

## **Local Planning Authority's Submission in Respect of the Waters Upton Neighbourhood Plan**

### **Introduction**

1. The Waters Upton Neighbourhood Plan ("WUNP") has been submitted to Telford & Wrekin Council, the local planning authority ("LPA"), pursuant to Regulation 15 of the Neighbourhood Planning (General) Regulations 2012. Further, the WUNP has been publicised pursuant to Regulation 16 of the 2012 Regulations. The Regulation 16 publication period expired on 6<sup>th</sup> March 2015. The Waters Upton Parish Council ("WUPC") is the qualifying body in respect of the WUNP.
2. The LPA has a duty to assist the qualifying body in connection with the making of proposals for the WUNP. However, in spite of meetings, discussions and exchanges of correspondence between the LPA and WUPC, a number of significant issues of concern remain outstanding.
3. The LPA has appointed an independent examiner to carry out an examination under paragraph 7 of Schedule 4B to the Town and Country Planning Act 1990 and will send documentation to the examiner as soon as possible.
4. In order to assist whoever may be interested in the WUNP and, in particular, to assist the WUPC and the examiner, the LPA considers it appropriate to set out its concerns regarding the Examination Version of the WUNP as clearly as possible. In these circumstances, the LPA has prepared this submission which will be included with the documentation to be forwarded to the examiner.

### **This Submission**

5. The LPA has reached no final or concluded view on whether the policies within the Neighbourhood Plan meet the basic conditions recorded under paragraph 8(2) of Schedule 4B of the Town and Country Planning Act 1990. It is for the Independent Examiner in the first instance to record his findings in his Report to be issued under paragraph 10 of Schedule 4B of the Town and Country Planning Act 1990. However the LPA has identified a number of relevant National Planning Policy Framework provisions and Local Plan provisions that it considers may be relevant to the Examiner's determination under paragraph 8 and 10. Its provisional view is that these are all provisions that will need to be carefully considered against the relevant provisions of paragraph 8(2).
6. This submission comprises a written summary of the key issues and, set out as an Appendix, a comprehensive Table identifies the specific sections/policy areas which the LPA wishes to identify.

## **Issues which the LPA wishes to identify**

### **A. Waters Upton Neighbourhood Plan OBJECTIVE 1:**

*‘To remove the “settlement suitable for development” definition from the central area of Waters Upton and to consider the entire Parish as rural*

Comment 1: Core Strategy policy CS 7 requires that development within the rural area will be **focussed upon** three settlements – one of which is Waters Upton. WUNP Objective 1 appears to seek to remove Waters Upton as one of the named settlements requiring that the entire Parish be considered as rural instead.

Comment 2: The purpose of policy CS 7 is to direct development towards the most sustainable locations. NPPF para 6 and 14 seek the same objective. However, WUNP Objective 1 appears to seek to remove Waters Upton as one of the named settlements.

### **B. Waters Upton Neighbourhood Plan OBJECTIVE 4**

*‘To restrict any developments to no more than infill sites. If there is evidence that a larger scale development is necessary, due to a future change in TWC policy, development should be confined to brown field sites (such as Dairy Crest) or SHLAA site 551’*

Comment 1: In the context of the objectives of NPPF para 47, i.e. to ‘boost significantly the supply of housing’, and CS7 which requires development to be focussed upon the named settlements, Objective 4, appears to be restrictive in nature without a secure justification. There is a need to demonstrate a sound basis by which development should be restricted to infill sites or to one or two properties.

Comment 2: SHLAA Site 551 is not previously developed land and its promotion for development has not been assessed against development plan policies

(NB: The LPA considers that Core Strategy CS7 generally takes precedence over saved Wrekin Local Plan Policy H10 and that H10 should only be applied where development is proposed on land in the settlements named in H9 but outside of the three named settlements in CS7.)

Comment 3: Whilst the NPPF para 17 encourages the effective use of land by reusing land that has been previously developed (brownfield land), neither the NPPF nor the adopted Core Strategy requires that development should be restricted to brownfield land.

### **C. Waters Upton Neighbourhood Plan Policy WUH1**

*Planning Permission should only be granted for development in the Parish that complies with the historical conditions set out in the Wrekin Local Plan and the Core Strategy H10. To be restricted to 1 or 2 dwellings on a suitable infill plot within the existing built up frontage and does not cause an extension of the village into open countryside.*

Comment 1: CS7 is in conformity with the NPPF and takes precedence over WLP policies H9 and H10 where there is conflict. CS7 requires that the Borough’s

Rural housing should be focussed in the three settlements (one of which is Waters Upton). WUH1 with its restriction to “one or two dwellings” appears to frustrate the ability to deliver this objective.

Comment 2: In addition, CS7 expects new housing to deliver 40% affordable housing and a restriction of all proposals to “one or two dwellings” appears to frustrate the ability to deliver this objective.

Comment 3: The objective of NPPF para 47 is to ‘boost significantly the supply of housing’. However, as stated above, WUH1 and Wrekin Local Plan Policy H10 involve a restriction to “one or two dwellings” and WUH1 does not provide any reasoned justification for this restriction in one of the three named settlements.

(NB: The LPA considers that Core Strategy CS7 generally takes precedence over saved Wrekin Local Plan Policy H10 and that H10 should only be applied where development is proposed on land in the settlements named in H9 but outside of the three named settlements in CS7.)

#### **D. Waters Upton Neighbourhood Plan Policy WUH2**

*Planning Permission should only be considered for small scale development in the Parish that provides at least some bungalows or single floor units.*

*Affordable homes should be limited to no more than required. Bi annual Housing Surveys, undertaken by the Parish Council, will provide evidence of need.*

Comment 1: The WUNP does not provide sufficient justification for why only “small scale” development should be considered and does not provide a definition of ‘small scale’. The LPA would like to refer to para 47 of the NPPF which seeks to to ‘boost significantly the supply of housing’ and the paragraph 14 presumption in favour of sustainable development which applies when plan making.

#### **E. Waters Upton Neighbourhood Plan Policy WUH3**

*If larger scale developments are required in the Parish to achieve Borough wide housing targets, these should be fulfilled by developing the Dairy Crest site and SHLAA site 551. These were the sites identified by residents, as those most suitable for development, that will have the least detrimental effect on the rural character of the Parish and conserve agricultural land for future generations, as it is essential and adds to the local character. These developments should include sufficient affordable homes to meet the needs of the Parish.*

Comment 1: The purpose of this policy is to preclude other sites other than the Dairy Crest Site and SHLAA Site 551 from coming forward for any larger scale development which may be required. The LPA would like to refer to para 47 of the NPPF which seeks to to ‘boost significantly the supply of housing’ and CS 7 which requires that the Borough’s Rural housing, including 40% (not “sufficient”) affordable housing, will be focussed on the three settlements (one of which is Waters Upton).

Comment 2: SHLAA Site 551 is not previously developed land and its promotion for development has not been assessed against development plan policies

### **Evidence, requests and overall accuracy and structure**

- The WUNP is seeking to make certain requests such as those relating to CIL and car parking and the LPA would like to raise the question whether it is appropriate for a NDP to do this
- The LPA would suggest that the WUNP requires more clarity through improved definitions (such as green space) to provide meaning and application
- Generally, the LPA will suggest that the Independent Examiner consider whether the WUNP has a clear vision for the area, whether its overall structure is coherent and whether it provides justified rationale for its policies. The LPA will invite the Independent Examiner to consider whether the WUNP is more of a response to consultation opinion rather than a response to demonstrable evidence.
- The LPA will invite the Independent Examiner to consider whether the WUNP is overly focussed upon a primary purpose of excessive restriction of development in and around Waters Upton and less so on pursuing overall benefit for the area.

### **Consultation Period**

In view of the issues raised in this submission, the LPA considers that interested people and bodies should be given reasonable opportunity to consider these issues and respond in writing. To be as fair as possible to all, the LPA is recommending that an appropriate period be allowed for representations to be made in response to this submission. All representations will be forwarded to the Independent Examiner.

**Telford & Wrekin Council – Table of Comments on Examination Version of Waters Upton Neighbourhood Plan**

Telford & Wrekin Council comments to pre-submission WUNP	Action recommended by Telford & Wrekin Council	Waters Upton response to pre-submission WUNP comments	Telford & Wrekin Council comments to Examination WUNP
<b>General</b>			
			<p>To make the plan more coherent and present a more logical ‘story’ it is recommended that the plan would benefit from re ordering its sections and be edited to remove duplications and to undertake an accuracy check.</p> <p>A suggested ordering of the plan :</p> <p>Foreword Contents Introduction (including a description of the Plan process and consultation NB assemble all comments relating to consultation in one part of the plan) Parish Profile ( the description of the parish) Issues ( the main environmental, social and economic issues facing the parish) Vision, aims and objectives Policies</p> <p>Check for consistency regarding the use of terms such as ‘Neighbourhood Plan’ and ‘the plan’. Eg. The plan is a <i>neighbourhood development plan</i> called the <i>Waters Upton Neighbourhood</i></p>

			<p><i>Plan.</i></p> <p>Suggest that this distinction is made in the introduction to the plan and that for simplicity – explain that the term ‘the Plan’ is used throughout the document to mean the Waters Upton Neighbourhood Plan.</p>
<b>Foreword</b>			
			<p>The Foreword is written as an executive summary of the plan. Since the plan is very small – this probably removes the need for an executive summary. Suggest the Foreword is used to introduce and ‘endorse’ the plan by the Local Ward Member or similar.</p>
<b>Introduction</b>			
Must also conform to the saved policies from the Wrekin Local Plan.	Include Wrekin Local Plan	TR1 wording will be amended	<p>Para 1( wording ) The Government has introduced a new type of planning document called a <i>neighbourhood development plan</i>.</p> <p>Para 2 ( wording) ....based upon...<i>national and local planning policy</i>.</p> <p>.</p>

<b>Background</b>			
<p>P16. –The most recent local housing needs survey (2010) identified the need for a minimum of four additional affordable homes in the parish. In addition, the recently published Strategic Housing Market Assessment (2014), which addresses the requirement to establish the objectively need for housing, identifies a need for additional private sector and affordable homes up to 2031.</p>	<p>Clarify evidence base</p>	<p>TR2 Needs survey in EB is 2011 37 homes have been approved since this survey. Remains unchanged</p>	<p>This section is about the features and qualities of the parish rather than background to the (preparation) of the plan. Recommend that this is renamed ‘ Parish Profile’(or similar)</p>
<p>P16. – in the fourth paragraph, reference is made and commentary presented relating to housing land supply in the rural area. This section seeks to establish a five year housing land supply position specifically for the rural area, and to use this to demonstrate an ‘oversupply’ and ‘overbuild’ in the rural area since 2006. This approach would benefit from</p>	<p>Please amend the third and fourth paragraphs on p16 accordingly.</p> <p>Please amend accordingly</p>	<p>TR3 Our interpretation of the National Planning Policy Framework and the 5 yr supply differs from the TWC interpretation. The wording is unchanged while we seek legal clarification.</p> <p>TR4 We are aware of your 2013 monitoring report. This appears to concur with our statement.</p>	<p>More information about the parish would be useful including the size of the area. This could be very useful in justifying what is appropriate development.</p> <p>Fig 2.2 and page 17 refer to eight settlements) but only 3-4 are listed and described.</p> <p>Fig 2.7 Place this in the relevant section (insert between page 18 and 19). NB the use of different symbols will help to distinguish between the two different types ( so the map is easily read if printed in black and white)</p> <p>It would be useful to explain and expand upon the purpose of the diagrams on pages 14,15 and 16 eg. the evolution and change in the village and the implications of this change.</p> <p>It would be useful to explain the issue(s) behind the item on rights of way ie. explain the purpose of the issue ( what is it trying to say and achieve )</p>

<p>being more in line with national policy. The calculation of, and the delivery of housing against, the five year land supply target is based on, and applied across, the whole borough. Therefore, it is not appropriate to apply the figure of 17 dwellings per year over five years as a basis for a five year calculation, because the five year position has already been assessed and is presented in the Five Year Housing Land Supply Statement, which is available on the Council's website. Therefore, any shortfall in the supply of land against a five year target could be addressed in any part of the borough, providing the proposal is on accordance with the NPPF, in particular paragraph 14.</p> <p>For clarity, the Council has now published the Annual Monitoring Report (2013), which is available on the Telford and Wrekin Council website at <a href="http://www.telford.gov.uk/info/1004/planning_policy/1540/annual">http://www.telford.gov.uk/info/1004/planning_policy/1540/annual</a></p>			<p>Is the section on amenities and employment or just about amenities?</p> <p>Para 3,4,5 and 6 ( page 21 under heading "Local Character (history – heritage))</p> <p>These form part of the description of the parish (alongside all other features described in this part of the plan) – all of which provide local character/history /heritage ie. useful to retain these but perhaps better located in the background section.</p> <p>Recommend that it would be better to avoid emotive language eg. 'urban plague' ( para 6 page 21). Better to explain (in more objective language) what you mean by 'urban development' and why 'it is detrimental to the parish.</p> <p>Update using the latest 2014 annual monitoring report</p> <p>We are informed that the local primary school currently has capacity :</p> <p>Crudgington School currently has an overall capacity of 150 and 119 pupils on roll leaving 31 surplus places at present.</p> <p>The school currently takes approximately 27% of their roll from within their attendance area. The</p>
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<a href="#">_monitoring_report_amr</a>			<p>others mainly come from the northern fringe of Wellington and other local rural catchments.</p> <p>If any housing was built it would be expected that the pupils from it would take up the surplus places and in time displace potential pupils from farther afield as the school's admission policy gives priority to pupils living within its attendance area.</p>
<b>Process Summary</b>			
			<p>This section is concerned with a description of the plan process and the consultation therefore it would be better located in the Introduction section of the plan.</p> <p>Final paragraph page 23 replace with : The Neighbourhood Plan has been subject to a Strategic Environmental Assessment ( SEA) screening process which confirmed that the plan does not require a SEA.</p>
<b>Section Two</b>			
<b>Visions &amp; Objectives</b>			
			<p>It would be helpful if this part could describe what the overall vision is for the parish.</p> <p>Briefly explain how the vision and objectives have been formed from the previous sections in the</p>

			plan i.e. formed from consultation and the understanding of what type of place the parish is and what the main issues are.
<b>Housing</b>			
<p>Objective 1 as with Policy WUH1 (see comment below) would appear to contradict the strategic policies of the Wrekin Local Plan and Core Strategy by seeking to limit future development in Waters Upton.</p> <p>For comments on objective 2, please see response to Policy WUH4 below.</p>	<p>TR5 Mr M Barker has informed us on several occasions, as recorded in the EB, that Shaping Places will reflect this. Wording remains unchanged</p>		<p>Objective 1</p> <p>Core Strategy policy CS 7 requires that development within the rural area will be <b><i>focussed upon</i></b> three settlements – one of which is Waters Upton. WUNP Objective 1 appears to seek to remove Waters Upton as one of the named settlements requiring that the entire Parish be considered as rural instead.</p> <p>The purpose of policy CS 7 is to direct development towards the most sustainable locations. NPPF para 6 and 14 seek the same objective. However, WUNP Objective 1 appears to seek to remove Waters Upton as one of the named settlements.</p> <p>Objective 2</p> <p>TheLPA is concerned that the Independent Examiner may find that NDP Objective 2 cannot insist on a Community Levy on all new development</p>

			<p>Objective 4</p> <p>In the context of the objectives of NPPF para 47, i.e. to 'boost significantly the supply of housing', and CS7 which requires development to be focussed upon the named settlements, Objective 4, appears to be restrictive in nature without a secure justification. There is a need to demonstrate a sound basis by which development should be restricted to infill sites or to one or two properties.</p> <p>SHLAA Site 551 is not previously developed land and its promotion for development has not been assessed against development plan policies</p> <p>(NB: The LPA considers that Core Strategy CS7 generally takes precedence over saved Wrekin Local Plan Policy H10 and that H10 should only be applied where development is proposed on land in the settlements named in H9 but outside of the three named settlements in CS7.)</p> <p>Whilst the NPPF para 17 encourages the effective use of land by reusing land that has been previously developed (brownfield land), neither the NPPF nor the adopted Core Strategy requires that development should be</p>
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			restricted to brownfield land.
<b>Green Area &amp; Public Spaces</b>			
<p>Objective 1 requires evidence of the loss of green areas which has not been provided. A more positive objective would be 'to protect green areas'.</p> <p>We would support the green area and public spaces objectives.</p>		TR6 Noted. Wording will be amended.	<p>This objective requires definition as it could refer to areas of potential infill development referred to in 'Housing Objective 4'. A method of defining this could be green space that is publicly accessible and provides amenity value. Suggest that this could this be marked on Fig 2.7 with an accompanying definition / justification.</p>
<b>Amenities &amp; Employment</b>			
<p>Objective 3; The plan highlights the lack of cemetery space within the parish. This is echoed within the Borough and should therefore be something which is considered as part of the wider Shaping Places Local Plan. How this could be achieved on a parish level may be more difficult, but dialogue with the parish should identify a solution so that should opportunities arise this can then be considered.</p>		TR7 Noted	<p>Suggest amend wording 'To work with Telford &amp; Wrekin Council to realise opportunities for the provision of additional cemetery space within the borough, where opportunities arise'.</p>

## Section Three

### 5. Housing WUH1

<p>The Council supports the inclusion of an area-wide policy relating to the distribution of housing development in the Neighbourhood Plan (NP). However, a key test is whether or not the policy is in general conformity with the strategic policies of the development plan and the NPPF, as mentioned in page 5 of the draft NP. The current development plan (Core Strategy CS7) identifies Water Upton as a location for sustainable development within the rural area, alongside Tibberton and High Ercall, whilst development outside these areas will be strictly controlled. Wrekin Local Plan Policy H10 (which is saved) sets out additional criteria, but this pre-dates the Core Strategy/NPPF and relates specifically to housing development. Policy WUH1, as written, would appear to contradict the strategic policies</p>	<p>WUH1 Amend Policy WUH1/Objective 1 to reflect the strategic policies of the development plan.</p> <p>More justification required in support of the policy</p>	<p>TR8 See TR5. The wording in the policy is quoted from H10. We have re – read H9, H10&amp; CS7 in full and cannot see any conflict. The wording will be changed to clarify the Wrekin Local Plan policies. The 5 year housing Land Supply Statement April 2014 confirms that the Core Strategy is up to date. The comment ‘ relates specifically to housing’ is confusing as the policy WUH1 only covers housing. As this policy accords with current TWC policies Only the wording detailed</p>	<p>CS7 is in conformity with the NPPF and takes precedence over WLP policies H9 and H10 where there is conflict. CS7 requires that the Borough’s Rural housing should be focussed in the three settlements (one of which is Waters Upton). WUH1 with its restriction to “one or two dwellings” appears to frustrate the ability to deliver this objective.</p> <p>In addition, CS7 expects new housing to deliver 40% affordable housing. A restriction to “one or two dwellings” appears to frustrate the ability to deliver this objective</p> <p>The objective of NPPF para 47 is to ‘boost significantly the supply of housing’. However, as stated above, WUH1 and Wrekin Local Plan Policy H10 involve a restriction to “one or two dwellings” and WUH1 does not provide any reasoned justification for this restriction in one of the three named settlements</p> <p>(NB: The LPA considers that Core Strategy CS7 generally takes precedence over saved Wrekin Local Plan Policy H10 and that H10 should only</p>
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<p>of the development plan by seeking to limit future development in Water's Upton. Indeed, this approach is reflected under Objective 1 of the Plan.</p> <p>Granting consent for only very small infill developments is unlikely to lead to the provision of new affordable homes.</p> <p>The policy refers to H10 of the Core Strategy this is incorrect as H10 is a policy in the Wrekin Local Plan. It appears there is a contradiction of the two policies WUH3 and WUH1 and in addition to this H10 has not been applied since the adoption of the NPPF. From a heritage perspective, infill sites need to take into consideration the character of the area by increasing the density. Policy WUH1 would benefit from concentrating on compliance with the NPPF and urban design policy contained in that</p>		<p>above, will be amended.</p> <p>TR9 WUH3 acknowledges the emerging Shaping Places document and the possible need for greater development than existing TWC policies permit. Further, we do not accept that you can choose to ignore H10 as this is a current policy and we are in a rural area. No change made.</p>	<p>be applied where development is proposed on land in the settlements named in H9 but outside of the three named settlements in CS7.)</p>
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<b>WUH2</b>			
<p>The Council supports the inclusion of policies seeking to influence the type and nature of new development within the Plan area. This policy seeks to promote bungalow development above other types of dwelling i.e houses or apartments. Clearly, such an approach would need to accord with NPPF (paragraph 50) by delivering a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities within the context of Water Upton. In addition, rural development should be located where it will enhance or maintain the vitality of rural communities. In addition, no detail is provided under the policy as to how the 'regular housing surveys' will be undertaken.</p> <p>Waters Upton Parish Council has worked with Telford &amp; Wrekin Council to develop two small affordable housing schemes in Waters Upton</p>	<p>Ensure wording is in conformity with the strategic policies of the development plan and provide sufficient evidence to support them</p>	<p>TR10 TWC appear to ignore the National Planning Policy Framework requirement on choice as at the Planning Committee meeting to consider TWC/2013/0685</p> <p>The officer present stated that 'inclusion of a bungalow, as requested by the P.C., could not be enforced'. Bi annual housing surveys will be undertaken by the P.C. this will be added to the policy. Wording will be amended.</p> <p>TR11 As majority of the existing planning consent is outline only, we</p>	<p>The LPA (or the NDP) cannot prevent the submission and consideration of a planning application.</p> <p>There appears to be three aims to the policy :</p> <ul style="list-style-type: none"> <li>• Restrict to Small scale development</li> <li>• Require the provision of bungalows or single (storey) floor units</li> <li>• Restrict the provision of affordable housing to "no more than required"</li> </ul> <p>The WUNP does not provide reasoned justification for why only "small scale" development should be considered and would need to provide a definition of 'small scale'.</p> <p>The LPA refers to para 47 of the NPPF which seeks to to 'boost significantly the supply of housing' and the para 14 presumption in favour of sustainable development which applies when plan making.</p> <p>Suggest the production of separate policies to address the amount and type of housing based upon evidence and reasoned justification</p>

<p>village. These include a mix of affordable tenures and property types.</p> <p>The most recent local housing needs survey (2010) identified the need for a minimum of four additional affordable homes in the parish. This includes bungalows or level access accommodation, which may release existing family homes.</p> <p>The statement about the Parish Council and Telford &amp; Wrekin Council working together to update the local housing needs survey is welcomed. The development of bungalows or level access accommodation is also welcomed – these could in a range of tenures, including open market and affordable. A number of property types could be considered (e.g. 2 bedroom dormer bungalows that are fully wheelchair accessible and contain two bathrooms, including a ground floor wet room).</p> <p>The implementation of existing</p>		<p>envisage TWC working with the P.C. to ensure development provides affordable and mix of type of housing in line with local requirements. No changes made.</p>	
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planning consents is likely to increase the need for affordable homes in the Parish in the future.			
<b>WUH3</b>			
<p>It is not clear from reading the policy whether the wording seeks to allocate specific sites or simply refer to them as potential sites.</p> <p>Site 551 is not being promoted by the Council through Shaping Places Local Plan process, however, this does not preclude other sites from coming forward that accord with the development plan and neighbourhood plan policies, provided this can be justified by the evidence.</p> <p>Any development within the Parish should include a proportion of affordable housing to meet local needs (of the whole parish).</p> <p>Notwithstanding the above, in the case of mixed tenure developments the strong preference is for affordable</p>	<p>Amend wording to be in conformity with the strategic policies of the development plan and provide sufficient evidence</p> <p>Amend wording to make clear which sites are being referred to.</p> <p>Prepare a Policies Map showing the extent of the allocation boundaries</p>	<p>TR12 Noted. Wording will be amended.</p> <p>TR13 Parish wide surveys, included in the EB, justify the sites identified in the plan.</p> <p>TR14 Noted. Wording will be amended.</p> <p>TR15 Noted. Wording will be amended.</p> <p>TR16 A detailed response is included in appendix 2 at the end of this document</p>	<p>The purpose of this policy is to preclude other sites other than the Dairy Crest Site and SHLAA Site 551 from coming forward for any larger scale development which may be required. The LPA would like to refer to para 47 of the NPPF which seeks to to 'boost significantly the supply of housing' and CS 7 which requires that the Borough's Rural housing, including 40% (not "sufficient") affordable housing, will be focussed on the three settlements (one of which is Waters Upton).</p> <p>Comment 2: SHLAA Site 551 is not previously developed land and its promotion for development has not been assessed against development plan policies</p>

<p>homes to be provided on site, rather than as a <i>commuted sum</i>.</p> <p>For any affordable homes it is expected that preference will be given to local residents (or those with a strong local connection) who have a housing need. Also that an affordable housing provider will prepare a <i>Local Lettings Plan</i> (all affordable tenures) for agreement and will work with the Parish Council and the Borough Council on the allocation/sale of affordable homes. It is also expected that arrangements will be made to ensure that any new affordable homes (all tenures) will remain as affordable in perpetuity.</p>			
<b>WUH4</b>			
<p>It is difficult to assess whether or not this policy is justified as no evidence is presented in support of this approach. Clearly, the Council is not currently progressing a CIL/tariff at this time, and any CIL approach if it were to be</p>	<p>Amend wording</p> <p>Amend wording to reflect the current approach to securing developer contributions</p>	<p>TR17 Noted. Wording will be amended.</p> <p>TR18 Noted. Wording will be amended.</p>	<p>The full NDP will need to comply with the National Planning Policy Framework therefore the statement ...'where this complies with the NPPF' is not required.</p>

<p>adopted would cover the rural area. Without a CIL being in place any approach to developer contributions must accord with current legislation re. s106. These obligations can only be requested in line with the necessity tests as set out in the NPPF.</p> <p>In addition this, it is difficult to see how this approach can be achieved in accordance with WUH1.</p> <p>In practice all new developments (including affordable housing) are expected to provide contributions to local infrastructure and service provision.</p>			
<b>WUH5</b>			
<p>There seems to be no evidence to support the need for 3 spaces per dwelling. Clearly in a rural area with limited public transport higher parking standards would generally be applied. The number of parking</p>	<p>Amend wording</p> <p>More justification is needed to support the policy</p> <p>It would seem more appropriate to put this policy in the 'Getting</p>	<p>TR19 Noted. Wording will be amended.</p>	<p>The council will be developing borough wide parking standards as part of the new Local Plan and will, where appropriate, take a flexible approach to provision especially where alternative means of travel will be limited. This approach will require parking need to be proportionate to the needs of development. Suggest rewording the</p>

<p>spaces should be proportionate to the number of bedrooms, a 1 bedroom houses will not require 3 spaces. The document states that there is no demand for 3-4 bedroom houses in Waters Upton, therefore if the NP is aiming to encourage smaller houses/bungalows then 3 spaces per dwelling is not justified. This should be based on suitable criteria e.g. 1 parking space per bedroom potentially up to a maximum. 3 spaces is a high standard, which also may be inappropriate for bungalow or level access accommodation.</p> <p>Adequate parking should be a policy however there is a difference between want and need. Three spaces is not sustainable and would suggest the bungalows would have three spaces to one bedroom. Wording should be amended to use appropriate parking standards. Remove “at least 3 spaces” proportionate to development.</p>	<p>Around’ section</p>	<p>TR20 The policy will be moved into ‘getting around’</p>	<p>policy to <i>‘Seek adequate parking provision to meet the needs of residents which takes into account the lack of affordable, frequent, alternative public transport’.</i></p>
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Sufficient evidence is required to support the approach.			
<b>Green Areas and Public Spaces WUGS1</b>			
<p>This policy is concerned with the protection of existing valuable green space, play areas and recreational space.</p> <p>Consider re-wording to protect valuable green areas, play areas and recreational space. The word “including” needs to be removed.</p> <p>This issue should also be considered in the context of urban design i.e. the design and quality of the whole place including the open spaces. For example; existing policy UD4 in the Wrekin Local Plan relates to open space in the wider context of the overall quality of an area. A positively worded policy would be more NPPF compliant e.g. ‘To ensure the protection and retention of....’</p> <p>Prepare policies map to show extent of green spaces.</p>	Amend wording	<p>TR21 Noted. Wording will be amended.</p> <p>TR22 included in WUNP page 13</p>	<p>Need to define what is considered to be a ‘<i>valuable green space</i>’. This may include that which is publicly accessible and provides amenity value. Could this be marked on Fig 2.7 with an accompanying definition / justification?</p>

<b>WUGS2</b>			
<p>The Council does not have a CIL and as such they must accord with current legislation re S106 obligations. These obligations can only be requested where they are needed to make a development acceptable. This must be seen in the round against the wider issue of the compound effects on viability.</p> <p>It is not clear what the policy is seeking and evidence to support the policy. It is difficult to see how this approach can be achieved in accordance with WUH1 &amp; WUH2.</p> <p>Wording of the policy needs to be more explicit and defined, expand on 'community gain' as 'any development' is not precise enough.</p>	Amend wording	<p>TR23 Noted. Wording will be amended.</p> <p>TR214 Noted. Wording will be clarified.</p> <p>TR25 Noted. Wording will be amended.</p>	
<b>WUGS3</b>			
<p>The Council and the NPPF supports the maintenance of rights of way. The NPPF goes further in encouraging policies which "protect and enhance".</p>	Amend wording	<p>TR26 Noted. Wording will be amended.</p>	

<p>The policy may provide more detail of doing this within the local area.</p> <p>Consider re-wording as policy is worded as more of an objective than policy.</p>			
<b>WUGS4</b>			
<p>The policy encourages a joint approach and encourages different stakeholders to promote the benefits of green spaces. Green Infrastructure provides a multi-functional space which is capable of providing so many benefits for communities. What the policy seems to do is just focus on one function of open space, that is leisure and recreational. The policy should maximise all the benefits of green infrastructure in the area.</p> <p>This policy appears to be more to do with implementation and delivery issue than policy.</p> <p>This policy would benefit from reference to the existing Green Infrastructure Framework</p>	Amend wording	TR27 Noted. Wording will be amended.	

Evidence & Analysis document <a href="http://www.telford.gov.uk/gi">http://www.telford.gov.uk/gi</a>			
<b>7. Amenities &amp; Employment WUA1</b>			
<p>Policy WUA1 and related Objective 1 raise a number of questions:</p> <ul style="list-style-type: none"> <li>• Who are the management committees?</li> <li>• How would the policy be achieved/implemented – what planning tools/measures would be used?</li> <li>• Would this involve the development of a new/extended Parish Centre? (Page 17 of the NP identifies that meeting rooms are currently of an insufficient size).</li> <li>• Would developer contributions be sought e.g. for additional parking, to achieve the objectives of this policy?</li> <li>• Should the policy seek to protect the existing community facilities from change of use or redevelopment?</li> <li>• The Village Hall and Parish Centre are named in the plan. Are there any other community facilities in the Parish that would fall under this policy? It would</li> </ul>	Revise policy	TR28 Noted. Wording will be amended.	



<p>be easier to implement if there were a list or a map identifying where these facilities area.</p> <p>The NPPF does not include a requirement to work with management committees to enhance the use of community buildings. The Core Planning Principles in the NPPF paragraph 17 does include 'deliver(ing) sufficient community and cultural services and facilities to meet local needs'</p> <p>Paragraph 28 of the NPPF states that Neighbourhood Plans should <i>"promote the retention and development of local services and community facilities in villages, such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship"</i>, so perhaps a requirement to protect existing community facilities should be incorporated within the policy.</p> <p>Paragraph 70 of the NPPF also includes more specific</p>			
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<p>requirements to <i>‘plan positively for the provision and use’</i> of community facilities, guard against their unnecessary loss, and ensure that the location of such facilities and services is integrated with the location of housing and economic uses.</p> <p>Core Strategy policy CS10 states that <i>“improvements to existing community facilities to meet the needs of local residents will be supported”</i>. Waters Upton’s policy objectives would be in general conformity with this.</p> <p>Wrekin Local Plan policy H22 requires contributions from major residential developments for the provision of new community facilities. As Waters Upton is not currently seeking contributions from development then conformity with this policy is not so relevant. It is recommend that they seek to incorporate a requirement for contributions within their policy to fund enhancements to community facilities in the</p>			
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<p>parish, where these might be needed.</p> <p>As currently worded this appears to be more of an objective than a planning policy.</p>			
<b>WUA2</b>			
<p>It is unclear how improvements to wifi and broadband connectivity are to be achieved e.g. through developer contributions? Large scale development could include broadband and the use of developer contributions could be considered in order to achieve improvements to communications infrastructure.</p> <p>NPPF paragraph 42 states that <i>“The development of high speed broadband technology and other communications networks ... plays a vital role in enhancing the provision of local community facilities and services”</i>.</p> <p>NPPF paragraphs 43 to 45 state that plans should be supportive of</p>	<p>Amend wording Combine with Policy WUA3</p>	<p>TR29 Noted. Wording will be amended.</p>	<p>The second sentence of the policy <i>‘To enhance the provision of local community facilities and services and work with partners to ensure the social, economic and environmental impacts is kept to a minimum’</i> requires clarification.</p> <p>Does this refer to the impact of development or the provision of high speed broadband or both?</p> <p>Suggest it should clarify the word ‘impact’ ie. beneficial impact ( such as enabling employment opportunities to work from home) or detrimental impact ( such as visual intrusion)</p> <p>This could be strengthened by stating that the Parish will work with partners to maximise the social, economic and environmental impacts of high speed broadband whilst working proactively in partnership with suppliers, the council and developers to minimise the possible negative impacts.</p>

<p>telecommunication proposals in their area but only to a degree that allows efficient operation of networks and in a way that is sympathetic to the area. Proposals can only be resisted in limited circumstances.</p> <p>The draft policy is supportive of wifi and broadband provision however only in community buildings, so as currently drafted it is partially in conformity with the NPPF.</p> <p>Core Strategy policy CS9 promotes the enhancement of communications, whilst minimising their social, economic and environmental impact.</p> <p>Wrekin Local Plan policy T21 supports the development of new telecommunication systems, provided that there is no negative impact on the surrounding environment and amenity. Policy WUA2 could include safeguards to ensure that improvements to communications infrastructure</p>			
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<p>do not have a negative impact on the local environment and amenity.</p> <p>The emerging Shaping Places Local Plan (Strategy &amp; Options document 2013) proposed a policy to <i>“help guide the siting and design of new telecommunications development and promote high quality broadband”</i>. Although this is not specific to community buildings as the WUA2 policy is.</p> <p>Consider re-wording as policy is worded as more of an objective than policy. Also consider combining with WUA3.</p>			
<b>WUA3</b>			
<p>The same comments for policy WUA2 will apply to this policy – the only difference is that references to community buildings would now be replaced with the wider parish.</p>	Combine with policy WUA2	TR30 Noted. Wording will be amended.	
<b>WUA4</b>			
<p>The policy wording should make clear whether it is seeking to provide cemetery space within</p>	Amend wording	TR31 Noted. Wording will be amended.	

<p>development schemes or seeking contributions from development proposals to fund new cemetery provision.</p> <p>Is there a site identified for the new cemetery provision? If so; then this should be proposed to be allocated for that use in order to safeguard it against other development proposals that may come forward over the plan period.</p> <p>The Core Strategy and Wrekin Local Plan do not contain any requirements for cemetery provision. The only reference to cemetery provision in the NPPF relates to Green Belt locations, of which there are none in Telford &amp; Wrekin borough. Reference is made, however, to 'community' facilities (para 156), and cemeteries would fall into that category.</p> <p>Policy would benefit from being guided and informed by the evidence contained in Green Infrastructure Evidence &amp; Analysis document and Local</p>			
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<p>Green Infrastructure Needs Study for evidence.</p> <p>Consider re-wording and making clear what is meant by an 'appropriate planning application'. Consider how it could be applied to provide additional space and how it relates to the existing cemetery with the scale of development and capacity evidence base.</p> <p>Consider including specific requirements for developer contributions towards new cemetery provision within the policy.</p> <p>Consider making an allocation within the plan if there is a specific site or area of land already identified for additional cemetery provision. Prepare policies map to show extent of the allocation.</p>			
<b>WUA5</b>			
<p>This policy is worded more like an objective rather than a policy.</p>	<p>Amend wording</p>	<p>TR32 Noted. Wording will be amended.</p>	

<p>If there is a specific site or land identified for this additional parking then proposing an allocation for that land within the plan may be appropriate. It may also be appropriate to seek contributions from development proposals in order to fund this additional parking provision. Consider proposing an allocation for the land to be used for additional parking provision.</p> <p>There is no longer any car parking standards set within either national or local planning policy. Although Shaping Places Local Plan Policy Option 16 of the Strategy &amp; Options document proposes either maximum parking standards or a more flexible approach.</p> <p>NPPF Paragraph 41 states that sites and routes which could be critical in developing infrastructure to widen transport choice should be identified and protected. This may not be entirely relevant, it depends whether or not additional car</p>			
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<p>parking would 'widen transport choice'.</p> <p>The Core Strategy does not contain any policies that are specific to car parking provision, although CS8 does promote sustainable forms of transport.</p> <p>Wrekin Local Plan policy LR1 states that proposals for community facilities should demonstrate adequate car parking provision – although this applies to new, not existing facilities.</p> <p>Local evidence on parking need for the Village Hall in Waters Upton would help in determining parking requirements for the village. This could be sought as a contribution from a planning application which could include on-site, off-site provision as well as continuing funding for management &amp; maintenance.</p> <p>Consider re-wording as policy is worded as more of an objective than policy.</p>			
<b>WUA6</b>			

<p>The majority of small businesses will already get business rates relief because of their size, planning policy may not be the means to achieve this. Although, Amenities &amp; Employment policy objective 4 refers to supporting the alternative use of redundant buildings and seek to provide employment opportunities, this is relevant to planning policy and ought to be incorporated within the policy wording rather than in the policy objective.</p> <p>Consider re-wording as policy is worded as more of an objective than policy and incorporating the Amenities &amp; Employment policy objective 4 relating to the reuse of redundant buildings in to the policy wording.</p>	Amend wording	TR33 Noted. Wording will be amended.	
<b>8. Local Character WULC1</b>			
<p>Consider rewording to define 'may adversely affect' and 'to resist'. Consider in the light of NPPF paragraph 14 r.e. the weight of adverse effects.</p> <p>Relate policy to Green</p>	Amend wording	TR34 Noted. Wording will be amended.	<p>Suggest wording to <i>'To work with relevant partner organisations and agencies to ensure that rivers and wildlife corridors are protected from unacceptable development'</i>.</p> <p>This could be, for example, to prevent development which puts unacceptable levels of pressure on receiving water courses and leading</p>

Infrastructure Evidence & Analysis and NPPF paragraph 58 and consider positive wording 'To ensure the protection of..' rather than 'to resist future development...' in terms of NPPF. The planning system does not have the power to 'protect them at all times from inappropriate use' since lots of those uses will not be things which require permission.			to deterioration in water quality as per the EU water framework development.
<b>WULC2</b>			
Consider rewording to define 'trees' e.g. protected trees and define 'significant features' and include 'seek to retain or enhance'. To help inform the policy relate to Green Infrastructure Evidence & Analysis and reference NPPF paragraph 58.  Consider combining with policy WULC3 to include the Waters Upton Village Well.	Amend wording Combine with Policy WULC3	TR35 Noted. Wording will be amended.	Replace the word 'must' with the word 'should'
<b>WULC3</b>			
This policy might be better included in policy WULC2 along	Combine with Policy WULC2	TR36 Noted. Wording will be	The term 'absolute minimum' is unspecified.

with 'significant features'. Clarification on the status of the ownership could be made in background text under the Local Character (history-heritage) section. Policy should be related to the NPPF paragraph 58.		amended.	Wording would be better phrased as 'Demonstration that a development has employed all possible means to minimise light pollution'.
<b>9. Getting Around WUT1</b>			
<p>Policy is in line with NPPF policy to support sustainable transport, improving travel choice and accessibility to opportunities. Transport policies within the emerging Shaping Places Local Plan will reflect this with measures to secure contributions to support transport services.</p> <p>Large scale development can provide opportunity for public transport. There is limited scope for enhancement to existing bus service without increase in existing bus subsidy unless this is secured through S106 agreement, however it is unlikely to be sustainable past the end of the S106 monies without additional subsidy.</p>	Amend wording	TR39 Noted. Wording will be amended.	No need to refer to the Local Plan as conformity is a requirement for the plan to be made (and this requirement is described earlier in the plan.)

Consider re-wording as policy is worded as more of an objective than policy.			
<b>WUT2</b>			
<p>This policy is in line with NPPF policy to support sustainable transport and improving links to services, facilities and open space. Transport policies in the emerging Shaping Places Local Plan will reflect this policy with measures to secure funding contributions to support improvements to walking and cycling routes which improve connections to services and facilities.</p> <p>However, there is no evidence on which cycle routes either new or existing the neighbourhood plan is trying to improve, where cyclist want to get to or how improvements could be achieved.</p> <p>The policy would also be difficult to apply to infill development, but may be achievable with major developments.</p>	Amend wording	TR40 Noted. Wording will be amended.	

Suggested change of wording should be 'where appropriate' shall maintain and enhance pedestrian and cycle routes.			
<b>WUT3</b>			
			Will need to be in accordance with WLP and emerging Local Plan policy position
<b>General Comments</b>			
<p>Many policies are general in nature and require further evidence (see specific policy comments for further information).</p> <p>Amend any contradictions between policies and supporting text.</p> <p>Phrases such as 'make every effort' are very difficult to define and enforce. Therefore, wording of the policy needs to be more explicit and defined to be effective.</p> <p>It would be useful to read the relating policy objectives with the policy. Locating the objectives immediately before</p>	Consider comments	<p>TRG1 Noted.</p> <p>TRG2 Noted.</p> <p>TRG3 Noted.</p> <p>TRG4 This approach could be better during examination but for the long term use we prefer the existing format..</p> <p>TRG5 Noted.</p> <p>TRG6 Noted.</p>	

<p>the policy would assist this.</p> <p>Consider how all policies conform with the NPPF.</p> <p>Policies emphasise considerably protection and preservation. They would benefit from making explicit what is being protected to justify what is appropriate.</p> <p>Policies would benefit from being precise and specific to the matters they seek to address. They would also benefit from more reasoned justification as supporting text under each policy.</p>		<p>TRG7 Noted.</p> <p>TRG8 Noted. Wording amended</p> <p>TRG9 Noted.</p> <p>TRG10 Complies with emerging Shaping Places.</p> <p>TRG11 Noted.</p> <p>TRG12 Noted.</p> <p>TRG13 Clarification requested from</p>	
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<p>Reference is made to Local Strategic Planning Policy. We recommend that this reads Local Planning Policy</p> <p>To avoid contradiction, the neighbourhood plan should have design criteria to enhance the opportunity of Conservation Status as not a conservation area.</p> <p>The conformity of focusing development on Crudington with the adopted Local Planning Policy needs to be considered.</p> <p>Fig 2.2 Distribution of Dwellings in the Parish doesn't show clear division of where numbers lie.</p> <p>No consideration is given to barn conversions and affordable housing exceptions which</p>		<p>TWC.</p> <p>TRG14 Noted.</p> <p>TRG15 Noted.</p>	
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<p>conflicts with Wrekin Local Plan policy H23</p> <p>Figures need to be checked i.e. number of houses and references given.</p> <p>Should consider opportunity for new school if major development came forward</p> <p>There is no mention of arts, culture, creative industries e.g. providing access to our developing infrastructure. Creative Industries could be included under the Amenities and Employment Objectives as an option for the small business site provision. The parish centre and community buildings might</p>			
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be an option as a space for cultural provision for the local area. Cultural wellbeing could also be identified among the issues to be considered in relation to health and wellbeing in Green Areas and Public Spaces Objective 1.			
<b>SEA/SA</b>			
<p>We recommend that written confirmation is sought from DCLG for not completing an Sustainability Appraisal. Sustainability impacts need to be considered as part of good planning.</p> <p>In terms of Strategic Environmental Assessment, this needs to be shown to be considered and screened under EU regs and a screening opinion received from the statutory consultees; Environment Agency, English Heritage and Natural England. As to whether the NP has potential to create “significant environmental effects”, this is based on the views of the statutory consultees and Waters Upton making a screening</p>		TR 16 Noted. We are still of the view that there is no impact. We have requested confirmation of this.	

determination.			
<b>Policies Map</b>			
Prepare a policies map to include those areas/sites which need to be spatially represented on a plan, for example areas of protected open space relating to Policy X, and also show specific site allocation boundaries.	Prepare policies map	TR17 Policies are Parish wide other than the identified SHLAs.	