

Our Ref: PJF/DB/PF9541
(Please reply to Banbury office)

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30th June 2016
(Delivered by email)

Programme Officer
Stafford Borough Council
Civic Centre
Riverside
Stafford
ST16 3AQ

Dear Sir,

TOWN AND COUNTRY PLANNING ACT 1990
Hearing Statement – The Plan for Stafford Borough – Part 2: Public Examination
Land North of Trent Road, Stone

This Hearing Statement addresses *Issue 3: Settlement Boundaries: Policy SB1* of the Planning Inspectors Key Issues and Discussions Note in relation to the parcel of land located to the North of Trent Road (*the site*) in Stone and the proposed Stone Settlement Boundary.

Background

- 1.0 The site (**Appendix A**) has had the benefit of a residential allocation in the Stafford Borough Local Plan (2001) under Policy H17, and was retained within Stone's Residential Development Boundary (RDB) until June 2014. During the Public Examination for the Plan for Stafford Borough Local Plan (2011-2031) a Main Modification was included that removed the Residential Development Boundaries, to be replaced by new Settlement Boundaries and defined in the Plan for Stafford Borough Plan 2 (PSB2).
- 1.1 The proposed Settlement Boundary as shown in the Stone Inset Map included within the PSB2 now excludes the site. Representations were submitted to the PSB2 consultation that objected to the proposed

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Stone Settlement Boundary. The representation recommended, to make the Plan sound, that Stone Settlement Boundary be amended to include the land to the north of Trent Road. The proposed Settlement Boundary as shown in the Stone Inset Map excludes the land north of Trent Road, and this remains the case in the submission document.

1.2 The purpose of this Statement is to demonstrate, that in accordance with paragraph 182 of the National Planning Policy Framework (NPPF), the PSB2 is unsound for the following reasons.

1.3 The proposed PSB2 is not **“consistent”** with national policy as it fails;

To take account of the different roles and character of different areas, promoting the vitality of the main urban areas, protecting the Green Belts around them, recognising the intrinsic character and beauty of the countryside and supporting thriving rural communities within it. (*Bullet Point 5 of Paragraph 17 – Core Principles.*)

To actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable. (*Bullet Point 11 of Paragraph 17 – Core Principles*)

An approach to determine Settlement Boundaries, based upon housing need is too restrictive and does not seek to boost significantly the supply of housing. (*Paragraph 47*)

1.4 The proposed PSB2 is not **“justified”** as the included Settlement Boundary for Stone is not the most appropriate strategy when considered against reasonable alternatives.

1.5 To render the Plan sound, the Stone Settlement Boundary should be redrawn to include the site. The following sections of this Statement further address these points in relation to the Issues included in the Planning Inspector’s Key Issues and Discussions Note.

2.0 Issue 3 – Settlement Boundary: Policy SB1

Question 3.1 Criteria for determining the proposed settlement boundary

(i) Are the criteria set out in Paragraph 2.11-2.23 appropriate to define the extent of the areas within the settlement boundaries to accommodate the necessary development, so as to enable the delivery of the objectively assessed housing requirement for the Stafford Borough as set out in PSB1?

2.1 *Recognising physical feature* – Yes appropriate.

Sites with planning permission – Yes appropriate.

Previous Residential Development Boundaries (RDBs) – Yes appropriate, even though paragraph 2.15 of supporting text of the PSB 2 would suggest not.

Environmental and Landscape Designation – Yes appropriate

The Scale of new development for which provision needs to made in the Plan – No, not appropriate.

Extent of domestic garden land on the edge of settlements – No, not relevant

Neighbourhood plan proposals for new development – Yes, but only when the plan is “made”.

(i) Are the boundaries drawn in accordance with these criteria?

2.2 No, the Settlement Boundary for Stone has not been drawn in accordance with these criteria.

2.2.1 Recognised Physical Features: The site is surrounded on three sides with built development, with Trent Road separating the land from new housing developments to the north and south and the main arterial A34, The Fillybrooks, bounding the western boundary. Supporting text in paragraph 2.13 states that recognised physical features include roads. Other features, such as existing housing, are also recognisable and should be used to define the appropriate settlement boundary.

2.2.2 Paragraph 2.17 of the PSB2 states that the Settlement Boundary is more closely aligned to what people would perceive as the settlement edge. The inclusion of the site is logical and perceivable as the settlement edge at this location.

- 2.3 Sites with Planning Permission: It should be noted that land adjacent to the site subject of this Statement, to the south (14/21338/FUL), was approved for 33 dwellings and now forms the edge of the settlement in that location.
- 2.4 Previous Residential Development Boundaries (RDBs): Paragraph 2.15 of the supporting text, states that since these boundaries (RDBs) no longer have any formal status, and had a slightly different purpose to Settlement Boundaries, their location should not determine the future settlement boundaries. The paragraph further states that RDBs were a policy prescription intended to establish areas not to be regarded as open countryside.
- 2.4.1 The purpose of both the Residential Development Boundaries and Settlement Boundaries (SB) are the same, in that all land outside of either would be considered, in planning terms, open countryside and be subject of restrictive planning policy that seek to protect inappropriate development. The site subject of this Statement is surrounded on all sides by either, dwellings or roads, and does not encroach into the countryside. In essence, the site could be described as already being within the built up area of Stone. In the adopted PSB1 the site is shown as being within the Urban Area of Stone (**Appendix B**).
- 2.4.2 As the purpose of both the RDBs and SBs perform, essentially, the same function, the previous RDBs should have been the starting point for the Council's assessment and decision making in determining the Settlement Boundaries.
- 2.5 Environmental and landscape designations: It seems sensible to restrict settlement boundaries to land that is mostly free from constraints, although identified mitigation measures can make an unacceptable site, acceptable. Too much emphasis on constraints may lead to less sustainable sites lower in the settlement hierarchy, coming forward before more sustainable sites higher up in the settlement hierarchy.
- 2.6 The scale of new development for which provision needs to be made in the Plan:
A settlement boundary will include allocated strategic sites. Districts will often choose to include in the subservient Part 2 Local Plan, other smaller allocated sites. Stafford Borough Council has decided not to

include allocated sites within its Part 2 Plan. This means that there is no provision for small to medium sized developments (not strategic) to be examined through the plan making process and by public examination.

- 2.6.1 As this is the case, it would be seem logical that the settlement boundary should truly reflect the “ground truths” as described in paragraph 2.24 of the supporting text to PSB2. The supporting text in paragraph 2.25 goes further and states in respect of settlement boundaries;

“The settlement boundary confers within it a general presumption in favour of proposal for development where it is consistent with other policies. Land allocated or considered acceptable in principle for development is included within the boundary”.

- 2.6.2 The principle of development on the site has been confirmed by a previous planning approval (91/27035/FUL), and the allocation H17 included in the Stafford Local Plan 2001 (**Appendix C**). A planning application for 11 dwellings for the site was submitted on 14th December 2015 (15/23033/OUT). There were no technical objections to the application. The application was subsequently refused because the *“approval of the application would contribute towards a disproportionate amount of development taking place this level of sustainable settlement hierarchy. This would conflict with and undermine the development strategy set out in Spatial Principle 4 of the Stafford Plan.”*

- 2.6.3 Stafford Borough Council has confirmed, through this planning application, that the site will not have any adverse or unacceptable impacts, in terms of the environment or residential amenity of nearby properties. In line with the methodology that the Council has used *“land allocated or considered acceptable in principle for development is included within the boundary”* the Settlement Boundary for Stone should include the site.

- 2.6.4 An approach to determining Settlement Boundaries, based upon housing need is too restrictive and is not consistent with paragraph 47 of the NPPF that seeks to boost significantly the supply of housing.

- 2.7 Extent of domestic garden land on the edge of settlements: No further comment to make on this.

- 2.8 Neighbourhood plan proposals for new development: Paragraph 2.25 of the PSB2 states that the principal function of a Settlement Boundary is to provide Developers and the Public with a clear indication of where development will and will not be acceptable. Including proposed allocation in Neighbourhood Plans that have not been “made” i.e. the community have not voted through the Plan, means that the Plan could be subject to change, and will not provide Developer and the Public with a clear indication of where development will or will not be acceptable. This could result in development coming forward in less sustainable locations than Stone.
- 2.9 Only allocated sites in “made” Neighbourhood Plans should be included within Settlement Boundaries.
- 3.0 ***Question 3.2 Overall capacity within the proposed settlement boundaries: Is the overall capacity within the proposed settlement boundaries, having regards to the latest housing and land supply situation, and taking into account constraint’s such as areas of importance for nature consideration, sufficient to satisfactorily accommodate the objectively assessed housing requirement for Stafford Borough as set out in PSB1***
- 3.1 There is a difference to the housing need and requirement across the District included in the Local Plan and the capacity for growth for Stone. A Settlement Boundary should reflect the capacity for growth and not simply the housing need as is suggested in paragraph 2.20 of the PSB2, especially as the housing requirement is expressed as a minimum figure and not a maximum.
- 3.2 If a Settlement Boundary is based upon housing need, the Plan will not be flexible enough to react to changes, such as the failure of Strategic Sites to deliver housing, which could result in unsustainable sites, lower in the settlement hierarchy, being developed before more sustainable ones.

4.0 Question 3.3 Flexibility within the proposed settlement boundaries: Is there a case for flexibility within the proposed settlement boundaries in the light of the likely delivery of the housing requirement as set out in PSB1? If the answer is yes:

(i) What should the appropriate level of flexibility be for Stafford Borough

4.1 The Settlement Boundary should have the flexibility to include within the Settlement Boundary, sites that meet the criteria listed in Spatial Principle 7 (SP7) Supporting the Location of New Development of the PSB1. If the site is tested against these criteria, then it would be appropriate to include within the Stone Settlement Boundary, as shown in Table 1 below.

Table 1 – Settlement Boundary Criteria as Included in Spatial Principle 7 (SP7) Supporting the Location of New Development of the BSP1	
Is in, or adjacent to, an existing settlement;	Yes
Is of an appropriate scale to the existing settlement;	Yes
Is accessible and well related to existing facilities;	Within walking distance of local facilities (700m).
Is accessible by public transport, or demonstrates that the provision of such services could be viably provided;	Yes,
Is the most sustainable in terms of impact on existing infrastructure, or demonstrate that infrastructure can be provided to address development issues;	There is Primary school places available. S106 contributions would be provided for middle and senior school.
Will not impact adversely on the special character of the area, including not impacting on important open spaces and views, all designated heritage assets including, Listed Buildings, Conservation Areas and locally important buildings, especially those identified in Conservation Area Appraisals;	The area has no specific designation and not within or in close proximity to any Conservation Areas.
Will appropriately address the findings of the Landscape Character Assessment, and the conservation and enhancement actions of particular landscape policy zone / zones affected;	The site is not in an area of high landscape value.
Will not lead to the loss, or adverse impact on, important nature conservation or biodiversity sites;	Ecological Survey have confirmed that there are no protected species on the site. The remnants of floodplain meadow flora remain. This will be retained, along with other ecological mitigation measure to enhance the ecological value of the site.
Will not be located in areas of flood risk or contribute to flood risk on neighbouring areas;	There was no objection to the site from the Environment Agency or the District Lead Flood Authority to the recent planning application.

Will ensure adequate vehicular, pedestrian and cycle access as well as cycle and short stay parking facilities on the site; and	The site is within walking and cycling distance of all local amenities.
Will not adversely affect the residential amenity of the locality.	Developing the site will have no adverse impacts to neighbouring occupiers.

(ii) Do the proposed settlement boundaries provide for this level of flexibility?

4.2 No. The approach taken to Settlement Boundaries within PSB2 is too restrictive based upon too tightly drawn boundaries.

(iii) If not, which settlements should have their boundaries extended to provide the required level of flexibility and where/by what amount.

4.3 In relation to the Stone Settlement Boundary, it should be redrawn to include the land north of Trent Road, as shown on the Site Location Plan (**Appendix A**).

Question 3.4 Specific settlement boundaries: In light of the above considerations are any of the proposed settlement boundaries inadequately drawn? If so, which of the following settlement boundaries should be redrawn, in terms of specific sites and development capacity?

4.4 (b) Stone Town - should be redrawn to include the land north of Trent Road, Stone.

Yours sincerely

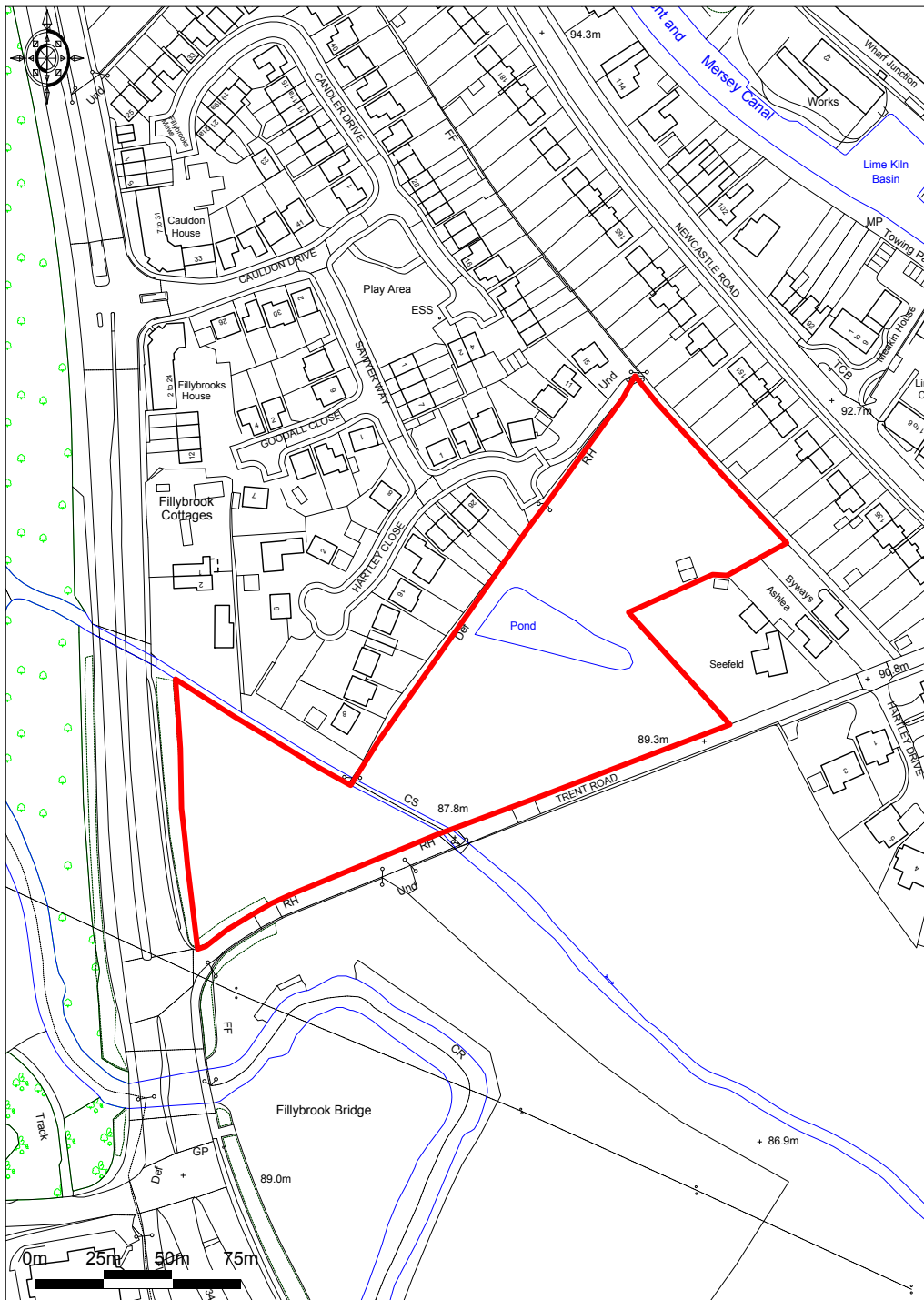
Debbie Jones

On behalf of Frampton Town Planning

Enc Appendix A
 Appendix B
 Appendix C

Appendix A
Site Location Plan

Land to the North of Trent Road, Stone

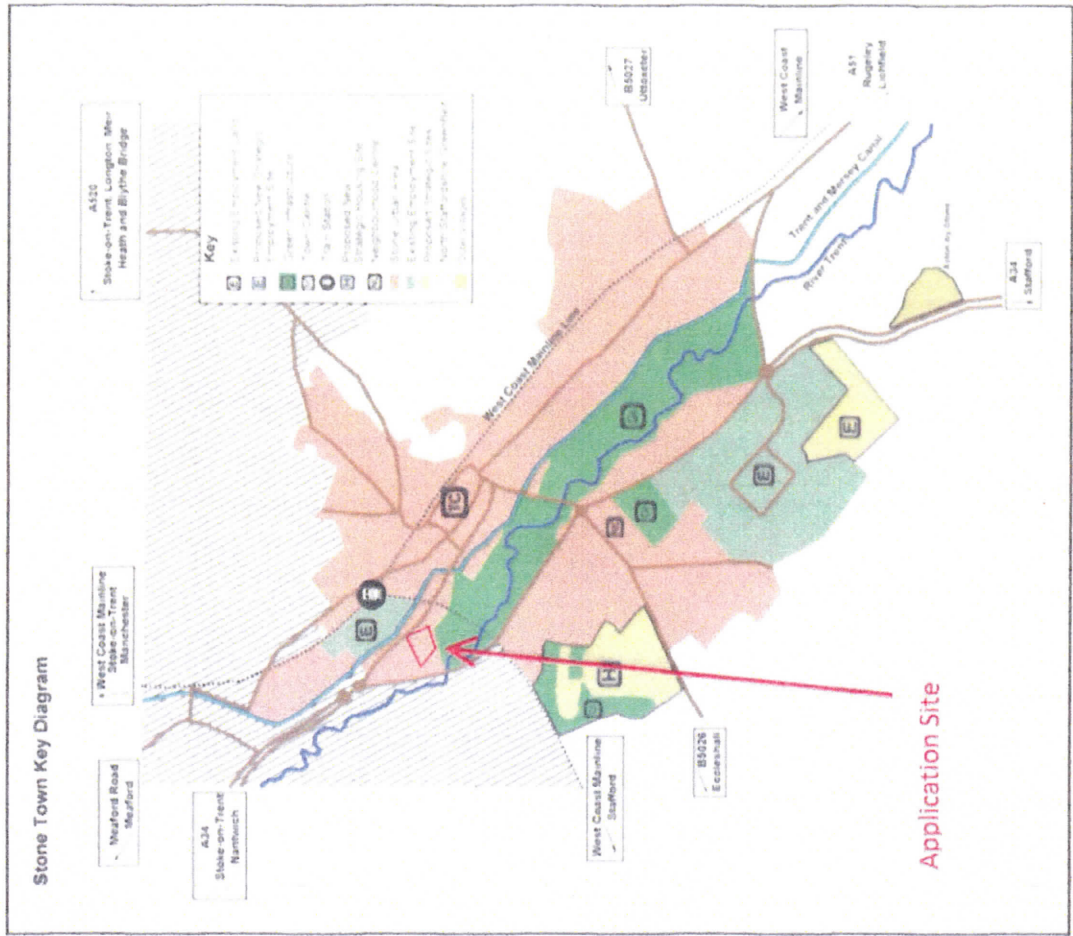


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Appendix B
Stone Town Key Diagram

Figure 3 – Stone Town Key Diagram



Appendix C

Stafford Borough Local Plan 2001

Planning Policy H17

Stafford Borough Local Plan 2001

Stone Area Inset

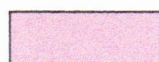


Residential Development Boundary



Town Centre Shopping Boundary

HOUSING



Housing Proposal



Landscape Planting (Proposal HP14)

EMPLOYMENT



New Employment Development Site

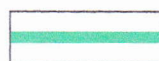


Committed Employment Site

SHOPPING

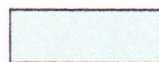


Primary Retail Frontage



Secondary Retail Frontage

ENVIRONMENT



Green Belt



Green Network



Conservation Area



Special Landscape Area



Site in Sites and Monuments Record (Area)



Site in Sites and Monuments Record

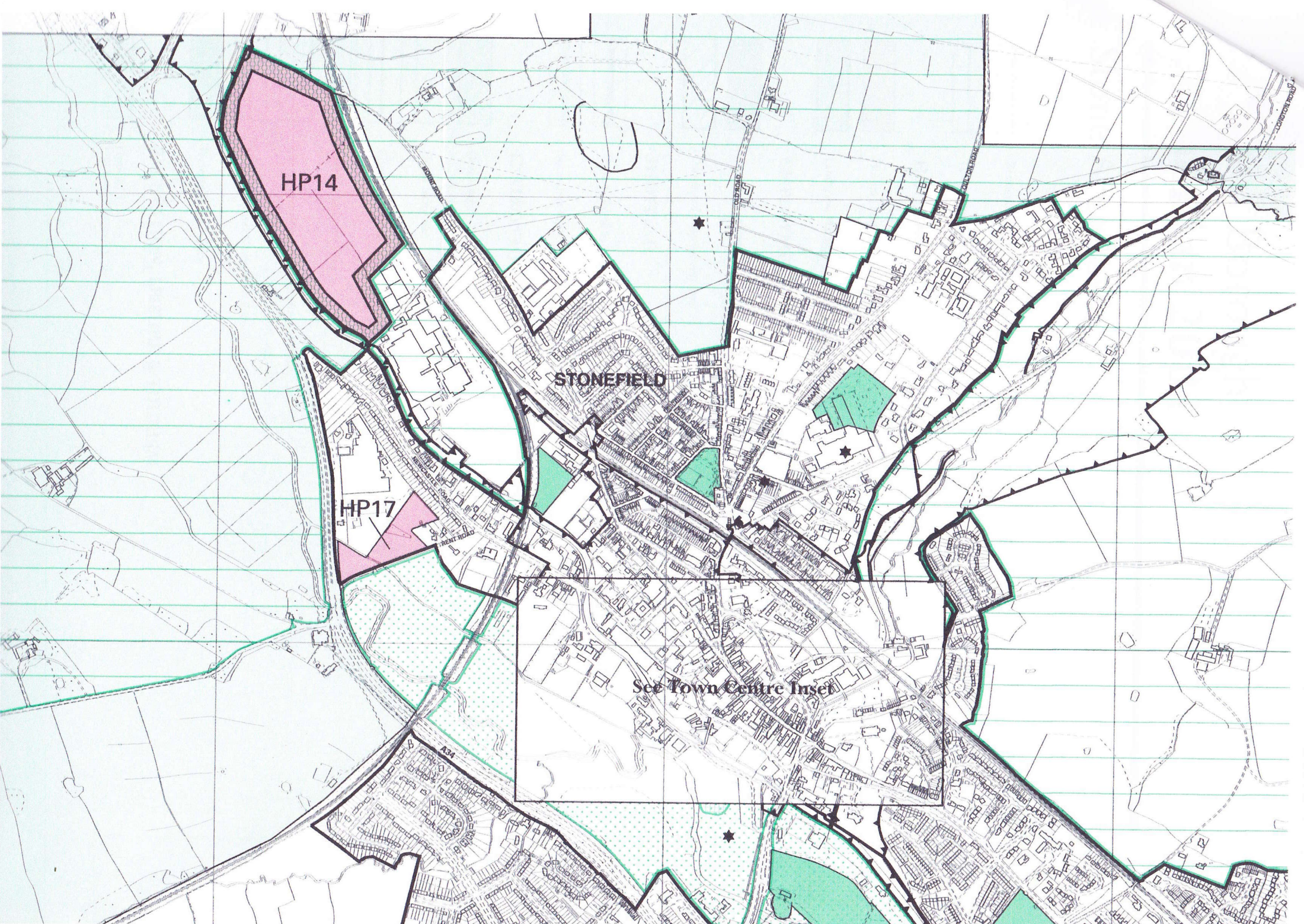


Protected Open Space

RECREATION, LEISURE & TOURISM



Proposal T1
Trent and Mersey Canal



HP14

STONEFIELD

HP17

See Town Centre Inset

A34

WENT ROAD

WENT ROAD

WENT ROAD

WENT ROAD

clean rainwater. The site developer should liaise with Severn Trent Water Limited and the Environment Agency as appropriate with regard to these issues.

3.27.8 The Environment Agency have also advised that when former greenfield sites are developed, the increase in impermeable area can result in a reduction in soil moisture recharge leading to a reduction of ground water resources and an increase in pollutant loads carried in sewers or surface waters. Source control techniques (i.e. soakaways, swales and wetlands) should be emphasised in order to achieve more sustainable forms of development wherever possible.

Highways and Access

3.27.9 Staffordshire County Council (SCC) as Highway Authority has stated:

A Traffic Impact Assessment will be required to:-

- Identify the most appropriate means of accessing the site and the improvements required to Common Lane to accommodate the development.
- Demonstrate the development traffic can be satisfactorily assimilated into the highway network with particular emphasis being given to the Walton Roundabout and B5026 Eccleshall Road.
- Identify the measures to encourage a modal shift with particular emphasis being given to accessing the site by public transport and provision of facilities to assist movement by cycle and walking.

3.27.10 The capacity of Walton Island at the junction of the A34 with Eccleshall Road was a major issue at the Public Local Inquiry.

3.27.11 The Highways Agency has strongly expressed its concerns with the capacity of the Walton Island, particularly in the context of other proposed and potential residential and employment development elsewhere in Stone.

3.27.12 The Inspector however concluded that residential development at Eccleshall Road could be accommodated. SCC have accepted this, whereas the Highways Agency remain unconvinced, both however require further traffic impact assessment studies (TIAs) to be undertaken which should take into account the proposals at the Meaford, Stone Business Park and Whitebridge Lane sites. The developer should liaise with the Highways Agency as to its requirements in this respect. The SCC requirements are stated above.

Developer Contributions and Planning Obligations

3.27.13 Where it is necessary and appropriate to do so the Borough Council will seek contributions from the developer(s) of this site in accordance with policy INT1 "Planning Obligations".

3.28

Proposal HP17 Residential Development of Land North West of Trent Road, Stone

The Borough Council allocates the site shown as HP17 on the Stone Area Inset Map for residential development of 39 dwellings.

Location

3.28.1 The site is bounded to the north by Faireys Industrial Ceramics factory and to the south by Trent Road beyond which are open fields. The eastern boundary of the site adjoins existing residential property fronting Trent Road and Newcastle Road.

Description

3.28.2 The site extends to some 1.7 hectares (4 acres) of undulating grass land with a belt of trees on the northern part. The site is traversed by a small watercourse which divides it into two unequal parts, the smaller of which adjoins the A34.

3.28.3 A formerly licensed landfill site lies to the north east of the site and although some site investigation work has already been undertaken, the results of such work, together with any additional investigation required should be assessed before the development of this site for residential purposes is undertaken.

3.28.4 The site relates strongly to the Green Network. The northern boundary and the brook that runs through the site are bordered by a large number of mature trees. The site is separated from the roads to the east and south by strong hedgerows. There are also mature trees on the site to the east of the brook. Development of this site should take particular account of these features which should be retained and enhanced within the design of any development proposals.

Water Supply and Drainage

3.28.5 Public foul water sewerage is available in Trent Road, however, some off-site reinforcement may be required depending on the number of houses proposed. There is no public surface water sewerage available. Surface water may be drained to the local land drainage system. The developer should liaise with the Environment Agency in respect of this and with Severn Trent Water concerning mains water supply for the site.

Highways and Access

3.28.6 The Highways Agency has reserved the right to make representations with regard to the increase in traffic at the junction of Trent Road with the A34. It may be appropriate to consider closing this junction in liaison with the Highway Authority.

3.28.7 Pedestrian and cycle links between the site and the existing network are poor. The County Council as Highway Authority would wish to see the developer enter into an agreement to improve cycle and pedestrian links and if appropriate to improve the Trent Road/Newcastle Road junction.

Developer Contributions and Planning Obligations

3.28.8 Where it is necessary and appropriate to do so the Borough Council will seek contributions from the developer(s) of this site in accordance with policy INT1 "Planning Obligations".

Selected Settlements in Rural Areas

3.29 Adbaston

3.29.1 This is a small settlement (see Inset Map No. 1) with a population of about 156, in the west of the plan area approximately three and a half miles west of Woodseaves. The settlement is mainly composed of recent housing development with some older farm buildings, the Church and the Vicarage.

3.29.2 The settlement is surrounded by Grade 3 agricultural land except to the south where land is Grade 2.

3.29.3 Severn Trent Water have stated that this is an area of possible concern for water supply.

3.29.4 The Environment Agency have stated that a new sewage treatment plant is currently under construction which has a design capacity for 179 people. Any development resulting in an increase in population above this level may require improvements to the sewage treatment plant and STW should be consulted in this respect.

3.29.5 An RDB has been defined around the settlement for the purpose of policies HOU2 and HOU3.

3.30 Aston by Stone

3.30.1 This is a small settlement (see Inset Map No. 2) with a population of about 187, located west of Stone, just to the east of the A34. Recent development has concentrated in the road corridor



Land for New Homes



Stafford Borough Council Planning and Regeneration

Appendix B

		No of Dwellings in Local Plan	Planning Consent	Status
Stafford				
HP 1	Land at Former BRC Works	300	☐	C
HP 2	North Baswich	280	☐	C
HP 3	Rickerscote	350	☐	NS
HP 4	Land at Burton Bank Lane	35	☐	C
HP 5	Land at MAFF Offices, Newport Road	30	☐	C
HP 6	Land at Pioneer Concrete, Silkmore Lane	45	☐	C
HP 7	Land at Douglas Removals, Rickerscote Road	12	☐	C
HP 8	Land adjacent to 87 Queensville	12	☐	C
HP 9	South of Doxey Road	170	☐	NS
HP 10	Land to south of Baswich north of Milford Road	100	☐	C
HP 11	Land off Tixall Road	120	☐	C**
HP 12	Land North of Falmouth Avenue	100	☐	NS
HP 13	Land north of Beaconside	300	409☐	NS*

		No of Dwellings in Local Plan	Planning Consent	Status
Stone				
HP 14	Land at Whitebridge Lane	300	☐	C
HP 15	Land at Parkhouse	29	☐	C
HP 16	Land to the south of Common Lane, Stone	80	☐	C
HP 17	Land north west of Trent Road	39	☐	NS
Rural Areas				
HP 18	Land at Blythe Bridge	15	☐	C
HP 19	Land at Haughton (west of Station Road)	16	☐	C
HP 20	Land at Haughton (between Jolt Lane and Park Lane)	13	☐	C
HP 21	Land at Hixon (Church Road/Mount Farm)	35	☐	C
HP 22	Land west of Church Lane, Hixon	40	☐	C