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EXAMINATION OF THE TELFORD & WREKIN LOCAL PLAN 2011-2031

MATTER 8 – SITE ALLOCATIONS

Question 8.1

Are the allocated sites appropriate and deliverable, having regard to the provision of necessary infrastructure and facilities, and taking account of environmental constraints?

It is acknowledged that Muxton is a sustainable location which offers good access to employment areas, services and facilities and benefits from good connections to Newport and Stafford, beyond to the east and to the Telford Eastern Primary and importantly, Junction 4 of the M54 to the south.

SUE Proposal H1 provides an opportunity for a sustainable urban extension which could deliver community benefits, however, we are concerned that the proposal faces a number of key constraints, which the Council as part landowner and planning authority appears not to have properly addressed and which will ultimately render the proposal a medium to long term opportunity rather than one that is capable of contributing towards the delivery of new homes in the short term (5 years).

Whilst we concur with the assessment that the most southerly site (SHLAA 144) comprising the proposed H1 SUE is an appropriate and sustainable site we seriously question the selection of the northern sites comprising the majority of the SUE proposal (SHLAA 482 and 508) as both appropriate and sustainable for the following reasons:

Some of the key issues that appear to have been inadequately assessed and appropriately considered are:

1. The potential sterilization of mineral reserves
 2. Flood risk and drainage
 3. Landscape Impact
 4. Agricultural Land Quality
 5. The provision of infrastructure that will impact upon a phased delivery
- 1) It must be noted that in the 'track changes' version of the Submission Plan, the Council has proposed modifications to Policy ER2 which are anything but 'minor' and which potentially render the proposed H1 site undeliverable in the short to medium term, given its potential to sterilize mineral resources (although the Council seems to be attempting to circumvent safeguarding of minerals at this isolated rural site by seeking to exclude this rural area from mineral safeguarding by including it within the urban area thereby excluding safeguarding of minerals).

This point again goes to the heart of our argument that the council is seeking to retrofit information to support a plan it already had produced and seeking to "enhance" the assessment and potential obstacles to development of its proposed site allocations.

- 2) Since it is acknowledged that the proposed Muxton SUE (H1) site contains extensive areas of land within that are subject to flood risk and so sequential testing and exceptions tests are called for, but this does not appear to have been undertaken and so the credentials of the site have to be seriously questioned.

Additionally, the plan refers to the need to provide additional sewage treatment facilities in the area which will require some years to implement.

- 3) We are also particularly concerned that the Council appears to be ignoring its own evidence base in relation to environmental and landscape constraints arising in relation to the Muxton SUE (H1).

Rather than add further layers of detail to this response, a letter from Seabridge Developments (appended) to the Council in respect of the extant planning for the above SUE clearly defines the concerns in relation to the appropriateness and deliverability of this site especially considering the environmental issues that have not been addressed in relation to evidence.

It is further noted that the Landscape Sensitivity Study Update 2015 (Evidence Document C3eii) does not contain an assessment of landscape sensitivity in relation to the Muxton SUE (H1) site north of New Trench Road (TWDo4-75), although in Table 3 of the Update it is described as being of medium landscape sensitivity. It is important to note, however, that the full site sensitivity study for this site (north of New Trench Road), is not included in the report so no evaluation of this assessment is possible.

Accordingly, we do not see the whole of SUE site (H1) as sustainable and we suggest that the allocation of land be restricted to SHLAA site 144 (south of New Trench Road).

Question 8.2

Is the overall site selection methodology robust and transparent?

We contend that significant proportion of evidence which the Council rely appears to have been produced only after the Plan proposals have been determined. It would appear that the site selection process appears to have been informed by a combination of;

1. Housing Site Selection Technical Paper – Appendix C – Site Assessment Forms – July 2015.
2. The Integrated Assessment – December 2015 (IA) which incorporates the Sustainability Appraisal (SA) Objectives at Appendix VI and the Strategic Fit Criteria at Appendix IX.

We have serious concerns that the site selection and analysis methodology used by the Council is contradictory and confused and only serves to give credence to the view that it is self-serving, selective and clearly not transparent.

By way of example and comparison for each of the abovementioned evidence appraisal and site selection documents:

- 1) *Technical Paper – Housing Site Selection – Appendix C: Site assessment forms – (July 2015) – relative to the Seabridge Developments site proposal SHLAA ID 813 and 630.*

The Council has contrived to agglomerate a number of sites into what would represent an urban extension and then to assess the area it has agglomerated in a manner that:

- (a) clearly prejudices individual assessment of Omission Site 813/630;
- (b) contrives to construct an urban extension that is obviously deficient, the purpose of which can only be assumed to be the enhancement of the comparative credentials of its proposed (H1) urban extension; and
- (c) provides sustainability comments that are completely at odds with and **factually incorrect** in relation to the site that has been suggested on behalf of Seabridge Developments (Site 4 of our original Pre-submission representation) and which is the subject of a current planning application for residential development (up to 150 dwellings) and open space (TWC/2016/0568), that is supported by a variety of information including: a Transportation Assessment; a Flood Risk Assessment; a Landscape and Visual Impact Assessment; an Agricultural Land Assessment; Ecology and Arboricultural Assessments and an Illustrative Master Plan (which can be provided if required), all of which serve to demonstrate the acceptability of the site to accommodate up to 150 dwellings.

At Appendix C the proposed Omission Site (south of Wellington Road, Muxton) is described as medium/high sensitivity in the Landscape Sensitivity Study Update (2014), despite the majority of the site not being reviewed and that small portion which was reviewed, was described as being of “medium” sensitivity with the added justification “*that the recent housing has reduced the potential effect of development on the site*”. A detailed Landscape and Visual Impact Assessment commissioned support of the planning application concludes that whole site is only medium sensitivity.

The commentary also proposes that “*the site is adjacent to an area of flood risk*” but a full Flood Risk Assessment has confirmed that the site is outside of flood risk areas. We simply fail to see the justification for these comments since SHLAA site 813 is not in a flood plain whereas the SUE proposal (H1) does require a sequential test, due to the inclusion of areas of flood risk.

Further, the Council propose that “*Development at the site would also result in the permanent loss of best and most versatile agricultural land (Grades 2, 3a and 3b)*”. We are concerned at the use of this assessment to denigrate the Omission Site (Grade 3a) particularly given the council have proposed their two largest urban extensions (H1) and (H2) on land that is of agricultural classification Grade 2 whilst at the same time challenging the SoS in the High Court over an allowed appeal in relation to land of classification Grade 2. In this regard the actions of the council can only be described as either self-serving or misguided particularly

since our proposed site has been fully assessed and reported[#] as having classification Grade 3a.

Additionally, the 'unsuitable' recommendation for the Omission Site concludes that *"the sites would lead to an amalgamation of Telford and Lilleshall and that the roads that serve the site and surrounding area are inadequate for the size of the development and would require significant improvements"*. Once more, the roads are the same general network that would serve the proposed Muxton SUE (H1) and which are currently being upgraded, however, in particular, the Omission Site in isolation would deliver housing in the short-term, to provide an early boost to the supply of new homes and contribute in a meaningful way to the 5 year housing supply and the Transportation Assessment has demonstrated that safe and appropriate access can be provided off Wellington Road to serve the development and that there is adequate capacity in the local highway network to accommodate the limited additional movements that would be associated with the proposal.

Such confused, illogical, factually incorrect and what would appear to be self-serving sustainability comments within site assessments for a group of sites that the council has "assembled" without reviewing our specific site proposal appears fundamentally unsound and an abuse of process which is prejudicial to us and our site proposal. The site selection process has not been sufficiently robust, has put the "cart before the horse" in that the sites have obviously been identified and the council has then assembled the evidence to fit the plan, and, furthermore, that process has not been transparent.

By way of illustrating the confused, illogical, factually wrong and non-transparent assessment of sites that has been presented we present, for purposes of example, a comparison between Seabridge Developments Ltd's (SDL) site (SHLAA 813/630) and the Councils Sites (SHLAA 144, 482 and 508 comprising Muxton (H1) SUE) having regard to SA Objectives and Strategic Fit Criteria. This demonstrates the muddled manner in which the council has contrived to select allocations by comparing the positive conclusions drawn in relation to the sites proposed for allocation, either factually, or by comparison to the unfavourable conclusions drawn in relation to the Omission Site. This comparison is not exhaustive and many of the points made are relevant across other site assessments made by the council.

SA Objectives

Site 144 (H1) In considering the colour coded SA Objective site scrutiny bar chart, the site scores + in the first half of Objective 10 compared to – for the same objective in the SDL site

813 scrutiny chart with all other scores being equal. It is interesting to note that site 508 scores a + for the above objective and yet the SDL site, which is the same distance from a local centre is scored --. If this glaring anomaly were recognized the scores would be even.

From an appraisal commentary perspective, this site is acknowledged to result in the loss of Grade 2 agricultural land and from which increased traffic may negatively affect traffic constraints around the clock tower roundabout.

Site 482 (H1) The site is scored 0 for Objective 7 despite being within a mineral safeguard zone. Whereas site 813 is shown to be within coal buffer area where extraction could not take place due to proximity to housing and the proposed Strategic Landscape. The dismissal of an appeal for extraction of coal some years ago and the fact that the coal is not economically viable due to having a high Sulphur content, clearly mitigates this ranking. The site scores a + in the first half of Objective 10 compared to a – for the same objective in the SDL site 813. It is interesting to note that site 508 scores + for this objective while the SDL site 813 scores a – despite being the same distance from a local centre. The site scored a – for objective 24 due to flood risk compared to a 0 for SDL site 813 in this regard. As it stands the site scores --- (three points) better than the Omission Site, however, in the event that the obvious errors in scoring were considered the Omission Site would score – (one point) higher than the proposed allocation site.

From an appraisal commentary perspective, the proposed allocation H1 site lies partially within flood risk zones 2 and 3 and requires the sequential test and exception tests. (Not the case for the Omission Site 813/630). The site is acknowledged to result in the loss of Grade 2 agricultural land (The Omission Site 813/630 is Grade 3a). Traffic from the site is acknowledged to negatively affect traffic constraints around the clock tower roundabout. (The TA submitted with the application on the Omission Site shows no negative traffic impacts).

Site 508 (H1) The site scored ++ for Objective 4 due to its size compared to + for the Omission Site (813/630) since the site is a smaller quick delivery site of 150 homes. The site scored a + for the first half of objective 10 despite the Omission Site being of equivalent distance to local centres the Omission Site scored --. By all reasonable comparisons, the Omission Site should score + on this objective. The proposed allocation scored – on the second half of objective 13, whereas the SDL site 813/630 scored a + due to its accessibility to pedestrian and cycle networks. The proposed allocation scored – on objective 22 due to its carbon footprint by reason of size whereas the SDL site 813/630 scored – by virtue of its size. The proposed allocation scored – on objective 24 whereas the Omission Site scored 0 due to the

flood risk perception of this site. With these scores taken into account and the glaring misrepresentation corrected, the Omission Site 813/630 scores 4 points higher than Site 508 which comprises the largest part of the SUE(H1).

Omission Site 813/630 We have demonstrated that the Omission Site scores 5 points higher than the aggregate of the sites comprising the H1 SUE.

From a site appraisal summary perspective, the comparison becomes even more striking and illustrates the flawed analysis and confused process leading to site allocations. Since we have already exposed these similar flaws and factual incorrectness in our critique of the Technical Paper – Housing Site Selection - Appendix C: Site assessment forms – July 2015, in the interests of brevity, we do not propose to comment further here to address similar issues.

Strategic Fit Criteria

Site 144 (H1) is assessed as being compatible with Strategic Fit Criteria (SFC)3 despite the site being outside reasonable walking distance of local centres. It is unclear why SFC8 is utilized since ownership of land is a political rather than planning expedient.

Site 482 (H1) It is unclear why the site satisfies the criteria of being compatible with SFC4 and SFC9 since the site appears to overlie strategic minerals, is located in the rural area, requires a sequential and exception test and provides a high concentration of development and not a balanced distribution.

Site 508 (H1) is assessed as being compatible with Strategic Fit Criteria (SFC) 3 despite the site being outside reasonable walking distance of local centres. It is unclear why the site satisfies the criteria as being compatible with SFC4 and SFC9 since the site overlies strategic minerals, requires a sequential test and provides a high concentration of development (not balanced distribution) in a single exposed and isolated rural location.

Omission Site 813/630 is assessed as having a negative effect on SFC2 having a negative effect on strategic green space and/or valuable landscapes. The site is not located in the green network, a designated landscape and whilst agricultural land grade 3a, it is not grade 2 on which all of the Council's SUE's are located.

- It is unclear why the site is assessed as not helping sustain and enhance local urban centres (SFC3) when the site is closer or as close to a doctors surgery, pharmacy, primary school, convenience store/newsagent and post office than the SUE (H1) site.
- It is unclear why the site has been rejected as not being a strategic urban extension, when the majority of proposed housing allocation sites are not strategic urban extensions.
- It is unclear why the site does not support strategic employment areas/eastern arc (SFC5) when the site is located within 900m of the strategic industrial areas and MOD Donnington.
- It is unclear why the site does not maximize infrastructural investment (SFC7) when the proposals are within 800m of the infrastructural investment in highways being made in the borough.
- It is unclear why the site should be disbarred from selection by virtue of land ownership (SFC8) since this appears to be a political rather than planning matter.
- It is unclear why the Omission Site is not a 'balanced commitment' which is complimentary with existing commitments (SFC9), when the site is a smaller number of homes (150) which will balance existing commitments and provide for an early ramp up in supply, in a sustainable manner utilizing existing infrastructure and bridge the supply gap in the locale created by the longer term delivery of the SUE.
- It is unclear why the Omission Site does not harness connections (SFC10) when it is well connected to existing infrastructure which it makes use of sustainably and is located close to cycle routes and bus routes.

For all of the above reasons, we propose that the plan is **unsound** and clearly prejudicial to the proper evaluation of proposed sites, requiring, as a minimum, a new site selection process utilising transparent and clearly ranked assessment and selection procedures prior to being consulted on further.

8.3 Are relevant development requirements for the site allocations, in particular the Sustainable Urban Extensions proposed at Donnington and Muxton (H1) and Priorslee (H2), clearly set out and sufficiently justified?

It is clear from our above commentary in relation to questions 8.1 and 8.2 that the development requirements are not clearly set out and sufficiently justified and that in particular, as we have explained, that the majority of the (H1) SUE at Muxton located north of the New Trench Road is clearly unsustainable and not presently viable on the evidence presented.

OMMISSION SITES

The representation submitted in response to the Pre-publication highlights sites which we consider should reasonably be allocated for housing. These include Land off Shrewsbury Road, Edmond (20 dwellings) (SHLAA Site 390) and Land off Wellington Road Muxton (150 dwellings) (SHLAA Site 813) which we consider represent highlight appropriate and sustainable development opportunities.