

## The Plan for Stafford Borough Part 2 -Examination

### Issue 3: Proposed Settlement Boundaries:

- i) Criteria, capacity, flexibility
- ii) Specific Settlement Boundaries - Stone

### Statement by Aspbury Planning on behalf of Mr O. Dyke (The Representor)

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#### 1.0 Introduction

1.1 The Representor considers that the Submitted Plan is unsound. He considers that the application of settlement boundaries, particularly for the towns of Stafford and Stone, and the fact that the proposed boundaries are (too) tightly drawn around those Towns, mean that the Plan is not positively prepared, justified, effective or consistent with national policies.

1.2 The underlying thrust of The Framework is a positive one, encouraging development of all types so long as it does not cause demonstrable harm to interests of acknowledged importance and setting out a presumption in favour of sustainable development. Sustainable development may be delivered through positive land-use allocations in development plans and by ad hoc planning applications with, in the case of the latter, the essential quality of sustainability being determined objectively on a case-by-case basis by reference to recognised and/or defined criteria.

1.3 In the circumstance Representor considers that settlement boundaries are potentially in conflict with the Framework. They should, therefore, be used only in limited circumstance and certainly not to tightly contain and thereby to constrain the expansion of large settlements, such as the towns of Stafford and Stone, which are clearly sustainable locations for new development which may take place in or on the edge of such settlements.

1.4 The Representor questions the need and purpose of settlement boundaries, especially for Stafford and Stone and considers that such boundaries are unnecessary, inflexible and will inhibit the delivery of sustainable development.

#### 2.0 Addressing the Sub-issues identified by the Inspector

2.1 Criteria, capacity, flexibility.

2.1.1 In order to meet the terms of the Framework (notably policies 14, 20 and 47) and Spatial Principles 1, -2, -3 and -4 of the PFSB, it is vital that the settlement boundaries, *if they are applied at all*, are not drawn too tightly so that they act as an unnecessary and unreasonable constraint on the national and local growth agenda and on the delivery of sustainable development.

- 2.1.2 It is noted in the draft Part 2 Plan that development provision in the PFSB (Part 1) is neither a ceiling nor a target (Para. 2.4). However, settlement boundaries are implicitly and intrinsically restrictive of growth. Indeed it is difficult to see what other spatial planning policy function they are intended to perform. Tightly drawn settlement boundaries inhibit the *capacity* of the Towns to fulfil their potential to accommodate significant levels of sustainable development.
- 2.1.3 Unless drafted and applied with *flexibility* there is a real danger that they will become an undesirable straitjacket and will rapidly become outdated and irrelevant? In particular if applied arbitrarily and in isolation by a decision-maker, as an absolute determinant of compliance with development plan policy and thus the acceptability of a development proposal (perhaps as a lazy or politically expedient 'soft' option), they will pre-empt and prevent development that may otherwise be perfectly sustainable and acceptable and thereby prevent the delivery of needed development, including housing. Accordingly, they will be fundamentally at odds with the principles, objectives and policies of the Framework.
- 2.1.4 Whether proposed development is, or is not, sustainable needs to be determined objectively by a decision maker on the merits of the proposal at the time it is advanced, having regard to the facts and to material considerations, by reference to criteria, including the three dimensions to sustainable development set out in the Framework, to criteria-based policies in the development plan and to national and local designations etc.. The problem is that the alignment of settlement boundaries, once established, all too easily becomes fixed over the long term and (not being susceptible to review) and the first and ultimate arbiter of the acceptability of development, pre-empting and precluding a proper objective consideration of a proposal. Such an approach fundamentally undermines the growth agenda that underpins local and national policy. Moreover, settlement boundaries can, like Green Belt policy, be misunderstood by the community and become in the public mind an absolutely inviolable line of demarcation to be defended at all costs - causing confusion and placing undue political pressure on decision-makers in future.
- 2.1.4 The Representor suggest that, if the principal objective of their delineation is to maintain the settlement hierarchy and regulate the relative scale of development between settlements, then any boundaries around Stafford and Stone should, in principle, be looser and more flexibly applied and those around KSVs and other settlements tighter, although still allowing some flexibility. The challenge then is what *criteria* the drafter of the boundary applies to define these looser boundaries. Trying to second-guess or anticipate where growth might be allowed in future by setting aside some unallocated 'white land' around which boundaries are drawn is itself an exercise fraught with difficulties.
- 2.1.5 It is for this reasons that, as has already been noted, the Representor fundamentally questions whether Stafford and Stone need or should have a settlement boundary, as the implied limitation on their growth belies and undermines their premier position in the settlement hierarchy and automatically imparts inflexibility to the development plan and development management processes. Notwithstanding this contention, as will be made clear below, the Representor considers that the proposed boundaries, notably that for Stone are presently far too tight.

- 2.1.6 The Representor welcomes the deletion of 'Previous residential development boundaries (as defined in the SBLP 2001)' criterion as set out in the previous draft of this Plan for the reasons given in its representations on that draft (See Para. 2.15 of the Plan). The problem remains that, whilst ostensibly abandoning this criterion, the actual boundary proposed remains essentially that contained in the 2001 Local Plan, save where new allocations are made in the current PFSB.
- 2.1.7 Thus, all settlement boundaries should demonstrably be genuinely, objectively and rigorously reviewed in the context of the current national and local planning policies, notably the presumption in favour of sustainable development and the growth agenda. The danger with simply re-applying old boundaries (albeit making a token claim of re-appraisal) is that the new Plan will simply reinforce a constrained approach to development and be both internally inconsistent and externally inconsistent with the Framework, therefore.
- 2.1.8 Settlement boundaries are a land use policy-driven designation - to reinforce the settlement hierarchy by regulating the relative scale of development between settlements, whilst environmental and landscape designations are environmental/qualitative policies. There is no need for them necessarily to coincide and it is perfectly possible that environmental and landscape designations, which, in terms of their application to development proposals are both within and without settlement boundaries as indeed the draft Plan itself accepts elsewhere.
- 2.1.9 The Representor is deeply concerned about the 'Scale of new development...' criterion (b) and how this will be interpreted and applied in practice. This suggests an unevidenced pre-judgement of the absolute (as opposed to the relative) scale of growth and an approach that is prejudicial to further growth even where it is demonstrably sustainable and consistent with the settlement hierarchy. Given that development provisions are neither ceilings, nor targets and given the long life of the Plan, the setting of development boundaries apparently to accommodate absolute levels of development is demonstrably constraining, inflexible and contrary to the Framework.
- 2.1.10 The Representor submits that the second part of SP7 contains *too many* criteria and that, in any event, on the evidence of the proposed boundary for Stone (and indeed) for Stafford, these criteria have not been consistently applied in context.
- 2.1.11 It is suggested that a *better* approach would be to differentiate between Stafford/Stone and the KSVs and the other (rural settlements). As is clear from the above commentary, the Representor would prefer to see no settlement boundaries for Stafford and Stone at all and for the acceptability of additional development in and on the edge of these settlements to be judged against criteria-based policies and on the scale of the development relative to the size of the two towns. The following new clause in SP7 is proposed:
- "No settlement boundaries are proposed for Stafford and Stone which are at the top of the settlement hierarchy and are capable of accommodating major development. Proposals for additional development on the edge of these towns, over and above that committed through planning permissions and allocated in the Plan, will be permitted where it can be demonstrated that they comprise a scale of development that is proportionate to and consistent their size and with Policy SP4, constitute sustainable development, accord with the other policies in*

*the Plan read as a whole and would not cause demonstrable harm to interests of acknowledged importance."*

2.1.12 The existing 12 clauses in the second part of the Policy would then apply to the definition of settlement boundaries in lower order settlements, noting always that these clauses duplicate other policies in the Plan and that at least clauses d) to l) could be replaced by a single criterion:

*"-) Constitute sustainable development, accord with other policies in the Plan for Stafford Borough read as a whole and would not cause demonstrable harm to interests of acknowledged importance."*

2.1.13 The Representor proposes an additional criterion:

*"Accommodating the whole of a discrete settlement within a single boundary and the avoidance of settlement fragmentation".*

2.1.14 Thus, there is concern that the almost irresistible urge for the Authority to draw unnecessarily tight boundaries will result in inappropriate disaggregation and fragmentation of coherent settlements, harmful to their social and economic identity and unity.

2.1.15 The same rationalisation of criteria should be applied if, despite these representations, the Council resolves to define settlement boundaries for Stafford and Stone.

## 2.2 Specific Settlement Boundaries - Stone

2.2.1 Notwithstanding and without prejudice to the representations in Section 2.1 above, the Representor considers that that boundary proposed for Stone is too tightly drawn generally and will unnecessarily and unreasonably constrain needed growth and sustainable development throughout the Plan Period.

2.2.2 Furthermore, the Representor considers that the delineation of the boundary is arbitrary, inconsistent and inflexible by reference to sound spatial planning principles and having regard to the position of Stone in the settlement hierarchy and its intrinsically high level of sustainability.

2.2.3 The 'straitjacket' character of the boundary is contrary to the national and local growth agenda and to the settlement hierarchy. It manifests clear physical, landscape and visual anomalies and prejudices and pre-emps sustainable development in future. It will also encourage town-cramming, to the detriment of the character of the Town.

2.2.4 The disaggregation of the Town into two fragmented parts, each with discrete boundaries, separated by the Trent Valley, is an arbitrary and unnecessary proposal, especially given that there are obvious logical and defensible natural or man-made boundaries that would admit of a single boundary (e.g. the A34 in the north and the A51 in the south).

- 2.2.5 The exclusion of the Trent Valley corridor from the boundary is illogical on landscape, townscape, visual and socio-economic grounds and, in any event, the detailed delineation of the boundary here is arbitrary, inconsistent and self-serving. The exclusion betrays confusion as to the proper function of the boundary delineation - it is a policy designed to reinforce the settlement hierarchy and regulate the relative scale of development, not an 'urban form' or environmental protection policy. Other policies in the suite of existing and emerging development plan documents fulfil these latter roles quite satisfactorily.
- 2.2.6 Accordingly, if a boundary is retained, it should be redrafted to include both the currently separated parts of Stone within a single boundary and also to allow some flexibility for future growth on the edge of the urban area in a manner that reflects an objective and consistent approach to applying proper definition criteria, upon which the Representor has already commented above.