

PSB Part 2 – Examination – Hearing Statement – Milwood Ltd (Land interests at Stafford Town)

Issue 9: Development Management, Risks and Monitoring

9.1 Development Management:

Should the Plan provide sufficient guidance to cover aspects of development management which are not explicitly covered in PSB1?

Yes.

9.2 Uncertainties and Risks:

Overall, does the Plan take sufficient account of uncertainties and risks?

No.

Whilst inextricably linked to the PSB, PSB 2 and its content has to stand in its own right as a sound and compliant planning document, in all regards.

PSB 2 in itself does not consider or take account of either risk or uncertainty. It is presented very much in guise of being a supplemental to the foundation document, the PSB, and it is that document which contains all the core contingencies in these regards. Therefore, one has to refer to the PSB itself to access and understand the SBC Plan position on these matters.

The SBC PSB 2 Soundness Self Assessment Checklist provides the following;
A Soundness Test and Key Requirement (page 6) states;
LP's should meet the OAN, with sufficient flexibility to adapt to rapid change.

The evidence provided does not appear to address the matter of sufficient flexibility to adapt to rapid change.

A Soundness Test and Key Requirement (page 31) asks;
Is the DPD flexible enough to respond to a variety of, or unexpected changes in, circumstances?
The evidence provided states that the delivery of each SDL provides for flexibility for unplanned events by detailing contingencies at Appendix E of the PSB which introduces mechanisms to address the barriers to delivery.

The evidence provided only refers itself to the SDL's and not the whole DPD.
PSB Appendix E, as detailed below, does not appear to contain a robust flexibility mechanism in this regard.

Does the DPD include the remedial actions that will be taken if the policies need adjustment?
The evidence provided states that revisions to such policies could be made through future reviews of the Local Plan.

The evidence provided appears to confine itself to a set review process as opposed to a flexible positive management approach.

PSB Appendix E states that its contingency framework solely and simply consists of; Identifying the problems and barriers to development via discussions and/or assessment.
(Pages 147/148 in respect of PSB SP2 and SP4)

Identify problems and barriers/causes to implementing development through discussions with landowners and developers.
(Pages 149 to 153 in respect of PSB Stafford 1, 2, 3 and 4, Stone 1 and 2).

PSB Appendix E does not appear to contain a detailed, robust and flexible mechanism to cater for such contingencies.

It appears to offer a slightly more meaningful contingency in respect of affordable housing; Consider negotiating a phased delivery, and reassessing the percentage requirement, and work with key partners in respect of funding to increase delivery.
(Pages 155 / 156 in respect of PSB C2)

Ironically, despite this seemingly more robust contingency, the delivery of affordable housing has failed to meet the Plan requirement every year since the start of the Plan period, without any visible or effective action taken to address the situation.

It would appear that, on balance, and in the context of assessment of PSB 2, neither the PSB nor PSB 2 take sufficient account of uncertainty or risk, and in any event, not in manner that is effective or robust enough to flexibly respond to any given situation.

[How flexible is it?](#)

It is not flexible.

In this context, as submitted above, PSB 2 in its own right or in conjunction with the PSB, as directed by PSB 2 offers little in respect of having a sufficient degree of flexibility.

[9.3 Monitoring:](#)

[Are the monitoring arrangements soundly based?](#)

No.

PSB 2 contains no specific monitoring arrangements, other than for Policy SB2, with all other matters to be monitored by the PSB Appendix E and AMR.

The predecessor previous PSB 2 Consultation document of June/July 2015 (p6.1) stated that the purpose of monitoring and review is to assess the delivery and implementation of the LP and that the AMR provides a robust and effective review and monitoring approach. Also, that the PSB 2 Publication document would include a monitoring framework to assess effectiveness through robust monitoring mechanisms, allowing the performance of the policies to be assessed, and to inform any changes which may be required to ensure delivery of the Plan.

However, PSB 2 Section 6 (p6.1) solely refers back to the AMR on the basis it provides a robust and effective review and monitoring approach.

It further states (p6.2) that PSB Appendix E concerns Monitoring of the PSB, and that PSB 2 Policies SB1, SB3 and RIE1 will be monitored through the PSB.

It does propose a monitoring mechanism in respect of Policy SB2.

Therefore, with the exception of Policy SB2, all other matters within PSB 2 will be monitored by the AMR and PSB Appendix E.

PSB Appendix E, on balance, appears to employ a broad brush approach, which raises a concern with regard to its effectiveness, as displayed by persistent under delivery against the LP requirement, without effective action taken to remedy matters.

With regard to the AMR;

At face value, this is the purpose of the AMR, and would therefore be an appropriate monitoring mechanism.

However, the 2016 AMR has not been published to date, and, the AMR 2015 was not published until February 2016, being after the consultation periods for both the PSB 2 Consultation stage consultation of June/July 2015, and the PSB 2 Publication consultation of December 2015/January 2016.

Therefore, at face value, since 31st March 2014, there was no up to date public record of monitoring of the PSB, and therefore, for almost 2 years, including all of the lifespan of the PSB to date (adopted 18th June 2014), any third party, or indeed SBC themselves, had no idea as to how their 'new' Policies and Strategies were performing or of their progress towards targets, or indeed, if they were failing, and if so, what were the recommended actions to remedy the situation, and how and when such actions should be implemented.

Therefore, given that PSB 1 was not effectively reviewed and assessed as above, concern is raised as to whether this methodology should be considered to also be appropriate for PSB 2, which is further highlighted by the non publication to date of the 2016 AMR.

The SBC PSB 2 Soundness Self Assessment Checklist in respect of monitoring (page 33) simply refers back to PSB Appendix E and the AMR, excepting PSB Policy SB2.

With regard to the most recent 2015 AMR;

It states that it assesses progress towards the targets set out in the LP and highlights where improvements or changes may be required (p1.2)

It states the under delivery in housing (p4.1).

It specifies the Stafford SDL's (p4.12/13/14) and Stone SDL (p4.16).

It states the under delivery in affordable housing (p4.24).

Despite the above information, it does not, in its Conclusions section (p4.31 to 4.33) provide consistency with its own p1.2, not highlighting improvements or changes in these regards, opting in effect, for a more non robust and effective wait and see approach.

On the basis of the above commentary, concern is raised as to how soundly based the monitoring arrangements actually, in practice, are.