

Lilleshall Neighbourhood Area

Representations received under
Regulations 6
of the
Neighbourhood Planning (General)
Regulations 2012

Natural England Representation

Date: 13 April 2016
Our ref: 182952



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BY EMAIL ONLY

Dear Katherine Kynaston

Lilleshall Neighbourhood Plan – Designation of Planning area

Thank you for notifying Natural England of the Lilleshall Neighbourhood Planning Area in your letter dated 07/04/2016

The following advice is for use by the Parish Council in the preparation of their plan:

We would like to take this opportunity to provide you with information sources you may wish to use in developing your plan, and to highlight some of the potential environmental risks and opportunities that neighbourhood plans may present. We have set this out in the annex to this letter.

Natural England's role

Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development. Your local planning authority should be able to advise you when we should be consulted further on your neighbourhood plan.

Planning policy for the natural environment

Neighbourhood plans and orders present significant opportunities, but also potential risks, for the natural environment. Your proposals should be in line with the National Planning Policy Framework. The key principles are set out in paragraph 109:

The planning system should contribute to and enhance the natural and local environment by:

- protecting and enhancing valued landscapes, geological conservation interests and soils;
- recognising the wider benefits of ecosystem services;
- minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;

You should also consider the natural environment policies in your area's Local Plan. Your neighbourhood plan or order should be consistent with these, and you may decide that your plan should provide more detail as to how some of these policies apply or are interpreted locally.

The attached annex sets out sources of environmental information and some natural environment issues you may wish to consider as you develop your neighbourhood plan or order.

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

Yours sincerely

Richard Sykes
Consultations Team

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

Natural environment information sources

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

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

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

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

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

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

Natural environment issues to consider

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

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

¹ <http://magic.defra.gov.uk/>

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

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

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

⁵ <http://magic.defra.gov.uk/>

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

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

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

Landscape

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

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

Wildlife habitats

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

Priority and protected species

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

Best and Most Versatile Agricultural Land

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

Improving your natural environment

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

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

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

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

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

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

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

- Adding a green roof to new buildings.

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

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

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

Historic England Representation

WEST MIDLANDS OFFICE

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

Direct Dial: 0121 625 6887

Our ref: PL00018231

18 May 2016

Dear Mr Munyuki

DESIGNATION OF LILLESHALL NEIGHBOURHOOD PLAN AREA

Thank you for giving notice that Lilleshall Parish Council has applied for designation as a Neighbourhood Area under Part 2 of the Neighbourhood Planning (General) Regulations 2012.

Historic England has no objection to this proposal.

The proposed neighbourhood plan area contains a varied range of designated and undesignated heritage assets including a number of statutorily listed buildings. The Parish hosts parts of a Roman camp and signal station and a small Roman Town, the site of a pumping engine at Muxton Bridge Colliery, headgear at Grange Colliery and Lilleshall Abbey are all scheduled as ancient monuments. Part of the grade II Littleshall Hall Registered Park and Garden also lies within the Parish. Due account should be taken of the conservation of all of these assets and their settings in formulating the neighbourhood plan proposals. Due consideration should also be given to the protection of undesignated heritage assets including historic farmsteads and archaeological remains (both known and potential) within the Parish. Many of these will be recorded in the Shropshire Council Historic Environment Record (HER) which should be consulted.

Having a sound evidence base for the Plan is important so as to form a properly supportive context for plan policies. The National Planning Policy Framework (paragraph 58) requires Neighbourhood Plans to develop robust and comprehensive policies setting out the quality of development that will be expected in an area based upon an understanding and evaluation of its' defining characteristics.

The aim is to ensure that developments (inter alia) "respond to local character and history, and reflect the identity of local surroundings and materials....."

Neighbourhood Plans are a positive way to help communities care for and enjoy the historic environment. Historic England is expecting that as Parish Council's come to



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you (and perhaps particularly to your specialist conservation staff) to seek advice on preparing Neighbourhood Plans they will value guidance on how best to understand what heritage they have, as well as assistance on preparing appropriate policies to secure the conservation and enhancement of this local heritage resource.

Information held by the Council and used in the preparation of your Core Strategy/Local Plan is often the starting point for Neighbourhood Plans as for example the Historic Landscape Characterisation completed by Shropshire Council. Comprehensive data on Heritage Assets including archaeological remains in your area will be available from the Shropshire **Council Historic Environment Record (HER)** and local environmental and amenity groups often also hold useful information.

Plan preparation also offers the opportunity to harness a community's interest in the historic environment by getting them to help add to the evidence base, perhaps by creating and or reviewing a local heritage list, inputting to the preparation of conservation area appraisals and undertaking or further deepening historic characterisation studies.

Historic England has a statutory role in the development plan process and there is a duty on either you as the Local Planning Authority or the Parish Council to consult Historic England on any Neighbourhood Plan where our interests are considered to be affected as well as a duty to consult us on all Neighbourhood Development Orders and Community Right to Build Orders.

Historic England will target its limited resources efficiently. We will directly advise on proposals with the potential for major change to significant, nationally important heritage assets and their settings. Our local offices may also advise communities where they wish to engage directly with us, subject to local priorities and capacity.

Historic England fully recognises that the neighbourhood planning process is a locally-led initiative and communities will shape their own neighbourhood plan as informed by the issues and opportunities they are most concerned about and relevant to the local area. As a national organisation we are able to draw upon our experiences of neighbourhood planning across the country and information on our website might be of initial assistance <https://www.historicengland.org.uk/advice/planning/plan-making/improve-your-neighbourhood/>

It is envisaged that the website will be progressively updated to share good practice in the management of the historic environment through neighbourhood planning.

Historic England also publishes a wide range of relevant guidance. Links to this can be found in appendix 1 to this letter. Appendix II contains links to a number of Neighbourhood Plans that Historic England consider to be exemplary in their treatment of the historic environment.



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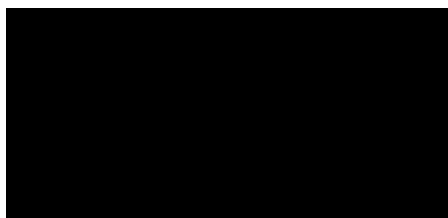


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Should you wish to discuss any points within this letter, or if there are issues about this Neighbourhood Plan Area where the historic environment is likely to be of particular interest, please do not hesitate to contact me.

Yours faithfully



Pete Boland
Historic Places Adviser
E-mail: 

Appendix 1

<https://www.historicengland.org.uk/advice/planning/plan-making/improve-your-neighbourhood/>

<https://content.historicengland.org.uk/content/docs/planning/neighbourhood-planning-information-2014.pdf>

<http://historicengland.org.uk/listing/the-list/>

Heritage Gateway <http://www.heritagegateway.org.uk/gateway/>: includes local records of historic buildings and features www.heritagegateway.org.uk
<http://www.heritagegateway.org.uk/>

Advice by topic <http://www.english-heritage.org.uk/professional/advice/advice-by-topic/>: you can search for advice on a range of issues relating to the historic environment in the Advice section of Historic England's website

Heritage Counts <http://www.heritagecounts.org.uk>: facts and figures on the historic environment
<https://www.historicengland.org.uk/advice/heritage-at-risk>

HELM (Historic Environment Local Management) provides accessible information, training and guidance to decision makers whose actions affect the historic environment. www.helm.org.uk <http://www.helm.org.uk/> or



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www.helm.org.uk/communityplanning <<http://www.helm.org.uk/communityplanning>>

Heritage at Risk programme provides a picture of the health of England's built heritage alongside advice on how best to save those sites most at risk of being lost forever.

<<https://www.historicengland.org.uk/advice/heritage-at-risk/>>

Placecheck provides a method of taking the first steps in deciding how to improve an area. <<http://www.placecheck.info/>>

The Building in Context Toolkit: The purpose of this publication is to stimulate a high standard of design for new development in historically sensitive contexts. All successful design solutions depend on allowing time for a thorough site analysis and character appraisal of context. <<http://building-in-context.org/toolkit.html>>

Knowing Your Place deals with the incorporation of local heritage within plans that rural communities are producing, <<https://www.historicengland.org.uk/images-books/publications/known-your-place/>>

Good Practice Guide for Local Heritage Listing produced by Historic England uses good practice to support the creation and management of local heritage lists. <<https://www.historicengland.org.uk/images-books/publications/good-practice-local-heritage-listing/>>

Understanding Historic Places describes current approaches to and applications of historic characterisation in planning together with a series of case studies <<http://www.historicengland.org.uk/advice/planning/understanding-historic-places/>>

Toolkit for Historic Characterisation

<<http://www.oxford.gov.uk/PageRender/decP/CharacterAppraisalToolkit.htm>>

Appendix II

NEIGHBOURHOOD PLANS & THE HISTORIC ENVIRONMENT- SOME POSITIVE EXAMPLES

Wellington- Herefordshire regulation 14 Draft
<<http://www.wellingtonplan.com/>>

Madeley- Telford and Wrekin Council- proceeded to referendum with 94% "yes" vote.
<<http://madeleytowncouncil.gov.uk/useruploads/files/madeley-plan-section-1.pdf>>



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Tettenhall- Wolverhampton MBC- "made" September 2014.

[<http://www.ourplaceourplan.org.uk/>](http://www.ourplaceourplan.org.uk/)

Chaddesley Corbett- Wyre Forest Council- "made" September 2014.

[<http://www.chaddesleyplan.org.uk/Submission%20Neighbourhood%20Plan.pdf>](http://www.chaddesleyplan.org.uk/Submission%20Neighbourhood%20Plan.pdf)

Tatenhill- East Staffordshire Borough Council- examined September 2014.

[<http://www.eaststaffsbc.gov.uk/filedepot_download/666/709>](http://www.eaststaffsbc.gov.uk/filedepot_download/666/709)

Callow and Heywood- Herefordshire Council- publication draft.

[<https://www.herefordshire.gov.uk/media/1360732/CH_Draft_Neighbourhood_Plan_Final_blue_141114.pdf>](https://www.herefordshire.gov.uk/media/1360732/CH_Draft_Neighbourhood_Plan_Final_blue_141114.pdf)

Whitnash- Warwick District Council- publication draft.

[_whitnash>whitnash](http://www.warwickdc.gov.uk/downloads/download/418/neighbourhood_plans_-_whitnash)

[_whitnash>](http://www.warwickdc.gov.uk/downloads/download/418/neighbourhood_plans_-_whitnash)

Brimfield & Little Hereford- Herefordshire regulation 16 Draft

[<https://www.herefordshire.gov.uk/media/8059811/brimfield_ndp.pdf>](https://www.herefordshire.gov.uk/media/8059811/brimfield_ndp.pdf)

Colwich- Stafford Borough regulation 16 Draft- Examined and Referendum recommended.

[<http://offlinehbpl.hbpl.co.uk/NewsAttachments/RLP/Colwich_Submission_Draft.pdf>](http://offlinehbpl.hbpl.co.uk/NewsAttachments/RLP/Colwich_Submission_Draft.pdf)

Marchington- East Staffordshire regulation 16 Draft

[<http://www.eaststaffsbc.gov.uk/sites/default/files/docs/planning/planningpolicy/neighbourhood_planning/marchington/Submission%20Version%20V9%20Mar16.pdf>](http://www.eaststaffsbc.gov.uk/sites/default/files/docs/planning/planningpolicy/neighbourhood_planning/marchington/Submission%20Version%20V9%20Mar16.pdf)

Updated May 2016.



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Historic England is subject to the Freedom of Information Act. 2000 (FOIA) and Environmental Information Regulations 2004 (EIR). All information held by the organisation will be accessible in response to an information request, unless one of the exemptions in the FOIA or EIR applies.

Gladmans Developments Ltd Representation

Environment and Planning Policy Team
Business & Development Planning
Telford & Wrekin Council
Wellington Civic Offices
Telford
TF2 2FH

(Representations submitted by email to developmentplans@telford.gov.uk)

20th May 2016

Re: Lilleshall Neighbourhood Development Plan – Application for Neighbourhood Area Designation

Dear Sirs,

Gladman Developments Ltd (Gladman) specialise in the promotion of strategic land for residential development with associated community infrastructure. This letter **provides Gladmans' representations on** the application made by Lilleshall Parish Council for the designation of a neighbourhood area, for the purposes of preparing a neighbourhood development plan.

As this is the first formal stage of preparing a neighbourhood plan, Gladman would like to take this opportunity to comment on the Lilleshall Neighbourhood Area application to highlight a number of key requirements to which the development of the emerging neighbourhood area should have regard.

Gladman wish to **participate in the neighbourhood plan's preparation** and to be notified of further developments and consultations in this regard. We would also like to offer our assistance in the preparation of the neighbourhood plan and invite the Parish Council to get in touch regarding this.

Legislation

Before a Neighbourhood Plan can proceed to referendum it must be tested against a set of Neighbourhood Plan Basic Conditions, set out in §8(2) of Schedule 4B of the Town and Country Planning Act 1990 (as amended by section 28a of the Planning and Compulsory Purchase Act 2004). The Basic Conditions which the Neighbourhood Plan must be found in compliancy with are as follows:

- a) Having regard to national policies and advice contained in guidance issued by the Secretary of State it is appropriate to make the neighbourhood plan
- b) Having special regard to the desirability of preserving any listed building or its setting or any features of special architectural or historic interest that it possesses, it is appropriate to make the order
- c) Having special regard to the desirability of preserving or enhancing the character or appearance of any conservation area, it is appropriate to make the order
- d) The making of the neighbourhood plan contributes to the achievement of sustainable development
- e) The making of the neighbourhood plan is in general conformity with the strategic policies contained within the development plan for the area of the authority
- f) The making of the neighbourhood plan does not breach, and is otherwise compatible with, EU obligations

If the Neighbourhood Plan is not developed in accordance with all of the Neighbourhood Plan Basic Conditions as set out above then there is a real risk that it will fail when it reaches Independent Examination.

High Court Judgments

Woodcock Judgement

The Woodcock High Court judgment demonstrates the implications for progressing a neighbourhood plan where there is no local plan in place nor a five year housing land supply. In summary, this High Court judgment demonstrates the following key points:

- That §14 and §49 of the Framework in regard to five year housing land supply and the weight to be **given to extant housing land supply policies applies equally to both emerging and 'made'** neighbourhood plans as well as other development plan documents otherwise adopted and/or emerging by the local planning authority.
- There is nothing in policy or statute that elevates neighbourhood planning to a level above the wider development plan that enables special consideration.
- Neighbourhood Plans must respect national planning policy and the core planning principles outlined within the Framework.
- Prematurity must be assessed against the whole of the requirements of the PPG. In neighbourhood planning, there is no requirement for qualifying bodies to produce an objective assessment of housing needs.

Crownhall Judgment

On 21st January 2016, Holgate J handed down judgment in R(Crownhall Estates Ltd) v Chichester District Council [2016] EWHC 73 (Admin). This judgment summarises the respective legislation at §12-§28 (further detailed below), and the relevant principles at §29.

This judgment does not however mark the end of policy development, on 11th February 2016, the Secretary of State published a series of updates to the Neighbourhood Planning chapter of the Planning Practice Guidance (PPG). In particular, the PPG now stresses the importance of housing reserve sites and providing indicative delivery timetables to ensure that emerging evidence of housing needs is addressed to help minimise any potential conflicts that can arise to ensure that a neighbourhood plan is not ultimately overridden by the contents of an emerging Local Plan.

It is important to note that the updates to the PPG were drafted following the Crownhall judgment and it is essential that the steering group consider all of the advice and guidance contained in the PPG.

National Planning Policy Framework

The National Planning Policy Framework (the Framework) sets out the Government's planning policies for England and how these are expected to be applied. In doing so it sets out the requirements for the preparation of Neighbourhood Plans and the role they must play in meeting the development needs of the local area in which they control.

Paragraph 16 of the Framework sets out the positive role that Neighbourhood Plans should play in meeting the development needs of the local area. It states that:

"The application of the Presumption (In Favour of Sustainable Development, set out in paragraph 14 of Framework) will have implications for how communities engage in neighbourhood planning. Critically it will mean that neighbourhoods should:

- *Develop plans that support the strategic development needs set out in Local Plans, including policies for housing and economic development;*
- *Plan positively to support local development, shaping and directing development in their area that is outside of the strategic elements of the Local Plan"*

Further guidance on the relationship between Neighbourhood Plans and strategic policies for the wider area **set out in a Council's Local Plan is included in paragraph 184 of the Framework:**

"The ambition of the neighbourhood should be aligned with the strategic needs and priorities of the wider local area. Neighbourhood Plans must be in general conformity with the strategic

policies of the Local Plan. To facilitate this, local planning authorities should set out clearly their strategic policies for the area and ensure that an up-to-date plan is in place as quickly as possible. Neighbourhood Plans should reflect these policies and neighbourhoods should plan positively to support them. Neighbourhood Plans...should not promote less development than set out in the Local Plan or undermine its strategic policies”.

It is clear from the above that neighbourhood plans should be prepared in conformity with the strategic requirements for the wider area as confirmed in an adopted Development Plan. As highlighted above, on 11th February 2016, the Secretary of State published a series of updates to the PPG for the preparation of neighbourhood plans. This update makes clear that neighbourhood plans should take account of the latest and up-to-date evidence of housing needs. In particular, where a qualifying body is attempting to identify and meet housing needs, a local planning authority should share relevant evidence on housing need gathered to support its own plan making.

Neighbourhood Plans should also provide indicative delivery timetables and consider the allocation of reserve sites to ensure that emerging evidence of housing need is addressed in order to help minimise any potential conflicts where a post Framework Local Plan is yet to be adopted.

A further update to the PPG was published on 19th May 2016. Paragraph 50 of the PPG¹ makes clear that all settlements have a role to play in delivering sustainable development and should avoid blanket policies restricting housing development in some settlements and preventing other settlements from expanding. Accordingly, the neighbourhood plan should not include policies that would affect the delivery of sustainable growth opportunities in unrelated neighbouring areas. Whilst the contents of the Lilleshall Neighbourhood Plan are unknown at this time it is suggested that it may be appropriate to redraw the neighbourhood area boundary so that policies contained in the Neighbourhood Plan do not have an adverse effect on the ability of sustainable development being delivered on the edge of Telford.

If the Neighbourhood Plan is to progress prior to the submission and outcome of the emerging Telford and Wrekin Local Plan then it will need to ensure that it allows for sufficient flexibility so that it is not ultimately superseded by the provisions s38(5) of the Planning and Compulsory Purchase Act 2004, which states that:

‘if to any extent a policy contained in a development plan for an area conflicts with another policy in the development plan the conflict must be resolved in favour of the policy which is contained in the last document to be adopted, approved or published (as the case may be).’

Relationship with Local Plans

The Wrekin Local Plan was adopted in February 2000 with the plan period spanning from 1995 to 2006. The Wrekin Local Plan is time expired due to its plan period expiring in 2006, and therefore does not provide for housing provision beyond this date. Further, the adopted Local Plan was prepared in the context of a different era in national planning policy and pre-dates the approach to plan making set out in the Framework which requires the relevant assessment of the housing market and land availability.

The adopted Core Strategy sets out the borough’s spatial development strategy and was adopted on 1st December 2007 covering the period to 2016. The Council has since commenced work on preparing the new Telford & Wrekin Local Plan and recently consulted on the publication version of the Plan which ended on 15th March 2016.

Gladman submitted detailed representations to the publication version of the emerging Local Plan and raised **a number of significant concerns relating to the Council’s evidence of housing needs and a number of policy options.** The emerging Local Plan is therefore subject to a number of significant outstanding objections and if the Neighbourhood Plan is to progress prior to the final outcome of the Local Plan Examination, then it will need to allow for a significant degree of flexibility in order to respond to changes in the market. In this regard, the Steering Group should ensure that it carefully considers all of the recent PPG updates and how to minimise any potential conflict going forward.

Neighbourhood Plan Policies and Proposals

In accordance with the Neighbourhood Plan Basic Conditions, Neighbourhood Plan policies should align with **the requirements of the Framework and the wider strategic policies for the area set out in the Council’s Local Plan.** Neighbourhood Plans should provide a policy framework that complements and supports the

¹ PPG Reference ID 50-001-20160519

requirements set out in these higher-order documents, setting out further, locally-specific requirements that will be applied to development proposals coming forward.

The Framework is clear that Neighbourhood Plans cannot introduce policies and proposals that would prevent development from going ahead. They are required to plan positively for new development, enabling sufficient growth to take place to meet the strategic development needs for the area. Policies that are clearly worded or intended to place an unjustified constraint on further sustainable development taking place would not be consistent with the requirements of the Framework or meet the Neighbourhood Plan Basic Conditions.

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

The community should liaise with the Council's planning team to seek advice on the appropriateness of the Neighbourhood Plan's proposals.

Sustainability Appraisal/Strategic Environmental Assessment

The preparation of a Neighbourhood Plan may fall under the scope of the Environmental Assessment of Plans and Programmes Regulations 2004 (SEA Regulations) that require a Strategic Environmental Assessment (SEA) **to be undertaken where a Plan's proposals would be likely to have significant environmental effects.** The **requirement to undertake an SEA will be dependent on a Neighbourhood Plan's proposals, but is likely to be necessary** where a Plan is proposing specific allocations or site designations.

In accordance with Schedule 1 of the SEA Regulations, a Screening **Assessment of a Neighbourhood Plan's** proposals should be completed to assess whether an SEA must be prepared. Where an SEA is required this should be commenced at the earliest opportunity, alongside the preparation of the emerging Neighbourhood Plan, **to ensure the Neighbourhood Plan's proposals have been properly considered through the SEA process,** and appropriately justified against other reasonable alternatives. Where an adequate SEA has not been undertaken a Neighbourhood Plan is unlikely to meet the Neighbourhood Plan Basic Conditions.

Although Neighbourhood Plans do not require a Sustainability Appraisal (SA) of their proposals, preparing an SA can help to show how a Neighbourhood Plan will contribute to the achievement of sustainable development, a Neighbourhood Plan Basic Condition. Where an SEA is required, extending this assessment to the preparation of an SA is unlikely to require significant additional input.

The Council's planning team will be able to advise on the likely need for an SEA of the Neighbourhood Plan's proposals. To be compatible with EU obligations, further appraisals, such as a Habitats Regulations Assessment, may also be required depending on local circumstances.

Site Submission

Land off Humber Lane, Telford

The Parish Council **will be aware of Gladman's land interests in Telford at land off Humber Lane. Whilst the site** is located within the Lilleshall Neighbourhood Area, the site will contribute to the housing needs of Telford. Policy SP1 of the emerging Local Plan confirms that Telford will be the principal focus for growth to meet the **borough's housing and employment needs during the plan period.** The Steering Group should ensure that any policies progress in the neighbourhood plan do not inadvertently prevent the deliverability of sustainable development proposals located on the edge of towns abutting the neighbourhood area, such as land off Humber Lane, to meet identified housing needs.

Gladman consider the site to be suitable, available and deliverable. The site is capable of accommodating up to 500 residential dwellings (including up to 35% affordable housing) and associated community infrastructure. Appendix 1 of this letter provides a site location plan.

An outline application (planning reference: TWC/2015/1112) was submitted on 5th November 2015 and validated by the Council on 14th December 2015. The application has yet to be determined.

Gladman have developed extensive evidence to demonstrate that the site is suitably located with good access to existing facilities and services. The site comprises a total of 28.98ha and is located on the northern edge of

Donnington, northeast of Telford. The site is bounded by Humber Lane to the south and Donnington Drive to the east. Gladman maintain that development in this location is a logical and sustainable extension of Telford.

The proposal will provide the necessary homes to meet identified housing needs whilst also sustaining the vitality and viability of local services and facilities for future years. The proposed development advocates the three principles of sustainable development and will add vibrancy to the local area. The potential benefits of the proposal include the following:

- Boosting the supply of land for housing, to provide high quality market and affordable housing within a sustainable location.
- Provide new homes that will help meet local needs and will enable people to access the housing market locally rather than being forced to move away due to a lack of affordable housing.
- Enhanced permeability with the local area, through the creation of footpath and cycle links.
- Improvements to the local economy and the ability to increase footfall to existing businesses in Telford.
- Providing significant benefits to the local communities through the provision of a local community centre and land to be made available for a primary school.
- **Significant enhancements to the public realm through the provision of a children's play area and informal public open space.**

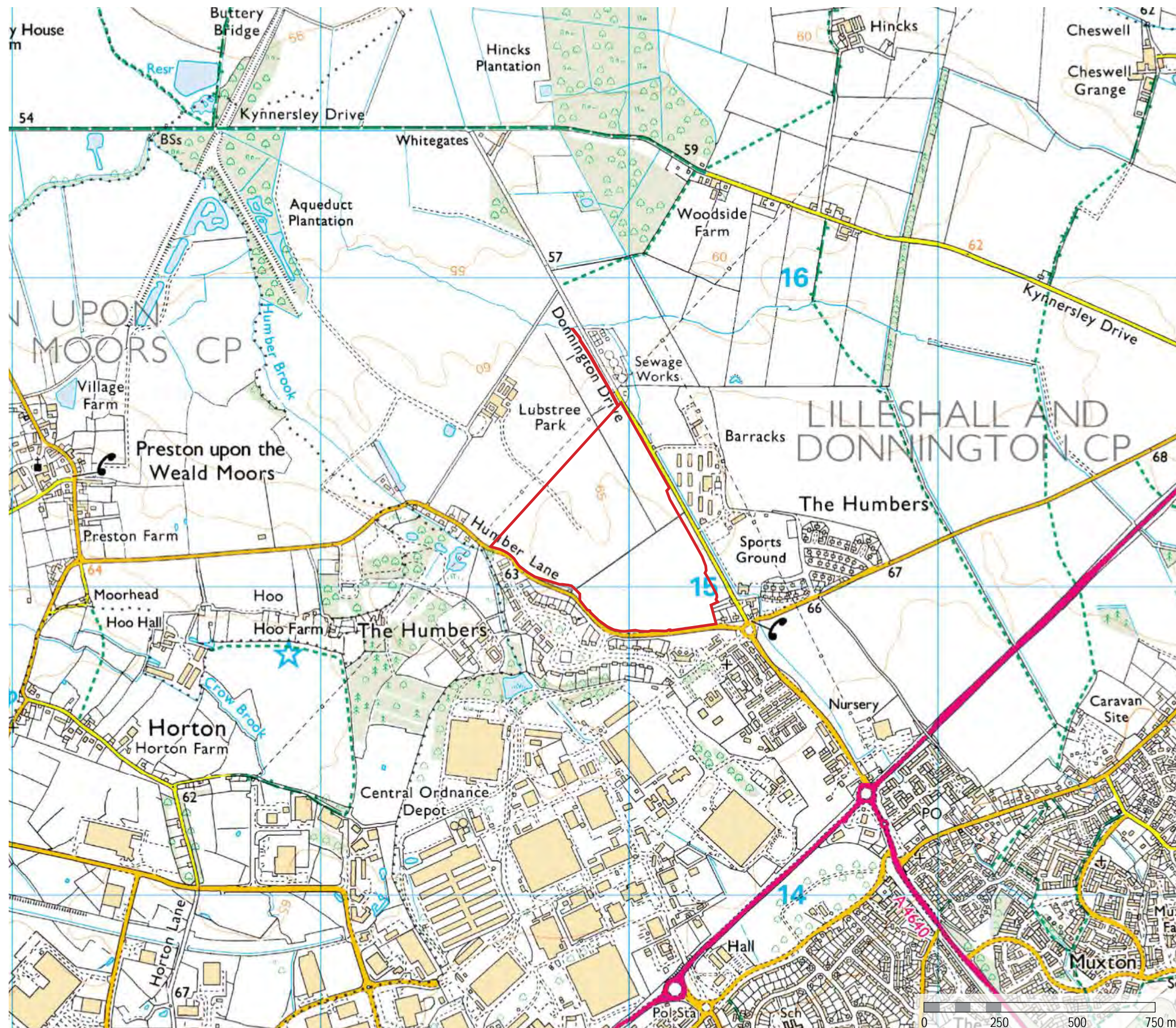
The above outlines only some of the key benefits that development in this location will provide and request that the Parish Council give its full regard to the site as a potential housing allocation.

I hope you have found these representations to be constructive. Should you require any additional information please do not hesitate to contact myself or a member of the Gladman team.

Yours Faithfully

John Fleming

Gladman Developments Ltd.



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Site Boundary



Gladman Developments Ltd.

Humber Lane, Telford

SITE LOCATION

1:12,500 @ A3

MF/KMN

September 2015

Figure 6.1

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