



Acres Land & Planning Ltd  
'Acres of space'

22nd September 2017

Environment & Planning Policy Team,  
Telford & Wrekin Borough Council,  
PO Box 457,  
Telford, TF2 2FH

Dear Sirs,

**Telford & Wrekin Proposed Modifications – Representations on behalf of Hallam Land Management.**

Introduction.

I am writing to you on behalf of Hallam Land Management, whom we represented at the Telford and Wrekin Local Plan Hearings early in 2017. Hallam Land has a long and successful reputation in working with local authorities to promote land for both housing, industrial, commercial and mixed-use development throughout the country. Their approach is to take a positive initiative in promoting land through strategic and local plans in partnership with Councils to ensure that homes and jobs are delivered for the benefit of local communities and for the wider economy.

We have been working for some time on behalf of Hallam Land Management and the landowner, David Crow, to promote and deliver a sustainable urban extension to Telford at Wappenshall to the north of the town. The new development would provide an imaginative new canal-side community linked to Homes & Communities Agency (HCA) land south of Queensway (A442). The site is close to both Hortonwood and Hadley industrial areas, thereby creating a strong link between new homes and jobs as well as a potential heritage, tourist and recreational focus for north Telford.

The Local Plan Inspector made some fundamental recommendations for change in his Interim Report (F10) issued on 30<sup>th</sup> March 2017. Paragraph 1 of F10 states that he identified serious concerns. These are now addressed in the Proposed Modifications (Docs L1/L2/L3/L4). In our view, these prejudice the soundness of the Local Plan and therefore we are doubtful whether the Local Plan can proceed in its current form. Notwithstanding our views, we therefore await the outcome of the Inspector's final report which will determine whether the Local Plan is indeed fully 'sound'.

### General Points.

The Inspector's comments in Document F10 released on 31<sup>st</sup> March 2017 (to which the Council has replied in Document F10A, F10B and F10D) raise far-reaching concerns both about the calculation of the housing requirement for Telford & Wrekin, the methodology for the selection of sites and the choice of SLA's.

In our view, these are not matters which can simply be redressed by a change of wording (or numbers) in the Proposed Modifications but require proper and thorough justification (and possibly also open discussion) so that participants at the Local Plan Hearings, planning professionals and also future users of the Local Plan (including the general public) can understand how the housing need figures have been derived and be convinced that the process is genuinely 'sound'.

Prior to the Local Plan Examination, (indeed two days before the end of the consultation period on the Submission Version of the Local Plan), we raised concerns in a letter addressed to the Council's Chief Executive, Richard Partington, dated 15<sup>th</sup> March 2016, (which I attach) about the removal of the Council's 2014 SHMA prepared by consultants 'Housing Vision' from the Council's website and its replacement by a new 2016 SHMA prepared by consultants ARC4 Ltd on behalf of TWC. We were unclear then on what basis the Local Plan housing policies were being derived. Indeed, we felt at the time that the last-minute change in evidence base implied that the proposals in the Local Plan were driving the evidence, rather than vice versa. Essentially, we felt *'the cart was being put in front of the horse'*.

The Council's response at the time was essentially along the lines that the matter was not prejudicial and would be handled at the Local Plan Examination in Public – as indeed it was. But there was no acknowledgement at the time that the evidence was inconsistent with the outcome. The 2014 SHMA was however, restored to the Council's website (within the SHMA heading), but does not appear within the formal Examination Library. It was seldom referred to during the hearings.

Fast forward to September 2017, and the situation is now remarkably similar. The Inspector has indicated within his Interim Findings (in Document F10) that he is unhappy about the derivation of the Council's Housing Requirement (the OAN). In the light of the Kestrel Close, Newport, decision the inspector has concluded that various aspects of the OAN calculation have been underplayed and that the actual requirement (or OAN) should be 864 dwellings per annum, (as a 'generous maximum') in contrast to the 502 dwellings/year OAN figure derived by the consultants, PBA, on behalf of the Council, or the 777 dwellings/year proposed by Telford & Wrekin in their submitted Local Plan. This is a substantial increase.

However, since the Kestrel Close appeal evidence could not have been shared with the Telford & Wrekin EIP participants, since the decision letter was only released on 21<sup>st</sup> March 2017, a month after the close of the Local Plan Hearing. it is impossible therefore for the Council, participants or the general public to verify the evidence base for the proposed OAN, or understand fully how the figures have been derived.



Various participants at the EIP in January/February 2017, (including ourselves on behalf of Hallam Land), produced evidence addressing issues, such as the extent of the Telford housing market, the economic strategy of the Borough and the scale of anticipated housing need in Telford. Some of this evidence was extremely detailed and much of it overlaps with the points raised by the Local Plan Inspector in his Interim Report (within document F10). Specific concerns were, for example, the relationship between employment and labour supply, the PBA assumptions about double-jobbing and more importantly the apparent and glaring inconsistency between the economic objectives and the housing objectives of the Plan.

But there were other points too, for example the very important relationship between Telford and Wrekin and its close neighbours in Birmingham and the Black Country and thereby the critical migration assumptions which underlie the Plan, which were discussed at the EIP but were never properly fully resolved at the Hearings. We are still not convinced that the current Local Plan genuinely grasps these housing issues and more important, we are not clear how the relationship between Telford and its wider economic hinterland has been resolved.


Put simply, we do not feel the current Local Plan can be regarded as 'sound' without a proper review of housing needs and requirements against a background whereby the Local Plan treats the 'Strategic Housing Market' as simply being local to Telford whilst the Council has economic ambitions to attract employment growth on a regional, national and international scale. Our response to the following Proposed Modifications need to be viewed against this background.

Finally, since the Telford & Wrekin Proposed Modifications have been published, the Government has issued a new Consultation document, '*Planning for the right homes in the right Places*', which puts forward proposals for determining housing needs according to a more standardised model and also proposed measures to improve the delivery of housing. The points within this Consultation Paper will also need to be addressed within the Inspector's consideration of the Proposed Modifications.

### Proposed Modifications

#### **Response to MM01. Page 12, Para 1.3.2.3. Migration Assumptions.**

The text which precedes MM01 suggests that; *'It is acknowledged by all parties that Telford & Wrekin functions as a separate housing market area, based on an analysis of the relevant indicators presented in supporting evidence to the Local Plan'*. I should emphasise that this is **not** the case and this statement was not properly justified at the Local Plan Hearing. Whilst T & W maintained that Telford operates as a separate Housing Market Area we (and others) argued strongly through the EIP process that Telford has always had (and continues to have) a wider market influence. This too was the gist of the case from the Birmingham and Black Country authorities who felt that Telford plays a wider role within the region. This paragraph therefore needs to be qualified by the use of the word 'some' or simply deleted.



The background to MM01 also states that the Birmingham & Solihull LEP Housing Assessment (also conducted by PBA) excluded Telford from the wider Birmingham and Black Country Metropolitan Housing Market. Whilst this may strictly be true, the PBA work was not the final stage in the overall Housing Needs Assessment. This work is still being undertaken by consultants GL Hearn (due in early October) and may yet recommend the need for an overspill of housing provision to Telford.

The third aspect of MM01, relates to the measures needed to address the concerns of Birmingham and the Black Country authorities about the relationship between the metropolitan area and Telford. The Proposed Modification suggests the following wording:-

*'the potential contribution of in-migration arising from the Local Plan's housing requirement towards meeting the needs of the Greater Birmingham and Black Country Housing Market Area (GBBC HMA) has not been quantified. The Council will continue to consider this matter in the light of emerging evidence. It does not at present rule out the potential apportionment of some of the Local Plan's housing requirement towards meeting the needs of the GBBC HMA'.*

We accept that the Council's suggestion represents a pragmatic solution, that the relationship between Telford and the Birmingham and Black Country HMA is an emerging and ongoing scenario and that it would be inappropriate to necessarily 'allocate' a precise migration allowance for the inflow of people from individual Boroughs or with the Metropolitan area as a whole, separate from the formal 'Duty to Co-operate' process. However, we are not convinced that suggested loose and flexible arrangement whereby matters are 'left in limbo' is consistent with the certainty and clarity demanded by the Local Plan process. In suggesting this solution, the Council appear to be asking for the Plan to be found 'sound' but with critical issues on 'Duty to Co-operate' being put 'on-hold' and for arrangements to be made outside the Development Plan process at a time and convenience of the Council's choosing. In our view, this matter needs to be resolved now, before the Local Plan can be found 'sound'. This is surely what the 'Duty to Co-operate' is supposed to achieve.

### **Response to MM04. Para 2.2.2. Change in target Population figure from 198,000 to 202,500.**

This change is welcome but is not properly explained in the Proposed Modifications and presumably emerges as a product of the increase in the housing target recommended by the Inspector. The increase in population needs to be clear and published in a suitably clear evidence base so that the robustness of the figure can be verified and the logic of the figures can be clear to future users of the Local Plan.



### **Responses to MM05 & MM06. Table 3 and paragraph 3.0.2. Change in housing target from 15,555 to 17,280.**

The increase in the housing target is welcome. We note from the figures which appear in the Enfusion report (Integrated Sustainability Appraisal) published as Document L2, that the increase in proposed housing provision emerges as a product of the Inspector's comments on the outcome of the Kestrel Close, Newport appeal. We also note that the Enfusion report concludes that the higher figures do not have an undue impact in terms of the Sustainability measures, broadly balancing the social indicators with the environmental effects. However, we feel that the figures behind this proposed change need to be published in a suitably clear evidence base so that the robustness and logic of the figures can be verified and made clear to future users of the Local Plan.

### **Response to MM08. Change in Policy SP1 to refer to 14,950 instead of 13,400 committed dwellings.**

The clarification is welcome, but needs to be verified in background documentation.

### **Response to MM11. Paragraph 3.2.3.1. Reference to 'built-up' areas rather than 'urban' areas.**

We are not convinced that this is a helpful change to the Plan. Inevitably new proposals will involve extending the built-up area of the town, but until this happens proposals which are on 'new ground' will inevitably fall into the rural category and subject to a much smaller pool of numbers. We are inclined to feel that the wording should reflect the fact that new allocations and proposals should fall into the 'urban' category. Therefore, perhaps the wording should relate to the 'settlement boundaries' of the two towns (Telford and Newport) which would allow for potential growth.

### **Response to MM12. Policy SP3. Change in policy wording relating to agricultural land and also change from 900 to 1000 dwellings in the 'rural areas'.**

These should be presented as two separate MM's.

We welcome the change to the agricultural land policy wording, which is now more consistent with Government policy.

We welcome the increase in housing provision in the rural areas, but we understand that this still leaves the level of housing supply in the rural areas in excess of the actual housing provision.

### **Response to MM15. Policy SP4. Change to the policy on Sustainable Development.**

Whilst we welcome the more positive approach to the 'Presumption in favour of Sustainable Development'. We are not convinced that the change in the heading of



the policy actually reflects what the policy does – which is to explain the Council's interpretation of the '*Presumption in Favour of Sustainable Development*'. Surely therefore the title should remain unchanged.

### **Response to MM34. Policy EC12. Safeguarding the Shrewsbury & Newport Canal.**

We welcome the addition of a policy which aims to safeguard the line of the disused Shrewsbury and Newport Canal and to protect the line from development which could prejudice its restoration. However, we would prefer a much more positively worded policy which sought to promote and support the restoration of the canal and also to encourage and promote 'Enabling Development' which could help actually delivering the restoration of the Canal, as well as stimulating valuable economic, recreational, tourism, heritage and residential objectives. The Integrated Sustainability Appraisal by Enfusion (Document L2) in reviewing the Proposed Modification in paragraph 3.18 of its report states that:-

*'This (the restoration of a navigable canal) has the potential for positive effects on SA Objectives for the economy, health/well-being, biodiversity, green infrastructure, cultural heritage/historic environment, and sustainable transport – with potential benefits beyond the area of the Borough if the ultimate goal of restoring a continuous navigable waterway linking the Shropshire Union Canal with the River Severn is realised'.*

The Proposed Modification therefore needs to be expanded to support and promote the restoration of the canal, including through 'Enabling Development' to hasten progress and to bring new potential water-related development scheme(s) to the town which could at the same time project a new positive image for Telford.

### **Response to MM36. Paragraph 4.3.2.9. Restoration of Shrewsbury & Newport Canal.**

The proposed wording of this text is far too negative to help promote and facilitate the restoration of the Shrewsbury & Newport Canal. Works to restore the canal will inevitably have a short-term ecological impact but the medium to longer term ecological effects (as well as the wider economic, heritage and tourism advantages) will undoubtedly outweigh the initial impact. The Proposed Modification needs to be changed to refer to the balance of environmental effects and to reflect the offsetting of any short-term implications through appropriate mitigation with medium to long term advantages – as would be the case in any planning application.

Significantly, the Enfusion report undertaken by Telford Council (Document L2) recognises this wholeheartedly. Indeed, the only potential adverse environmental impact which is referred to within the report is the possible effect on the SSSI at Newport. However, since the canal is already 'in -water' at that point, little or no construction work would need to be undertaken at Newport and hence the interference to the SSSI would be negligible - a point recognised within the Enfusion report.



Against that background, it is puzzling that the Council adopted quite such a negative position on proposals for the restoration of the canal at the Examination in Public since it is now recognised it would have widespread ecological, economic, heritage and tourism advantages. Put simply, the Council now need to approach this issue from a positive rather than a negative stance.

### **Response to MM37. Policy HO1. Housing Provision.**

As indicated in response to MM05 and MM06, the figures need to be published in a suitably clear evidence base so that the robustness of the figure can be verified and the logic of the figures can be clear to future users of the Local Plan.

### **Response to MM38. Paragraph 5.1.1.4. Justification for the level of housing provision.**

We support this change. The suggested revised wording is more measured and better reflects the status of the PBA evidence in shaping the level of Housing provision in the Local Plan.

### **Response to MM39. Policy HO2. Housing Allocations.**

We welcome the recognition that further housing allocations will be required through a Site Allocations Plan. (We have no comment to make on the specific references to Proposal H2; Priorslee Sustainable Urban Extension).

### **Response to MM40 & MM42. Paragraph 5.1.2.3/4. Housing and supply.**

It is helpful to update the latest housing supply data, but this needs to be properly verified and open to scrutiny in published documents.

### **Response to MM43. Paragraph 5.1.2.6. Committed Sites.**

Once again, this data needs to be properly verified and open to scrutiny in published documents available to the public.

### **Response to MM44. Paragraph 5.1.2.7. Changes to the housing supply figures.**

Once again, we feel that the explanation that only 'committed sites and Section 7(1) sites under the New Towns Act 1981' have been included in the Local Plan is helpful. The numerical changes within the text need to be properly explained and verified in an attached set of tables so that they are available for scrutiny by the Inspector, the participants and future users of the Local Plan. It is not clear whether the figure of 2,264 is supposed to equate to the addition of 1,020 and 1,224. If so, they do not add up exactly.



### **Response to MM45. Changes to paragraph 5.1.2.9. Relating to Policy HO2.**

We support the change to exclude the Muxton/Donnington strategic site from the Local Plan, based on the Inspector's concerns about the soundness and openness of the selection process. We note from the Map 7 in Document L3, that this now leaves Telford with only a handful of smaller sites (apart from the large SUE at Priorslee which already has planning consent) and no allocations in the northern part of the Borough at all. We consider that this creates a genuine opportunity for the addition of a suitable and sustainable strategic urban extension site at Wappenshall.

### **Response to MM46. Paragraph 5.1.2.10. Allowances for windfalls.**

We welcome this clarification.

### **Response to MM47. Paragraph 5.1.2.12. Housing supply figure.**

See MM44. Further clarification is required in a separate table(s).

### **Response to MM48. Paragraph 5.1.3.2/3. Housing supply.**

We welcome the clarification on housing supply, however it is essential that the Local Plan can demonstrate adequate housing land provision to meet its target from the outset, otherwise the Plan will repeat the mistakes of the previous Core Strategy whereby the Plan was only adopted for an interim period of 10 years. There is no guarantee that all the Section 7(1) commitments will come forward – hence the 20% allowance may be insufficient to ensure an adequate delivery of housing.

### **Response to MM49. Policy HO4. Housing mix and standards.**

We acknowledge the Proposed Modifications to the policy to ensure that there is a suitable mix of types and tenures (provided that this is not prescriptive). We welcome the change to remove references to Lifetime Homes housing standards.

### **Response to MM53. Policy HO7. Elderly persons' accommodation.**

We welcome the changes in wording.

### **Response to MM55 & MM90. Paragraph 5.3.1.1. and Table 13.**

Please see response to MM05 & MM06 above

I would be grateful if these points could be taken into account by the Inspector.

Yours sincerely

John Acres  
**ACRES LAND & PLANNING LTD**







Acres Land & Planning Ltd  
'Acres of space'

15<sup>th</sup> March 2016

Richard Partington (Chief Executive)  
Telford & Wrekin Council  
Addenbrooke House  
Ironmasters Way,  
Telford  
TF3 4NT

Dear Mr Partington,

**Re: Emerging Telford & Wrekin Local Plan.**

You will no doubt be aware that the Telford & Wrekin Local Plan was published for consultation on 1<sup>st</sup> February and the response period for comments extends until today (Tuesday 15<sup>th</sup> March 2016). The document is controversial insofar as it reduces the scale of housing development proposed in the Borough which in turn relies on evidence produced on the Council's behalf by external consultants.

Landowners, consultants, interest groups and members of the community will have been working diligently to make their comments on the current Publication version of the Local Plan based on the underlying Evidence Base which supports it. However, on Friday (11<sup>th</sup> March), two working days before the response deadline, the Council issued notice of a new 136 page Strategic Housing Market Assessment (SHMA) prepared by consultants 'ARC4' which appears to have replaced the previous 300 page SHMA produced by 'Housing Vision' as recently as February 2014.

For a local authority to publish essential evidence which underpins the Local Plan so late in the consultation process, (and when many respondents have already submitted their comments), undermines the whole consultation process. It runs the risk of prejudicing peoples' interests and hence not only is there a chance that the EIP inspector may ask for a re-run of the consultation process, but if the Local Plan survives through to adoption, the Council will be vulnerable to legal challenge which will waste time, money and effort for all concerned if the Plan is then suspended. I therefore strongly recommend that the Local Plan consultation is extended now, to give people adequate time to respond to the SHMA in the context of the Publication Local Plan proposals.

Firstly, for the Local Plan to be found 'sound' it must rest on a firm evidence base which is cohesive, consistent and readily available. Participants cannot properly respond to the Local Plan when the evidence base effectively represents a 'moving target'. Some people may have already responded and they will clearly have been prejudiced by this late publication of material. Others simply won't know about it. Either way, it creates confusion and uncertainty amongst all participants,

Secondly, a quick and 'skim-review' of the new SHMA over the weekend reveals that there are fundamental differences in the content of the new document compared with the previous SHMA report which are as yet unexplained.

Thirdly, the previous 'Housing Vision' report (on which my representations are largely based) has now disappeared from the Council's website, presumably to 'cleanse' the evidence base. This will undoubtedly crop up at the forthcoming Examination in Public and will create a confusing picture where some participants at the hearings will be referring to the 'old' evidence and others will be referring to the 'new' evidence. Some may not appreciate that the SHMA has been replaced at all.

Finally, if participants feel they have been prejudiced or compromised by the last-minute change in the Evidence Base without being able to question the contents, this could rebound on the Council, leaving the Plan extremely vulnerable to Legal Challenge once the Plan is adopted. If this occurs it will delay the progress of the Local Plan still further which in turn could again prejudice everyone involved – including the Council itself.

This is not a trivial matter. The SHMA is supposed to underpin the housing policies of the Local Plan but people need to study and understand the evidence base. I can therefore see no alternative but for the Council to issue an immediate explanatory note highlighting the key differences in the evidence base between the two SHMA documents, the reason for the newly commissioned SHMA and above all, the significance of this for the Local Plan. The logical next step is for the Local Plan Consultation period to then be re-run (if necessary for a period of 6 weeks) to ensure that no-one is compromised and everyone can make their comments in good faith.

I would appreciate if you would give this matter your urgent attention and report back to let me know what decision you intend to take.

I am sending a copy of this letter to the Strategic Planning Programme Manager, Vince Maher, with whom I have discussed this earlier today.

Yours sincerely

John Acres Msc DipTp MRTPI

Acres Land & Planning Ltd.

