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The Plan for Stafford Borough Examination

Examination Hearing Sessions

Thursday 24th October 2013 – Morning Session at 10.00am

Development Strategy (Spatial Principles SP3-SP7)

Attendees

Stephen J Pratt	Planning Inspector	The Inspector
Katharine Makant	Note taker	KM

Stafford Borough Council

Alex Yendole	Stafford Borough Council	AY
David Smethurst	Stafford Borough Council	DS

Other Participants

Sue Green	Home Builders Federation	SG
Sarah Wozencroft	Commercial Estates Group	SW
Justin Gardiner	Commercial Estates Group	JG
Stephanie Linell	Grainger Homes PLC	SLin
Colin Campbell	Taylor Wimpey/Bellway	CC
Nicole Penfold	Gladman Developments	NP
Steve Lucas	Gladman Developments	SLuc
Paul Sharpe	Fradley Estates / Stan Robinson Ltd	PShp
Tom Beavin	Walton Homes / MJ Barrett Group	TB
Tom Hutchinson	Providence Land Ltd	TH
Stephen Stoney	Baden Hall Enterprises	SS
Paul Shaw	Milwood Ltd	PShw
Frazer Sandwith	Akzo Nobel UK	FS
Jason Tait	Taylor Wimpey (Stone)/ St Modwen	JT
Russell Crow	Taylor Wimpey (Great Haywood)	RC
Tony Aspbury	Trent Vision Trust	TA
Paul Windmill	Local Resident	PW

1. Homework Relating to Previous Session

- 1.1 The Inspector referred to the previous session on housing requirements and, in particular, to discussions around the timing of the Local Plans of neighbouring authorities and economic drivers. He asked the Council to provide a short note on the current position of Local Plans and levels of housing provision in the following authorities: Stoke-on Trent and Newcastle-under-Lyme, East Staffordshire, Staffordshire Moorlands, Cannock Chase, South Staffordshire, Shropshire, Telford and Wrekin and Lichfield – **Homework 7 (N2.8)**. In addition, he asked the Council to provide a written note explaining how it had taken economic and social drivers into account, addressing points raised by Gladman Developments and explaining how it intended to meet affordable housing requirements – **Homework 8 (N2.17)**. The Inspector stressed that no new evidence was to be produced and assured participants that the two notes would be circulated for comment.

2. Settlement Hierarchy (SP3)

- 2.1 The Inspector asked the Council to explain its reasoning behind SP3 and how it had selected the Key Service Villages. AY referred to the Council's Examination Statement (M3/1a) and Topic Paper D (K1) and to consultation with Borough communities which had revealed overall support for the hierarchy. The Inspector noted the 2008 Settlement Assessment of Services and Facilities (D55) and its revision (D54) and also page 48 of Topic Paper D (K1), which explained how settlements had been divided into three groups. He noted that the Council had looked at a range of options from focus to dispersal and that there was general support for Stafford first, Stone second and Key Service Villages (KSVs) third.
- 2.2 On the selection of KSVs, AY said that in reaching its decision, the Council had taken account of D55 and D54, transport and environmental constraints and location of employment. In addition, it had wished to ensure that some provision was made for development in rural areas whilst aiming for the 'step change' in focussing new development on the urban areas.
- 2.3 SLin outlined the position of Grainger Homes, which was that the Council's approach was too narrow and did not address paragraphs 54 and 55 of the NPPF about enabling settlements to be sustainable and encouraging 'clusters'. In particular, the criteria used had focussed on existing facilities, ignoring factors such as the availability of broadband and working from home. Grainger felt that there was a role for smaller settlements in the hierarchy and wished to add two settlements to the third tier: Great Bridgeford and Ranton.
- 2.4 Speaking for Fradley Estates / Stan Robinson Ltd, PShp felt that there was a fourth tier – the rest of the rural area – which should be recognised in the hierarchy. In his view, the Council had failed to follow its own hierarchy when distributing housing since it had passed over Stone in favour of the KSVs.
- 2.5 PShw of Milwood Ltd spoke as a parish councillor and sought clarification on the relationship between Neighbourhood Plans (NPs) and the Plan for Stafford Borough. He noted that if an NP allocated housing in a village which was not a KSV, this would not conform with the Plan. The Inspector reminded PShw that the Parish Council had not asked to speak at the hearings but asked the Council to respond to the point he had raised.
- 2.6 On behalf of the Council, AY said that the Plan made provision for 800 houses in the 'rest of the rural area' so it did not preclude development outside KSVs. On Grainger's point, he acknowledged the reference to clusters in the NPPF but said that the short distances between the KSVs in Stafford did not warrant a 4th tier of smaller villages teaming up. On Neighbourhood Plans, he said that the Council encouraged these and that the 800 provision provided an opportunity for local communities to identify a scale of development appropriate to their locality.
- 2.7 The Inspector referred to the table in paragraph 6.54 of the Plan and to the updated figures provided on page 57 of the Schedule of Additional Modifications (A26). He noted that the revised figures showed that of the 800 provision for 'Other Borough Areas', only 216 houses were neither completed nor committed which meant that only just over 200 houses remained to be provided for the rest of the plan period. DS said that 800 houses represented 8% of the total provision which was a significant proportion of the whole, and that there was general support for this level of provision. He noted that the plan period had already started and that other policies, including Policy C5, provided context for Neighbourhood Plans.

- 2.8 PShw said that 200 houses equated to fewer than 1.5 houses per year per settlement and that Policy C5 prohibited development in the open countryside where many of the villages were located. The Inspector noted the reference to settlement boundaries in Policy C5.
- 2.9 TA outlined the concerns of Trent Vision Trust, whose primary interest was in Stone. He questioned how the settlement hierarchy would operate in the planning application system. The Trust's view was that the number of KSVs was already high and that there was a danger that the Plan's sustainable focus on Stafford and Stone would be diluted if more were added.
- 2.10 On behalf of Providence Land Ltd, TH said that he supported the hierarchy and that there was no justification for going below the KSVs. Development in rural areas in the past had been in a different policy context in which 'garden grabbing' and infilling were permitted. He noted that the Plan allowed for affordable housing in rural exception sites.
- 2.11 SLin of Grainger noted that SP3 was cross-referenced in paragraph A1 of Policy C5.
- 2.12 AY responded on behalf of the Council. In respect of Policy C5, he noted that whilst there was a requirement to demonstrate that provision could not be accommodated within the settlement hierarchy, the 'special circumstances' of paragraph 55 of the NPPF would also apply. AY confirmed that no settlement boundaries would be identified below the level of KSVs and that if a developer wanted to promote development in Great Bridgeford, for example, he would have to meet the requirements of Policy C5 paragraphs A 1-3. He acknowledged that this was a high bar but said that it was necessary in order to achieve the 'step change'.

3. Housing Growth Distribution (SP4)

- 3.1 The Inspector noted that there appeared to be majority support for the 72% distribution to Stafford, although one participant wanted it reduced to 50%. However, the distribution for Stone was a matter of contention, with figures ranging from 7.5% to 20% being proposed against the Plan figure of 8%. The figures proposed for Key Service Villages (KSVs) and rural areas ranged from less to more than the Plan figures of 12% and 8% respectively. He noted that the distribution could affect the level of overall housing development. He then asked the Council to explain its 'step change' approach, which aimed to redistribute past development patterns of 48% Stafford / 17% Stone / 35% rural areas.
- 3.2 AY referred to the evidence contained in Topic Paper D (K1), including consultation on six alternative strategies and development of the preferred option. He acknowledged that the strategy represented a 'step change' and that there was a 'serious job to be done'.
- 3.3 The Inspector summarised the representations as follows:
1. The Council's decision to make Stafford the major growth point was 'putting all the eggs in one basket';
 2. There were opportunities for development in Stone, an attractive market town with a canal, but by allocating only one modest Strategic Development Location and restricting development to 8% phased to avoid impact on The Potteries, the Council was underplaying the opportunities and causing difficulties with delivery;
 3. A limited proportion of development (12%) had been allocated to Key Service Villages but there was no figure for past provision in KSVs as distinct from other rural areas;
 4. The adopted Local Plan distribution of 78% Stafford / 17% Stone / 5% rural areas had

failed to materialise.

- 3.4 DS responded on behalf of the Council. He maintained that the decision to focus development on Stafford was a finely tuned balance and represented a marginal change from the adopted Local Plan. It was the implementation of the Local Plan which had failed, not the Plan itself. There was general support for a higher proportion of development in Stafford and a lower proportion in the rural areas. He acknowledged that the Stafford focus was a serious concern but said that the 'risk was worth the prize'.
- 3.5 On the issue of under provision at Stone, DS said that it was only one settlement, one third the size of Stafford, and that the Key Service Villages represented 11 settlements. Taking the percentage change in households, Stone would grow by 10% over the plan period which represented substantial growth.
- 3.6 The Inspector made reference to the revised figures for housing provision, as set out in paragraph 6.54 of the Plan and page 57 of A26, and noted that new provision for Stone was 401. AY confirmed that no part of the SDL at Stone had planning permission and that, if delivered later in the plan period (after 2021), it would result in 500 new homes which represented an over provision.
- 3.7 JT outlined the concerns of Taylor Wimpey (Stone), which had a site in Stone adjacent to the SDL, and St Modwen, which had various interests in the Borough, including in Stafford Town. His clients were seeking an increase in overall housing provision. Whilst not against Stafford as the focus, they believed that the Council had got the balance wrong on Stone. Based on past evidence, delivery in Stafford Town was uncertain whereas Stone was a good, sustainable, reliable location which had delivered 17% in the past. He proposed 15% distribution for Stone with Stafford Town and KSVs/rural areas reduced accordingly.
- 3.8 SS outlined the concerns of Baden Hall Enterprises, which had a site on the edge of Eccleshall – a KSV with a large rural hinterland. The site was outside the settlement boundary but was brownfield as it was former MOD land and could provide 100 homes including 40 affordable. He noted the existence of the Eccleshall Parish Plan and said that the Borough Plan as submitted, with provision for only 200 new dwellings across 11 KSVs, would provide no flexibility for further development. The provision for KSVs was far too low and the focus on Stafford restrictive. He proposed reducing the figure for Stafford Town to 50% and increasing KSVs to 24% and rural areas to 16%.

(A break for refreshments was held at this point.)

- 3.9 RC outlined the position of Taylor Wimpey (Great Haywood), making reference to paragraph 6.27 of the Plan, which referred to different levels of development in KSVs, and to paragraph 6.38, which referred to other settlements. In his view, the Council should set levels of development for individual KSVs and remove the provision for 'other rural areas'. He referred to Appendix 2 on page 58 of Topic Paper D (K1), which gave the scores for each KSV, and noted that the difference between the highest (Gnosall) and lowest (Yarnfield) was 20 points. In his view, the Plan did not give enough information on how the KSVs were to fulfil their role as 'hubs' for the rural areas. He proposed a figure of 1200 for KSVs to be defined at settlement level, which would include the 8% allocated to other rural areas.
- 3.10 PShw on behalf of Milwood Ltd said that he was in full agreement with the distribution but that the levels of provision should be higher. In his view, the SDLs were a risk in terms of

deliverability. If the SDLs were more evenly distributed, deliverability would be assured.

- 3.11 CC outlined the position of Taylor Wimpey/Bellway, which owned the West of Stafford SDL. He agreed with the 72% distribution for Stafford Town. He referred to NPPF core planning principles in paragraph 17, which in his view supported the focus on Stafford. He noted that this strategy was long-standing and had been supported by the Regional Spatial Strategy. The SDLs were critical to the deliverability of the focus on Stafford, since they offered the best chance of providing the necessary transport, employment, services and social infrastructure.
- 3.12 PShp expressed the concerns of Fradley Estates / Stan Robinson Ltd, which had a site with a 100 unit capacity east of Stone. In his view, the Council was not distributing housing growth in line with its own settlement hierarchy. Stone had delivered in the past but the Council was passing it over in favour of the KSVs and rural areas, thereby stimulating development in unsustainable areas. He proposed 15-17 % for Stone and 70% for Stafford.
- 3.13 TB spoke on behalf of Walton Homes / MJ Barrett Group, which had sites at Hixon and Stone. His clients had made representations to increase the overall level of housing provision by 1000 and wished to see the extra units allocated to the KSVs. Their reasoning was that the sites were deliverable in the short term and would contribute to the 5 year supply, whereas the Stafford allocations would take time and were complicated by infrastructure requirements.
- 3.14 SLuc made representations on behalf of Gladman Developments, which had a 100+ capacity site in Eccleshall. He referred to paragraph 152 of the NPPF and said that the Plan's emphasis on Stafford was too risky and might fail to deliver the required net gains across economic, social and environmental dimensions of sustainable development. His client sought a higher distribution for KSVs.
- 3.15 On behalf of Commercial Estates Group, which had interests in the Stafford East SDL and across the Borough, SW said that she supported the growth strategy and the focus on Stafford. The SDLs would provide opportunities to deliver infrastructure improvements that had not come forward in the past due to small scale development. However, she felt that Stone had been underplayed and, as the second largest settlement, could make a bigger contribution. She supported the proposal to define individual KSVs and to increase the KSV distribution by the 8% allocated to other rural areas. She also noted that her client had made representations to increase the level of overall housing provision to 650-700dpa. SW noted that the Stafford East SDL now had planning permission, although this was not included in the commitments.
- 3.16 With reference to the SHMA Table 4.12 (D5), the Inspector noted that the expected distribution of affordable housing need broadly supported the Council's position.
- 3.17 On behalf of Providence Land Ltd which had an interest in Gnosall, TH said that his client had no issue with the Stafford and Stone distribution but he wished to see the figure for rural areas reduced to 4% (representing commitments) and the figure for KSVs increased to 16%. If the overall level of provision increased, he would wish the distribution to remain the same with his amendments.
- 3.18 On behalf of Trent Vision Trust, TA said that, with no sites to promote, the Trust's interest was in maintaining the sustainability and vitality of Stone. In his view, the plan was unsound because of a 'disconnect' between SP3 and SP4. Stone was recognised in the hierarchy as a

significant, sustainable location and its value was that it could deliver in the short term. Whilst he did not dispute the emphasis on Stafford, there were issues of deliverability, especially in the early years. He supported increasing the figure for Stone to 15% and decreasing the figure for rural areas.

- 3.19 On behalf of Taylor Wimpey (Stone)/ St Modwen, JT said that paragraph 173 of the NPPF required careful attention to be paid to viability and deliverability.
- 3.20 PW did not accept the claim made by other representors that the adopted local Plan had 'failed'. He noted that it had exceeded its requirement by 30%. In addition, he noted that some of the settlements described as 'rural areas' e.g. Meir Heath & Rough Close, were in fact suburbs rather than green countryside.
- 3.21 The Inspector noted that there was general support for the focus on Stafford but that there was disagreement about the distribution for Stone and KSVs and rural areas. In terms of Stone, he asked the Council whether it had any concerns about the impact on the Potteries of increasing the proportion of housing at Stone. AY referred to the proximity of Stone to the North Staffordshire Green Belt, regeneration initiatives at the Potteries, infrastructure, green spaces, employment and the relationship between Stone, Stafford and the KSVs.
- 3.22 DS reiterated that Stone was one settlement whereas the KSVs represented 11 settlements, and that 8% represented a significant amount of development for Stone. In many ways, it was an easier option to go for development in Stone and the KSVs but this would have implications for the delivery of regeneration in Stafford.
- 3.23 On the issue of increasing the distribution to KSVs, DS said that the level of distribution was appropriate and the Council would definitely not increase the distribution to rural areas. On the proposal to define individual KSVs, DS said that whilst this would be useful for developers, it was against the principles of localism and the Neighbourhood Plan process. The Council intended to work with local communities and provide guidance on SP3 and SP4. The Inspector noted that Neighbourhood Plans (NPs) would have to be in general conformity with the Borough Plan and that KSVs would have their settlement boundaries defined either in the DPD or by the NPs themselves.
- 3.24 With reference to the table in paragraph 6.54 of the Plan, as updated by A26, the Inspector noted that only 537 houses remained as new provision out of the total allocation of 1,200 for KSVs. This was not a large amount to be split between 11 villages. DS commented that there were also a high number of commitments. He noted that KSVs differed in scale and that new provision would need to reflect this. He acknowledged that Neighbourhood Plans which were not KSVs would have to comply with Policy C5.
- 3.25 PShw said that his Parish Council had been told that they could allocate what they wanted within their Neighbourhood Plan but that the Council had just contradicted this advice. The Inspector noted that Sandon and Burston Parish Council was not a KSV and that it would be classified as a rural area. New provision would therefore be restricted to a maximum of 216 houses. PShw said that their Plan proposed 28 new houses and asked what happened if other Neighbourhood Plans secured all of the allocated provision. AY noted that the Plans would need to comply with Policy C5 and that the scale of proposed development would need to be in the context of the 216 provision. DS acknowledged that there was potential tension between Neighbourhood Planning and the need to conform with the Local Development Framework.

- 3.26 On the issue of distribution to Stone, PShp on behalf of Fradley Estates / Stan Robinson Ltd said that the Council's objection to increasing distribution to Stone on the grounds of the impact on Stafford was undermined by its insistence on 'stoking up' development in the KSVs. As an example, he cited 50 houses in Eccleshall as significant development.
- 3.27 SLin on behalf of Grainger said that she supported the proposal to reduce the distribution to rural areas to cover only completions and commitments.
- 3.28 The Inspector noted that the Council had proposed its 'step change' strategy after long and careful consideration including consultation which suggested a large level of support. He asked the Council whether, in the light of all the representations made both in written submissions and at the hearings, it had heard anything to convince it that the Plan was unsound. DS said that it had not. He added that the Council's priority was Stafford Town so it could not support increasing distribution to the lower levels of the hierarchy. Any increases to Stone would need to take account of the impact on North Staffordshire.
- 3.29 The Inspector noted that further sessions were to be held on deliverability and that these would have a bearing on housing distribution.
- 3.30 On the timescale for completion of homework, the Inspector noted that this was likely to take a few days and that further homework would be set in later sessions. However, participants would be given a chance to comment and there would also be a formal six week consultation period on any major modifications. He noted that there was provision for Inspectors to issue 'interim findings'.

(The session was adjourned for lunch at 1.15 pm.)