

### F3b - Responses to the Inspector's draft MIQs and Hearing Schedule.

#### Comments

From: kembertons [REDACTED]  
Sent: 26 September 2016 06:11  
To: Programme Officer  
Subject: Re: Telford & Wrekin Council Local Plan Examination

Dear Mrs Kelly

Telford and Wrekin Local Plan  
Examination November 2016

I refer to the information you sent to me relating to the examination of the Local Plan 2011 – 2031 that is to take place in November 2016.

At the time the Publication Version of the Plan was issued in January 2016, I made comments on behalf of a number of Clients. I wish to make the following comments on certain "Matters" that are proposed to be discussed at the Examination. I have not specified which of these comments relate to which of the Clients I represent as I understood that you were more concerned with the issues that are to be raised than the personalities (I will, of course, as you require it, specify which comment relates to which comment of which Matter).

1. In relation to Matter 4 – Economy and Community there is no reference to existing employment development in the rural area of the Borough (i.e. sites that lie outside the Telford Built Up area boundary). This is a significant omission. No new employment land is allocated for the rural area, and proposed Policy EC3 gives no encouragement to existing employment providers in the rural area that are not of very specific types of development set out in the Policy, to develop or expand. This is not in line with Government policy and should be specifically discussed at the Examination.

The Plan implies a significant difference between the rural and urban areas of the Borough with the rural area having a separate economy from the urban area, supporting different people. This is especially the case where employment sites exist immediately adjacent or very close to the built up area boundary, and is not the case in reality. The close relationship between the urban and rural areas should be specifically discussed.

2. In relation to Policy ER7 is unduly restrictive in relation to the location of waste management facilities, and in particular makes no reference to the expansion of existing facilities. Whilst Matter 7.5 poses the question "has adequate provision been made for waste management facilities," the situation relating to existing sites and operations, and the possibilities for expansion, should be specifically discussed.

3. In relation to Matter 3, Policy SP3 appears to promote the idea that the nature of urban and the rural communities is very different. The policy is unduly restrictive and unlikely to encourage employment development in the rural area. Matter 3 appears to be concerned with 'development' only in as far as it relates to housing development. This needs further discussion particularly with reference to employment in the rural area.

Yours sincerely

Clive Roberts

Kembertons

**From:** Ian Gilbert [REDACTED]  
**Sent:** 23 September 2016 15:33  
**To:** Programme Officer  
**Subject:** Draft Matters, Issues and Options Paper

Dear Tina,

Further to the publication of the Inspector's Draft Matters, Issues and Options Paper we have the following comment, made on behalf of our client, Metacre Ltd.

With regard to the Inspector's note after Matter 8.3 he addresses 'additional' sites which have been proposed by representors and notes that the matter of whether 'further' sites are needed, as a matter of principle, will be dealt with as part of Matters 1, 2 and 3; if such sites are considered to be required this would be referred back to the Council.

For clarity, it is our contention that our client's site is preferable to some of the sites which have been identified by the Council. We acknowledge that there will be an opportunity at Matter 3.3 and Matter 8 to make our case regarding the appropriateness of the Council's proposed site allocations. However, the Inspector's note mentioned above can be read as to imply that 'further sites' will be looked at should they be necessary in the context of 'further' sites being required (perhaps a greater housing requirement than expected or that currently proposed allocations are removed). As a point of clarity, we would like the opportunity to make our case that our site (and perhaps others) are preferable to the sites proposed to be allocated by the Council; rather than in addition to the Council's sites.

I trust the above is useful. Please do not hesitate to contact me should you require any further information.

Kind regards

***Ian Gilbert***  
Senior Planner

Planning . Design . Delivery  
[bartonwillmore.co.uk](http://bartonwillmore.co.uk)

**From:** Ian Gilbert [REDACTED]  
**Sent:** 26 September 2016 15:52  
**To:** Programme Officer  
**Subject:** RE: Draft Matters, Issues and Options Paper

Good Afternoon Tina,

Further to my email below we have just one additional comment to make. The Inspector has not, at the moment, included a specific matter, issue or question in relation to the legal compliance of the plan. The Inspector may have noted in our representations to the Regulation 19 Consultation of the Plan that our client was displeased with the timeframes given by the Council for review and comment on the SHMA document which was released for comment with circa one week left of the Regulation 19 consultation remaining.

We have not taken instruction on whether this is a point our client wishes to pursue at the Examination, however, I understand it is a point that others have raised with the Council and something which there should be an opportunity to discuss at the Examination.

I trust the above is useful. Please do not hesitate to contact me should you wish to discuss.

Kind regards

**Ian Gilbert**

Senior Planner

Planning . Design . Delivery  
**bartonwillmore.co.uk**

**From:** Derek [REDACTED]  
**Sent:** 23 September 2016 13:51  
**To:** Programme Officer  
**Subject:** Re: Telford & Wrekin Council Local Plan Examination

Could you please pass this request to the Inspector **Mr Michael J Hetherington BSc (Hons) MA MRTPI MCIEEM**

As you may be aware I made objections to the plan based on the boundary for development excluding my property , TESSANT HOUSE, TF10 9JJ, whilst it included my immediate neighbours to the north, those to the south and those to the east and significantly it included the 26 house development (Galliers "Barnfields" development) adjacent to my garden to the north west of my property, which was a greenfield development, I felt this omission of my property from the plan was both an oversight and illogical.

Since then I have received approval for detailed planning for one property and outline planning for a further property in my garden. This was approved at a planning committee meeting and gained unanimous support from all the committee.

In view of the above changes in circumstances could I therefore request that the local plan has a minor modification made to it to include my property within the plan as part of the village of Church Aston and remove the obvious anomaly?

Derek Longstaff

Sent from my iPad

**From:** Matt Ferguson  
[REDACTED]  
**Sent:** 22 September 2016 13:05  
**To:** Programme Officer  
**Subject:** RE: Telford & Wrekin Council Local Plan Examination

Tina

Thank you for forwarding the various documents relating to the forthcoming T & W Local Plan Examination. I would be grateful if the following points could be brought to the attention of the Inspector.

It is noted that there does not appear to be any opportunity in the EiP process as set out for discussion of potential allocation sites which have been put forward for consideration but which were not ultimately selected for inclusion in the submitted Plan. Our concerns in this respect are summarised below:

- It is understood that the Inspector must be satisfied that the Plan will be sound and will explore

the various tests of soundness

- The need to make more than adequate provision is a key element in this process
- The Council obviously seeks to assure the Inspector that it has sufficient land available to meet the projected need and in doing so the plan basically proposes to allocate sites
- The concern is that whilst the sites being proposed for allocation by the Council may be wholly reasonable there does not appear to have been any objective and public discussion about the relative merits of the sites being proposed and those which are not?
- The possibility of referring back to the Council should additional sites be considered necessary (for them to determine how best to address the concern) is not the same as having an objective and open discussion with a degree of independent analysis
- There is no over-riding suggestion that the proposed sites do not meet the general 'planning' tests(although there is concern regarding the manner in which our own suggested site allocations were considered) but we do not believe that there has been an open comparison of these sites with others which may be equally suitable
- It appears that the submitted Plan seeks to allocate sites principally on the criterion of whether they are in public ownership or not. There may be sufficient land being made available to meet the suggested need but are the proposed sites being allocated on the basis of them being the best available according to normal planning criteria? The private sector hopes that this is an area which the Inspector may wish to examine in public
- In this way the Examination would provide an opportunity for both open comparison and a degree of independence in the allocation process
- The concern is compounded by the fact that two of the major allocations contained in the submitted Plan- the SUEs at Priorslee and Muxton/Donnington have already been subject of planning applications (in the former case already permitted in the latter to be determined shortly). On the face of it this is seen as pre-judging or pre-empting the Local Plan itself and certainly limits the potential for 'private' sites to be given due consideration
- Overall it strikes us that the Examination is the appropriate place to discuss the relative merits of sites which are being allocated but if there is another opportunity for this elsewhere in the overall Local Plan process, before it is adopted, I would be grateful if we could be advised of it.

Regards

Matt Ferguson  
Parkhill Estates Ltd

**From:** Paul Sharpe Associates LLP [REDACTED]  
**Sent:** 26 September 2016 10:56  
**To:** Programme Officer  
**Subject:** TELFORD & WREKIN LOCAL PLAN 2011-2031 : EXAMINATION

Dear Ms Kelly

Thank you for your email of 21st September and attachments.

Referring to the Draft Matters, Issues and Questions Paper, in the Inspector's note following 8.3, the inference here is that the Inspector does not wish to consider the particular merits of any "additional" sites that may be required for housing and/or employment.

However, in the Draft Hearing Programme for 24th November reference is made to "exception sites" if required". Policy HO11 refers to "affordable rural exceptions" but there are no allocations as such.

My query therefore is whether Matter 8 refers to "affordable rural exception sites" or (in conflict with the Inspector's note at 8.3) to "omissions sites".

I would be grateful for your clarification.

Kind regards,

Paul H Sharpe

Paul Sharpe Associates LLP

[REDACTED]

**From:** David Haston [REDACTED]  
**Sent:** 26 September 2016 14:25  
**To:** Programme Officer  
**Cc:** 'Ian Reynolds'  
**Subject:** RE: Telford & Wrekin Council Local Plan Examination

Dear Tina

Could I request that the following issues are also included within the Matters, Issues and Questions Paper:

- 1) Whether the proposed distribution of housing within the rural area is appropriate, given that with the exception of 80 dwellings, virtually all new housing will be at the former Dairy Crest and British Sugar factory sites?
- 2) Whether the Council's approach to the identification of suitable settlements within the rural area for new housing has been too limited and whether it properly reflects the advice contained within NPPF paragraphs 52, 54 and 55?

I appreciate that Matter 3 paragraph 3.2 queries whether adequate provision is made for development in rural settlements, however this is specifically framed in the context of NPPF paragraph 28 which deals with the rural economy and development other than housing.

I would respectfully suggest that these points could be added to Matter 3 paragraph 3.2 or alternatively could be included as an additional paragraph under Matter 3.

Kind regards

David

David A Haston Dip Est Man MRICS  
Haston Reynolds Ltd

[REDACTED]

**From:** Janet [REDACTED]  
**Sent:** 26 September 2016 16:55  
**To:** Programme Officer  
**Cc:** Roland Bolton  
**Subject:** draft hearings programme.

Good Afternoon Tina

With regard to the local plan examination we wish to appear on behalf of Redrow on the following matters

Matter 1 and Matter 2 and Matter 3 and Matter 8

For Matters 1 and 2

Roland Bolton from DLP will be attending and Janet Hodson from JVH Planning.

For Matters 3 and 8 Janet Hodson from JVH Planning.

We have also been made aware of the concerns of John Acres regarding the new SHMA that appeared at the end of the Local Plan consultation period and his deep concerns over this matter which we share. Can you please keep us informed of any update on this important matter.

We note that the Inspector has asked the Council to update their housing land supply calculation, do you know when this will be available. ?

We are also concerned that there is no session on the omission sites and separate consideration of them. This assumes that the Council have allocated the only appropriate sites and that none of the alternative sites may be more appropriate. It is considered that the omission sites should feature in the examination and time made available for this.

I am sure that you are aware but there is a S78 Appeal due to be heard starting on the 29<sup>th</sup> November, at Kestrel Close Newport.

I am sorry but I do not have an ID number on my acknowledgment of representations.

Can you please acknowledge this email and let us know our ID number

Thank you

Regards

*Janet Hodson*

JVH Town Planning Consultants Ltd  
[REDACTED]

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**From:** David Crow [REDACTED]  
**Sent:** 27 September 2016 06:59  
**To:** Programme Officer  
**Subject:** Re: Telford & Wrekin Council Local Plan Examination

Dear Tina

Further to our conversation I would simply like to question whether sufficient time has been allocated to all those issues affected by the council's last minute decision to substitute the SHMA. I also note that there appears to be no provision for the discussion of heritage issues.

Yours sincerely

David Crow

September 26, 2016

**To: Mr M J Hetherington, BSc (Hons) MA MRTPI MCIEEM**

Tina Kelly, Programme Officer,  
c/o Development Management,  
Telford and Wrekin Council,  
PO Box 456,  
Wellington Civic Offices,  
TELFORD,  
TF2 2FH

Dear Mr Hetherington,

**Re: Telford and Wrekin EiP**

Seabridge Developments Limited (SDL) have submitted representations in relation to the “emerging” Telford and Wrekin Local Plan. Most recently this included representations in relation to the publication draft Local Plan submitted by Acres Land and Planning and Advance Land and Planning on behalf of SDL.

I am writing to you on behalf of SDL following the publication of your draft hearing programme and your letter of 1<sup>st</sup> August confirming you have various fundamental concerns which raise potential issues of “soundness” of the emerging Local Plan.

I am pleased to note from your draft hearings programme that you have set aside discussion to cover many of the issues raised by both Acres Land and Planning and also Advance land and Planning on behalf of SDL regarding specific but separate planning issues relating to the emerging Local Plan.

Whilst I have asked the above consultants to raise and discuss specific planning issues relating to the Emerging Plan, I have a number of serious concerns relating to the fundamental issue of legal compliance of the plan and its soundness and the consequent susceptibility of the plan to legal challenge such that I felt it appropriate to write to you.

Acres Land and Planning has raised one such serious concern relating to legal compliance and plan “soundness” in the letter to you dated 20<sup>th</sup> September, 2016 (attached) regarding the publication of “evidence “ by the Council subsequent to the production of the Draft plan rather than the evidence informing the Plan. For the reasons set out in that letter. SDL considers the approach of TWC not only falls short of the legal requirements for the plan process but also substantially prejudices the position of participants in the consultation exercise such as SDL when TWC publish a substantially altered SHMAA two days before the end of the relevant consultation period.

In addition to the above SDL have concerns relating to Plan “soundness” which can be briefly summarized as follows:

1. The housing provision in the Emerging plan was changed “almost overnight” by officers upon the direction of Members. This has been verbally confirmed to professionals and also Directors of local companies by various officers of the TWC executive. The”

shaping places” draft of the emerging local plan proposed far higher housing provision than the subsequent emerging drafts, reflecting local post election political interference in the process.

2. SDL was invited by TWC to informal discussions regarding potential housing sites and the potential for the provision of a secondary school site and encouraged to complete ecological investigation of such sites. At further discussions with the appointed officers SDL were shown copies of the “Draft Local Plan” showing the proposals which SDL were encouraged to pursue, and yet , when published only a couple of weeks later, the Plan had changed beyond recognition with these sites deleted.
3. The review and selection of housing sites was not undertaken by TWC on an individual site specific basis. This meant that the benefits/ disbenefits of individual sites was ignored. Sites were agglomerated by TWC into strategic parcels and reviewed on that basis. In relation to an SDL proposal for a small to medium scale site at Muxton this meant that the site was not selected because the assessment by TWC concluded that it would lead to an urban extension of 1500 to 2000 homes requiring infrastructural requirements and that the roads that served the site and the surrounding area were inadequate for the size of development. The SDL site as an individual site cannot be described in that manner (being 150 homes on 6.9 Ha in a sustainable location) and had it been assessed on an individual basis it would not have been discounted for such reasons. There was no reason why the SDL site could not be considered on an individual basis given its scale, location and potential to deliver early housing provision over 3 years without infrastructural upgrading. The approach of TWC in this respect was manifestly unfair and SDL has suffered significant prejudice as a direct consequence.
4. TWC have chosen to propose housing allocation on land predominantly in the ownership or under the control of TWC and specifically by way of large urban extensions. This policy clearly does not enable a central plank of Government policy, to be delivered that is, the early delivery of housing. Furthermore, SDL is not aware of land ownership being a planning issue. TWC have already resolved to approve approve one of their urban extensions at Priorslee for 1100 units and have planning applications currently live for their second proposed urban extension at Muxton for 650 units. Such early applications, prior to examination would seem to me to pre-empt the whole plan site selection process and could also be viewed as an exercise in shoring up inadequate housing supply. SDL do not understand the “rush” to approve such large urban extensions which do nothing to ramp up the early delivery of housing supply.

It is clear that local politics has played a part in creating what appears to be an unsound plan by putting the “cart before the horse” by producing a plan and then assembling the evidence to fit the plan, by not properly evaluating individual and site specific housing proposals and by not focusing on the early delivery of housing that people need.

SDL are concerned that the above examples clearly demonstrate the deficiencies in the emerging local plan and in particular its susceptibility to challenge laying bare what SDL believe to be its fundamental unsoundness at a strategic level.

I am pleased that your draft hearings programme covers many of the above concerns however, I would be pleased if you would confirm that time could be made available to cover the specific matter of legal compliance and “plan soundness” raised in this letter.



Yours sincerely,

Adrian Seabridge,

For and on behalf of Seabridge Developments Limited.

**Attachment:**

**20<sup>th</sup> September 2016**

**To Mr Michael J Hetherington BSc (Hons) MA MRTPI MCIEEM**

Tina Kelly, Programme Officer,  
c/o Development Management  
Telford & Wrekin Council  
PO Box 457  
Wellington Civic Offices  
Telford  
TF2 2FH

Dear Mr Hetherington,

**Re Telford & Wrekin EIP.**

My attention has just been drawn to your letter (dated 1<sup>st</sup> August 2016) which evidently has recently been posted on the Council's website together with the Council's letter in response dated 5<sup>th</sup> September 2016. I have not seen these before. It would be helpful to know when these were publicised on the Council's website.

Your 1<sup>st</sup> August 2016 letter indicates that you see no need to hold a pre-examination hearing, but that you have various fundamental concerns which raise potential issues of 'soundness' of the emerging Local Plan one of which is the inter-linked question about the appropriateness of the Council's housing requirement, the derivation of the Council's figure and the relationship between Telford & Wrekin and other local authorities within the wider West Midlands region. These are all points I have also raised in my own submission.

I am rather more concerned however, about a matter I raised with the Chief Executive of Telford & Wrekin Council by letter on 15<sup>th</sup> March 2016, before the Local Plan was formally submitted, relating to the evidence base for the Local Plan and in particular whether the Council's Local Plan proposals were derived from the evidence base or vice versa. I attach a copy of my letter (which was deliberately sent separately from my representations), and was

also copied to the then newly appointed Strategic Planning Programme Manager, Vince Maher.

My letter asked specifically why the Council had chosen to replace their 300 page Strategic Housing Market Assessment (SHMA) prepared by consultants 'Housing Vision' two working days before the end of the 6 week consultation period and substitute it for a new Strategic Housing Market Assessment prepared by consultants, ARC4. The ARC4 report (which largely defers to the PBA work in terms of housing needs) was not therefore not available to the majority of respondents who would have already made their representations, whilst it created complete confusion for those who had yet to submit their responses who were unclear about which SHMA they should be using. The 'old' SHMA, produced by 'Housing Vision' as recently as 2014 (which came to somewhat different conclusions about housing requirements), was then mysteriously removed from the Council's website.

Rather than receiving a reply from the Chief Executive, which I had expected, I then received an email from Katherine Kynaston (the Assistant Director, Business, Development and Employment) on 28<sup>th</sup> March 2016 which acknowledged that this was fresh information which wasn't available at the beginning of the Regulation 19 consultation. The email suggested that this correspondence would be forwarded to the Inspector for him (you) to take into account at the EIP. The email invited me to come back with any further questions or concerns in the meantime.

I responded to this by email on 6<sup>th</sup> April 2016, (a copy of which I attach) pointing out that this confirmed my suspicions that the Local Plan proposals have pre-dated the evidence to support them. I promised then to write a letter which could be considered by the inspector at the forthcoming EIP – which I am doing now.

It seems to me there are a number of fundamental issues raised here:-

Firstly, should the original SHMA produced by 'Housing Vision' which formed the basis of the pre-submission Local Plan (and the earlier stages of the Plan) have been replaced? Was it defective and if so in what way? Why has it been removed from the website if it formed the basis of the original Local Plan?

Secondly, why was the new SHMA by ARC4 produced so late in the consultation period when most people would not have been aware of it? Was this new information? This surely cannot conform to the Local Plan Regulations and therefore procedurally must render the Local Plan unsound without further consultation.

Thirdly, why do the two SHMA's produce different results? Does this explain the dramatic shift in direction between the proposals in the Preferred Options stage of the Local Plan and the Pre-submission stage of the Plan? Is the ARC4 report intended to legitimise the somewhat unorthodox approach taken by the PBA report in sharply reducing the Council's housing requirement – which in turn has had such a marked effect on reversing the Council's housing land supply position? and

Finally, and most importantly, shouldn't the proposals flow from the evidence, rather than the evidence being amended, adjusted and reissued to fit the proposals?

The Planning Inspectorate's own guidance (Procedural Practice in the Examination of Local Plans June 2016 (4th Edition v.1) states that:

*'1.7. LPAs need to be clear about what conclusions they have come to from the range of evidence available and how they have made choices, based on the evidence. The plan must not contain assertions of fact that are not supported by the evidence. Similarly, the evidence should not be collected retrospectively in an attempt to justify the plan'.*

You may wish to consider whether:

Firstly, the Council needs to place the 'ARC4' report on formal consultation to ensure that all participants, and the general public, are fully aware of its contents,

Secondly, that the 'Housing Vision' report needs to be restored to the website so that participants have a benchmark to base their understanding of the Local Plan – and its formative stages (luckily I still have a paper copy), and

Thirdly, that the Council needs to provide a full justification (in advance of the preparation of participants' Matters Statements) of the reasons for the change in evidence base, so that participants (and the general public) can be fully put in the picture before we prepare our further comments.

I was advised by the Programme Officer at the end of July that you would not be receiving any correspondence from participants until September, so I have not written to you about this before now. I had hoped that the Council would draw the matter to your attention, but since it is not referred to in either your 1<sup>st</sup> August note or their 5<sup>th</sup> September reply, I have no alternative but to raise the matter now.

I would appreciate it if you would respond to these points before you consider the final version of the Main Issues and Programme for the Inquiry.

Yours sincerely

John Acres

**Acres Land & Planning Ltd.**

**From:** John Acres [REDACTED]  
**Sent:** 20 September 2016 12:08  
**To:** Programme Officer  
**Cc:** [REDACTED]  
**Subject:** RE: TWC Local Plan - Request to Participate in Oral Examinations

Dear Tina,

**Re Telford & Wrekin Local Plan**

I mentioned in my email yesterday evening, that I would be writing to the Inspector to raise a concern about the Evidence Base lying behind the Submitted Local Plan. I am therefore sending a letter to you (dated today) which I would be grateful if you would pass to the Inspector without delay.

I am also attaching a copy of my previous letter to the Telford & Wrekin Chief Executive dated 15th March 2016 and Kathryn Kynaston's reply to me date 28<sup>th</sup> March 2016 and my acknowledgement dated 6<sup>th</sup> April 2016.

Could you please ensure that these are also sent to the Inspector.

I have now seen the draft programme and matters and will come back to you on this is due course.

Kind regards

John Acres

**Attachments:**

**A:**



*Acres Land & Planning Ltd*  
*'Acres of space'*

**20<sup>th</sup> September 2016**

**To Mr Michael J Hetherington BSc (Hons) MA MRTPI MCIEEM**

Tina Kelly, Programme Officer,  
c/o Development Management  
Telford & Wrekin Council  
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TF2 2FH

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Yours sincerely

John Acres

**Acres Land & Planning Ltd.**

**B:**



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.**

**C:**

From: John Acres [REDACTED]  
Sent: 06 April 2016 12:45  
To: 'Kynaston, Katherine' [REDACTED]  
Subject: RE: Telford & Wrekin Local Plan - Publication of SHMA

Dear Katherine,  
Re: Telford Local Plan.

Many thanks for coming back to me in reply to my letter dated 15th March 2016 to Richard Partington about the publication of the new SHMA document just before the close of the Local Plan Consultation period.

I'm afraid you have rather confirmed my suspicions that the Local Plan proposals have pre-dated the evidence needed to support them – which seems to me to be somewhat 'cart before the horse'. I appreciate that the new SHMA may not have been available in time to publish



prior to releasing the Publication version of the Local Plan, but my worry, as you know, is that the previous SHMA (which has now disappeared from the website) must have been the evidence base the Council were working on until mid-March (and on which people were basing their representations). It is not entirely clear to me what status the two documents now have – especially since they seem to come to different conclusions.

It seems to me to be an important principle that the policies and proposals should flow from the evidence (rather than vice versa). In this case the reverse seems to be true.

Since emails have a habit of disappearing into the ether, I propose to write a proper letter to response to the point which will then be considered by the inspector at the forthcoming EIP.

Kind regards

John Acres

From: Kynaston, Katherine [REDACTED]

Sent: 28 March 2016 14:52

To: [REDACTED]

Subject: Telford & Wrekin Local Plan - Publication of SHMA

Dear Mr Acres

Thank you for your letter of 15th March to Richard Partington. Richard has asked me to reply to the concerns you raise.

The Council commissioned an updated SHMA to make sure it had the latest data to hand before the inspector examines our Local Plan. It would have been ideal to get this published at the start of the Regulation 19 exhibition. It was not possible on this occasion. Nonetheless, the Council takes the view that it is good housekeeping to present evidence as soon as it is ready to publish. We are finalising our evidence base on other matters and this will all be available to view online. We will notify all parties of the extent of the evidence base when we submit the Local Plan to PINS later this year ensuring everyone has ample opportunity to review as representations for the EIP are prepared. This has simply been noted by other respondees to the Reg 19 consultation.

You will, of course, know that the Council must forward your representation and the letter you've sent to Richard Partington to the inspector. I also invite you to take account of our updated data if or when you determine whether to make a submission to the inspector at the forthcoming examination in public.

If you have any further questions or concerns in the meantime please come back to me.

Yours sincerely

Katherine

Katherine Kynaston

Assistant Director: Business, Development & Employment

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Ironmasters Way

Telford

TF3 4LF

Tel: 01952 384591

[REDACTED]

**From:** John Acres [REDACTED]  
**Sent:** 26 September 2016 18:18  
**To:** Programme Officer  
**Cc:** PAUL BURTON [REDACTED]  
**Subject:** Telford & Wrekin Local Plan

Dear Ms Kelly,

**Re Telford & Wrekin Draft Programme.**

First of all I apologise for the slight delay in getting this email to you – I have been involved in a day-long training session in, guess what?, public inquiries. Although this is sent to you my email from Turley (for whom I act as a consultant), I am writing as the Principal of Acres Land and Planning Ltd on behalf of Hallam Land Management Ltd - since I am working from Turley's office today.

1. I have already been in touch with you by sending a letter to the Inquiry Inspector, Michael Hetherington, a fortnight ago, about the confusion surrounding the evidence base to the Pre-submission Local Plan. The Strategic Housing Market Assessment, (SHMA), by consultants 'Housing Vision' on which the pre-submission Plan was based was deleted from the Council's website only 2 days before the end of the consultation period and replaced by a new SHMA produced by ARC4 – which replicates the new and controversial Housing Needs work undertaken by Peter Brett and Associates.
2. With this in mind, I am concerned that a single day devoted to both housing needs and housing supply seems unlikely to be sufficient, and it would seem inevitable that matters of Duty to Co-operate are likely to be entwined with housing needs on Day 1 – making it even more complicated. With respect, although there is clearly a 'chicken and egg' problem here, it occurs to me that it might be preferable for the Duty to Co-operate debate to occur first, to enable the inspector to understand, firstly whether the legal duty of the DTC has been met, and secondly, in enabling the inspector to judge whether Telford & Wrekin's sphere of influence extends beyond the town itself, or whether it is strictly limited to the T & W boundary. Personally I feel that housing needs/requirements and the Housing Supply topic are likely to require at least two days of debate. There also ought to be a space to test whether the Council are likely to meet their 5 year Housing Supply target from Day 1.
3. There is time reserved to debate the Development Strategy – which forms a separate matter, albeit only occupying part of a day. This will need to consider the relationships between housing, employment, infrastructure and other land uses and whether they are all pointing in the same direction.
4. The final day refers to Site Allocations but also mentions Exception Sites. Does this mean Omission Sites? The Council has been economical with their justification for choosing the Site Allocations, albeit it is noticeable that many of them are on Council and/or HCA land. There needs to be time to explore why sites have been chosen and how this fits into the overall strategy.
5. I note that there is no category for Transport or Infrastructure. Could this be because the Council's infrastructure and transport is regarded as adequate?
6. There is also no mention of Heritage issues which is perhaps surprising for a local authority which prides itself in being the 'Birthplace of Industry'. Objections have already been made by various parties, including myself (under the Acres Land & Planning Ltd banner) that the Council has missed a huge opportunity by failing to mention the potential created by the current active restoration of the Shrewsbury & Newport Canal and the economic, tourism, recreation and ecological potential which the newly restored canal can bring. My client's proposals involve the potential for enabling development which would help bring these benefits to fruition, in addition to delivering much needed housing in the Borough,
7. Turning to the Issues and Matters Statements, the limited number of questions raised in relation to housing requirements is perhaps constrained by the scope and outcome of the PBA report. It might be helpful if the conclusions of this report were compared with previous evidence presented to and by the Council which pointed towards very different housing requirements. It might also be useful to have a debate on the definition of the Telford Strategic Housing Market – and how (or

whether) the Council's overall direction has changed.

I hope this is a helpful list of comments. Whilst I am only too well aware that the purpose of the EIP is simply to assist the Inspector in judging whether the Local Plan is sound, in my view this will only be possible if these issues are explored and (referring back to my first point), it is clear whether the evidence has been devised to fit the policies and proposals or vice versa.

Would you be so kind as to refer these comments to the Inspector. I would be grateful for your acknowledgement.

Kind regards

John Acres