



THE PLAN FOR STAFFORD BOROUGH PART 2 – EXAMINATION
WRITTEN STATEMENT ON BEHALF OF FRADLEY ESTATES
THURSDAY 21ST JULY 2016 – ISSUE 3 SPECIFIC SETTLEMENT BOUNDARIES – STONE

1 Summary

- 1.1 Fradley Estates own the 0.67 ha site off Saddler Avenue, Aston Lodge Park, Stone (Appendix 1). The site was included in an allocation for housing in the Stone Area District Plan 1980 (P2-L24); was subject of Supplementary Planning Guidance in 1981 (P2-L22) and forms part of the planning permission for the Aston Lodge Park Estate granted in the 1980's (P2-L23). The site has been reserved for local centre use in accordance with Development Plan policy and the planning permission since that time. In the Stafford Borough Local Plan 2001 it was included within the RDB.
- 1.2 However, since 2008 it has been included in the SHLAA as being suitable and available for housing development. Pre-application discussion commenced in April 2012, the Council confirming that local centre uses were no longer required and that the principle of housing development is acceptable. An outline application for 10 dwellings is currently before the Council. The Council indicates a recommendation of refusal because the site lies outside the proposed Settlement Boundary in P2-A1. SP7 of P2-C1 sets out criteria for the establishment of Settlement Boundaries; the site satisfies the criteria and therefore the Settlement Boundary should be drawn to include the site. The Council has not drawn the boundary in accordance with the criteria and so the Plan is not positively prepared; is not justified and is not consistent with national policy. The Inspector is requested to recommend the inclusion of the site within the Settlement Boundary as shown in Appendix 1.

2 Introduction

- 2.1 This Statement addresses Issue 3.1(ii) and 3.4 acknowledging that, with a capacity of 10 dwellings, the site makes little material contribution to flexibility but neither would it undermine strategic objectives. The planning status of the site is clarified and it is tested against the criteria for the establishment of Settlement Boundaries. In addition, assessment of the site is made in the context of landscape character and we comment on the Council's related Library documents.

3 Objection

- 3.1 Para 6.63 of P2-C1 includes Spatial Principle 7 which, in turn, sets out criteria for establishing Settlement Boundaries.
- 3.2 In this particular case, the definition of a new settlement boundary is somewhat academic because the site continues to be reserved for local centre use as part of the Aston Lodge Park outline planning permission. It is axiomatic that the site is not located in open countryside and is an integral part of the Aston Lodge Park



- Estate and has been for the past 30-35 years; it being envisaged from the outset that it would not be developed until the latter part of the overall Estate's development. See P2-L22 paras 11.3 and 11.5
- 3.3 The reservation of the site for local centre uses is the reason why the site has not been developed before now.
- 3.4 Without prejudice to that argument, the site is now tested against the principles (a) – (l) of SP7.
- 3.5 **(a)** – the site is clearly in or adjacent to the settlement. It has been for the last 30-35 years and is an integral part of the allocation (P2-L24); the adopted Planning Guidelines (P2-L22) and the planning permission that is the Aston Lodge Park Estate (P2-L23). It is owned by a developer and has not been and is not in any other use eg agriculture.
- 3.6 The site was created by the infilling of the junction of two incised valleys partly to carry the loop distributor road across that valley. In addition the stream courses were put into culvert in order to create the platform for the local centre, ie at the focal point of the estate.
- 3.7 **(b)** – the site is small relative to either the settlement of Stone or even the Aston Lodge Park Estate itself and therefore is of "appropriate scale".
- 3.8 **(c)** – located adjacent to the main distributor road through the Estate, the site is well related to the rest of the Estate; to local services and is highly accessible. Its development would constitute sustainable development and therefore would attract the full weight of NPPF 14.
- 3.9 **(d)** – the site is accessible by public transport and indeed fronts onto a bus service route – Service 2 providing a 30 minute service to Stone town centre Monday – Saturday. More frequent services to more distant locations are available c550m away. Again the NPPF 14 presumption in favour of sustainable development on this site would apply.
- 3.10 **(e)** – all necessary infrastructure is already in place to serve the site, ie gas, water, electricity, telecoms, foul and surface water drainage. These services were planned into the site as part of the overall development of the Aston Lodge Park Estate. It follows therefore that it must be "the most sustainable" site.
- 3.11 **(f)** – development of the site would not impact adversely on the character of the area (which in any event is not designated as being "special"); the site is not identified as an important open space or view and therefore there would be no material impact in that context and there are no designated heritage assets that could or would be affected by its development.



- 3.12 **(g)** – as part of the planned Aston Lodge Park Estate, development of the site would have no material impact on landscape character interests (see para 3.35 etc below).
- 3.13 **(h)** – a Preliminary Ecological Appraisal of the site indicates that because of its man made nature, the site is of low ecological value, only the overgrown hedge to the southern boundary being of interest – which can be retained in any development.
- 3.14 **(i)** – development of the site would not lead to the loss of any important open space or locally important community facility. The site does not constitute a “Local Green Space” for special protection as in NPPF 76; a point which now appears to be accepted by the Council in response to representations on Part 2. (See P2-G22 pp23)
- 3.15 **(j)** – a Flood Risk Assessment has demonstrated that, subject to recommended finished floor levels, the site is not at risk of flooding and would reduce the risk of flooding elsewhere.
- 3.16 **(k)** – appropriate vehicular, pedestrian and cycle access to the site can be obtained directly from Saddler Avenue and Blackies Lane, an arrangement agreed in pre-application discussions with the Highway and Planning Authorities.
- 3.17 **(l)** – residential development immediately borders the site only to the north west but the site is at a lower level. With appropriate spacing between dwellings, a layout design has been developed in pre-application discussion with Planning Officers such that the character and amenity of the locality would not be adversely affected.
- 3.18 The site is now tested against the Council’s additional “practical” assessment criteria set out in para 2.11 of Part 2.
- 3.19 Firstly, the site is physically contained by the boundary fence that is the well established boundary to the Aston Lodge Park Estate, by established housing to the north west and by Saddler Avenue and Blackies Lane to the west and south respectively. It is not the case, for example, that the site lies beyond the built confines of the locality or in open countryside.
- 3.20 Secondly, the site forms part of a statutory Local Plan allocation for housing that remains to be developed. The site has been reserved for potential local centre uses but the Council agree that such uses are no longer required and the owner/developer is now bringing the site forward for housing in lieu.
- 3.21 Thirdly, the site lies within the RDB of the Plan for Stafford Borough 2001 (P2-L25). The clear purpose of the RDB was to provide an indication of where development was and was not acceptable – in practice, the same purpose as a Settlement Boundary. In our view (and the Council has not set out any reasoned justification for the change) there have been no material changes in planning circumstances to warrant exclusion of the site from the RDB/SB.



- 3.22 Four, there are no landscape or environmental designations affecting the site and therefore they do not present a constraint on inclusion of the site within the Settlement Boundary.
- 3.23 Five (and eight), the scale of new housing development to be provided in Stone is substantial and recent monitoring suggests that commitments just exceed planned provision. However, target figures are not ceilings and the requirement of NPPF 47 is to boost significantly housing delivery. The site is relatively small with a capacity of 10 dwellings; would make a useful contribution to housing delivery in this part of Stone but would not materially or adversely affect the strategic distribution of new housing within the Borough or at any strategic development location.
- 3.24 Six and seven, the site does not involve garden land or a Neighbourhood Plan and so these additional criteria for establishing Settlement Boundaries are not relevant in this case.
- 3.25 The final paragraph of SP7 appears to introduce a “brownfield first” approach to development but appears not, explicitly, to be a Settlement Boundary criterion. In that the site is not a greenfield site (as defined) it is considered that it attracts the policy preference of brownfield first conferred by this part of SP7.
- 3.26 To explain, in the glossary to P2-C1 the Council defines “greenfield site” as “land (or a defined site) usually farmland, that has not previously been developed”.
- 3.27 This definition (not that contained in NPPF) is that which the Council has used in formulating its policies in its Adopted Local Plan.
- 3.28 Assessed against this definition, the application site is not “farmland” and has been previously developed in that a substantial engineering operation took place in laying the culverts through the site and in depositing up to 4.9m of subsoil thereon in “engineering” the site. The site is mostly man made.
- 3.29 Following this preliminary engineering operation, the site has been safeguarded for local centre use and benefits from the historic outline planning permission for the overall Aston Lodge Park Estate.
- 3.30 As a committed non greenfield site therefore it attracts the policy preference inferred by the final paragraph of Policy SP7.
- 3.31 **SBC’s response to the objection** – is set out in P2-G22 pp25. Put simply, that development is not required and releasing this land for development would undermine the Sustainable Settlement Hierarchy
- 3.32 In response, whilst the level of completions and commitments post adoption may exceed that planned, the level of provision set in the Plan is not a ceiling and NPPF 47 calls on authorities to boost significantly the supply of housing.



- 3.33 Further, each site must be considered on its merits and, in our view, it cannot be the case that 10 additional dwellings would undermine the Sustainable Settlement Hierarchy set by a Plan involving some 10,000 houses.
- 3.34 On the contrary, as a sustainable site located within the settlement, it attracts the full weight of NPPF 14 and, modestly, would contribute to choice and flexibility in housing supply.
- 3.35 **Landscape Character** – although not designated for its landscape qualities, we assess those attributes of the site.
- 3.36 Reference to the Staffordshire Landscape Character Assessment shows the site located within the “Needwood & South Derbyshire Claylands” Regional Character Area and within the “Settled Farmlands” landscape character type.
- 3.37 The Assessment cautions about the limitations of the guidance because the landscape descriptions are just that; they are descriptions of whole landscapes and not part of landscapes or site specific features. At best the Assessment can only “inform” the site specific assessment. Like agricultural land classification maps, the Assessment document is not intended to enable assessment at a “field” or at a “site” based level.
- 3.38 The subject site is not natural; is artificial and manmade in nature, and is set across the grain of the natural landform. The site is entirely made ground formed from the deposit of circa 4.9m of subsoil arising from the excavation of foundations etc during the construction of the Aston Lodge Park development. Located at the confluence of two incised stream courses, those natural features of landform and landscape have been obliterated by the culverting of the streams to facilitate construction of the loop distributor road around the Aston Lodge Park Estate and the subject site.
- 3.39 In landscape character terms therefore the site is wholly incongruous and, whilst not containing any of the discordant features attributed to the Needwood & South Derbyshire Claylands or to the Settled Farmlands character type, the site is itself an alien feature in the landscape.
- 3.40 Rather than the natural features of tree lined incised valleys, those features have been obliterated save for the remnant hedgerow to the Blackies Lane boundary which has developed into a broadleaved woodland. Peripherally located, it can be easily accommodated in any development layout.
- 3.41 As made ground which has obliterated the original natural landform, the site is an alien feature contributing little to landscape character. Only the remnant broadleaved woodland on the south east boundary has any vestige of intrinsic landscape character and can be retained.

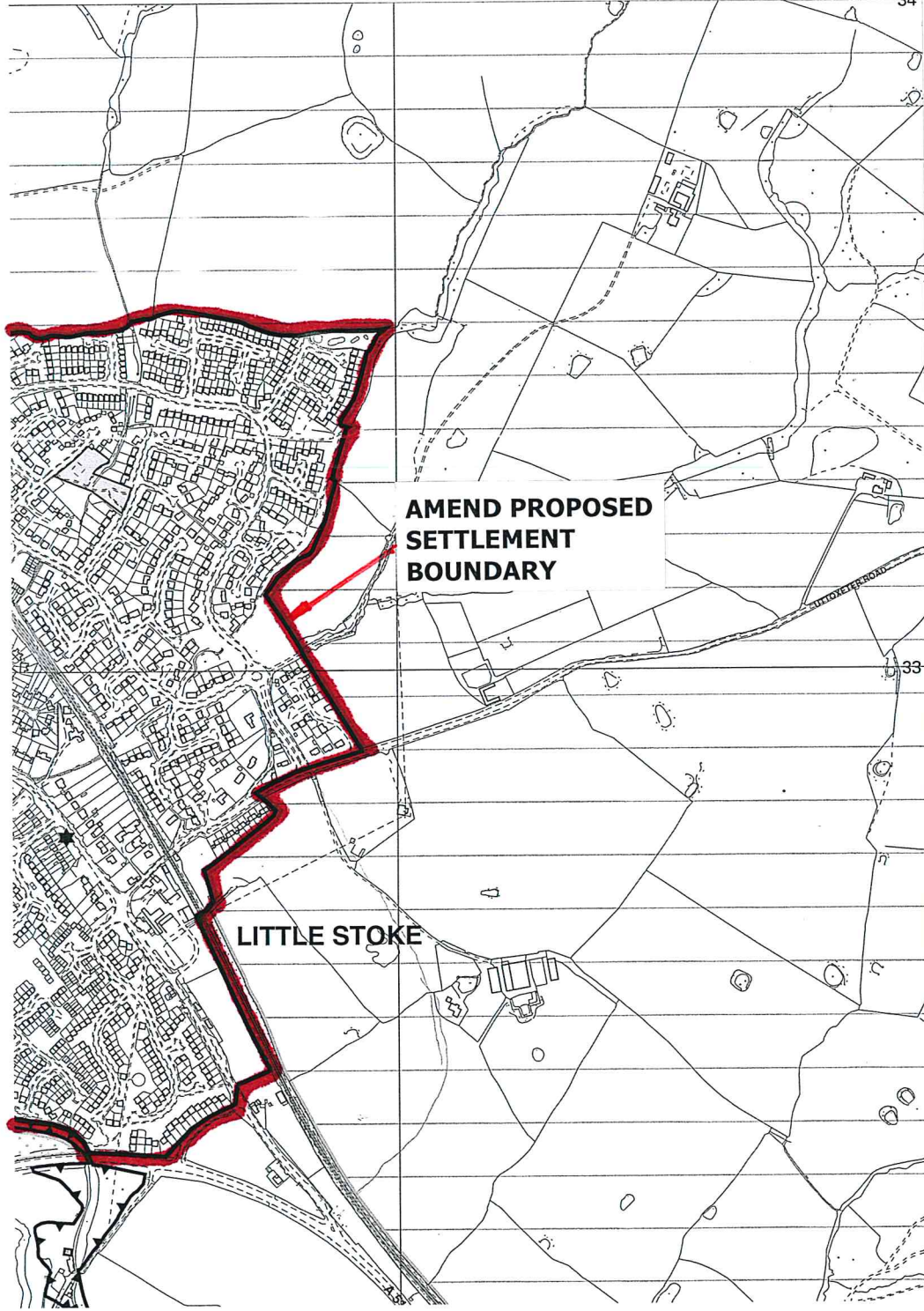


- 3.42 The location of the site as an integral part of the urban extension that is the Aston Lodge Park Estate means that it is neither physically nor visually intrusive in its surroundings, enclosed by development to three sides and rising ground to the other. The site does not intrude into the countryside beyond the Settlement Boundary.
- 3.43 **Stafford BC's library evidence** - we comment on P2-J6; P2-J16 and P2-J22.
- 3.44 **P2-J6** – is entitled "Applications within the Settlement Boundaries" (sic). We are bemused by this description, (a) because there are no current Settlement Boundaries, (b) only one Boundary has been/is being proposed for Stone and (c) all four sites lie outside the RDB of the superseded Plan.
- 3.45 As extant planning permissions we would anticipate sites being incorporated within any **proposed** Settlement Boundary but the title does not indicate **proposed** Boundaries.
- 3.46 All four sites lie **outside** the RDB of the 2001 Plan (P2-L25) (the objection site lies within that RDB) and involve 9, 33, 92 and 9 dwellings respectively (the objection site is for 10 dwellings).
- 3.47 All four sites involve intrusions of development into open countryside onto agricultural land. Site 1 was granted planning permission just before adoption of Part 1 (but the expiry of RDB's was already known) and Sites 2 and 3 were granted after adoption of Part 1 but (obviously) before adoption of Part 2.
- 3.48 Clearly the former RDB is a material consideration in establishing a new Settlement Boundary. The Council has consistently permitted development beyond the RDB, intruding into open countryside on a significant scale. To the contrary, the objection site is within the former RDB; does not involve agricultural land; does not intrude into open countryside; is not of significant scale and has an established Development Plan status.
- 3.49 **P2-J16** – merely confirms that planning permission has been granted at the SDL.
- 3.50 **P2-J22** – only 3 of the 4 appeal decisions cited relate to Stone, ie 4, 5 and 6.
- 3.51 Decision 4 (15/05/15) for 64 dwellings is not relevant. Although located outside the RDB and a significant intrusion into open countryside, the appeal was dismissed on conservation area setting and listed building setting grounds.
- 3.52 Decisions 5 and 6 relate to the same site. Again, this would be a significant intrusion into open countryside involving 114 dwellings. The first appeal was dismissed (23/09/14) on residential amenity, ie traffic and noise, grounds. The second appeal is pending.
- 3.53 Consequently, in our view, none of the appeals cited is relevant to the delineation of a Settlement Boundary involving the objection site.



4 **Conclusion**

- 4.1 The Council has not drawn the Settlement Boundary in accordance with the adopted criteria. The above evidence demonstrates that the objection site satisfies the tests for Settlement Boundary delineation; makes little or no contribution to landscape character; is a sustainable location attracting the full weight of NPPF 14 and should therefore be included within the Settlement Boundary to Stone.
- 4.2 In addition, we can find no representations seeking the exclusion of this site from the Settlement. The Council has been aware since 2008 (SHLAA) and in pre-application discussion since 2012 of the applicant's wish to bring forward the site for housing. The Council has encouraged its use for housing despite, technically, its continued safeguarding for local centre uses. However the Council has arbitrarily removed the site from the SHLAA and sought to exclude it from the Settlement Boundary. It now proposes to refuse planning permission on the basis of a policy which, as yet, carries no weight.
- 4.3 The site is the most sustainable location on the estate and any adverse impact of including it within the Settlement Boundary would neither significantly nor demonstrably outweigh the benefits when assessed against the policies of the Framework taken as a whole. In plan-making terms the site attracts the full weight of the presumption in favour of development set in NPPF 14.
- 4.4 The Inspector is therefore requested to recommend the inclusion of the site within the Settlement Boundary for Stone as shown on the plan at Appendix 1.



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Client
FRADLEY ESTATES

Drawing Title
STAFFORD BOROUGH LOCAL PLAN (PART 2)
SETTLEMENT BOUNDARY

Project
LAND OFF SADDLER AVENUE
ASTON LODGE PARK, STONE

Date
JUN 15

Scale
1:10000

Drawing No
PSA/FE/06015/01