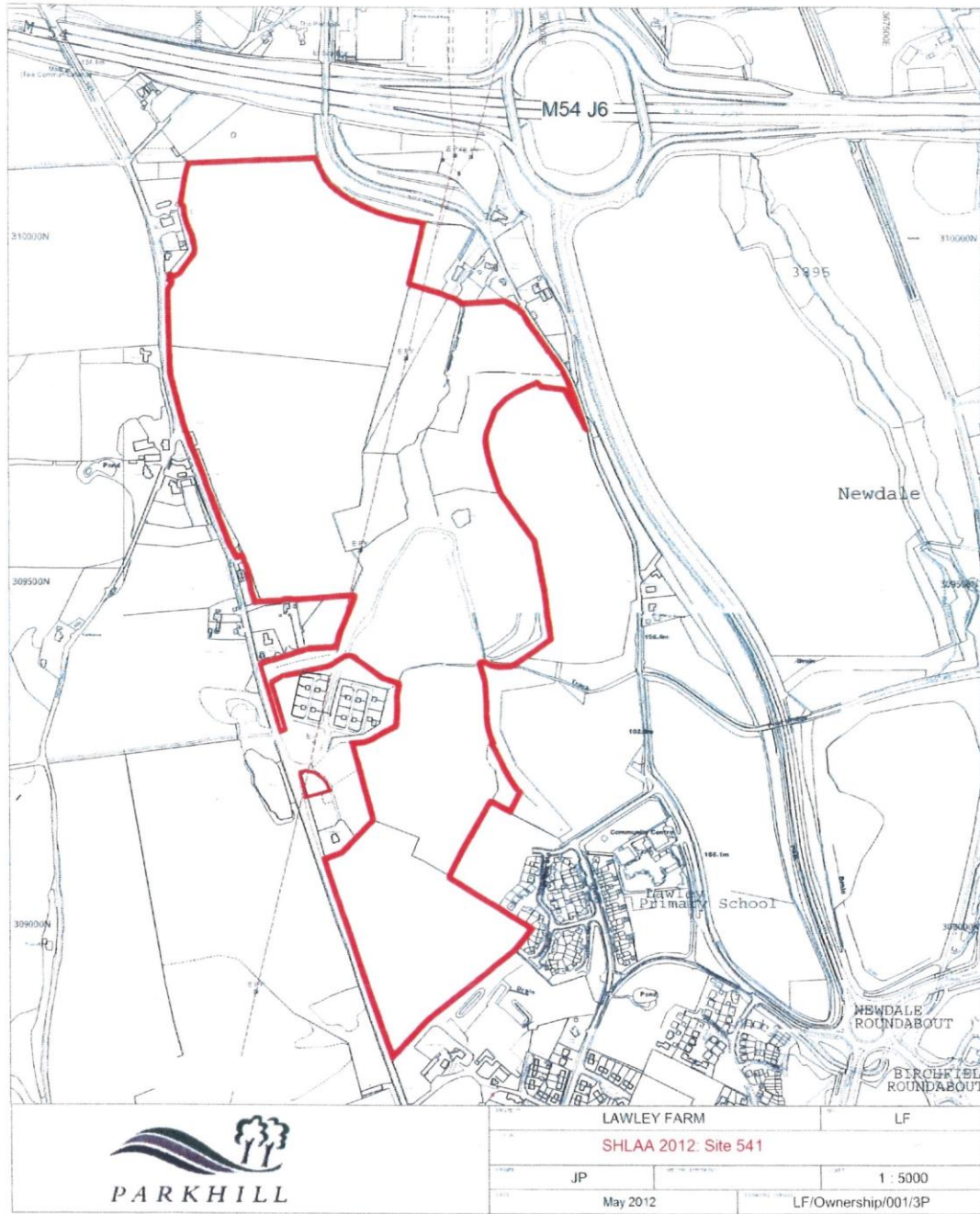
MINERAL SAFEGUARDING AREAS

A final point relates to the use of Minerals Safeguarding Areas to try and restrict private sector development yet allow public sector development. As stated above, the whole of the ‘Lawley’ site (between Arleston Lane and the Dawley-Wellington Road) had its mineral resource removed as part of the Development Corporation’s reclamation programme prior to development. It is a quirk of fate that an ownership boundary runs through the middle of the site with the effect that the Council seek to argue that there is no need to define an MSA on land in public ownership yet it does define an MSA on the privately owned section of the same (already mined) site.

At the Examination, it was stated in response to a question that one of the reasons why our Lawley Site had not been allocated was because it was in a MSA yet the mineral had been already been fully extracted as part of the preparation of the land for development. This was precisely the reason why the Council was asked to be more specific about defining areas where economic minerals actually still exist and/or have already been extracted. However, despite the clear request, in the Council’s response (Document K24/32a and its appendices) this clarification has NOT been supplied (other than by means of a very limited justification and that H1 is not part of such an economic resource) and the amended Mineral Safeguarding Areas Plan continues to show the Lawley Site within a MSA.

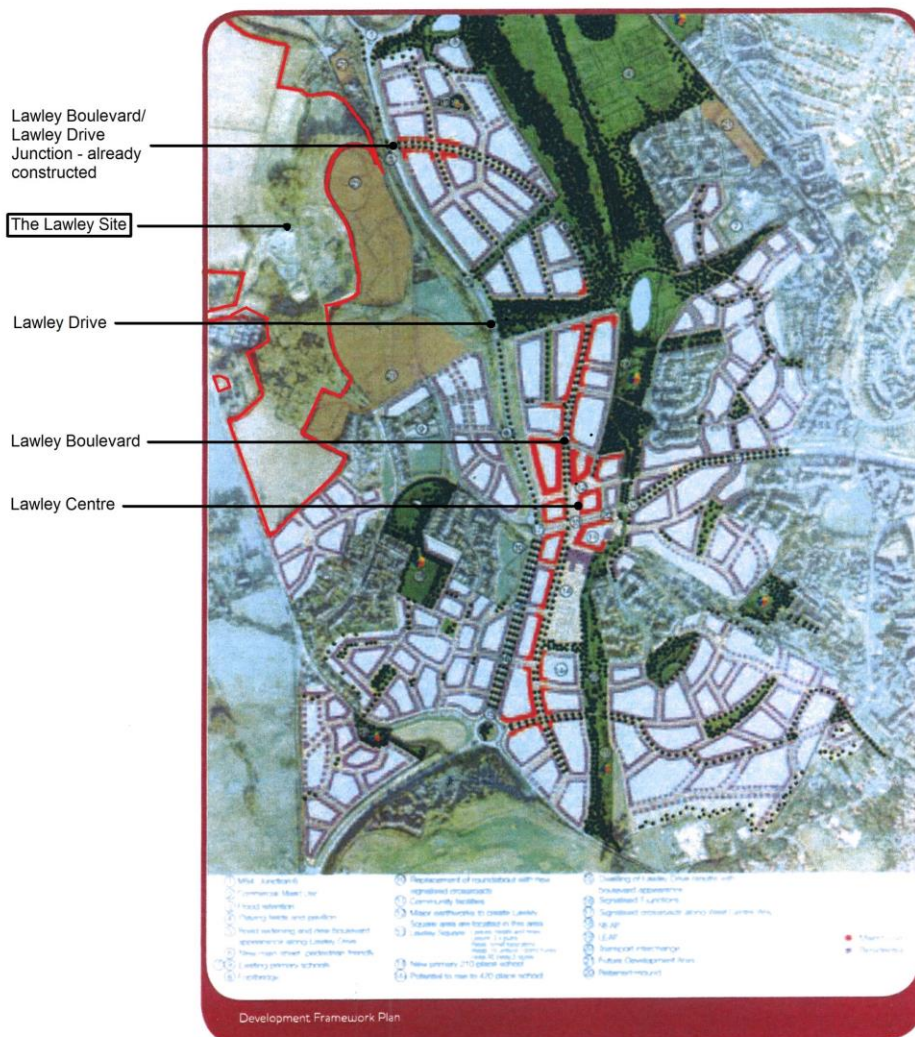
Apart from the obvious inequity, it must be pointed out that this example of the use of MSAs is “wrong” as the whole site was mined and compacted prior to planned development yet the

Council attempts to maintain an MSA designation on the privately owned land. This can only be to try and strengthen its argument for development on the public land and to restrict development on the private land.

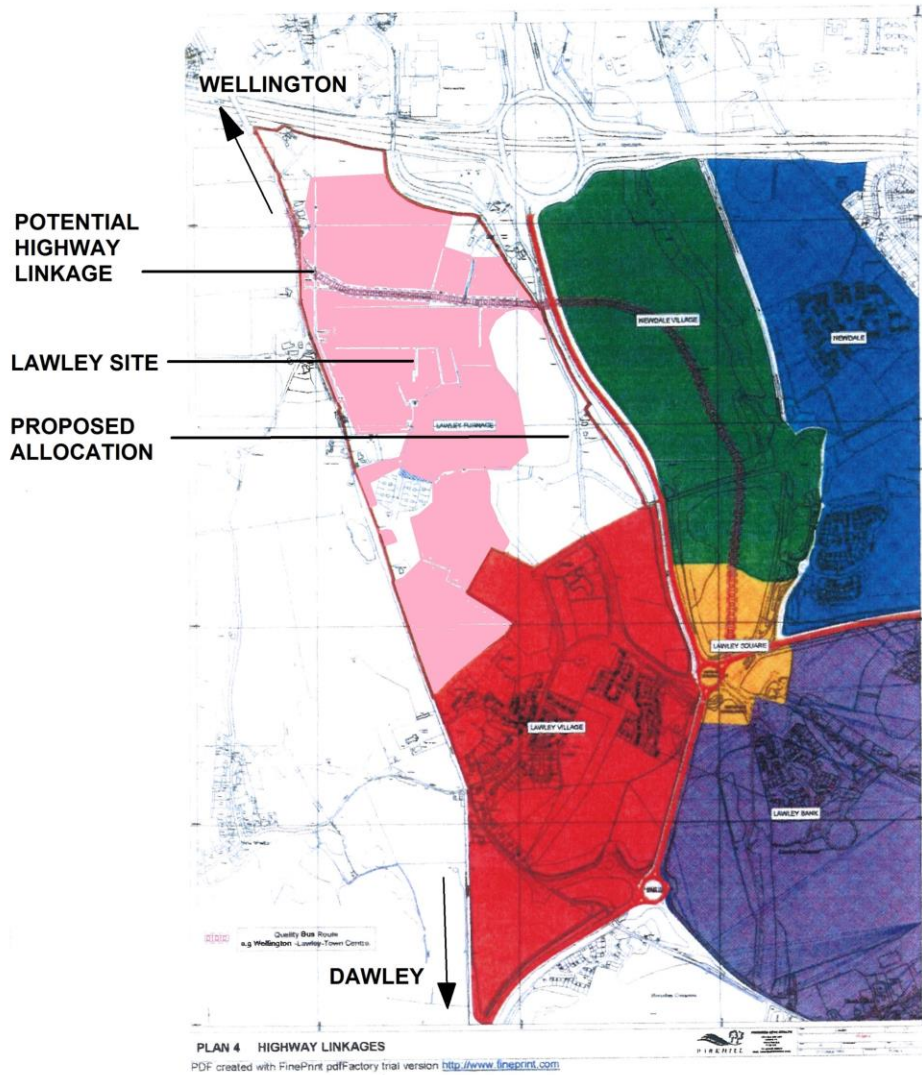


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DRAWING 1: Lawley Site Promoted by Parkhill Estates Ltd - SHLAA 2012



DRAWING 3: Lawley Site in the Context of the Lawley by Design Development Framework Plan



DRAWING 4: Lawley Site and Highway Linkage Discussed during Lawley Enquiry by Design