

Lilleshall Parish Neighbourhood Plan
Comments on the Lilleshall Parish NP Regulation 15 Submission
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Representations to
The Publication Lilleshall Parish
Neighbourhood Plan
2017 - 2031

Submitted on behalf of
Davidsons Developments Limited

Date: May 2018

Ref: 17.342

REPRESENTATIONS TO THE REGULATION 15 SUBMISSION LILLESHALL PARISH NEIGHBOURHOOD PLAN 2018-2031

Cerda Planning have been instructed by Davidsons Developments Limited to make representations to the Regulation 15 Submission Lilleshall Parish Neighbourhood Plan 2018-2031. This version follows on from the draft neighbourhood plan (originally published in May 2017) and the Supplementary plan dated November 2017 which was amended following the Local Plan Examination in Public Inspectors (EiP) Report. Comments were made on behalf of Davidsons Developments Limited to the Supplementary Plan in December 2017.

Cerda Planning welcomes the completion of the Lilleshall Neighbourhood Plan in line with the Localism Act of 2011. The Neighbourhood Planning process allows local communities the opportunities to 'plan' for themselves. The NPPF promotes neighbourhood plans to develop local areas in support of strategic development set out in the Local Plans but allows the community to have a say and get involved in the planning process. It is acknowledged that the Neighbourhood Plan must '*plan positively to promote local development*' and must '**support the strategic development needs**' as set out in the Telford and Wrekin Local Plan which was adopted in January 2018.

Strategic Framework

In previous representations we commented ***"It is important at the outset that the Lilleshall Neighbourhood Plan gives clarity and recognition as to how development on the edge of the Neighbourhood Plan area and the edge of the Telford urban area boundary will be considered."***

and

"The Strategic Framework Section (Page 14) should therefore give clear direction as to how any future growth on the edge of Telford can be appropriately considered and provide context for future decision making."

It is disappointing therefore that this has not been provided within the Strategic Framework Section. Rather than acknowledging that sites along the edge of the built up area of Telford could be suitable for development in the future, the text in this section refers to Telford being the dominant settlement, "and that the importance of its growth dictates the vast majority of development takes place here."

It is currently stated that "to consider other strategies to provide substantially more housing in the rural area would conflict with the Government policy which seeks to provide sustainable development by encouraging effective use of brownfield land and locating as much housing as possible closest to existing infrastructure."

Our clients site on Station Road, (see attached plan) part of the formerly proposed H1 allocation is not in the heart of the rural area but directly adjacent to the built up area of Telford, and would easily be integrated into the urban form of Telford whilst maintaining soft edges to assimilate into the rural character of Lilleshall beyond. The site is as close as physically possible to the existing infrastructure in Telford. We maintain the view that this section of the Neighbourhood Plan should contain a paragraph in relation to our site (and those making up the former H1 allocation) as to how proposals for these sites should be considered going forward.

The settlement/village of Lilleshall is clearly in the rural area in spatial terms. The edge of the Parish Boundary/Neighbourhood Plan area is however contiguous with the current urban boundary of Telford. The Vision and Objectives at Page 17 provide for support for development contiguous with the current urban area of Telford as do Policies Dev2 and Dev 3 and the supporting text. Accordingly we request that the Strategic Framework section should provide greater clarity within the written text in respect of development contiguous with the current urban area boundary.

VISION AND OBJECTIVES

A number of objectives for the Vision are set out on page 17.

The amended wording of Development – 1 “with the exception of sites contiguous with the current urban area of Telford ...” is supported and welcome.

The following section sets out the proposed policies first and provides commentary text after which explains changes required.

POLICY DEV2: MERGING OF SETTLEMENTS

“In order to prevent coalescence of settlements and to protect the rural character and nature of the Strategic Landscape Areas, where the open spaces between settlements are valued, proposals for new open market housing in the open countryside outside Lilleshall village and NOT CONTIGUOUS WITH THE CURRENT URBAN AREA OF TELFORD WILL NOT BE SUPPORTED except those proposals that accord with Paragraphs 28, 54 and 55 of the NPPF. Limited development on infill sites in Lilleshall will be supported.”

The amendments to the wording (in capital letters) of this policy is supported – clarity is now provided that residential proposals on my client's site and others formerly part of H1 could in principle be supported by the Parish.

POLICY DEV3: SITES WITHIN TELFORD BUILT-UP AREA

It is suggested that the title of policy DEV3 be re-named to SITES CONTIGUOUS WITH THE TELFORD BUILT –UP AREA.

The boundary of the Neighbourhood Plan area is drawn down Station Road which runs parallel to our client's site. Proposed policy DEV2 sets out that sites contiguous with the current urban area of Telford will be supported and so, we suggest that policy DEV3 should be re-worded accordingly to provide clarity.

“In order to reduce the impact on the parish, protect the character and setting of Lilleshall village and help preserve the open aspect of views from the hill, design PROPOSALS FOR DESIGN AND LAYOUT TO MINIMISE DETRIMENTAL SCENIC IMPACT OF SITES CONTIGUOUS WITH THE CURRENT URBAN AREA OF TELFORD (AS DEFINED ON THE POLICIES MAP) IN LILLESHELL PARISH WILL BE SUPPORTED. In addition traffic measures to reduce the impact on the Parish of additional vehicle movements from any new development ON SUCH SITES WILL BE SUPPORTED.”

These amendments are supported also. This policy allows a degree of flexibility and a common sense approach to not discount sites contiguous with the urban area of Telford, acknowledging the different character of these sites, being so close to the built up area and their potential role to play in providing residential dwellings in accordance with the overall spatial strategy of the adopted Local Plan. The current planning application for our client's site proposes a sympathetic layout to provide up to 250 dwellings with green edges that will result in a landscaped buffer to the open countryside and views through a green corridor from Station road to the countryside beyond.

Concluding comments

It is welcomed that on the whole, our comments made in relation to the earlier version of the Plan have been considered positively. The further changes requested will help to “future proof” the Neighbourhood plan and provide clarity going forward.

From: EDITH SMITH [REDACTED]
Sent: 14 May 2018 20:59
To: DevelopmentPlans
Subject: Lilleshall Neighbourhood Plan Submission

Categories: [REDACTED]

Dear Sirs

I would like to comment on the Lilleshall Neighbourhood Plan Submission in relation to one specific aspect - development in rural areas.

The Plan contains Policy Dev2 Merging of Settlements which states that “.....proposals for new open market housing in the open countryside outside Lilleshall village and not contiguous with the current urban area of Telford will not be supported, except those proposals that accord with Paragraphs 28, 54 and 55 of the NPPF.....”. It is then stated that this policy conforms to Local Plan policies including HO10 Residential Development in the Rural Area.

I would like to point out that Paragraph 55 of the NPPF states that local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances and four such special circumstances are identified. One of these is “where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting”. Policy HO10 Residential development in the rural area also seeks to strictly control residential development in rural areas although applications will be supported for such housing in specific circumstances. These circumstances do not though include the re-use of redundant or disused buildings which lead to an enhancement to the immediate setting as identified in Paragraph 55. Given that Policy HO10 is not fully compliant with Paragraph 55 of the NPPF I cannot see how the Lilleshall Neighbourhood Plan Policy Dev2 can accord with both as stated.

In relation to rural diversification and small-scale employment development Policy EC1 of the Lilleshall Neighbourhood Plan states that development would be supported if, where feasible, it involves the re-use of existing buildings or is part of farm diversification. If the Lilleshall Neighbourhood Plan only supports the re-use of existing buildings for diversification purposes and not (through failing to meet the proposals in Policy HO10) for housing I would question how this is then compliant with Para 55 of the NPPF which supports new homes in the countryside where the development reuses redundant buildings and leads to an enhancement to the immediate setting.

Regards
Edith Smith

Telford & Wrekin Council
Development Management
1st Floor Upper
Wellington Civic Offices
Larkin Way (off Tan Bank)
Telford
TF1 1LX

Our ref: SV/2018/109891/OR-
02/PO1-L01

Your ref:

Date: 29 May 2018

F.A.O: Mr. Lawrence Munyuki

Dear Sir

LILLESHALL NEIGHBOURHOOD PLAN

I refer to your email of the 10 April 2018 in relation to the above consultation. Having reviewed the submitted Draft Neighbourhood Plan, and associated documents, I would offer the following comments for your consideration at this time.

We have been working with Telford and Wrekin Council on their recently adopted Local Plan submission to ensure those matters within our remit are secured within the strategic framework of the borough. Similarly, it is important that the associated Neighbourhood Plans offer robust confirmation that development is not impacted by flooding and that there is sufficient waste water infrastructure in place to accommodate growth for the duration of the plan period.

In our previous response (Reg 14) we made reference to Policy DEV3 which related to the site allocated within the Local Plan (H1). Whilst there were areas of flood risk associated with the site (western portion) Telford and Wrekin's Strategic Flood Risk Assessment (SFRA) fully considered the flooding regime at this location and determined its suitability as a strategic allocation.

However it is noted that Policy DEV3 has now been revised in consideration of the subsequent removal of allocation H1 from the now Adopted Plan. Figure 4 identifies the 'Local Plan Built up area in Lilleshall' which is reference in the revised Policy DEV3. It should be noted that this area lies partially within Flood Zone 3 (Flood Map attached) as shown on Figure 7 of your Plan. Whilst it has been confirmed that the Policy does not allocate housing within this area, or within the Neighbourhood Plan, it states that "any proposals for new development in this area will be judged against this policy as part of the development plan".

In consideration of the above we would recommend reference to flood risk within this Policy, and associated text, along with confirmation of conformity with the Adopted

L03 - Environment Agency

Local Plan Policy ER12. We would request clarification around this point and would be happy to discuss this matter further.

It should be noted that the Flood Map provides an indication of 'fluvial' flood risk only. You are advised to discuss matters relating to surface water (pluvial) flooding with the drainage team at Telford and Wrekin Council in their role as the Lead Local Flood Authority (LLFA).

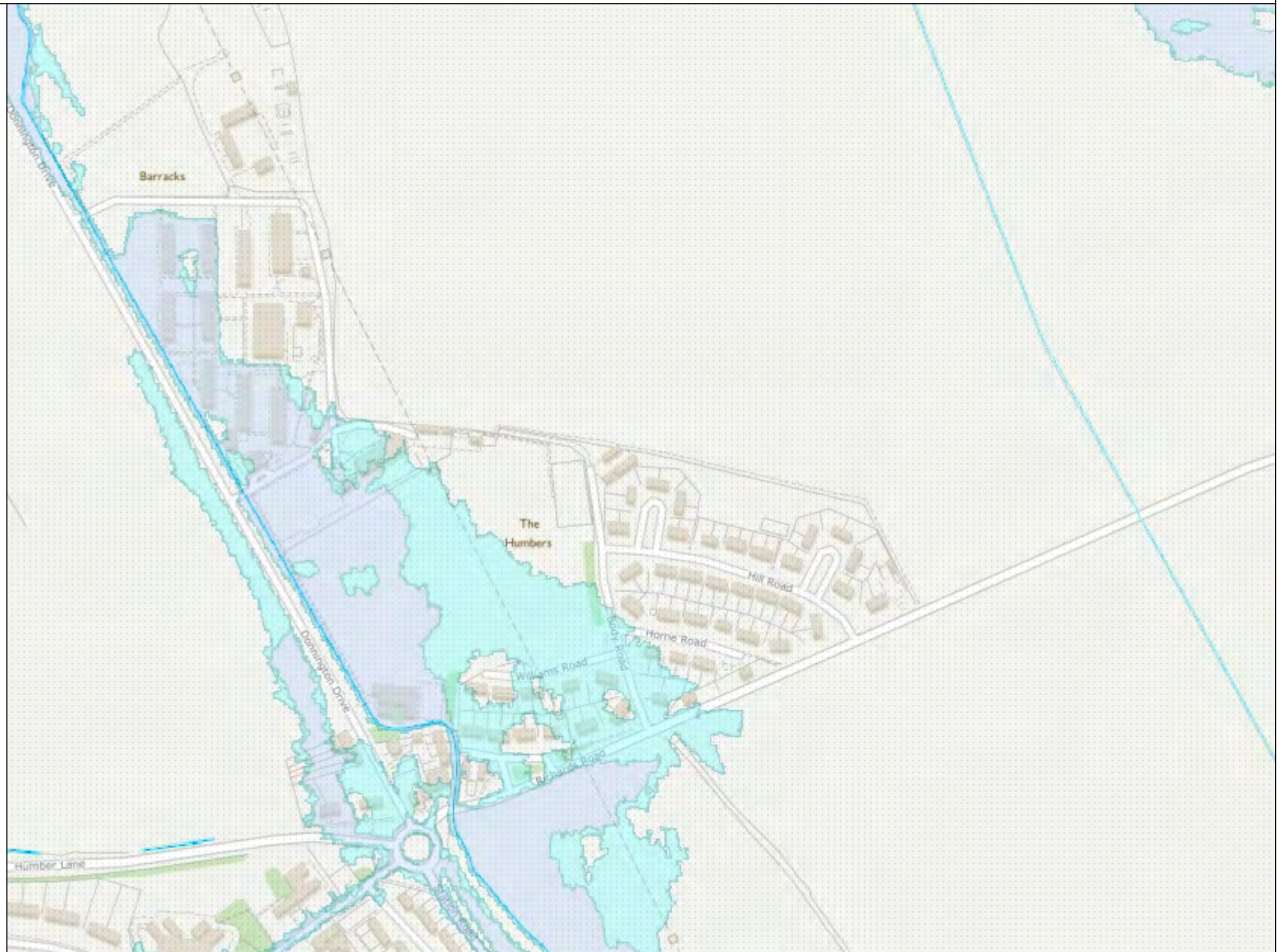
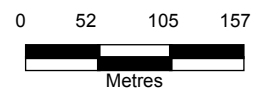
Yours faithfully

Mr. Graeme Irwin
Senior Planning Advisor
Direct dial: 02030 251624
Direct e-mail: [REDACTED]

L03 - Environment Agency Flood Map

Legend

- Authorised Landfill Sites
- Historic Landfill Sites
- Abstraction Reaches (public water s
 - Surface water
 - Groundwater
- Active Discharge Consent Outlets (l
 - Sewage - not water company
 - Sewage - water company
 - Trade
 - Sewage and Trade combined
 - Agriculture
 - Waste site
 - Miscellaneous
- Local Wildlife Sites
- Ancient Woodland (Wales)
- Air Quality Management Areas
- Source Protection Locations
- Source Protection Zones
 - Zone 1 - Inner Zone
 - Zone 1c - Inner Zone subsurface activity o
 - Zone 2 - Outer Zone
 - Zone 2c - Outer Zone subsurface activity c
 - Zone 3 - Total Catchment
 - Zone 3c - Total Catchment subsurface act
 - Zone of Special Interest
- Detailed River Network
 - Primary River
 - Secondary River
 - Tertiary River
 - Lake / Reservoir
 - Canal



Lilleshall
Neighbourhood Development Plan
Regulation 16 Consultation
Submission Version



May 2018

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APPENDICES

Appendix 1 Land off Humber Lane, Telford – Site Location Plan

1 INTRODUCTION

1.1 Context

- 1.1.1 Gladman Developments Ltd (hereafter referred to “Gladman”) specialise in the promotion of strategic land for residential development and associated community infrastructure. From this experience, we understand the need for the planning system to deliver the homes, jobs and thriving local places that the country needs.
- 1.1.2 These representations provide Gladman’s response to the submission version of the Lilleshall Neighbourhood Plan (LNP) under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012.
- 1.1.3 Through these representations, Gladman provides an analysis of the LNP and the policy decisions promoted within the Plan. Comments made by Gladman through these representations are provided in consideration of the LNP’s vision, objectives, suite of policies and its ability to fulfil the Neighbourhood Plan Basic Conditions as established by paragraph 8(2) of Schedule 4b of the Town and Country Planning Act 1990 (as amended) and supported by the Neighbourhood Plan chapter of the PPG¹.
- 1.1.4 In accordance with the Neighbourhood Plan Basic Conditions, Neighbourhood Plan policies should align with the requirements of the National Planning Policy Framework (the Framework) and the wider strategic policies for the area set out in the Council’s adopted Development Plan. Neighbourhood Plans should provide a policy framework that complements and supports the requirements set out in these higher-order documents, setting out further, locally-specific requirements that will be applied to development proposals coming forward.
- 1.1.5 The LNP should only be progressed if it meets the Neighbourhood Plan Basic Conditions, supported by a robust and proportionate evidence base.
- 1.1.6 The Framework is clear that Neighbourhood Plans cannot introduce policies and proposals that would prevent sustainable development opportunities from going ahead. They are required to plan positively for new development, enabling sufficient growth to take place to meet the development needs for the area and assist local authorities in delivering full objectively assessed needs (OAN) for housing. Policies that are not clearly worded or intended

¹ Section ID: 41

to place an unjustified constraint on further sustainable development from taking place are not consistent with the requirements of the Framework or the Neighbourhood Plan Basic Conditions.

- 1.1.7 The LNP should not seek to include policies in the Neighbourhood Plan that have no planning basis or are inconsistent with national and local policy obligations. Proposals should be appropriately justified by the findings of a supporting evidence base and must be sufficiently clear to be capable of being interpreted by applicants and decision makers. Policies and proposals contained in the LNP should be designed to add value to existing policies and national guidance, as opposed to replicating their requirements.

2 LEGAL REQUIREMENTS, NATIONAL POLICY & JUDGEMENTS

2.1 Legal Requirements

2.1.1 Before a neighbourhood plan can proceed to referendum it must be tested against a set of basic conditions set out in paragraph 8(2) of Schedule 4b of the Town and Country Planning Act 1990 (as amended). The Basic Conditions that the LNP must meet are as follows:

- a) Having regard to national policies and advice contained in guidance issued by the Secretary of State, it is appropriate to make the order.
- d) The making of the order contributes to the achievement of sustainable development.
- e) The making of the order is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area).
- f) The making of the order does not breach, and is otherwise compatible with, EU obligations.

2.2 National Planning Policy Framework, & Planning Practice Guidance

National Planning Policy Framework

2.2.1 The National Planning Policy Framework (the Framework) sets out the Government's planning policies for England and how these are expected to be applied. In doing so it provides guidance on the requirement for the preparation of neighbourhood plans to be in general conformity with the strategic priorities for the wider area and defines the role which neighbourhood plans can play in delivering sustainable development.

2.2.2 At the heart of the Framework, is a "*presumption in favour of sustainable development*" which, as outlined in paragraph 14, should be seen as a golden thread running through both plan-making and decision taking. For plan-making this means that plan makers should positively seek opportunities to meet the development needs of their area and Local Plans should meet Objectively Assessed Needs (OAN) for housing, with sufficient flexibility to adapt to rapid change. This requirement is also applicable to neighbourhood plans.

2.2.3 Paragraph 16 of the Framework makes clear that the presumption in favour has implications for how communities engage in neighbourhood planning, stating that neighbourhoods should;

- **“Develop plans that support the strategic development needs set out in Local Plans, including policies for housing and economic development;**
- **Plan positively to support local development, shaping and directing development in their area that is outside the strategic elements of the Local Plan; and**
- **Identify opportunities to use Neighbourhood Development Orders to enable developments that are consistent with their neighbourhood plan to proceed. ”**

2.2.4 Furthermore, paragraph 17 sets out that neighbourhood plans should define a succinct and positive vision for the future of the area and that neighbourhood plans should provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency. In addition, neighbourhood plans should seek to proactively drive and support sustainable economic development to deliver the homes, jobs and thriving local places that the country needs, whilst responding positively to the wider opportunities for growth.

2.2.5 Further guidance for groups involved with the production of neighbourhood plans is specified at paragraph 184;

“Neighbourhood planning provides a powerful set of tools for local people to ensure that they get the right types of development for their community. The ambition of the neighbourhood should be aligned with the strategic needs and priorities of the wider local area. Neighbourhood plans must be in general conformity with the strategic policies of the Local Plan. To facilitate this, local planning authorities should set out clearly their strategic policies for the area and ensure that an up-to-date Local Plan is in place as quickly as possible. Neighbourhood plans should reflect these policies and neighbourhoods should plan positively to support them. Neighbourhood plans and orders should not promote less development than set out in the Local Plan or undermine its strategic policies.”

Planning Practice Guidance

2.2.6 It is clear from the requirements in the Framework that neighbourhood plan policies should be prepared in general conformity with the strategic requirements for the wider areas, as confirmed in an adopted Development Plan. The requirements set out in the Framework have now been supplemented by the publication of Planning Practice Guidance (PPG).

2.2.7 The PPG also emphasises that;

“...blanket policies restricting housing development in some settlements and preventing other settlements from expanding should be avoided unless their use can be supported by robust evidence”

2.2.8 With further emphasis that;

“.... All settlements can play a role in delivering sustainable development in rural areas – and so blanket policies restricting housing development in some settlements and preventing other settlements from expanding should be avoided unless their use can be supported by robust evidence.”²

2.2.9 Accordingly, the LNP will need to ensure that it takes into account the latest guidance issued by the SoS so that it can be found to meet basic conditions (a) and (d).

² Paragraph: 044 Reference ID: 41-044-20160519 (Revised 19/05/2016).

3 DEVELOPMENT PLAN

3.1 Adopted Development Plan

- 3.1.1 To meet the requirements of the Framework and the Neighbourhood Plan Basic Conditions, neighbourhood plans should be prepared to conform to the strategic policy requirements set out in the adopted Development Plan.
- 3.1.2 The current adopted plan that covers the Lilleshall Neighbourhood Plan area and the development plan which the LNP will be tested against is the Telford & Wrekin Local Plan , adopted in January 2018, covering the period 2011 to 2031.
- 3.1.3 Policy HO1 of the Local Plan sets out the strategic approach to housing provision in Telford & Wrekin and states that the Council will seek to maintain a flexible supply of housing making provision for at around 17,280 new homes over the plan period.

4 LILLESHALL NEIGHBOURHOOD PLAN

4.1 Context

- 4.1.1 These representations are made in response to the current consultation on the submission version of the LNP, under Regulation 16 of the Neighbourhood Planning (General) Regulations 2012. This chapter of the representation highlights the key points that Gladman raise with regard to the content of the LNP as currently proposed.

4.2 Vision & Objectives

- 4.2.1 The Framework seeks to promote sustainable development to meet identified housing needs. The LNP should therefore seek to promote these interests to ensure that the sustainability of the parish remains and that it apportions meaningful growth to ensure the ongoing vitality and viability of local services and facilities.
- 4.2.2 Gladman support the overall thrust of the vision and objectives set out within the Neighbourhood Plan. We are particularly pleased to note the support for development contiguous with the urban area of Telford, but suggest that the vision and objectives set out within the plan should go further and seek to future proof the vision for the area in preparation for the potential growth that will be required as part of any emerging Plan.

4.3 Neighbourhood Plan Policies

- 4.3.1 This section of Gladman's representations is made in response to those policies which still need to be addressed and amended through modification and/or deleted following the previous round of consultation.
- 4.3.2 Gladman suggest that there is a lack of flexibility drafted into the policies of the plan that would allow sustainable development to come forward within the plan period, additionally to that already being planned for. The lack of flexibility within the plan would not allow it to respond to rapid change nor meet the housing needs we have identified we consider to be appropriate.

Policy DEV3: Sites within Telford Built-Up Area

- 4.3.3 Policy DEV3 states that in order to reduce the impact on the parish and to protect the setting of the Lilleshall village, proposals for design and layout to minimise detrimental scenic impact of sites contiguous with the current urban area of Telford in the Lilleshall Parish will be supported.

- 4.3.4 Gladman are fully supportive of this policy and are pleased to note the recognition that development adjacent to the built-up area of Telford is required to meet the identified development needs.

Policy D1: Sympathetic Design

- 4.3.5 Policy D1 states that all development should be designed to a high quality, that responds to the local character.
- 4.3.6 Whilst Gladman recognise the importance of high quality design, planning policies should not be overly prescriptive and need flexibility in order for schemes to respond to sites specifics and the character of the local area. There will not be a 'one size fits all' solution in relation to design and sites should be considered on a site by site basis with consideration given to various design principles.
- 4.3.7 Gladman therefore suggest that more flexibility is provided in the policy wording to ensure that a high quality and inclusive design is not compromised by aesthetic requirements alone. We consider that to do so could act to impact on the viability of proposed residential developments. Once again we suggest that regard should be had to paragraph 60 of the NPPF which states that: *"Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles"*.

Policy LE2: Ecology and Landscape

- 4.3.8 Policy LE2 states that proposals for development will be expected to retain and enhance features of nature conservation or landscape value.
- 4.3.9 Paragraph 113 of the Framework refers to the need for criteria based policies in relation to proposals affecting protected wildlife or geodiversity sites or landscape areas, and that protection should be commensurate with their status which gives appropriate weight to their importance and contributions to wider networks. As currently drafted, Gladman do not believe this policy aligns with the Framework. The policy fails to make a distinction and recognise that there are two separate balancing exercises which need to be undertaken for national and local designated sites and their settings. We therefore suggest that the policy is revisited to ensure that it is consistent with the approach set out within the Framework.

5 SITE SUBMISSION

5.1 Land off Humber Lane, Telford

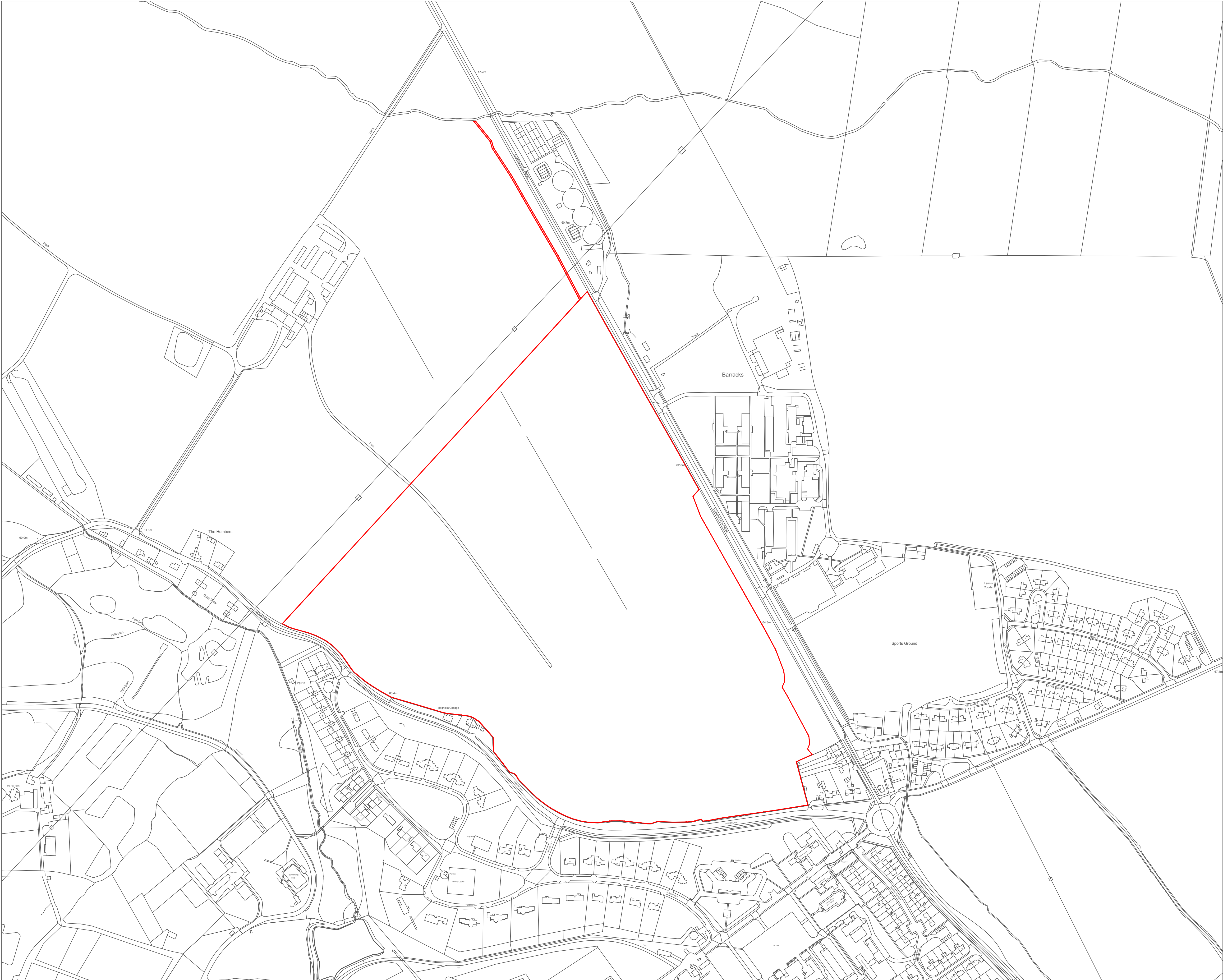
- 5.1.1 The Parish Council is aware of Gladman's land interest in the neighbourhood plan area, at land off Humber Lane, Telford. A site location plan can be found at Appendix 1.
- 5.1.2 An application (reference TWC/2015/1112) for the construction of 500 dwellings (35% affordable housing) was submitted to Telford & Wrekin Council in November 2011. Gladman are awaiting determination of the application by Telford & Wrekin Council.
- 5.1.3 The sites lies adjacent to the existing development of the edge of Telford. We consider the site to be a sustainable and viable location for growth. Gladman therefore submit the full site for consideration as a potential housing allocation. The delivery of the proposed development at land off Humber Lane, Telford will bring benefits to the local community, including:
- The delivery of market and affordable housing in a sustainable location to meet housing needs;
 - The provision of new public open space that is not currently available and a high quality landscape setting, along with more informal recreation space and landscaping to meet the needs of existing and future residents.
 - The creation of a high quality residential development which respects the character of the surrounding area.
- 5.1.4 The delivery of this scheme will result in significant benefits for the local community and surrounding area including the provision of New Homes Bonus payments, increasing the economic activity of the area and provide a number of aspirations that are currently being targeted by the LNP that are not currently being planned for.

6 CONCLUSIONS

- 6.1.1 Gladman recognises the Governments ongoing commitment to neighbourhood planning and the role that such Plans have as a tool for local people to shape the development of their local community. However, it is clear from national guidance that the LNP must be consistent with national planning policy and the need to take account of up-to-date housing needs evidence and the direction contained in the emerging Local Plan.
- 6.1.2 Through this consultation response, Gladman has sought to clarify the relation of the LNP as currently proposed with the requirements of national planning policy and the wider strategic policies for the wider area.
- 6.1.3 Gladman is concerned that the plan in its current form does not comply with basic conditions (a) and (d). The plan does not conform with national policy and guidance and in its current form does not contribute to the achievement of sustainable development. Gladman formally request to participate at the hearing session(s) should the Examiner decide it necessary to discuss these issues in a public forum.

APPENDIX 1 –

LAND OFF HUMBER LANE, TELFORD – SITE LOCATION PLAN

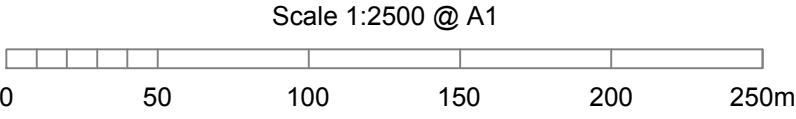


NOTES

All dimensions to be verified on site. Do not scale this drawing. All discrepancies to be clarified with project Landscape Architect.

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Site boundary
28.98 ha

D	26.10.2015	Revised Key	KD
C	05.08.2015	Revised Red line	LP
-	04.08.2015	Revised Red line	LP
-	13.03.2015	Site area inclusion	LP
-	16.01.2015	First issue.	LP

rev	date	description	by
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masterplanning

environmental assessment

landscape design

urban design

ecology

architecture

arboriculture

FPCR Environment and Design Ltd
Lockington Hall
Lockington
Derby DE74 2RH
t: 01509 672772
f: 01509 674565
e: mail@fpcr.co.uk
w: www.fpcr.co.uk

client
Gladman Developments Ltd.

project
Land off Humber Lane
Telford

drawing title
SITE LOCATION PLAN
FIGURE 1

scale
1:2500

drawn
LP

date
October 2015

drawing number
6279-L-01

rev
D



WEST MIDLANDS OFFICE

Mr Lawrence Munyuki
Telford and Wrekin Council
Development Management
PO Box 457
Telford
TF2 2FH

Direct Dial: 0121 625 6887

Our ref: PL00018231

9 March 2018

Dear Mr Munyuki

LILLESHALL NEIGHBOURHOOD PLAN - REGULATION 16 CONSULTATION.

Thank you for the invitation to comment on the Regulation 16 Neighbourhood Plan. Historic England is supportive of both the content of the document and the vision and objectives set out in it.

The emphasis on the conservation of local distinctiveness and the protection of the built environment and rural landscape character including archaeology and important views is highly commendable. We also commend the approaches taken in the Plan to ensuring that the design of new development takes cues from the local vernacular, thus reinforcing local distinctiveness and contributing to the conservation and enhancement of the historic environment.

We do have one suggestion that you may wish to consider. The Parish clearly has a strong agricultural base and numerous historic farmsteads and whilst we support, as the Plan suggests, the conversion to beneficial uses, including employment uses, of redundant historic buildings we are concerned to ensure that this is done in a sensitive manner. Therefore we suggest that you consider the inclusion of the following wording in Policy EC 1 viz:

“Redevelopment, alteration or extension of historic farmsteads and agricultural buildings within the Parish should be sensitive to their distinctive character, materials and form. Due reference should be made and full consideration be given to the Shropshire Farmsteads Characterisation Project”.

<https://new.shropshire.gov.uk/environment/historic-environment/historic-farmstead-characterisation/>

Further information about this can, if necessary, be obtained from Giles Carey of the Shropshire Council Historic Environment Record (HER) Service.

In conclusion, overall the plan reads as a well-considered, concise and fit for purpose document which we consider takes a suitably proportionate approach to the historic environment of the Parish.

Beyond those observations we have no further substantive comments to make. I hope you find this advice helpful.



THE AXIS 10 HOLLIDAY STREET BIRMINGHAM B1 1TG

Telephone 0121 625 6870
HistoricEngland.org.uk





WEST MIDLANDS OFFICE

Yours sincerely,



Peter Boland
Historic Places Advisor



CC:



THE AXIS 10 HOLLIDAY STREET BIRMINGHAM B1 1TG

Telephone 0121 625 6870
HistoricEngland.org.uk



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WEST MIDLANDS OFFICE

Mr Lawrence Munyuki
Telford and Wrekin Council
Development Management
PO Box 457
Telford
TF2 2FH

Direct Dial: 0121 625 6887

Our ref: PL00018231

9 March 2018

Dear Mr Munyuki

LILLESHALL NEIGHBOURHOOD PLAN- SEA SCREENING

Thank you for your consultation and the invitation to comment on the SEA Screening Document for the above Neighbourhood Plan.

For the purposes of consultations on SEA Screening Opinions, Historic England confines its advice to the question, "Is it likely to have a significant effect on the environment?" in respect of our area of concern, cultural heritage.

Our comments are based on the information supplied with the screening request. On the basis of the information supplied and in the context of the criteria set out in Schedule 1 of the Environmental Assessment Regulations [Annex II of the 'SEA' Directive], Historic England concurs with your view that the Neighbourhood Plan will not have significant effects on the environment and, therefore, the preparation of a Strategic Environmental Assessment is not required.

The views of the other statutory consultation bodies should be taken into account before the overall decision on the need for a SEA is made. If a decision is made to undertake a SEA, please note that Historic England has published guidance on Sustainability Appraisal / Strategic Environmental Assessment and the Historic Environment that is relevant to both local and neighbourhood planning and available at: <https://www.historicengland.org.uk/images-books/publications/sustainability-appraisal-and-strategic-environmental-assessment-advice-note-8/>

I trust the above comments will be of help in taking forward the Neighbourhood Plan.

Yours sincerely,

[Redacted signature]

Peter Boland
Historic Places Advisor

[Redacted contact information]

CC:



THE AXIS 10 HOLLIDAY STREET BIRMINGHAM B1 1TG

Telephone 0121 625 6870
HistoricEngland.org.uk





THE AXIS 10 HOLLIDAY STREET BIRMINGHAM B1 1TG

Telephone 0121 625 6870
HistoricEngland.org.uk



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OBJECTIONS TO THE SUPPLEMENTARY CONSULTATION VERSION OF LILLESHALL NEIGHBOURHOOD PLAN

Introduction

- 1.1 We wish to confirm our formal Objection to certain proposals as shown in the submitted version of the *Lilleshall Neighbourhood Plan - May 2018* (the Plan).
- 1.2 Our Objection is made particularly in relation to the following matters:
 1. The retention of the Lilleshall Strategic Landscape Area designation originally proposed in the draft Telford & Wrekin Local Plan;
 2. Designation of the fields surrounding The Croft as 'Local Green Space';
 3. Provision of Affordable Housing.

STRATEGIC LANDSCAPE AREAS

- 2.1 The relevant Objectives of the Plan, as well as the Policies, are set out below:
Objective 3: *"To prevent the merging of the built up areas to retain the rural character and identity of Lilleshall Village and the wider Parish".*

Objective 6 *"To protect and enhance the environment and landscapes such as the parish's designated and non-designated heritage assets, particularly the Strategic Landscape Areas".*

Policy DEV2: Merging of Settlements seeks to prevent the coalescence of settlements and to protect the character and nature of the Strategic Landscape Areas where open spaces between settlements are valued. It will also resist development in the open countryside outside the village other than in exceptional circumstances as set out in paragraphs 28, 54 and 55 of the National Planning Policy Framework (NPPF).

Policy LE3: Strategic Landscape Areas seeks to retain the proposed Lilleshall Strategic Landscape Area around the village.

- 2.2 The Strategic Landscape Area around the village is set out in Objective 6 of the Plan and Policy LE3. The proposal for the Lilleshall Village Strategic Landscape Area was first set out in the proposed Telford and Wrekin Local Plan (the LP). The Inspector's final report into the Examination of that plan, dated 6th November 2017, has deleted the proposed Lilleshall Village Strategic Landscape, as one of 13 'Main Modifications' to the LP.

- 2.3 In reaching this decision, the Inspector reported that *'no substantive evidence has been presented by the Council to explain the grounds upon which the Lilleshall Village area was initially selected for identification as an SL.'* He considered the designation was not sufficiently justified. Whilst he accepted that the landscape of Lilleshall Village *'has some intrinsic merit'*, he concluded that the Landscape Types that make up the majority of the defined Strategic Landscape area (predominantly 'Estate Farmlands') also occur widely elsewhere within the Borough. This type of landscape was not felt to be of sufficient significance to justify a specific and strategic Local Plan designation, notwithstanding the

strong local support for such a designation. He argued that *'justification for a landscape designation should derive from intrinsic landscape quality rather than an intention to prevent development'*. Referring to two recent appeal cases cited in representations, he noted that in each case the Inspector did not find that the land amounted to valued landscape in terms of the NPPF. As a result a Strategic Landscape Area around Lilleshall is not included in the adopted Telford and Wrekin Local Plan.

2.4 It is clear that the main intention of the inclusion of the proposed Lilleshall Strategic Landscape Area in the Neighbourhood Plan is to prevent development, whether within the village or within the 'Lilleshall Gap' (land between the village and Telford), by the back door. As such, the designation is not justified.

2.5 We understand from the submitted Neighbourhood Plan *'Regulation 15 Basic Conditions Statement, February 2018'*, produced by the Parish Council, that the Plan will be considered to have met the four basic conditions as set out in that Statement (on page 3), in accordance with the Neighbourhood Planning General Regulations 2015. The third listed basic condition is worded as follows:

- *'the making of the neighbourhood development plan is in general conformity with the strategic policies contained in the development plan for the area of the authority (or any part of that area)'*

Since it is abundantly clear that the Local Plan Inspector when reporting on the Examination of the Local Plan in early November 2017 deleted the proposed Lilleshall Strategic Landscape from the Local Plan, as a listed Main Modification, the Neighbourhood Plan cannot be seen to be *'in general conformity with the strategic policies included in the development plan'* for that part of Telford & Wrekin Council's administrative area. It follows that the Neighbourhood Plan cannot be demonstrated to have met the basic conditions if it proposes to retain the previously defined Lilleshall Strategic Landscape *in situ* and incorporates a specific policy relating to that defined area of land, as at Policy LE3 Strategic Landscape Areas. In addition, in so doing, the Plan's approach constitutes the proposal of a strategic policy when a Neighbourhood Plan is required to consider local matters and is not the appropriate planning mechanism for proposing strategic policies.

FIELDS SURROUNDING THE CROFT CHURCH ROAD – PROPOSED LOCAL GREEN SPACE

3.1 **Policy LE1: Green Spaces** identifies and demarcates 6 'Local Green Spaces' and these include the *'Fields surrounding The Croft, Church Road'*.

3.2 We believe that it is somewhat surprising, in view of the wording of Policy DEV2 above, that the areas of open land at either end of the village are not identified and included as Local Green Space, so as to prevent coalescence between the village and other settlements, particularly in view of expressed concerns to safeguard the Lilleshall Gap between the village and Telford.

3.3 Guidance on the designation of Local Green Spaces is given in the NPPF at paragraph 77. It states that Local Green Space will not be appropriate for *most* green areas or open space. The designation should only be used:

- *'Where the green space is in reasonably close proximity to the community it serves;*
- *Where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife;*
- *Where the green area concerned is local in character and is not an extensive tract of land.'*

3.4 Further related government guidance is given in *'Open space, sports and recreation facilities, public rights of way and local green space'*. This guidance states, among other things, that Local Green Space designation should only be used where the green area concerned is not an extensive tract of land and that blanket designation of open countryside adjacent to settlements will not be appropriate. Some land may be designated even if there is no public access, but such areas need to be valued because of their wildlife, historic significance and/or beauty.

3.5 The Local Planning Authority suggested looking at the "My Community" website, which sets out practical guidance for qualifying bodies for the preparation of Local Neighbourhood Plans. It includes specific guidance for the designation of local green spaces in the document *'Neighbourhood Planning Local Green Spaces'*. This suggests that, when considering whether a space is demonstrably special to the local community, it is important to engage with the community and assess how the community uses a space. This includes consideration of beauty, historic significance, recreational value, tranquillity, wildlife or other values. There is no evidence that the Parish Council has undertaken a systematic 'green space audit' as advised by this My Community website guidance. There is no transparent assessment of the need for additional local green space. The nature and extent of the existing green spaces in and around Lilleshall Village - three of which are in public ownership – in our opinion are adequate for a village of this size and with its demographic profile. Using the information provided in the Plan and an estimated area for the allotments site, the existing green spaces in public ownership amount to an approximate total area of 6.49 hectares. The existing open spaces allow for active sports and recreation as well as events (school sports field); informal exercise and enjoying fine all-round panoramic views from an elevated position (Lilleshall Hill); and the allotments site for food production. Lilleshall Hill and the school playing fields are centrally located within the village and, with the addition of the cricket field, constitute a significant proportion of the village's land area. The designation of a further 5 hectares of Local Green Space at The Croft is not warranted based on an apparent lack of access to suitable local green space.

3.6 The Plan's Technical Paper entitled 'Local Green Spaces' provides data in support of the proposed designation of Local Green Spaces. Table 1 in this paper shows the Green Infrastructure Function of each of the proposed Local Green Space sites, as assessed by the Council during their Local Plan preparation. Each site has the potential to fulfil up to 28 such functions. It is interesting to note the land at The Croft scores the third lowest (5) in terms of the number of functions, above only the School Playing Field site (4) and the Cheswell Allotments and Nursery site (3). In contrast, the Lilleshall Hill and Honnington Pond sites each fulfil 16 functions, the MOD Sports Field site 9 and the Cricket Field 7. The Green Infrastructure Function score provides little justification for the designation of the land at The Croft as Local Green Space.

3.7 In relation to this site the Plan refers to several 'Value Factors', but these are not defined. We would comment on these as follows:

Recreational Value

3.7.1 These fields are entirely in private ownership and remain in productive agricultural use. Public access is limited to one public footpath which crosses part of the site west to east with the main access point to the south of the garden of The Croft. This footpath will remain available whether or not this land becomes a local green space as it is protected by other legislation. There is no public access to the field to the north of The Croft between the buildings and the cemetery. The recreational value of this land is therefore limited to the ability to walk along the route of the public right of way across part of the site. It is evident that all the proposed Local Green Space sites in the Plan except for The Croft are not in agricultural use. In a recent Appeal Decision concerning land off Muxton Lane nearby at the northern edge of Telford, the Inspector concluded the following in his explanation of the policy background regarding the Core Strategy Development Plan Document (adopted in 2007), Policy CS11 'Open Space': *'I do not think an agricultural field can be considered to be informal open space, and the explanatory text clearly suggests the policy refers to open space within the urban areas not to random fields on the edge of towns.'* (paragraph 17) Whilst the Core Strategy has been replaced by The Telford and Wrekin Local Plan the principles stated by the Inspector remain valid. Paragraph 6.3.1.3 of the Telford and Wrekin Local Plan states that 'For green space to have the greatest benefit and value it needs to be accessible, located in the right place, be of the right type and the right quality.' The Fields Surrounding The Croft do not meet this criteria. As such their allocation as 'Local Green Space' in the Neighbourhood Plan is not appropriate.

Historic Significance

3.7.2 There is no evidence as to the historic significance of these fields that has been put forward or demonstrated by the Parish Council, other than that they have been and remain as agricultural land. There are views across open countryside towards the wooded high ground around Lilleshall Hall and Lilleshall Abbey. The abbey ruins are barely discernible in these views. The Listing Details for the Grade I Listed Building of St Michael and All Angels Church contain no reference to any functional or visual relationship between it and Lilleshall Abbey, some 1.3kms distant to the south-east.

Visual Impact

3.7.3 This term is a misnomer, borrowed inappropriately from the accepted planning approach to assessing the visual effects of a given development. A more helpful term would be the 'Visual Function' of a given site. In this case, the land in question is productive agricultural land which has remained undeveloped, its visual function being incidental – to allow views out to the east over open farmland towards Lilleshall Abbey and the wooded horizon around Lilleshall Hall. The visual experience from the main village street is of views out across the northern and southern areas of the fields, punctuated by the group of buildings at The Croft. These fields remain undeveloped within the village. As indeed do other similar areas of the village which have not been designated as local green space. Views across the southern site at The Croft are marred by a prominent electrical sub-station with large wooden poles and pole-mounted transformer apparatus. In addition, the site is not readily visible from the major viewpoints

of Lilleshall Hill or from the St Michael's churchyard (screened by existing vegetation, the existing buildings and, in the case of the church, a large yew tree). The views over this land are not over or into a locally valued landscape. The Inspector reporting on the Local Plan Examination has concluded this and therefore deleted the Lilleshall Village Strategic Landscape from the Local Plan. Views over this land are therefore no more valuable than views out from the village over several other areas of open agricultural land, both east and west of Lilleshall. Lilleshall Hill offers by far the best, widest and longest views of the surrounding countryside and is a popular and readily accessible public open space.

Local Character

3.7.4 Again, this has not been clarified. These are agricultural grassland fields used for grazing that have recently been ploughed and re-seeded (2017). Much of the eastern boundary is only defined by a post and wire fence. There is no visual boundary between this site and the extensive agricultural land to the east and south. As such there is little difference between this site and land further north along Church Road that remains undeveloped or land further south adjoining Abbey Road neither of which is being considered as Local Green Space. The stone boundary wall along the main village street is a locally interesting feature, but it does not define the character of the adjacent land.

Tranquillity

3.7.5 Again, this is not defined or clarified. Normally this relates to open space within a heavily built up areas. This is a village where there are many open areas and noise and disturbance are not major issues. Many of the existing dwellings back onto open countryside. The current published Guidelines for Landscape and Visual Impact Assessment (3rd Edition) define 'Tranquillity' as being '*A state of calm and quietude associated with peace, considered to be a significant asset of landscape.*' The main village street is periodically busy and is part of a scheduled bus route. As such, any land fronting onto the main street is subject to periodic vehicle traffic noise and so cannot be regarded as tranquil using the accepted definition for landscape and visual assessment purposes.

3.8 In addition, an ecological survey was carried out in 2014 on part of the site which suggested that there is little wildlife to be found on the site other than nesting birds in the hedgerows. Since then, the land has been ploughed and re-seeded with an agricultural grass seed mix designed for livestock feed value which will provide limited habitat for wildlife. This land cannot be described as an important area for wildlife.

3.9 It is also necessary to demonstrate that the proposed Local Green Space is local in character and not an extensive tract. In the case of the proposed green space at the Fields Surrounding The Croft, it is clearly part of a much larger area of open farmed countryside extending east, north-east and south.

3.10 It should also be noted that the area proposed as Local Green Space only includes land in our ownership, even extending behind the existing buildings. Surprisingly, it does not include any land in any adjoining ownership, even though our land only extends part of the length of the cemetery, and the adjoining agricultural land is readily visible beyond the existing post and wire boundary fence along the eastern boundary.

3.11 For the above reasons, it is considered that the designation of the fields surrounding The Croft as Local Green Space does not comply with the requirements as set out in paragraph 77 of the NPPF. Instead, we suggest that the Parish Council is trying to use the designation as Local Green Space to prevent possible future development in the village and to protect open countryside. As such, it is not a proper use of the designation in this instance.

3.12 In relation to a further matter, Government guidance and the “My Community” website are quite clear that the qualifying body should contact landowners at an early stage about proposals to designate any part of their land as Local Green Space. This did not happen in the case of the Fields Surrounding The Croft. The first time we were made aware of its proposed designation was when the earlier consultation version of the Plan was produced. It would appear that we are not the only landowners who were not contacted, as the Ministry of Defence have also complained of a lack of prior consultation in respect of the proposed Local Green Space designation at The Humbers. Clearly the Parish Council does not consider it has a requirement to consult landowners despite published guidance to do so. The ‘My Community’ guidance is explicit in this regard: *‘Where Local Green Space designations are being considered, it is also advisable to engage with those controlling the land.’*

3.13 The Parish Council has still made no effort to contact or consult with us as landowners since the publication of the first version of the Neighbourhood Plan, notwithstanding the suggested action in the Regulation 14 comments relating to that version of the Neighbourhood Plan.

AFFORDABLE HOUSING

4.1 Objective 2 of the Plan supports the delivery of a limited amount of appropriately designed and located affordable housing.

4.2 Within the village Policy DEV1: Infill Housing in Lilleshall Village limits new housing to infill sites within the existing built up area for a maximum of 3 dwellings.

4.3 Policy D3 Design of Residential Infill Development sets out criteria for new development. Paragraph (h) requires that the development ‘Demonstrates a contribution to the delivery of an appropriate mix of dwelling sites and sizes including affordable housing, to meet the needs of all sectors of the community’

4.4 It is not clear how or where affordable housing will be provided within the village. National planning policy only permits the seeking of affordable housing on market housing sites of over 10 dwellings. No sites of this size are proposed for development within the village. The alternatives appear to be:

4.4.1 The development of one-off dwellings by people with a local connection in accordance with policy HO 11: Affordable Rural Exceptions of the adopted Telford and Wrekin Local Plan. This assumes the applicant has not just a local connection, but also owns or has access to a building plot and can afford to build a new dwelling. This is scarcely affordable in accordance with the more usual understanding of the word.

4.4.2 Reliance on development on the edge of Telford, such as the Donnington/Muxton sustainable urban extension that the Inspector, in his final report into the Examination of Telford and Wrekin Local Plan, dated 6th November 2017, removed from the Local Plan allocated sites, where a certain amount of affordable development is likely to be included. There is no certainty that residents of the village or Parish needing access to affordable housing will be first in the queue for any such affordable housing provided in such developments.

4.4.3 A housing association being willing and able to purchase land within the village to provide affordable housing.

4.5 Further clarification of how the Parish Council intends to ensure the provision of the required mix of dwelling types and sizes including affordable housing within the village or Parish is required.

Kath Park

For and on behalf of the owners of the fields surrounding The Croft



**Defence
Infrastructure
Organisation**

Ministry of Defence
Building 49
Kingston Road
Sutton Coldfield
West Midlands B75 7RL
United Kingdom

Telephone: 0121 311 2229

Facsimile: 0121 311 3636

E-mail: [REDACTED]

25 May 2018

Dear Sir or Madam

Lilleshall Parish Neighbourhood Plan Consultation – Submission Version

The Ministry of Defence (MOD) welcomes the opportunity to respond to the above consultation. Parsons Barracks, an operational Defence site falls within the boundary of the Neighbourhood Plan area, and with this in mind, the MOD would like to make the following comments on the consultation document. The comments relate to similar issues raised within the MOD's response to the Regulation 14 consultation back in June 2017.

It should be noted that in September 2016 Parsons Barracks was included on a list of 13 sites that the MOD announced its intention to dispose of (along with the nearby Venning Barracks which falls just outside of the Lilleshall Neighbourhood Plan boundary). Subsequently, both sites were included in the "A Better Defence Estate" document that was published by the MOD in November 2016. This document highlighted an estimated disposal date of 2020 and that further work was ongoing to determine the reprovision plan for the relocation of current users. This further work is still ongoing and whilst the intention to dispose of Parsons Barracks has been announced, at present the site remains an operational Defence site.

In the MOD response to the previous round of consultation it was noted that Defence Estates became the Defence Infrastructure Organisation (DIO) in April 2011 and that any references to Defence Estates within the plan should be amended accordingly. Within the submission version of the plan there remains references to Defence Estates on Page 7 within the section Setting the Context and on Page 23 within Table 1. This should be updated as a factual clarification.

Neighbourhood Plan Objectives (Page 17)

The MOD response to the consultation in June 2017 highlighted concerns that there was no reference to the fact that part of the Neighbourhood Plan area falls within the built up area of Telford and that to apply the restrictive infill only policy within the built up area of Telford is considered to be unjustified when emerging Local Plan policy provides in principle support to development in such locations (subject to detailed planning issues and compliance with relevant Local Plan policies). It is noted that the current draft plan has made some amendments to this part of the plan, with the

amendment of point 1 to read: *“With the exception of sites contiguous with the current urban area of Telford to only support future development of appropriately designed housing on infill sites”*. It is considered that this requires further clarification as use of the word “contiguous” implies that sites adjacent to the urban area of Telford could be developed, irrespective of whether they are inside or outside of the urban area. The support of housing development outside of the urban area of Telford other than infill would appear to be contrary to the Telford and Wrekin Local Plan.

Policy DEV3 – Sites within Telford Built Up Area (Page 19)

Similar to the comments with respect to the Neighbourhood Plan Objectives above, it is considered that this policy needs clarifying. The title implies that the policy applies to sites *within* the Telford built-up area, but the policy wording states that it relates to sites “*contiguous*” with the built-up area, which could mean a site that is adjacent to the built-up area but not within.

Policy LE1: Green Spaces (Page 22)

Figure 3: Local Green Spaces (Page 25)

Following on from comments submitted to the previous round of consultation, the MOD continues to object to the inclusion of the MOD sports field at The Humbers as a Local Green Space. The plan fails to adequately justify the reason for designation and does not meet the requirements set out in Paragraph 77 of the National Planning Policy Framework (NPPF) which requires the designation to be used only where the *“green space is demonstrably special to a local community and holds particular local significance”*.

A reference to the Examiner’s Report of the Backwell (near Bristol) Neighbourhood Plan is relevant here. The report states on page 34 that:

“Local Green Space is a restrictive and significant policy designation. The [NPPF] requires the managing of development within Local Green Space to be consistent with policy for Green Belts. Effectively, Local Green Spaces, once designated, provide protection that is comparable to that for Green Belt land”.

“... it is essential that, when allocating Local Green Space, plan-makers can clearly demonstrate that the requirements for its allocation are met in full.”

Furthermore, the Examiner states on page 35:

“Given that the [NPPF] is not ambiguous in stating that a Local Green Space designation is not appropriate for most green areas or open space, it is entirely reasonable to expect compelling evidence to demonstrate that any such allocation meets national policy requirements.”

Table 1 of Policy LE1 sets out that the MOD sports field has value based on sport and recreation and visual impact. These two factors are considered further below.

Sport and Recreation

The sports field is part of an operational Defence site and has no public access or use. Whilst the lack of public access does not preclude the site from being designated as a Local Green Space (NPPG, Para 017 Ref ID: 37-017-20140306), it is not clear how there can be a demonstrable local

significance for this site for sport and recreation for the local community when it is not currently, nor has been in use by the local community, apart from a 7-month period during 2013-14 when Wrockwardine Wood Football Club had a licence to use the site.

The Local Green Space Technical Paper, submitted alongside the draft plan attempts to provide a justification for the proposed designation against paragraph 77 of the NPPF. With respect to the NPPF criteria that the site is demonstrably special to a local community and holds particular local significance, the document states (Table 2, Page 6): *“Currently owned by the MoD and managed by D.I.O. the sports field provides a long-term opportunity for development as a sports and recreation facility for local residents. This is in line with Open Forum responses supporting increased provision of and access to green space at the Humbers.”*

The Neighbourhood Plan appears to be designating the sports field on the basis of a long-term opportunity and a wish for such uses in the local area rather than its current value and it is considered that that this is not in line with the purpose of a Local Green Space designation and does not meet the requirements of Paragraph 77 of the NPPF.

With respect to recreational value, the Technical Paper states (Table 2, Page 7): *“Whilst the site has laid dormant due to MOD budget restraints (sic), it now provides an opportunity to provide recreation and sports facilities for existing residents of Lilleshall and the neighbouring parishes.”* The site is part of an operational Defence site and its use is governed by requirements arising from this operational use. Therefore, the statement that the site has lay dormant due to budget restraints is incorrect. Until the site is closed or disposed of it remains an operational Defence site and therefore the statement that there is now the opportunity to provide recreation and sports facilities to local residents is also incorrect. Again, this indicates that the Local Green Space designation is based on hope value rather than a current, demonstrable value.

Furthermore, whilst the Technical Paper sets out that the local community is keen for the site to be protected as there is a need for amenity land to support housing at the Humbers, even if the LGS designation was put in place, this would not result in public access being afforded to the site. Referring again to paragraph 017 of the NPPG, this states: *“Designation does not in itself confer any rights of public access over what exists at present. Any additional access would be a matter for separate negotiation with land owners, whose legal rights must be respected.”*

Visual Impact / Tranquillity

The Neighbourhood Plan states that one of the value factors of the sports field is visual impact, however the Local Green Spaces Technical Paper indicates that the value relates to tranquillity, therefore it is not clear which criterion the Local Green Space is being designated against. The Technical Paper states (Table 2, Page 7) that the site is: *“A setting which provides peaceful panoramic views across the landscape of Shropshire”*.

Whilst it is acknowledged that the site is open and flat, any longer distance views across the site from the houses on Williams Road and Body Road are impeded by the built-up area of Parsons Barracks. Furthermore, the trees which line the site along Williams Road, Body Road and Donnington Drive reduce the view across the site, particularly when in leaf. Moreover, given that the site is currently an operational Defence site, the suggested tranquillity of this location could be impacted by activities on the establishment.

Other than the general comment provided in the Technical Paper referred to above, no evidence has been provided to justify the Local Green Space designation in this location based on visual impact (or tranquillity) and therefore it is considered that the plan fails to demonstrate why this is a reason which warrants Local Green Space designation.

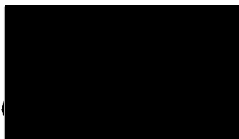
It is appreciated that during examination of any neighbourhood plan, the examiner is tied to assessing whether the plan meets the basic conditions as set out in paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004. Given that the designation of Local Green Spaces is afforded to neighbourhood plans (paragraph 76 of the NPPF), it is only right that when having regard to national policies and advice contained in guidance issued by the Secretary of State, appropriate consideration is given to paragraphs 76 and 77 of the NPPF.

Given the above it is considered that with respect to the MOD sports field the Local Green Space designation has not been fully justified and therefore does not meet the requirements of Paragraph 77 of the NPPF and is therefore in direct conflict with national policy. As such the Local Green Space designation of the MOD sports field does not meet the basic conditions and should be deleted from the plan.

Whilst it is considered that the Local Green Space designation of the MOD sports field at Parsons Barracks is unjustified and should be deleted from the plan, the MOD does recognise that the issue of play facilities in the location of the Humbers was raised by the community during the Neighbourhood Plan Open Forums and that increased provision of green space was supported by the community as set out in the Residents Survey Analysis Report (In depth consideration of this report has been difficult as the Appendix I that the report refers to does not appear to have been made available on the Parish Council's website alongside the report). Therefore, as work on the disposal of Parsons Barracks progresses, MOD will hold further discussions with the Parish Council to consider what opportunities there could be to provide such uses as part of redevelopment of the site.

Should you require any further information or clarification on any of the issues raised above then please do not hesitate to contact me.

Yours faithfully



Jodie McCabe BSc (Hons) MA MRTPI
Senior Town Planner, Estates

L08 - Natural England

Date: 29 May 2018
Our ref: 243738



Telford and Wrekin Borough Council

BY EMAIL ONLY

Hornbeam House
Crewe Business Park
Electra Way
Crewe
Cheshire
CW1 6GJ

T 0300 060 3900

Dear Miss C Lane

Lilleshall Parish Neighbourhood Plan - Regulation 16 - Submission consultation

Thank you for your consultation on the above dated 10/04/2018.

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 is a statutory consultee in neighbourhood planning and must be consulted on draft neighbourhood development plans by the Parish/Town Councils or Neighbourhood Forums where they consider our interests would be affected by the proposals made..

Natural England does not have any specific comments on this draft neighbourhood plan.

However, we refer you to the attached annex which covers the issues and opportunities that should be considered when preparing a Neighbourhood Plan.

For clarification of any points in this letter, please contact me on 02080 266680. For any further consultations on your plan, please contact: consultations@naturalengland.org.uk.

We really value your feedback to help us improve the service we offer. We have attached a feedback form to this letter and welcome any comments you might have about our service.

Yours sincerely

Caolan Gaffney
Sustainable Development Adviser

Annex 1 - Neighbourhood planning and the natural environment: information, issues and opportunities

Natural environment information sources

The [Magic](http://magic.defra.gov.uk/)¹ website will provide you with much of the nationally held natural environment data for your plan area. The most relevant layers for you to consider are: **Agricultural Land Classification, Ancient Woodland, Areas of Outstanding Natural Beauty, Local Nature Reserves, National Parks (England), National Trails, Priority Habitat Inventory, public rights of way (on the Ordnance Survey base map) and Sites of Special Scientific Interest (including their impact risk zones)**. Local environmental record centres may hold a range of additional information on the natural environment. A list of local record centres is available [here](#)².

Priority habitats are those habitats of particular importance for nature conservation, and the list of them can be found [here](#)³. Most of these will be mapped either as **Sites of Special Scientific Interest**, on the Magic website or as **Local Wildlife Sites**. Your local planning authority should be able to supply you with the locations of Local Wildlife Sites.

National Character Areas (NCAs) divide England into 159 distinct natural areas. Each character area is defined by a unique combination of landscape, biodiversity, geodiversity and cultural and economic activity. NCA profiles contain descriptions of the area and statements of environmental opportunity, which may be useful to inform proposals in your plan. NCA information can be found [here](#)⁴.

There may also be a local **landscape character assessment** covering your area. This is a tool to help understand the character and local distinctiveness of the landscape and identify the features that give it a sense of place. It can help to inform, plan and manage change in the area. Your local planning authority should be able to help you access these if you can't find them online.

If your neighbourhood planning area is within or adjacent to a **National Park** or **Area of Outstanding Natural Beauty (AONB)**, the relevant National Park/AONB Management Plan for the area will set out useful information about the protected landscape. You can access the plans on from the relevant National Park Authority or Area of Outstanding Natural Beauty website.

General mapped information on **soil types** and **Agricultural Land Classification** is available (under 'landscape') on the [Magic](http://magic.defra.gov.uk/)⁵ website and also from the [LandIS website](http://www.landis.org.uk/index.cfm)⁶, which contains more information about obtaining soil data.

Natural environment issues to consider

The [National Planning Policy Framework](https://www.gov.uk/government/publications/national-planning-policy-framework--2)⁷ sets out national planning policy on protecting and enhancing the natural environment. [Planning Practice Guidance](http://planningguidance.planningportal.gov.uk/blog/guidance/natural-environment/)⁸ sets out supporting guidance.

Your local planning authority should be able to provide you with further advice on the potential impacts of your plan or order on the natural environment and the need for any environmental assessments.

¹ <http://magic.defra.gov.uk/>

² <http://www.nbn-nfbr.org.uk/nfbr.php>

³ <http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

⁴ <https://www.gov.uk/government/publications/national-character-area-profiles-data-for-local-decision-making>

⁵ <http://magic.defra.gov.uk/>

⁶ <http://www.landis.org.uk/index.cfm>

⁷ <https://www.gov.uk/government/publications/national-planning-policy-framework--2>

⁸ <http://planningguidance.planningportal.gov.uk/blog/guidance/natural-environment/>

Landscape

Your plans or orders may present opportunities to protect and enhance locally valued landscapes. You may want to consider identifying distinctive local landscape features or characteristics such as ponds, woodland or dry stone walls and think about how any new development proposals can respect and enhance local landscape character and distinctiveness.

If you are proposing development within or close to a protected landscape (National Park or Area of Outstanding Natural Beauty) or other sensitive location, we recommend that you carry out a landscape assessment of the proposal. Landscape assessments can help you to choose the most appropriate sites for development and help to avoid or minimise impacts of development on the landscape through careful siting, design and landscaping.

Wildlife habitats

Some proposals can have adverse impacts on designated wildlife sites or other priority habitats (listed [here](#)⁹), such as Sites of Special Scientific Interest or [Ancient woodland](#)¹⁰. If there are likely to be any adverse impacts you'll need to think about how such impacts can be avoided, mitigated or, as a last resort, compensated for.

Priority and protected species

You'll also want to consider whether any proposals might affect priority species (listed [here](#)¹¹) or protected species. To help you do this, Natural England has produced advice [here](#)¹² to help understand the impact of particular developments on protected species.

Best and Most Versatile Agricultural Land

Soil is a finite resource that fulfils many important functions and services for society. It is a growing medium for food, timber and other crops, a store for carbon and water, a reservoir of biodiversity and a buffer against pollution. If you are proposing development, you should seek to use areas of poorer quality agricultural land in preference to that of a higher quality in line with National Planning Policy Framework para 112. For more information, see our publication [Agricultural Land Classification: protecting the best and most versatile agricultural land](#)¹³.

Improving your natural environment

Your plan or order can offer exciting opportunities to enhance your local environment. If you are setting out policies on new development or proposing sites for development, you may wish to consider identifying what environmental features you want to be retained or enhanced or new features you would like to see created as part of any new development. Examples might include:

- Providing a new footpath through the new development to link into existing rights of way.
- Restoring a neglected hedgerow.
- Creating a new pond as an attractive feature on the site.
- Planting trees characteristic to the local area to make a positive contribution to the local landscape.
- Using native plants in landscaping schemes for better nectar and seed sources for bees and birds.
- Incorporating swift boxes or bat boxes into the design of new buildings.
- Think about how lighting can be best managed to encourage wildlife.
- Adding a green roof to new buildings.

You may also want to consider enhancing your local area in other ways, for example by:

⁹<http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

¹⁰ <https://www.gov.uk/guidance/ancient-woodland-and-veteran-trees-protection-surveys-licences>

¹¹ <http://webarchive.nationalarchives.gov.uk/20140711133551/http://www.naturalengland.org.uk/ourwork/conservation/biodiversity/protectandmanage/habsandspeciesimportance.aspx>

¹² <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

¹³ <http://publications.naturalengland.org.uk/publication/35012>

L08 - Natural England

- Setting out in your plan how you would like to implement elements of a wider Green Infrastructure Strategy (if one exists) in your community.
- Assessing needs for accessible greenspace and setting out proposals to address any deficiencies or enhance provision.
- Identifying green areas of particular importance for special protection through Local Green Space designation (see [Planning Practice Guidance on this](http://planningguidance.planningportal.gov.uk/blog/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space/local-green-space-designation/) ¹⁴).
- Managing existing (and new) public spaces to be more wildlife friendly (e.g. by sowing wild flower strips in less used parts of parks, changing hedge cutting timings and frequency).
- Planting additional street trees.
- Identifying any improvements to the existing public right of way network, e.g. cutting back hedges, improving the surface, clearing litter or installing kissing gates) or extending the network to create missing links.
- Restoring neglected environmental features (e.g. coppicing a prominent hedge that is in poor condition, or clearing away an eyesore).

¹⁴ <http://planningguidance.planningportal.gov.uk/blog/guidance/open-space-sports-and-recreation-facilities-public-rights-of-way-and-local-green-space/local-green-space-designation/>

THE LILLESHALL PARISH COUNCIL PLAN

REPRESENTATION UNDER REGULATION 16 BY THE SECRETARY TO THE STEERING GROUP

Preamble.

I have lived in Lilleshall for 33 years. I was a leading campaigner for Lilleshall having its own Parish Council and regularly attend its meetings. I volunteered when it sought resident volunteers to join its neighbourhood plan Steering Group and again when the Group had a problem finding a secretary after its first meeting.

1. Abuse of Process. This is a Parish Councillor Plan. It does not qualify as a Parish Neighbourhood Plan:

- Its process does not meet the commitments given to the residents of Lilleshall Parish by councillors. ***The Key Events Schedule Appendix 1*** omits the Parish Council's unprecedented disbanding of the respected (survey evidence refers) Steering Group on 6 March 2017, dismissing its three resident members without warning or explanation. Councillors sabotaged the process, timing their action to deny residents the evaluations of their responses to the Steering Group's residents' survey and its summary of findings. The process has since been led by the two councillor members of the Steering Group. They have held no public meetings.
- I shall show that their Plan ignores, misrepresents and withholds key evidence, and gives undue weight to minor unrepresentative data that they have selected. It leaves residents open to councillor proposals for which there is no substantive evidence of resident support and ill-placed to resist them. It is the antithesis of what the resident members of the Steering Group worked for.
- The Plan should be sent back to Lilleshall Parish Council for the serious shortcomings in its process and evidence base to be rectified.
- This representation has been written to provide residents with a descriptive background covering what has been going on. I regret that linking the shortcomings gets unavoidably tedious at times.

2. The Steering Group Role and Records.

- The Steering Group records are NOT on the Parish website as stated in the Plan. The Steering Group records to 6 March 2017 should all be on the Lilleshall Plan website (Appendix 1). Councillor Shaw is well aware of this as he is responsible for managing this site after training at parish expense. However, he has posted nothing after 1 July 2016 (the later document posted being a duplication) and he has rejected my offers as secretary to update it. At one point he took the site down.

<https://www.hugofox.com/community/the-lilleshall-plan-10146/about-us>

- **The Notes on the First Steering Group Meeting on the site show the Council's clear commitment to its neighbourhood planning process being led by the Steering Group and NOT being driven by councillors.** Only two of seven councillors were members of the Steering Group, this being best practice as plans led by councillors tend to reflect the preferences of current councillors rather than the long term wishes of residents. The other five parish councillors received monthly updates, visited our Open Forums, and kindly assisted, along with resident volunteers, my campaign management of the Lilleshall Residents' Survey.

3. **Neighbourhood Planning Roadshow.** The Consultation Statement fails to record that 3 members of the Steering Group (including one parish councillor) attended a Neighbourhood Planning Roadshow, a 'training day' at which the Department of Communities and Local Government, Cheshire, Hereford and Shropshire County Councils and others ensured that we were as fully informed as possible. **It is relevant to the Lilleshall Plan to record that Much Wenlock, with its Project Board of three councillors and eight resident members - and emphasis on first producing a plan in plain English - was held up as a shining example.**

4. **The Lilleshall Residents' Survey / Questionnaire.** Contrary to the blarney in the current draft Plan, its origin was that I was asked to produce a draft questionnaire at minimal notice so that we could undertake the survey in November 2016, when it was realised that the next realistic opportunity would be February and we would waste three months. **It is based on the Much Wenlock survey form below.** The Steering Group and Shropshire Rural Communities Charity had a short time in which to agree amendments, but there was no time for substantive change. This is important because the evaluation of survey responses needed to take into account the context of survey questions, especially regarding tourism, as this has very different connotations in Much Wenlock and Lilleshall. This should not have been a problem, as the evidence was to have been evaluated by a Steering Group aware of these potential pitfalls.

<http://www.wenlockplan.org/wp-content/uploads/2012/06/Much-Wenlock-Neighbourhood-Plan-Residents-Survey-form-example.pdf>

5. **The Survey Analysis Report.** The report by the Shropshire Rural Communities Charity was, as it states, for evaluation by the Steering Group that commissioned it plus feedback for resident scrutiny. Without that evaluation and feedback, the Report **AND ITS ANNEX** mean little to residents. They are valuable independent records of input, but residents can only speculate about what their Steering Group might have proposed:

a. **Survey Analysis Report (Main Body).** This is at **Consultation Statement Appendix 3**.

b. **Survey Analysis Report (Annex).** The Report Annex contains 4,500 free-text inputs in which the same 578 residents had a free hand in saying what they did and didn't want in their own words. This should also be included at **Consultation Statement Appendix 3** or shown on its own in a separate appendix. **The exclusion of this most comprehensive resident data is disgraceful.**

6. **Open Forum Submissions.** The 168 free-text post-it notes (98 not relevant to the Plan) submitted by some 50 of the attendees at Open Forums, including children and non-residents, are very minor evidence. Their inclusion as **Consultation Statement Appendix 2** and the suggestion that they combine with the Main Survey Report at **Consultation Statement Appendix 3** to provide '**a strong evidence base for development of our Draft Neighbourhood Plan**' is rubbish. **It is the Report Annex that combines with the Report to provide that strong evidence base.** The Annex was being used in the Steering Group's evaluation, along with Open Forum and Stakeholder submissions (minor evidence also ignored by the current draft plan).

7. **Consolidated Evidence.** The Steering Group meeting at the Telford & Wrekin Planning Department on 15 February 2017 (Meeting Notes should be posted), tasked me to sort and analyse the free-text input from the Survey, Open Forums and Stakeholders. That analysis is in two spreadsheets, the front pages of which are snipped at my Appendix 2. The original data is in their first worksheets and points not relevant to the Neighbourhood Plan in their last headed Council Action Plan (CAP). The relevant data is divided by survey sections A – G and by survey question within them. Like ideas were grouped and totalled to indicate the strength of support. **These two spreadsheets and the Survey Analysis Report contain ALL of the evidence gathered by the Steering Group. These documents should all have been posted on the Lilleshall Plan website by Councillor Shaw.**

8. **The Steering Group: Evidence Evaluation Begins.** The two analyses were approved and used by the Steering Group at its first evidence evaluation meeting on 28 February 2017 (Meeting Notes should be posted). The meeting also adopted the evaluation format shown at my Appendix 3, which we shall meet again in my next paragraph. The discussion date was recorded because many questions needed later discussion to take into account responses to related questions, building up a cohesive picture. Our Chairman, Councillor Shaw, commended the thoroughness and integrity of our work and I was asked to produce a discussion paper covering Survey Sections D-G for evaluation at our next meeting on 9 March 2016, and to start giving thought to our summaries of survey findings.

9. **Consultation Statement Appendix 3 ½.** Unlisted within its index, the Steering Group evaluation of 28 February 2017 is tucked behind **Consultation Statement Appendix 3** Survey Analysis Report, with my internal discussion draft for the planned meeting 9 March 2017 added to it with their date columns removed. The first is incomplete and the second was not considered. **The authors of the Plan are misrepresenting these Steering Group documents because they know that an evaluation is essential and have nothing to offer.**

10. **Why is Evaluation Necessary?** The 4,500 free-text inputs of 578 Lilleshall Parish residents cover just about every possible development in Lilleshall Parish. They all merited consideration, but many had minimal support and should have been politely excluded during the evaluation. Not many residents wanted to see land allocated for the re-instatement of the railway line between Station Road and Newport. Or an area set aside on Lilleshall Hill for flood-lighting and flagpoles (flag(s) unspecified). But without such ideas being excluded, residents could find councillors installing flagpoles, saying simply that residents had told them that they wanted them, as in the first draft plan. These are unlikely extremes; see the analyses for more likely candidates (residents on request to me or when posted by Councillor Shaw).

11. **Steering Group Disbandment.** At the Parish Council Meeting on 6 March 2017, Councillor David Shaw led a jaw-dropping betrayal of the Steering Group and his commitments to residents, by causing the Group to be disbanded and resident members dismissed without warning. This was pre-arranged and approved unanimously by councillors with no involvement with the process. There has been no explanation of this unprecedented and unprincipled action. Councillors seized control in flagrant contradiction of their commitment to residents. They have yet to declare this key event, creating the false impression that resident members of the Steering Group are still party to the current nonsense. **This significant action in the neighbourhood planning process must be declared and explained in Key Events Schedule Appendix 1.**

12. **From Chairman to Personal Project Manager.**

- Until 15 February 2017 (Meeting notes should refer), Councillor David Shaw had been an excellent and consultative chairman (except for the website). He had my unstinting support. He had recruited a new, younger and very able resident volunteer **'...to join the team as we consider the analysis and report of the Shropshire Rural Communities Charity and produce a Lilleshall Plan...'** as advertised in his signed message in the Survey Explanatory Leaflet (document should be posted).
- The Steering Group started 2017 with plenty of time to complete our evaluation of evidence and summaries of findings and agree them with residents in plain English, before having them written into a Lilleshall Plan when the examination of the Telford & Wrekin Plan (on which the Lilleshall Plan has to be based) was completed later in the year.
- But co-opted Councillor Shaw was suddenly a changed man and directed that a planning officer with no knowledge of the Borough or Parish make an immediate start on drafting a Lilleshall Plan **at his personal and exclusive direction**. He gave ground and agreed that the Plan must incorporate the collective findings of the Steering Group with regard to resident input but, as I have already shown, **his next move was to have the Steering Group dismissed**. He had come to see himself not as a Steering Group Chairman, but as a project manager with the neighbourhood plan his personal project, as reflected in the introductions to the draft Plans. The exemplary collective work of a hard-working neighbourhood plan Steering Group was turned into a councillor's personal project.
- The outcome was his first draft plan of May 2017, a ludicrous hybrid caught between the obsolescent Wrekin Plan 2008 and 30+ policies and horribly wrong guesses at the outcome of the examination of the Telford & Wrekin Town Plan. It dipped randomly into resident data. It is on the Parish Council website but without its supporting documents. It is a disgrace to Lilleshall Parish and shows why councils should have Steering Groups with strong resident representation.

<https://www.hugofox.com/community/lilleshall-parish-council-7934/neighbourhood-plan/>

13. **Process Failures.** The Lilleshall Parish Councillor Plan also suffers from process failures that should be rectified before any revision is accepted:

- **Censorship.** Councillor Shaw undertakes on the Lilleshall Plan website that he will post all input from residents. I submitted comprehensive and objective criticism of both his first and second plans. He censored my input to the first, giving the false impression that I had submitted just a few innocuous comments. The **Consultation Statement Comments Review Table Appendix 4** ignores my input to the second. This will be the first time that Lilleshall residents will be able to see the points that I am making, **points that might have had a significant impact on the current plan and evidence base had they been properly published for public scrutiny within Lilleshall Parish. Future resident input must be published uncensored within the Parish.**
- **Consultation Period.** There had to be a major revision of the first draft plan, extending well beyond the Telford & Wrekin Plan adaptations, resulting in the second draft plan on the Parish Council website. But, while recognizing that the extent of the revision made fresh consultation unavoidable, **only four weeks were allowed. Future revisions should have a six week consultation period.**
- **Unacceptable Record Keeping Standards.**
 - **Parish Council Website.** The First and Second Draft Plans are on the Parish Council website, <https://www.hugofox.com/community/lilleshall-parish-council-7934/neighbourhood-plan/> but all record of their varied use of supporting documents has been removed. This detail should be re-instated along with copies of councillor circulars to residents. The site now states that the latest plan is with Telford & Wrekin Council for comment, but does not give residents the link www.telford.gov.uk/lilleshallndp or tell them that the deadline is 29 May 2017. It also claims to list documents relevant to the current consultation, but the documents listed have no relevance. **These points should be corrected and lessons learned.**
 - **Lilleshall Plan Website. The records of the Steering Group are the authorised records of Lilleshall Parish's neighbourhood planning process up to 9 March 2017 and should be posted for resident scrutiny on the Lilleshall Plan website:**
<https://www.hugofox.com/community/the-lilleshall-plan-10146/about-us>
Councillor Shaw has not updated the website since July 2016, as his last entry is an inexplicable duplication of an earlier entry. **It must be updated. I offer to do this.**
 - **Hard Copy Records.** All Steering Group documents were copied to the Parish Clerk as a hard copy record for residents with no internet access. Councillor Shaw was responsible for checking on this but allowed the process to breakdown and did not brief the new Parish Clerk. There is no point in visiting the Parish Office as suggested in the current Plan as there are no hard copy records (I have checked) and, understandably, the new Parish Clerk has no meaningful idea of what is involved. **These records should be created and I offer to provide guidance and any missing documents.**

14. **The Council Action Plan.** Throughout the process, many resident ideas did not fall within the scope of a neighbourhood plan. The Steering Group undertook (Circular April 2016 refers), on the basis of Roadshow guidance, to include these in a Council Action Plan to be published as an annex to the main plan. The current plan barely mentions this. There are 975 points for inclusion in the Council Action Plan (855 from the Survey and 102 from the Open Forums and Stakeholders) and they should be given proper consideration in the next revision. **I volunteer to sort and group them for councillor consideration if they are unable to do this.**

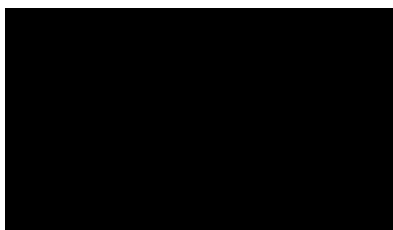
15. **Concerns about Backdoor Implementation.** I now highlight two examples of my concerns about what might happen under this Lilleshall Parish Councillor plan:

a. Allotments. Lilleshall Parish inherited 36 allotments on which residents have first call, as well they might as they have been subsidising them. But there is little demand and there are only 6 Lilleshall allotment holders and Councillor Bob Taylor, the second author of the Plan, is one. A Much Wenlock survey question somehow got through asking Lilleshall residents whether they wanted more allotments. This leading question caused residents to assume that there was a need and to say yes, an answer that should have been discounted on evaluation. We now have a survey response that should have been discounted linked to a grossly misleading statement that Lilleshall has an allotment waiting list (**it does NOT contain any Lilleshall residents**) and a Basic Conditions Statement (Page 8 Para 9) **'...to expand provision in particular for allotments...'**. I would not anticipate Lilleshall residents volunteering to subsidise a vanity project for outsiders if they knew the facts.

b. The Lilleshall Country Park. The main author of the plan, Councillor David Shaw, has ambitions for turning much of Lilleshall Parish into Lilleshall Country Park, a tourist attraction. He produced an imaginative briefing paper in August 2015, before leading the Steering Group. It envisages a possible community and visitor centre, education facilities and parking with road access improvements. I would hate to think that resident members of the Steering Group were dismissed because the thoroughness and integrity of their evaluation might have closed off opportunities to introduce the project piecemeal, without declaring it. I note that the Basic Conditions Statement (Conformity of LNP with NPPF Policy TA2), **'Seeks to redress our street car parking and subsequent traffic congestion in Lilleshall.'** I don't identify with these grossly exaggerated problems (the Steering Group planned some simple research), **to which I suspect that the answer will be an unused car park.**

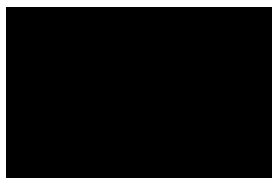
16. **The Plan and its Revision.** For all of these reasons I re-state my view that the current plan should be referred back to Lilleshall Parish Council to correct its shortcomings. This should include especially a completed evaluation of resident evidence, done with thoroughness and integrity, and a summary of findings that, after consultation, will serve as a record of what has been agreed by residents. Residents should be given the opportunity to challenge both at public meetings. **The current Plan should then be revised as necessary to take account of these findings before further Regulation 14 Consultation and re-submission.**

17. **Request to be Notified of Regulation 19 Decision.** I request that I be notified under Regulation 19 of Telford & Wrekin Council's decision in relation to the current Lilleshall Plan.





PJ Hawkins MSc
Lieutenant Colonel (Retired)



9 May 2018



Appendix 1


https://www.hugofox.com/community/the-lilleshall-plan-10146/about-us

[About Us](#)
[History of Lilleshall](#)
[The Process](#)
[Overview of The Plan](#)
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The Lilleshall Plan

About Us

Our Basic Aims

The Lilleshall Plan is aimed at helping all members of the community to be involved in the determining the future of the Parish.


The Plan will be developed in accordance with the Neighbourhood Planning process.





The Plan will address issues affecting the parish including -

- The heritage of Lilleshall
- Conservation and protection of our way of life
- Development within and around the Parish
- Protecting our environment and ecology
- Improvement of recreation and visitor facilities
- Management of the infrastructure

The aim of this web site is to provide public access to all information gathered and produced by the Neighbourhood Planning Group, and will over time enable residents to comment on the policies, proposals and action plans developed for inclusion in the plan.

The end product will be the **Neighbourhood Plan for Lilleshall Parish**



David Shaw
 Farthings
 Church Road
 Lilleshall
 Newport
 Shropshire
 TF10 9HJ

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Lilleshall Parish Council

Neighbourhood Planning Group

The Memorial Hall, Hillside, Lilleshall, Shropshire, TF10 9HG.
Tel: 01952 676379 Email: lilleshallparishcouncilplan@gmail.com

THE SORTING OF THE COMMENTS ANNEX OF THE SHROPSHIRE RCC LILLESHALL RESIDENTS SURVEY REPORT

1. The Lilleshall Residents' Survey of November 2016 included tick boxes that were analyzed in the Shropshire RCC Report using specialist software.
2. The Survey also included many boxes in which residents were free to state their views, listed as some 4500 comments in an annex to the Report.
3. That Comments List (attached) cannot be analysed by the specialist software or fully evaluated in this original format.
4. The comments have therefore been grouped, summarized and presented more clearly for evaluation by the Planning Group.
6. The Comments List was first divided between Survey Sections A - G (attached) and question headers added.
7. A prominent yellow header labelled 'Summarized Comments' was added beneath each survey section.
8. Comments were summarized above that line without reference to the Report and transferred unchanged beneath it for reference.
9. Summary formats and presentation were adapted to suit sections and questions; comments below the line were left unchanged.
10. Comments not relating to land use were also copied to the Council Action Plan (CAP) Section attached.

Philip Hawkins

Secretary
Lilleshall Neighbourhood Planning Group

17 February 2017

INTRO	Comments List	Section A	Section B	Section C	Section D	Section E	Section F	Section G	CAP	+
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Lilleshall Parish Council

Neighbourhood Planning Group

The Memorial Hall, Hillside, Lilleshall, Shropshire, TF10 9HG.
Tel: 01952 676379 Email: lilleshallparishcouncilplan@gmail.com

THE SORTING OF OPEN FORUM AND STAKEHOLDER SUBMISSIONS BY LILLESHALL RESIDENTS SURVEY SECTION

1. The Open Forum and Stakeholder submissions to the Neighbourhood Plan are shown in the first two worksheets.
2. They have been sorted by survey section for evaluation. Their survey sections are shown against them.
3. Submissions that do not fall into a land use category are referred for the Council Action Plan (CAP) in the final worksheet.
4. Submissions 102/4, 113/2, 116/1 and 150/7 fall into two categories and appear under both.
5. By way of example, a suggested new footpath would come under Section D, whereas maintaining an existing footpath would be for the CAP.
6. All submissions were considered alongside residents' survey responses and the LNPG findings can be found on the website.

Philip Hawkins

Secretary
Lilleshall Neighbourhood Planning Group

24 February 2017

Introduction	Open Forum Submissions	Stakeholder Submissions	A	B	C	D	E	F	G	CAP	+
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LILLESHALL PARISH COUNCIL NEIGHBOURHOOD PLANNING GROUP
ANALYSIS OF RESIDENTS RESPONSE TO THE LILLESHALL PARISH RESIDENTS SURVEY OF NOVEMBER 2016

SURVEY SECTION A PROVIDING HOMES	THE FINDINGS TAKE INTO ACCOUNT THE ANALYSIS AND RECOMMENDATIONS OF THE INDEPENDENT SHROPSHIRE RCC SURVEY REPORT AND SUPPORTING ANNEX AND OPEN FORUM AND STAKEHOLDER SUBMISSIONS	APPROVAL DATE
Q1 Should the neighbourhood plan allocate land for affordable housing to meet local needs?	There was a 96% response with a small majority of 53% favouring the allocation of land for affordable homes. LNPG noted this pending its consideration of local housing needs later in the survey.	28/02/17
Q2 Should the neighbourhood plan allocate land for houses for sale on the open market?	There was a 94% response with a significant majority of 60% not favouring any land allocation for open market housing. LNPG would therefore not allocate land for open market housing (but noted this does not prevent open market housing from finding its own land).	28/02/17
Q3 If new homes are to be built, how many should be permitted by 2031?	Lilleshall Parish currently has some 550 homes. There was an 81% response, with comments showing that 21 residents did not want any development and one each wanted 200/300/500 homes. 67% wanted no more than 30 homes and 55% a maximum of 20. LNPG decided upon a maximum of 25, a 4.5% increase in homes subject to consideration of later sections of the survey. (This is on top of the 25 homes, a previous 4.5% increase, built recently in the village at Hill Farm).	28/02/17
Q4 If new homes are to be built, what type of homes should have priority?	This multi-answer question had an 88% response. Residents were most comfortable with open market housing, with 62% giving this top priority. Linked with the earlier responses to Q1 and Q3, this was seen to indicate a strong preference for leaving the private sector to function within an overall housing limit. LNPG noted that sheltered homes to buy or rent were the second priority at 34%, for consideration alongside later survey input.	28/02/17
Q5 If new homes are to be built, how many should be built in any single development?	This multi-answer question had a 77% response. Over 67% thought that there should be a maximum of 10 homes. LNPG would recognize a 10 home maximum pending its consideration of later sections of the survey. Linked with Q3, this would permit 2-3 small housing developments, infill averaging some 1.5 homes per year, or a combination up to a maximum of 25.	28/02/17
Q6 Do you support the development of redundant buildings or brown field sites?	There was a 94% response with 90% favouring the development of redundant buildings and brown field sites. LNPG logged this for later consideration.	28/02/17

THE LILLESHALL PARISH COUNCIL PLAN

SECOND REPRESENTATION UNDER REGULATION 16 BY THE SECRETARY TO THE STEERING GROUP

Further to my first representation of 9 May 2018:

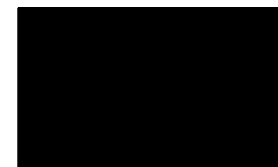
1. Steering Group documents identify the other witnesses and contributors to the process. They should be posted on the Lilleshall Plan website for access by everyone. Failing that they should be provided by Lilleshall Parish Council on demand. Or contact philiphawkins@talktalk.net.
2. Residents are owed an explanation for the breakdown of their neighbourhood planning process and the dismissal of their Steering Group by Lilleshall Parish Council. I hope that the Plan Examiner will address this issue on behalf of residents, along with the role of Telford & Wrekin Borough Council.
3. For the benefit of residents, the work outstanding would require your Steering Group to hold two evidence evaluation meetings plus a meeting to agree its summary of findings for consultation with you. The summary would cross reference the evaluations and later reference where the policies can be found in the plan after its amendment, providing an audit trail from your input to your plan. It would empower and constrain our councils up to 2031. Elected parish councils must be free to approach us for any dispensations needed to accommodate good ideas, but they will not be free to implement non-compliant and costly councillor projects without declaring them and consulting us.

The Role of Telford & Wrekin Borough Council

I am concerned about the advisory role of the Telford & Wrekin Borough Council. Its officers did not attend the Bridgnorth Neighbourhood Planning Roadshow and have since struck me as having much to learn about neighbourhood planning compared with the officers of the authorities that did.

Not only has this situation arisen on their watch, but a briefing to Lilleshall Parish Council advised that the plan of neighbouring Edgmond Parish was being amended at the direction of the Plan Examiner, and that this might require knock-on amendments to the Lilleshall Plan. This might have involved problems with its evidence base or the evaluation of evidence within the Plan. I do not know how Lilleshall became associated with Edgmond, as our situations were markedly different. I understood that Edgmond was trying to create a neighbourhood plan by dusting off an abandoned Parish Plan. Lilleshall was doing it properly from scratch.

But what advice and guidance has Telford & Wrekin Borough Council given to Lilleshall Parish Council that saw the latter take the unprecedented step of abandoning an exemplary neighbourhood planning process and dismissing its Steering Group? And in producing its ridiculous, confusing and now abandoned First Draft Plan of May 2017, and issuing a revised draft that tries to misuse my thoughts to paper over some of its serious shortcomings? Are parish councillors relying on the Borough to try to force through this nonsense?



PJ Hawkins MSc
Lieutenant Colonel (Retired)

28 May 2018





Development Management
Telford & Wrekin Council
PO Box 457
Telford
TF2 2FH

Our Ref: RG/RG/G277/L001

Date: 16 May 2018

Dear Sir / Madam

LILLESHALL NEIGHBOURHOOD DEVELOPMENT PLAN

We are instructed by **Tesni Properties Ltd** to set out their concerns and objections to the emerging Lilleshall Neighbourhood Plan.

You will recall the letters we sent to the Council on 5 July 2016 and 14 July 2017 in response to the earlier consultation exercises, the contents of which remain relevant.

Our client's main concern relates to how relevant and consistent the NP will be as the Borough Council comes forward with its Allocations DPD, which is likely to promote housing allocations, some of which might readily fall within the NP area.

By way of one example, our client has always supported the former HI Sustainable Urban Extension allocation (albeit we have always argued that allocation should be considerably larger to operate as a true SUE), which was removed from the LP at a late stage in response to the criticism of the Inspector, our client and other parties at the lack of any robust site assessment information presented by the Council.

Notwithstanding that, the HI site remains a logical site for sustainable development and expansion, and we are pleased to note that it (and our client's land that abuts it) falls *outside* those parts of the Lilleshall area that are proposed to be afforded special protection in the draft NP (namely Local Greenspace and Strategic Landscape). If the HI allocation was to be carried forward in the next stage of the LP, we suggest that that would jar – at least to an extent - with the NP, which would then be inconsistent with the LP when considered in the round.

We say that because the NP sets out its stall to limit new development. For example, under 'Strategic Framework', it is stated that :

'The Telford & Wrekin Local Plan (policy HO10) already states that a limited amount of infill housing will be supported in Lilleshall and so the development strategy for Lilleshall has largely been set.'

Yet, if site HI does ultimately come forward (much of which falls within the NP area), the NP would then be out of kilter with the LP.



By way of another example, the draft NP states that :

'Given the context of the Borough and the lack of realistic and appropriate alternatives, the broad Spatial Strategy is appropriate and there is no justification therefore in exploring, through the Neighbourhood Plan process, other development strategies for Lilleshall.'

We question whether that is correct and whether it is wise to make that type of statement in the absence of the second key part of the LP, which might readily promote housing (and other) development on greenfield land within the NP area.

The draft NP also states :

'To consider other strategies that seek to provide substantially more housing in the rural area would conflict with Government policy which seeks to promote sustainable development by encouraging effective use of brownfield land and locating as much housing as possible closest to existing infrastructure in Telford or Newport.'

Again, we take issue with that statement. The provision of more housing in the rural area would not conflict with Government policy if such development is needed. On the contrary, if there is a need for more housing (and we consider there is), and if there are not sufficient sites in the built up area (as appears to be accepted to be the case by the Council), then there will be little option but to promote sites in the rural area, albeit one would expect such sites to be located on the edges of settlements – such as the former HI allocation and our client's abutting land.

Notwithstanding that, we suggest there is tension between the above comments – which appear to rule out anything but minor / infill development – and other statements in the draft NP. Statements such as those below appear to accept that sites in the open countryside that are contiguous with Telford might come forward :

'NEIGHBOURHOOD PLAN OBJECTIVES – “With the exception of sites contiguous with the current urban area of Telford.”'

And the corresponding policy states :

POLICY DEV2: MERGING OF SETTLEMENTS

In order to prevent coalescence of settlements and to protect the rural character and nature of the Strategic Landscape Areas, where the open spaces between settlements are valued, proposals for new open market housing in the open countryside outside Lilleshall village and not contiguous with the current urban area of Telford will not be supported, except those proposals that accord with Paragraphs 28, 54 and 55 of the NPPF. Limited development on infill sites in Lilleshall will be supported.

We suggest that the NP be reviewed to ensure that such inconsistencies / ambiguities are resolved, but notwithstanding that we find it difficult to conceive that a NP adopted in advance of what will be the second key part of the LPA can sensibly claim to be consistent with the development plan. That might arguably be the case as matters stand today, but surely the NP should be forward looking and have regard to the distinctive probability that, when the second part of the LP comes forward – it



will allocate land for housing and other development in the rural area of Lilleshall. In that regard, we suggest that the NP is premature and that the outcome of the next key LP stage should be awaited.

Thank you for having regard to these comments, and please do not hesitate to contact Richard Gee at the offices below if you have any queries.

Yours faithfully
for Roman Summer Associates Ltd



Richard Gee
Director

30 May 2018

Our ref: Telford & Wrekin 8

Dear Sir/Madam

Lilleshall Parish Neighbourhood Plan (Regulation 16 Consultation)

Thank you for the opportunity to comment on your consultation. We currently have no specific comments to make, but please keep us informed when your plans are further developed when we will be able to offer more detailed comments and advice.

For your information we have set out some general guidelines that may be useful to you.

Position Statement

As a water company we have an obligation to provide water supplies and sewage treatment capacity for future development. It is important for us to work collaboratively with Local Planning Authorities to provide relevant assessments of the impacts of future developments. For outline proposals we are able to provide general comments. Once detailed developments and site specific locations are confirmed by local councils, we are able to provide more specific comments and modelling of the network if required. For most developments we do not foresee any particular issues. Where we consider there may be an issue we would discuss in further detail with the Local Planning Authority. We will complete any necessary improvements to provide additional capacity once we have sufficient confidence that a development will go ahead. We do this to avoid making investments on speculative developments to minimise customer bills.

Sewage Strategy

Once detailed plans are available and we have modelled the additional capacity, in areas where sufficient capacity is not currently available and we have sufficient confidence that developments will be built, we will complete necessary improvements to provide the capacity. We will ensure that our assets have no adverse effect on the environment and that we provide appropriate levels of treatment at each of our sewage treatment works.

Surface Water and Sewer Flooding

We expect surface water to be managed in line with the Government's Water Strategy, Future Water. The strategy sets out a vision for more effective management of surface water to deal with the dual pressures of climate change and housing development. Surface water needs to be managed sustainably. For new developments we would not expect surface water to be conveyed to our foul or combined sewage system and, where practicable, we support the removal of surface water already connected to foul or combined sewer.

We believe that greater emphasis needs to be paid to consequences of extreme rainfall. In the past, even outside of the flood plain, some properties have been built in natural drainage paths. We

request that developers providing sewers on new developments should safely accommodate floods which exceed the design capacity of the sewers.

To encourage developers to consider sustainable drainage, Severn Trent currently offer a 100% discount on the sewerage infrastructure charge if there is no surface water connection and a 75% discount if there is a surface water connection via a sustainable drainage system. More details can be found on our website

<https://www.stwater.co.uk/building-and-developing/regulations-and-forms/application-forms-and-guidance/infrastructure-charges/>

Water Quality

Good quality river water and groundwater is vital for provision of good quality drinking water. We work closely with the Environment Agency and local farmers to ensure that water quality of supplies are not impacted by our or others operations. The Environment Agency's Source Protection Zone (SPZ) and Safe Guarding Zone policy should provide guidance on development. Any proposals should take into account the principles of the Water Framework Directive and River Basin Management Plan for the Severn River basin unit as prepared by the Environment Agency.

Water Supply

When specific detail of planned development location and sizes are available a site specific assessment of the capacity of our water supply network could be made. Any assessment will involve carrying out a network analysis exercise to investigate any potential impacts.

We would not anticipate capacity problems within the urban areas of our network, any issues can be addressed through reinforcing our network. However, the ability to support significant development in the rural areas is likely to have a greater impact and require greater reinforcement to accommodate greater demands.

Water Efficiency

Part G of Building Regulations specify that new homes must consume no more than 125 litres of water per person per day. We recommend that you consider taking an approach of installing specifically designed water efficient fittings in all areas of the property rather than focus on the overall consumption of the property. This should help to achieve a lower overall consumption than the maximum volume specified in the Building Regulations.

We recommend that in all cases you consider:

- Single flush siphon toilet cistern and those with a flush volume of 4 litres.
- Showers designed to operate efficiently and with a maximum flow rate of 8 litres per minute.
- Hand wash basin taps with low flow rates of 4 litres or less.
- Water butts for external use in properties with gardens.

To further encourage developers to act sustainably Severn Trent currently offer a 100% discount on the clean water infrastructure charge if properties are built so consumption per person is 110 litres per person per day or less. More details can be found on our website

<https://www.stwater.co.uk/building-and-developing/regulations-and-forms/application-forms-and-guidance/infrastructure-charges/>

We would encourage you to impose the expectation on developers that properties are built to the optional requirement in Building Regulations of 110 litres of water per person per day.

We hope this information has been useful to you and we look forward in hearing from you in the near future.

Yours sincerely

Rebecca McLean

Lead Catchment Planner

growth.development@severntrent.co.uk