

Telford & Wrekin Council comments on Lilleshall Parish Neighbourhood Plan (Regulation 16 version)

Section/ Policy Area	Page/ Policy Ref	Recommended Suggestion	Reg 14 Comments	Additional Comments following the Supplementary consultation	Regulation 16 comments
Introduction	P6				
Setting the context	P8			New wording has been added to this section and makes reference to "Weald Strategic Landscape". Correct term to "Weald <u>Moors</u>	
Why we are preparing a NP for Lilleshall?	P10				
Process of preparing the plan	P11				
National and local planning policy framework	P12				
Evidence base	P14				
Vision and objectives	P16				
Policies					
Housing	Policy Dev1: infill housing, p17	Suggest an amendment in line with the comment.	If the NDP is to include a reference to 'maximum of 3 dwellings' is not in general conformity with the development, nor is any evidence presented to justify it. Furthermore, inclusion of the term	Please see previous comments. In addition, the definition could also do with a reference to the source or evidence for the 1 – 5 dwelling range.	

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			housing development, without sufficient regard to		
		Suggest an amendment in line with the comment.	Given that the Framework is merely a material consideration and not part of the statutory code (i.e in legislation, common law) and does not outweigh the primacy of the development as a matter of principle, it may not be appropriate to include references to specific paragraphs in the policy. The policy needs to stand on its own and be enforceable on its own terms. Furthermore, the policy would be out of date were the Framework to be altered or deleted at a future point in time, necessitating an amendment to the	See previous comments.	
	Policy Dev2: Merging of settlements, p18	Include the text.	Policy supporting text needs to note that it conforms to Local Plan policies NE1 and NE2	See previous comments	
	Policy Dev3: Local Plan Allocated Site (H1), p18		This policy relies heavily on the housing allocation H1. In response to the Inspectors note to the Council, the Council has adjusted the current schedule of site allocations to reflect only sites with planning permission or Section 7(1) New Towns Act approval. This has an implication on site H1. It is the Council's position that the site is still considered to be	See previous comments. This policy would be better if it was directed to sites on the edge of and or contiguous with the urban area, should any development get a consent on the boundary (it's worth remembering the Council have had other applications and appeals such as Muxton Lane).	

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		Include the text.	Policy supporting text needs to note that it conforms to		
Heritage and design	Policy D1: Sympathetic design	Remove the last sentence in the first paragraph referring to s design and access statement (D&S).	<p>D&S are required only for the following applications:</p> <ul style="list-style-type: none"> • Applications for major development, as defined in article 2 of the Town and Country Planning (Development Management Procedure (England) Order 2015; • Applications for development in a designated area, where the proposed development consists of: <ul style="list-style-type: none"> • one or more dwellings; or • a building or buildings with a floor space of 100 square metres or more. • Applications for listed building consent. <p>‘Designated Areas’ means Conservation Areas and the World Heritage Site so they don’t apply to Lilleshall which means that only applications for Listed Building Consent and those for ‘Major’ development would require a D&S.</p>	<p>Formatting issue with policy box.</p> <p>Where a development does not require a D and A can the Parish ask for a ‘statement’ which effectively asks for the same things across “all development proposals”? Requesting developers to provide information they aren’t required to and placing additional burdens on them through effectively introducing new standards is not appropriate.</p>	

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		Replace text	Replace “protects” with “preserve” and include reference to setting. “...preserve and enhance		
		Suggest an amendment in line with the comment.	TWC support references to Duke of Sutherland – we’ve now lost Wrekin Local Plan policy HE25 which was the Duke of Sutherland Policy – which resisted their loss. Lots of DoS are Local Interest but not all and they should be. Could the NP put in something about how when identified at the earliest		
	Policy D2: Sustainable Design				
	Policy D3: Design of residential development	Suggest an amendment in line with the comment.	Need to clarify if development needs to meet some or all of the relevant criteria. Policy needs to be more specific in its application. Also bullet b) suggests a development should not result in the loss of community facilities, this could be strengthened along the lines of Local Plan Policy COM1 as there may be situations where		

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			d). 'locally distinctive' character – can the NP define what is the locally distinctive character. Does this refer to the scale (reference to density) or it refers to character re: form/materials etc.		
Local Environment	Policy LE1:Green Spaces		2) School playing field and children's playing area - TWC does not have immediate plans to expand Lilleshall Primary school, but given the requirement on the Local Authority to provide both sufficient early years and school places, the proximity to Muxton		
		Engage with the MOD in allocating the sports field as a Local green space.	5) MOD Sports field – The MOD have publicly announced disposal plans for Parsons (this encompasses the sports pitches) and Venning Barracks. I encourage Lilleshall Council to work with the MOD to better understand their development	See previous comments. Can a designation for 'Local Green Space' be made over defence estate land? Have the Parish engaged with the MOD on this approach?	
		Suggest an amendment in line with the comment.	Concerns over the text 'will not be permitted'. Policy is restrictive and not in line with NPPF. It should provide some exceptions and allow development when it may be appropriate. As an example infrastructure associated with or supporting the use of these local	See previous comments.	

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	Policy LE2: Ecology and Landscape				
	Policy LE3: Strategic Landscape Areas		Given that the TWLP inspector has not yet deliberated on the SLs as they relate to Lilleshall, LPC need to make sure the proposed policy is in conformity with the TWLP once the final position has been established.	See previous comments	
Community Infrastructure	Policy INF1:Connecting the parish	Remove requirement for a “connectivity statement” in the policy.	<p>Policy makes reference to ‘Connectivity Statement’. This isn’t on the list of national information requirements or on the local information requirement list – these set out what has to be submitted in support of an application in order to make it valid. If the connectivity statement’ is not on the list then we can’t make an application invalid because it hasn’t had one submitted with it.</p> <p>In line with advice in the NPPG, the local list prepared by the local authority must go through statutory tests set out in section 62 (4A) of the Town and Country Planning Act 1990 (inserted by the Growth and</p>	See previous comments.	

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	Policy INF2:Community facilities		.		
	Policy INF3:Developer contributions				
Transport and accessibility	Policy TA1:Linkages and connections				
	Policy TA2:Car parking in Lilleshall	'Where there is an evidenced need developer contributions may be sought for the provision of suitably located and designed off-street car-park provision in the Parish'.	There would have to be a need arising from a development identified prior to seeking developer contributions.	For rural areas the LP parking standards have 2.3 spaces / 2 bedroom property.	
Employment	Policy EC1: Rural diversification and small-scale employment development	Second bullet – 'Appropriate mitigation is provided to address impacts of the development on local infrastructure'	Impacts of a development can be mitigated, for example, through contributions to highway works.	See previous comments	
Monitoring and review					
Appendix 1					
Appendix 2					

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Appendix 3					
Other	The NDP refers only to emerging policy (TWLP) when stating conformity. It should be noted that whilst some weight may be given to certain policies in the emerging plan, the Telford & Wrekin Local Plan has yet to be adopted and so does not yet legally form part of the development plan. Reference needs to be made to the adopted development plan (Core Strategy/Wrekin Local Plan)				
SEA/SA					
HRA					
General comments				NP makes reference to “proposals map”, this is now known as the “Policies map”. This is referred to	