



Telford & Wrekin Council  
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SENT BY E-MAIL AND POST

25<sup>th</sup> September 2015

Dear Sir / Madam

## **TELFORD & WREKIN LOCAL PLAN CONSULTATION**

### **Introduction**

Thank you for consulting with the Home Builders Federation (HBF) on the above mentioned consultation. The HBF is the principal representative body of the house-building industry in England and Wales. Our representations reflect the views of our membership, which includes multi-national PLC's, regional developers and small, local builders. In any one year, our members account for over 80% of all new "for sale" market housing built in England and Wales as well as a large proportion of newly built affordable housing. We would like to submit the following representations and appear at future Examination Hearing Sessions to discuss these matters in greater detail.

### **Duty to Co-operate**

Under S110 of the Localism Act 2011 which introduced S33A into the 2004 Act the Council must co-operate with other prescribed bodies to maximise the effectiveness of plan making. The Duty to Co-operate requires the Council to "*engage constructively, actively and on an on-going basis*". The high level principles associated with the Duty to Co-operate are also set out in the National Planning Policy Framework (NPPF) (paragraphs 156, 178 – 181). In addition there are twenty three paragraphs in the National Planning Practise Guidance (NPPG) concerning the Duty to Co-operate.

The Council has prepared a Duty to Co-operate Progress Statement dated July 2015 to accompany this Draft Local Plan consultation. Paragraph 1.11 of the Local Plan also refers to preparation of a supporting Technical Paper "Duty to Co-operate" which will accompany the submission version of the Local Plan.

Telford & Wrekin is located to the west of Shropshire and Wales and 45 minutes by road / 40 minutes by rail to the east of the Greater Birmingham conurbation. Telford & Wrekin's administrative area is physically adjoined to the neighbouring Councils of Shropshire, Stafford and South Staffordshire. Other nearby Councils include Birmingham City, the Black Country authorities and Herefordshire. Telford & Wrekin also forms part of the Marches Local Enterprise Partnership (LEP) together with Shropshire and Herefordshire. Paragraph 7.14 of the Duty to Co-operate Progress Statement confirms that the emerging Local Plan has sought to align with the Strategic Economic Plan (SEP) of the LEP.

In considering if the Duty to Co-operate has been satisfied it is important to consider the outcomes arising from the process and the influence of these outcomes on the Local Plan. The required outcome is the delivery of full objectively assessed housing needs (OAHN) for market and affordable housing in the housing market area (HMA) as required by paragraph 47 of the NPPF including the unmet needs of neighbouring authorities where it is reasonable to do so and consistent with sustainable development (paragraph 182 of the NPPF).

It has been determined that Telford & Wrekin is its own HMA and that full OAHN (see Housing Requirement section below) can be met within the Council's own administrative area without recourse to neighbouring authorities. A formal agreement with Shropshire has been signed confirming separate HMAs (paragraph 7.18 of Duty to Co-operate Progress Statement).

However despite this separately defined HMA it is acknowledged that co-operation is necessary on the wider strategic matter of housing shortfalls and unmet housing needs arising in the West Midlands region from both Birmingham City Council and the Black Country authorities (paragraph 7.24). It is also acknowledged that Telford & Wrekin may have a particular function to play given its previous role as a new town (paragraph 7.26). Unfortunately this opinion is somewhat contradicted by paragraph 3.2.3.5 of the Technical Paper Housing Growth dated July 2015 which states that whilst hypothetically Telford & Wrekin could provide the solution to the Birmingham housing problem evidence on migration and commuting patterns show a relatively weak relationship between the two authorities. The Tables in the Telford & Wrekin OAHN Final Report by Peter Brett Associates published in March 2015 illustrate that Birmingham is ranked 3<sup>rd</sup> for migration patterns and ranked 5<sup>th</sup> for commuting patterns. The Council should provide a consistent policy position on this strategic matter. The Council should clarify whether or not Telford & Wrekin is providing extra housing provision to accommodate unmet needs from elsewhere. In this context the Council should refer to the recently published "Greater Birmingham & Solihull LEP and Black Countries Local Authorities Strategic Housing Needs Study Stage 3 Report" by Peter Brett Associates dated August 2015 which states "*... the export option ... wider afield, Telford may have also potential capacity to accommodate part of the shortfall. The current consultation version of their Local Plan (August 2015) suggests they are considering providing around 5,500 more homes than their local need ... a further obstacle is that there is no formal agreement between any of the areas ... that additional migration can be attributed to this HMA. If*

*these were to be 'counted' to offset housing shortfall there needs to be some form of shared understanding formalised under the Duty to Co-operate" (paragraphs 10.35 & 10.38).*

The Council should also confirm that its positive economic strategy over and above a business as usual expectation together with a reduction in commuting (Telford & Wrekin OAHN Final Report paragraph 5.28) can be delivered in a regional context without harming economic growth and / or housing delivery in neighbouring authorities (see Housing Need section below).

If the Council is to satisfy the legal requirements of the Duty to Co-operate as well as the soundness tests of paragraph 182 of the NPPF additional clarification concerning unmet housing needs from elsewhere and "super" economic growth should be addressed in the supporting Technical Paper "Duty to Co-operate" which will accompany the submission version of the Local Plan.

## **Housing Need**

**Policy HO1 – Housing Requirement** proposes to deliver 15,555 new dwellings (778 dwellings per annum) between 2011 – 2031. Paragraph 5.4 of the Local Plan sets out that the SHMA Report by Peter Brett Associates identified a demographically based OAHN for Telford & Wrekin of 9,940 dwellings up to 2031 which was increased to support the economic growth strategy and deliver more affordable housing. The Sustainability Appraisal also demonstrates that all housing growth opinions tested can be accommodated subject to appropriate mitigation (Technical Paper Housing Growth paragraph 5.5.8). The calculation of OAHN is summarised as follows:-

### Demographic projections

It is agreed that the starting point for the calculation of OAHN is the 2012 SNHP subject to further sensitivity testing of migration trends, unattributable population change (UPC) and household formation rates (HFR) as set out in the "PAS Objectively Assessed Need and Housing Targets Technical Advice Note Second Edition" dated July 2015.

The Telford & Wrekin OAHN Final Report by Peter Brett Associates published in March 2015 and the Technical Paper Housing Growth dated July 2015 (paragraph 5.1.3) explain that the preferred demographic scenario based on 10 year rather than 5 year migration trends combined with 2012 household formation rates identifies a household growth which after the application of 3.1% vacancy / second homes allowance (paragraph 3.2.1) converts into 9,940 dwellings (497 dwellings per annum) (paragraph 3.2.5).

It is also confirmed that UPC was sensitivity tested (paragraph 3.2.5) and it's impact was considered insignificant.

It is acknowledged that trend based household projections "plan in" deterioration of HFR. So whilst the 2012 SNHP incorporate more of a move

back to longer term trends than the 2011 interim SNHP it may still not be sufficient. Although the 2012-based SNHP draw upon longer term trends since 1971 the methodology applied by DCLG means that they have a greater reliance upon trends experienced over the last 10 years than to those experienced over the longer term. The implication of this bias is that the latest household projections continue to be affected by the recently observed trends during the period of suppressed household formation associated with the impacts of the economic downturn, constrained mortgage finance and past housing undersupply as well as the preceding time of increasing unaffordability which also suppressed household formation (page 19 of the *Household Projections 2012-based: Methodological Report* by DCLG dated February 2015). Therefore given that younger households were particularly affected by these past trends and evidence shows that HFR are likely to recover as the economy improves (Town & Country Planning Tomorrow Series Paper 16, “*New estimates of housing demand and need in England, 2001 to 2031*” by Alan Holmans) it is contended that the Council should have applied a sensitivity test to consider the impact of improving HFR in younger age groups.

At this time it is anticipated that the Council may argue that the proposed policy on uplift to support the economic growth strategy (see below) compensates for any previously suppressed HFR due to the overlapping nature of some of the assumptions used in the calculation of OAHN. If this is the Council’s argument then its reasoned justification on OAHN and the proposed housing requirement should be more explicitly set out.

### Market signals

After an analysis of market signals (house prices, rents levels and affordability) it was determined that there was no clear evidence to justify an uplift to OAHN (Technical Paper Housing Growth paragraph 5.1.4).

However whilst affordability was not considered adversely expensive in comparison to other national, regional and Shropshire benchmarks (Telford & Wrekin OAHN Final Report paragraph 4.29) this comparison masks affordability problems in the more desirable rural areas. Locally within Telford & Wrekin housing affordability remains a challenge. The cost of a typical house is 7 times mean income rising to 9 times in parts of the rural area and Newport (Local Plan paragraph 2.33). Moreover average house prices are 36 – 46% higher in the rural areas (Technical Paper Rural Settlement paragraph 2.14).

This market signal should have been given greater consideration by the Council. The NPPG is explicit in stating that a worsening trend in any one of the market signal indicators will require an upward adjustment to planned housing numbers (ID : 2a-020-20140306).

Again it is anticipated that the Council may argue that the proposed uplift for affordable housing need (see below) incorporates an adjustment for affordability too. If so the Council should be more explicit in setting out its reasoned justification on OAHN and the proposed housing requirement.

## Delivering Affordable Housing Need

It is agreed that the affordable housing need figure in Telford & Wrekin is a significant, substantial and sizable figure but the Council quotes several differing figures which is confusing. In the Technical Paper Housing Growth affordable housing need is estimated as 8,899 dwellings (445 dwellings per annum) (paragraph 5.4.7) representing 90% of overall need (paragraph 5.4.8). Whilst in the Telford & Wrekin OAHN Final Report affordable housing need is stated as 1,859 or 567 net new affordable dwellings per annum depending if the backlog is absorbed over 5 or 20 years (paragraph 4.52). The Council should make a clearer statement about affordable housing needs.

It is also agreed that the affordable housing need currently identified in the SHMA is unlikely to be addressed through delivery of a housing requirement set at or near to a demographically derived OAHN. Hence the significant proposed increase to the housing requirement figure (Technical Paper Housing Growth paragraph 5.4.10).

The paragraph 47 of the NPPF requires Local Planning Authorities (LPA) to assess the OAHN for both market and affordable dwellings. The NPPG states that an increase in the total housing included in the local plan should be considered where it could help to deliver the required number of affordable homes (ID : 2a-029-20140306). This was recently reinforced by Stewart J in *Satnam Millennium Ltd v Warrington Borough Council* (2015) who identified the “proper exercise” as being:

- *“(a) Having identified the OAN for affordable housing, that should then be considered in the context of its likely delivery as a proportion of mixed market/affordable housing development; an increase in the total housing figures included in the local plan should be considered where it could help deliver the required number of affordable homes ;*
- *“(b) The Local Plan should then meet the OAN for affordable housing, subject only to the constraints referred to in NPPF, paragraphs 14 and 47”.*

In *Oadby and Wigston Borough Council v Secretary of State for Communities and Local Government and Bloor Homes Ltd* (2015), Hickinbottom J stated that a failure to respond to affordable housing is a policy choice:

- *“...it becomes policy on as soon as the Council takes a course of not providing sufficient affordable housing to satisfy the FOAN for that type of housing...”.*

This demonstrates the importance of ensuring either affordable housing need is met or justifying why it cannot be met and addressing any unmet need through the Duty to Cooperate. The importance of this issue is highlighted by the conclusion of the Eastleigh Local Plan Examination Inspector that:

- *“The failure of the Council to recognise the true scale of need for affordable housing and therefore the consequential failure to consider how it might be addressed is a serious shortcoming”* (paragraph 38 Preliminary Conclusions on Housing Needs and Supply and Economic Growth dated November 2014).

Whilst Telford & Wrekin Council have undertaken an uplift to improve the overall delivery of housing to meet affordable housing needs it may not specifically address affordable housing needs and affordability in the rural areas (see Housing Needs – Market Signals section above and Housing Distribution section below).

### Supporting economic growth

The Experian economic forecast shows a potential deficit of labour to support expected jobs growth (Technical Paper Housing Growth paragraph 5.1.5) which is contrary to the sought alignment of the Local Plan with the LEP SEP (Duty to Co-operate Progress Statement paragraph 7.14). Indeed the Marches LEP SEP describes Telford as an “urban powerhouse” (paragraph 4.2 of Local Plan) with a role to fulfil as a regional hub for economic growth (paragraph 4.7 of Local Plan) and to promote prosperity across the Marches LEP area.

Therefore the Council is proposing “super” growth brought about by positive economic policy interventions (Telford & Wrekin OAHN Final Report paragraph 5.27). This positive economic strategy over and above a business as usual expectation together with a reduction in commuting (Telford & Wrekin OAHN Final Report paragraph 5.28) produces 6,700 more resident workers under the 750 dwellings per annum scenario.

Whilst there is no reason that the Council cannot provide for a housing requirement over and above its OAHN (paragraph 10.2 PAS Guidance July 2015). If the Council is not to encounter the same criticisms as observed by the Inspector examining the Durham Local Plan the Council’s “super” growth scenario must be considered in a regional context. The Council’s evidence shows that its own consultants have not bought into the “super” growth scenario without such a scenario been co-ordinated with other authorities. Telford & Wrekin cannot just grow without effecting neighbouring authorities therefore there must be a co-ordinated approach across the sub region (see preceding Duty to Co-operate section). The Council should refer to the PAS Guidance dated July 2015 concerning the use of highly ambitious job numbers based on policy aspiration rather than economic forecasting (paragraph 8.14) and the re-calling of commuters (paragraph 8.16) which should be acceptable to other authorities affected by this shift in commuting patterns. These types of strategy cannot be formulated unilaterally without cross boundary agreements in line with the Duty to Co-operate.

### Unmet needs

The Council should clarify whether or not it is meeting any unmet needs from elsewhere in the West Midlands (see preceding Duty to Co-operate section).

In summary a housing requirement of 15,555 dwellings based on an uplift of circa 56% above the demographically derived OAHN (9,940 dwellings) in order to support economic growth and the delivery of more affordable housing is reasonable. Such an uplift is not dissimilar to the proposed uplifts of circa 30% in Canterbury (paragraphs 20, 25 & 26 Canterbury Local Plan Inspectors Note on main outcomes of Stage 1 Hearings dated 7 August 2015) and 44% in Bath & North East Somerset (paragraphs 77 & 78 BANES Core Strategy Final report 24 June 2014). However the Council should be clearer in its evidence on the justifications for doing so.

## **Housing Distribution**

The 2011 census showed that 86% of households live in Telford, 8% in Newport and 6% in the rural areas (paragraph 2.12 of the Local Plan). The settlement pattern of the rural area is described as scattered with 68 recorded settlements (Technical Paper Rural Settlements paragraph 2.9). This existing distribution of households is reflected in the proposed spatial distribution to deliver approximately 13,400 dwellings in Telford (**Policy SP1 – Telford**) and 1,200 dwellings in Newport (**Policy SP2 – Newport**).

**Policy HO10 – Residential Development in the Rural Areas** proposes 900 dwellings. As set out in the Technical Paper Rural Settlements the 900 dwellings proposed in the rural areas comprise of 240 existing planning permissions (270 existing consents less 20% lapse rate), 580 dwellings on 2 brown-field sites at former British Sugar land at Allscott (470 dwellings) and former Dairy Crest Depot at Crudgington (110 dwellings) and 80 dwellings are located in five specified villages of Edgmond, High Ercall, Lillishall, Tibberton and Waters Upton.

These 5 settlements were selected on the basis of highest levels of community infrastructure. The ranking of infrastructure is based upon the Wychavon Rural Study methodology (Technical Paper Rural Settlements paragraph 5.15). The Council should be aware that this study was criticised during the South Worcestershire Development Plan Hearing Sessions held earlier this year. It would be sensible for the Council to liaise with colleagues at Wychavon District Council so any similar deficiencies can be corrected before submission of the Telford & Wrekin Local Plan for examination.

The Council should re-consider if its proposed housing distribution is following the NPPG advice in recognising the particular issues facing rural housing in terms of housing supply and affordability (see above reference to affordability under Housing Needs section) and that all settlements can play a role in delivering sustainable development in rural areas so blanket policies restricting housing development in some settlements and preventing other settlements from expanding should be avoided (Technical Paper Rural Settlements paragraph 3.5).

**Policy SP3 – Rural Areas** proposes “giving preference to the re-use of previously developed land where this is in a sustainable location”. If by giving preference to brownfield land the Council is prioritising this approach would be

contrary to national policy. Therefore it is suggested that the wording of this policy is changed from “preference” to “encouragement”. The prioritising of previously developed land is inappropriate. This proposed prioritising of previously developed land is contrary to the NPPF. The core planning principle set out in paragraph 14 of the NPPF is to “*encourage the effective use of land by re-using land that has been previously developed (brownfield land)*” such encouragement is not setting out a principle of prioritising brownfield before green-field land. Similarly paragraph 111 of the NPPF states that “*Local Planning Authorities may continue to consider the case for setting a locally appropriate target for the use of brownfield land*” again there is no reference to prioritising the use of brownfield land. The Council’s proposal to prioritisation relates back to previous national policies which are now inconsistent with current national policy. In paragraph 17 of his determination of the Planning Appeal at Burgess Farm in Worsley Manchester (APP/U4230/A/11/215743) dated July 2012 (4 months after the introduction of the NPPF) the Secretary of State confirms that “*national planning policy in the Framework encourages the use of previously developed land but does not promote a sequential approach to land use. It stresses the importance of achieving sustainable development to meet identified needs*”.

## **Housing Supply**

In the Local Plan a total of 17 major sites are allocated (H1 – H17). As set out in paragraph 4.4 of the Technical Paper Housing Site Allocations dated July 2015 the Council has given priority to the release of public land in the ownership of Homes & Communities Agency (HCA) comprising of sites H4 & H5, H10 – H13, and H15 - H17. The Council has also given priority to other brownfield sites in public ownership comprising of Sites H3, H6 – H9, H11 and H14. In Telford the majority of development will be within the town itself together with two proposed strategic urban extensions located at Priorslee (1,105 dwellings) and Muxton (750 dwellings) respectively (**Policy HO2 – Housing Site Allocations – Site H1 and Site H2**). In Newport only one site (H13) is allocated because of the substantial number of existing unimplemented planning permissions (Technical Paper Housing Site Selection paragraph 4.3).

In allocating sites the Council should be mindful that to maximize housing supply the widest possible range of sites, by size and market location are required so that house builders of all types and sizes have access to suitable land in order to offer the widest possible range of products. The key to increased housing supply is the number of sales outlets. Whilst some SUEs may have multiple outlets, in general increasing the number of sales outlets available means increasing the number of housing sites. So for any given time period, all else being equal, overall sales and build out rates are faster from 20 sites of 50 units than 10 sites of 100 units or 1 site of 1,000 units. The maximum delivery is achieved not just because there are more sales outlets but because the widest possible range of products and locations are available to meet the widest possible range of demand. A wider variety of sites in the widest possible range of locations also ensures all types of house builder have access to suitable land which in turn increases housing delivery.



The proposed housing supply of 15,555 dwellings is set out in paragraph 5.8 of the Local Plan comprising of :-

- 3,243 dwellings built in 2011 – 2015 ;
- 968 dwellings under construct as at April 2015 ;
- 6,671 net dwellings from existing planning consents (8,339 dwellings with planning permission less 20% non-implementation allowance) ;
- 1,344 net dwellings from resolutions to grant planning consent (1,680 dwellings with resolutions to grant planning permission less 20% non-implementation allowance) ;
- 2,799 net dwellings from Local Plan site allocations (3,499 site allocations less 20% non-implementation allowance) ;
- 480 dwelling windfall allowance based on past trends ;
- 50 dwelling allocation in the made Madeley Neighbourhood Plan.

The non-implementation allowance on existing planning consents, resolutions to grant planning permissions and Local Plan site allocations provides a headroom of 2,704 dwellings on the 11,344 dwellings to be delivered over the remaining plan period.

At this time it has not been possible to assess the Council's 5 YHLS position. However it is unlikely that the Council's 5 YHLS position is as high as the 8.2 years supply stated in the 5 YHLS Statement 2014 – 2019 dated 20<sup>th</sup> March 2015. The reason for this unlikelihood is the assumption used in the calculation of 5 YHLS. The Council's calculation is fundamentally wrong in using an annualised OAHN figure of 497 dwellings per annum (9,940 dwellings divided by 20 years) as opposed to an annualised housing requirement figure of 778 dwellings per annum (15,555 dwellings divided by 20 years). The 5YHLS should be calculated on overall housing requirement that the Plan is seeking to deliver. It is recommended that the Council recalculates its 5 YHLS. When Bath & North East Somerset Council used a similar disaggregated method of calculation of its 5 YHLS this was challenged during the Core Strategy Examination Hearing Sessions. Subsequently the method of calculation was changed (refer to paragraphs 31 and 80 of the Inspector's Final Report dated 24<sup>th</sup> June 2014)

It is also debatable whether or not the Council should apply 20% buffer rather than the 5% buffer used in the 5 YHLS calculation. In the past the Council has not achieved its ambitious housing targets for a variety of reasons including lack of effective demand in early years of the new town, poor viability, long gestation period of SUEs and delays caused by HCA reviewing its land holdings (Telford & Wrekin OAHN Final Report by Peter Brett Associates paragraph 4.20).

In summary 15,000 dwellings is the deliverable supply capacity of the District (Telford & Wrekin OAHN Final Report paragraph 3.30). The proposed housing requirement of 750 dwellings per annum is broadly similar to the long term average of 775 dwellings per annum since 1978 and higher than the figures achieved in more recent times since 2011 (Technical Paper Housing Growth

paragraph 5.6.5) therefore providing a consistency to housing supply rather than a significant boost. The housing trajectory is set out in **Policy HO3**.

## **Affordable Housing**

**Policy HO5 – Affordable Housing** proposes on sites of more than 11 dwellings 25% affordable housing provision in Telford and 35% in Newport and rural areas subject to viability.

However the Council has confirmed that only 15% affordable housing provision was delivered over recent years from market led housing developments (Technical Paper Housing Growth paragraph 5.4.6). Whilst it is acknowledged that some developments in Newport and the rural areas where viability is not so marginal have achieved higher levels the Council's spatial strategy is focussing 13,400 dwellings out of 15,555 dwellings (86%) of development in Telford which is proven to be a less viable area.

The issue of viability particularly in Telford has been identified as a problem in various studies including the Affordable Housing Viability Study 2010 and the SHLAA Viability Study 2014. This poor viability is associated with the high costs of developing brown-field sites (Telford & Wrekin OAHN Final Report paragraph 4.20). In setting the affordable housing provision at 25% in Telford in Policy HO5 the Council is ignoring the conclusions of its own evidence.

If the Local Plan is to be compliant with the NPPF, the Council needs to satisfy the requirements of paragraphs 173 and 174 whereby development should not be subject to such a scale of obligations and policy burdens that viability is threatened. The Council should be mindful that it is inappropriate to set unachievable policy obligations. Under paragraph 174 of the NPPF the Council must properly assess viability. It is unrealistic to negotiate every site on a one by one basis because the base-line aspiration of a policy or combination of policies is set too high as this will jeopardise future housing delivery making **Policy HO6 – Delivery of Affordable Housing** ineffective.

At the time of this consultation it was not possible to carry out a detailed analysis of the Council's viability assumptions as the Viability Assessment by Peter Brett Associates could not be found on the Council's website. However it is suggested that the Council considers an up-date of its viability assessment with particular regard to any implications arising from the Summer Budget on the price paid for affordable housing given the proposed rent level reductions and the profit margin / risk profile associated with such units. It is also suggested that the Council adopts a cautious approach to the use of the densities and ratio of net to gross acreage as set out in the Technical Paper Density & Net Site Area Study in the Council's viability assessments which seem too high especially if cross referenced against the Land Use Change Statistics 2013 to 2014 published by DCLG on 6<sup>th</sup> August 2015.

Moreover if the Council proposes any modifications to **Policy HO5** because of the recent High Court Judgement West Berkshire District Council / Reading Borough Council and DCLG Neutral Citation Number [2015] EWHC 2222

(Admin) dated 31<sup>st</sup> July 2015 then any such changes should be subject to further consultation as the HBF and other interested parties may wish to submit additional comments.

## **Other Policies**

The Government wishes to streamline the planning system and to rationalise many differing existing standards into a simpler system which will reduce policy burdens and deliver more much needed housing. The Deregulation Bill 2015, which received Royal Assent in March 2015, specifies that Councils should not set any additional local technical standards or requirements relating to the construction, internal layout or performance of new dwellings. The only technical standards that can now be considered and incorporated into DPDs are restricted to the nationally described space standard, an optional requirement for water usage and optional requirements for adaptable / accessible dwellings. However to do so the Council should provide supporting evidence on need, viability, affordability and timing in order to assess the impact and effect of this policy in the local area. The Written Ministerial Statement dated 25<sup>th</sup> March 2015 confirms that *“the optional new national technical standards should only be required through any new Local Plan policies if they address a clearly evidenced need, and where their impact on viability has been considered, in accordance with the NPPG”*.

Under Bullet Point (1a) of **Policy ER1 – Renewable Energy** the Council proposes that “new buildings should be built to comply with Passive House Standard”. This proposal should be deleted.

**Policy HO4 – Housing Mix** refers to lifetime homes standards and the nationally described space standards. So in accordance with paragraph ID: 56-020-20150327 of the NPPG *“where a need for internal space standards is identified, local planning authorities should provide justification for requiring internal space policies”* the Council should provide evidence of :-

- *need – evidence should be provided on the size and type of dwellings currently being built in the area, to ensure the impacts of adopting space standards can be properly assessed ;*
- *viability – the impact of adopting the space standard should be considered as part of a plan’s viability assessment with account taken of the impact of potentially larger dwellings on land supply ... impacts on affordability ;*
- *timing – there may need to be a reasonable transitional period following adoption of a new policy on space standards to enable developers to factor the cost of space standards into future land acquisitions”*.

The Council has not provided any such evidence.

It is also suggested that proposals in **Policy ER10 – Water Conservation & Efficiency** and **Policy ER1 – Renewable Energy** Bullet Point 2 (decentralised energy production or connection to existing combined Heat & Power or Community Heating systems) are re-check for compliance with the

Written Ministerial Statement mentioned above and recent Government announcements including the Productivity Plan published on 10<sup>th</sup> July 2015.

## **Neighbourhood Planning**

The references to the Madeley Neighbourhood Plan and the Water Upton draft Neighbourhood Plan in various documents of supporting evidence are confusing. The Council should provide a clearer statement on the status of Neighbourhood Plan preparation across the District as well as greater clarity on the relationship between the Local Plan and Neighbourhood Plans.

## **Conclusions**

For the Telford & Wrekin Local Plan to be found sound under the four tests of soundness as defined by paragraph 182 of the NPPF, the Local Plan should be positively prepared, justified, effective and compliant with national policy. Currently the Local Plan is unsound because of :-

- an un-co-ordinated approach to growth which is not set in a regional context of unmet housing needs elsewhere ;
- an uncertain 5 YHLS position calculated on an annualised OAHN figure rather than an annualised housing requirement ;
- prioritising brownfield development ;
- an unviable affordable housing policy ;
- proposed housing standards which are inconsistent with Written Ministerial Statement dated 25<sup>th</sup> March 2015.

Therefore the Local Plan is not consistent with national policy. It is not positively prepared nor properly justified so it will be ineffective.

It is hoped that these representations are of assistance to the Council in informing the next stages of the Telford & Wrekin Local Plan. In the meantime if any further information or assistance is required please contact the undersigned.

Yours faithfully  
for and on behalf of **HBF**



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