

## Sean Roberts

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**From:** Brian Edgecombe <bedgecombe@yeseng.co.uk>  
**Sent:** 21 July 2016 13:02  
**To:** Programme Officer  
**Cc:** Alex Yendole  
**Subject:** RE: Examination Statements - The Plan for Stafford Borough - Part 2.  
**Attachments:** RE: Planning Inspectorate APP/Y3425/W/15/3139802: 1 Brancote Row, ST18 0YD; Tixall Road-Blackheath Lane-Baswich Lane -Settlement Boundary.pdf; 2 Sustainability Assessment - Summary Contour.pdf; Sustainability Assessment.pdf

Dear Sean

Further to comments made today at the examination meeting, we would be grateful if this email and the attachments were submitted to the Examiner.

Please find attached the email that was received at the time from the Planning Inspectorate in relation to the Brancote Row Appeal APP/Y3425/W/15/3139802.

The response received at the time made it clear that the Inspector would not accept this submission of the revised Settlement Boundary.

For the avoidance of doubt the revised Settlement Boundary was published during the Appeal process and we consider it was incumbent upon SBC to have issued this to the Inspector with the SBC's final comments especially as the revised Settlement Boundary now fully adjoined the hamlet of 10 houses at Tixall Road, Baswich Lane and Blackheath Road. SBC did not provide this important piece of emerging policy to the Inspector at the due time. As above, our attempts to rectify SBC's omission were rejected. We remain concerned that the SBC omission (deliberate or otherwise) has influenced the outcome of the Appeal.

For this reason we request that reference to the Appeal decision in 3.1.7 and 3.4.5 of SBC's response to 'Issue 3' is formerly discounted.

Also attached are the documents that were displayed at today's meeting:

'Tixall Road, Baswich Lane, Blackhaeth Properties'.

'Sustainability Assessment: Summary Ranking and Ranking Contours' together with the supporting 'Sustainability Assessment'

Regards

Brian

**Brian Edgecombe**

Director



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**From:** Brian Edgecombe  
**Sent:** 01 July 2016 13:44  
**To:** 'John Holmes' <jholmes@staffordbc.gov.uk>  
**Cc:** Jackie Taylor <jtaylor@staffordbc.gov.uk>; 'Programme Officer' <programmeofficer@staffordbc.gov.uk>  
**Subject:** RE: Examination Statements - The Plan for Stafford Borough - Part 2.

Hi John

Thank you for responding to this at such short notice.

I note your comments, however, the question of should the revised Settlement Boundary for Stafford have been sent to the Inspector by Stafford Borough Council as part of your final comments has not been answered.

Given the fact that the change in the boundary brought the proposed Settlement Boundary fully up to the hamlet of 10 houses at the intersection of Tiaxll Road/Blackheath Lane/ Baswich Lane we consider this to be very relevant and it should have been properly brought to the attention of the Inspector.

We also consider that, in accordance with the NPPF Annex 1 216, given the advanced stage of Part 2 and the Settlement Boundary it should have been given weight by the Inspector taking in to account the unresolved issues in this regard, but they could not properly do so if the LPA had not provided the required information.

We believe that given the proximity of the proposed Settlement Boundary change it was incumbent on SBC to have appraised the Inspector of the progress of the emerging plan and submitted the revised Settlement Boundary, and it was for the Inspector to decide if it was relevant or not.

We are also of the opinion that there are other shortcomings in the Inspector's decision but that is being dealt with separately.

We note the SBC's Examination Statement 3.1.7 and 3.4.5 does reference this Appeal and it is, therefore, important that the Appeal decision is seen in context of this oversight issue and we believe that it is important to bring this to the attention of the Examination Inspector and accordingly the Programme Officer has been copied in.

Regards

Brian

**Brian Edgecombe**

Director



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**From:** John Holmes [<mailto:jholmes@staffordbc.gov.uk>]  
**Sent:** 01 July 2016 12:53  
**To:** Brian Edgecombe <[bedgecombe@yeseng.co.uk](mailto:bedgecombe@yeseng.co.uk)>  
**Cc:** Jackie Taylor <[jtaylor@staffordbc.gov.uk](mailto:jtaylor@staffordbc.gov.uk)>  
**Subject:** RE: Examination Statements - The Plan for Stafford Borough - Part 2.

Brian,

I understand that Jackie has confirmed to you that the Settlement Boundary for Stafford contained in The Plan for Stafford Borough Part 2: Proposals was submitted to the Planning Inspector for your Appeal. I have looked into this and note that at the time your application was determined and refused the proposed Settlement Boundary for Stafford was contained in The Plan for Stafford Borough Part 2: Proposals, and this is the boundary which was sent to the Planning Inspectorate with the questionnaire for your appeal.

Subsequent to the determination of your application, the Council consulted on The Plan for Stafford Borough Part 2: Publication pre-submission documents between 30<sup>th</sup> November 2015 and 25<sup>th</sup> January 2016, which included an amended Settlement Boundary for Stafford. This boundary is the same as contained in The Plan for Stafford Borough Part 2: Publication which was submitted to the Secretary of State for Examination on 27<sup>th</sup> April 2016.

In the Council's statement of case for your appeal, it was stated in paragraph 6.2:

- 6.2 The Council does not dispute that, in the absence of settlement boundaries, policy SP7 should be used to assess the suitability of proposals on the edge of settlements. At the time of the refusal of application 15/22261/FUL, the draft settlement boundary for Stafford was out to consultation under Part 2 of the Plan for Stafford Borough. The site was not included in the draft settlement boundary. The Plan for Stafford Borough is progressing to Examination and the publications version is considered to carry limited weight when determining planning applications. The site remains outside of the publications version of the settlement boundary for Stafford under Part 2 of the Plan for Stafford Borough.

That statement was and remains correct. Although I accept that the proposed settlement boundary did change, it did not affect the Council's case, and clearly the appeal site is outside both the original and revised proposed settlement boundaries for Stafford.

I note from your final comments sent to the Planning Inspectorate on your appeal that you brought to their attention the revised Settlement Boundary for Stafford contained in The Plan for Stafford Borough Part 2: Publication, so it is clear that the Inspector had this information available to her.

From reading the Inspector's decision, I note that at paragraph 5 she states, '..... The matter of whether the site should be within the boundary or not is for on-going discussion between the appellant and the Council. Nevertheless, at the time of writing the appeal site was located outside the boundary in the emerging plan. However, as the Plan has not advanced sufficiently, it cannot be afforded any significant weight in the determination of this appeal'. It is therefore my view that the Inspector was aware of the publications version of the settlement boundary for Stafford under Part 2 of the Plan for Stafford Borough, and this did not carry any significant weight in the determination of your appeal.

I hope this clarifies the position.

Regards  
John

John Holmes  
Development Manager  
Stafford Borough Council  
01785 619302  
[jholmes@staffordbc.gov.uk](mailto:jholmes@staffordbc.gov.uk)

---

**From:** Brian Edgecombe [<mailto:bedgecombe@yeseng.co.uk>]  
**Sent:** 30 June 2016 21:29  
**To:** Jackie Taylor  
**Cc:** Programme Officer  
**Subject:** Examination Statements - The Plan for Stafford Borough - Part 2.

Hi Jackie

As below we are trying to get to an understanding of SBC's submission/ lack of submission of relevant documents for the decided appeal APP/Y3425/W/15/3139802.

We consider that this is relevant to the current examination process for The Plan for Stafford Borough - Part 2.

While you have confirmed that the revised Settlement Boundary was not submitted to the Planning Inspector for the Appeal, can you please confirm if SBC consider that this element of emerging policy was, or was not, relevant to the Appeal and accordingly the reason it was not submitted to the Planning Inspector?

I appreciate that perhaps someone else within SBC might be better placed to answer this question and I would appreciate it if you could then forward the email on.

Obviously, we consider this revised Settlement Boundary was relevant to the appeal and may have influenced the decision to refuse the appeal. Had the appeal been allowed then this may have had a bearing on the current settlement boundary examination.

As the appeal decision is included on the SBC website as part of the "Examination Library Part 2" "P2-L Documents Uploaded Recently" we feel it is important that your response is available for the Examination Inspector to give some balance to the Appeal Decision.

As you will be aware, the Hearing Statements are to be submitted no later than 5pm on Friday 1/7/16 and, therefore, we would greatly appreciate your response by midday please.

Regards

Brian

**Brian Edgecombe**

Director



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**From:** Brian Edgecombe  
**Sent:** 17 June 2016 14:37  
**To:** 'Jackie Taylor' <[jtaylor@staffordbc.gov.uk](mailto:jtaylor@staffordbc.gov.uk)>  
**Subject:** RE: Confirmation of Questionnaire for APP/Y3425/W/15/3139802

Hi Jackie

Thanks for confirming what was sent. The settlement boundary was revised during the appeal process and the one that was sent is not the latest. I believe the settlement boundary was published later that month. The importance

of this is the settlement boundary was changed adjacent to the appeal site and therefore this is very relevant to the appeal. I would have thought that the revised boundary should have been provided to the inspector? Are you able to confirm your policy (ie the revision of the settlement boundary) in this circumstance?

Regards  
Brian

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**From:** Jackie Taylor [<mailto:jtaylor@staffordbc.gov.uk>]  
**Sent:** 17 June 2016 13:05  
**To:** Brian Edgecombe <[bedgecombe@yeseng.co.uk](mailto:bedgecombe@yeseng.co.uk)>  
**Subject:** RE: Confirmation of Questionnaire for APP/Y3425/W/15/3139802

Dear Brian

Thanks for your email.

The Inspectorate were supplied with PFSB Part 2 (at consultation stage at that point), please see the attachment labelled "Policies" in the attached email. This "Policies" attachment also contained the Settlement Boundary (page 33 of the attachment). You will also see these on the list of attachments on the Questionnaire itself, final page.

Regards  
Jackie

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**From:** Brian Edgecombe [<mailto:bedgecombe@yeseng.co.uk>]  
**Sent:** 15 June 2016 08:39  
**To:** Jackie Taylor  
**Subject:** RE: Confirmation of Questionnaire for APP/Y3425/W/15/3139802

Dear Jackie

Whilst the Appeal has been dismissed, can you please confirm if SBC provided the Planning Inspector with the latest versions of the proposed settlement boundary for Stafford and Part 2 of the plan? We cannot see that this was included with your package of 10/2/16 or with the package from the Planning Inspectorate on 21/3/16.

Regards  
Brian Edgecombe

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**From:** Jackie Taylor [<mailto:jtaylor@staffordbc.gov.uk>]  
**Sent:** 10 February 2016 12:20  
**To:** Brian Edgecombe <[bedgecombe@yeseng.co.uk](mailto:bedgecombe@yeseng.co.uk)>  
**Subject:** FW: Confirmation of Questionnaire for APP/Y3425/W/15/3139802

Dear Mr Edgecombe

Please find attached our Questionnaire and supporting documents, which have been sent to the Planning Inspectorate today.

Regards

Jackie Taylor  
Planning Support Lead  
Development Management  
Stafford Borough Council  
Direct Dial: 01785 619327  
[jtaylor@staffordbc.gov.uk](mailto:jtaylor@staffordbc.gov.uk)

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## Sean Roberts

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**From:** CT3 <CT3@pins.gsi.gov.uk>  
**Sent:** 13 April 2016 13:46  
**To:** Brian Edgecombe  
**Subject:** RE: Planning Inspectorate APP/Y3425/W/15/3139802: 1 Brancote Row, ST18 0YD

Hello Brian

Thanks for the email.

Firstly I must apologise for the delay in responding.

I advised the Inspector, that you have submitted some additional comments. The Inspector has informed me *"I will not be accepting this additional information"*

Therefore I am returning this information.

This information has not been sent to the LPA.

Thanks

Tracy Warry

Tracy Warry  
Case Officer  
The Planning Inspectorate  
Room 3P Kite Wing,  
Temple Quay House,  
2 The Square,  
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mail to: [tracy.warry@pins.gsi.gov.uk](mailto:tracy.warry@pins.gsi.gov.uk)

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**From:** Brian Edgecombe [mailto:[bedgecombe@yeseng.co.uk](mailto:bedgecombe@yeseng.co.uk)]  
**Sent:** 21 March 2016 15:49  
**To:** CT3  
**Subject:** RE: Planning Inspectorate APP/Y3425/W/15/3139802: 1 Brancote Row, ST18 0YD

Dear Sirs

This is not the Appellant's Final comments, rather it highlights an error/omission on the part of the LPA that we wish to draw to your attention i.e. they have not provided the Inspector with current emerging policy documents. From the information provided to the Appellant it would appear that Stafford Borough Council has not provided the Planning Inspectorate with the latest version of their 'The Plan for Stafford Borough Part 2: Publication Stage' and the associated revised proposed (draft) Settlement Boundary for Stafford. Instead they have provided the Planning Inspectorate with the previous versions which are superseded by the attached documents. These are vital documents for this Appeal and notably the revised draft settlement boundary reinforces the Appellant's case.

Following the submission of the Appeal and in response to the LPA's revised documents and the LPA's associated further public consultation YES Planning submitted the attached report. This report further supports the Appellants case.


Can you please acknowledge receipt of this information and confirm that these revised documents will be included.

Kind Regards

**Brian Edgecombe**  
Director



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**From:** [ct3@pins.gsi.gov.uk](mailto:ct3@pins.gsi.gov.uk) [<mailto:ct3@pins.gsi.gov.uk>]  
**Sent:** 10 March 2016 08:28  
**To:** Brian Edgecombe <[bedgecombe@yeseng.co.uk](mailto:bedgecombe@yeseng.co.uk)>  
**Subject:** Planning Inspectorate APP/Y3425/W/15/3139802: 1 Brancote Row, ST18 0YD

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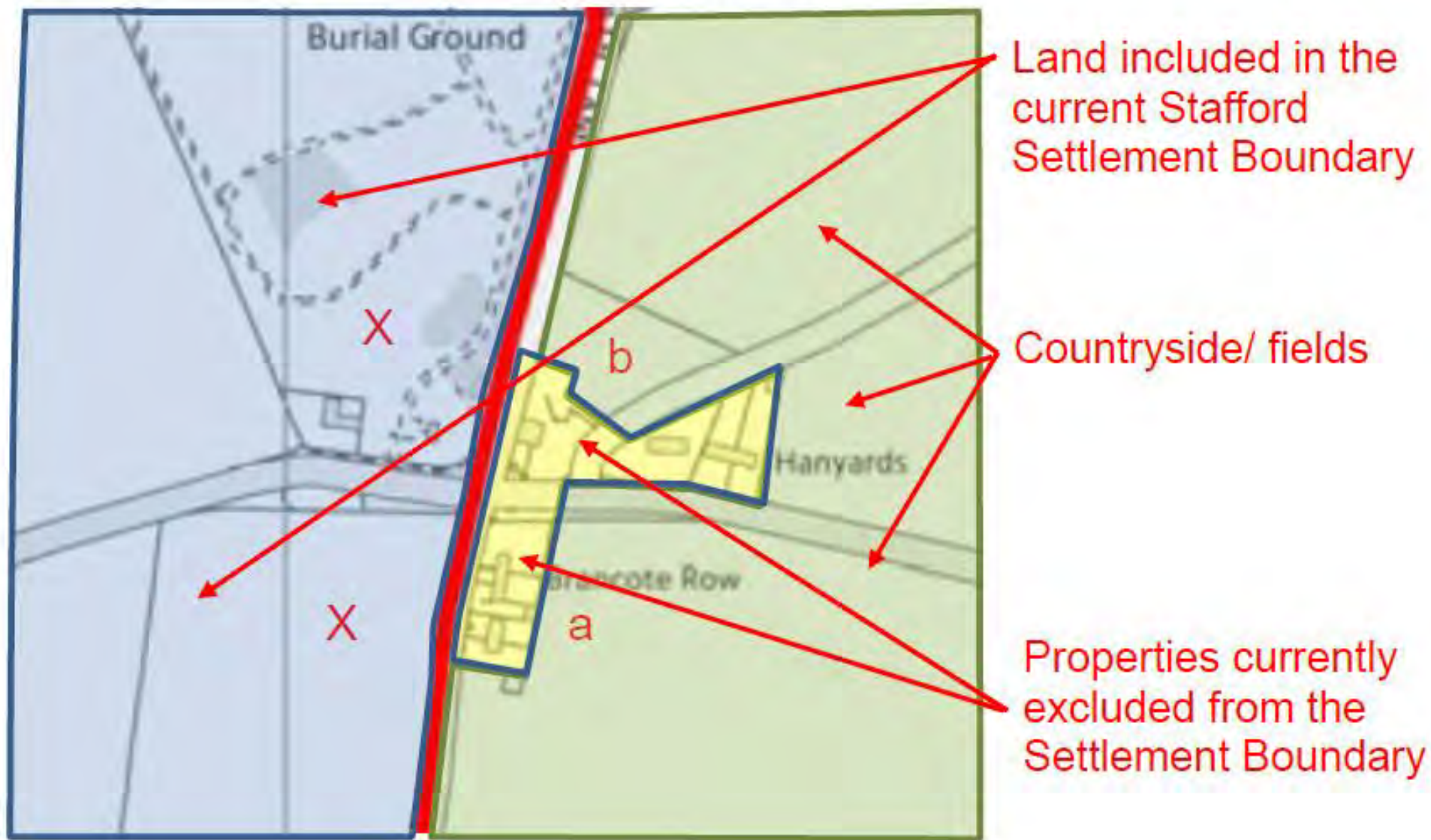
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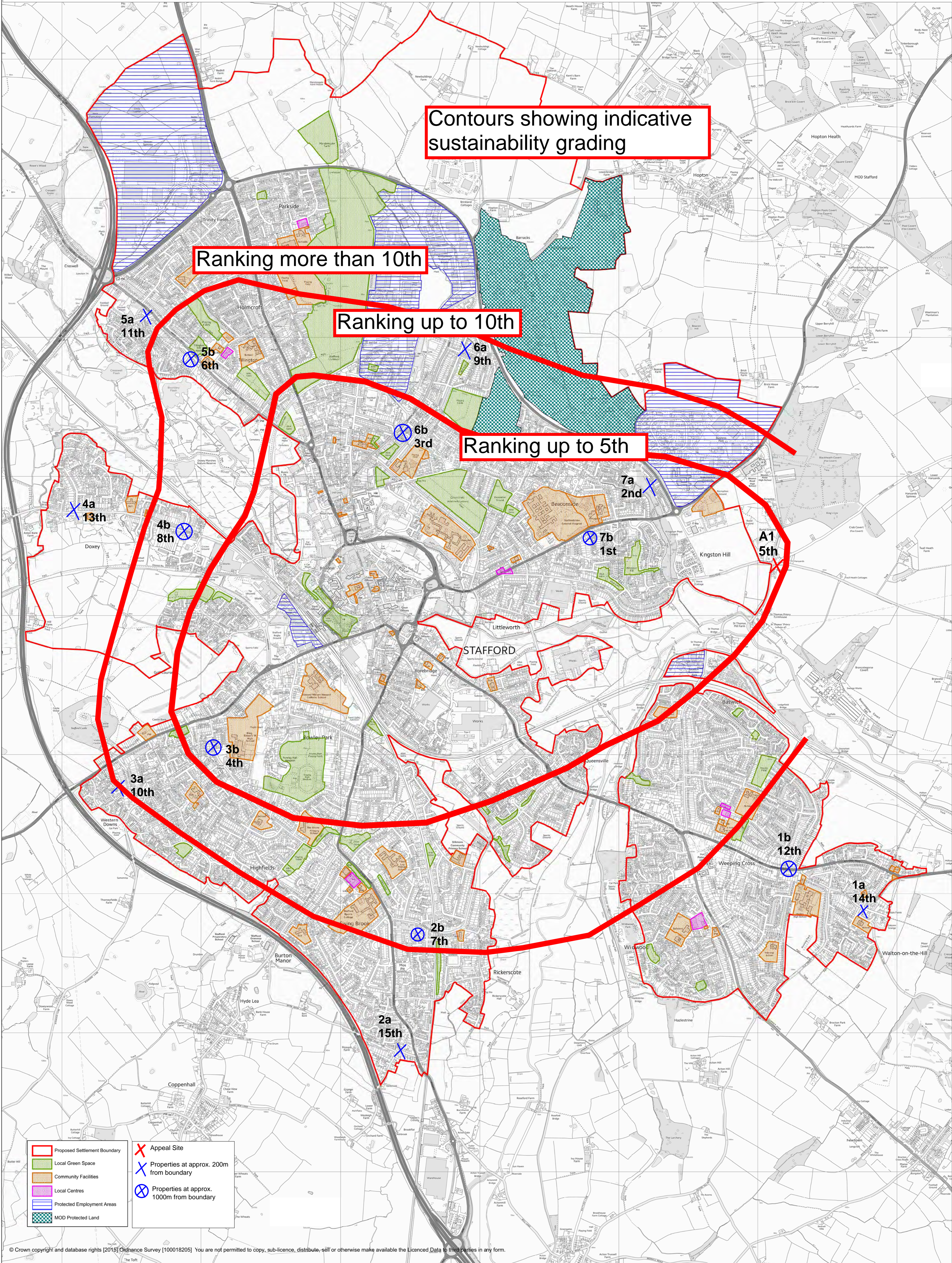
### Tixall Road/ Baswich Lane Black Heath Lane properties







# Sustainability Assessment: - Summary Ranking and Ranking Contour





# Sustainability Assessment and Summary with Site Ranking

## Planning Application 15/22261/FUL Appeal -

Distances are considered to a range of common facilities that may be required by the majority of people/families. For this reason mainstream options are considered eg faith schools are not considered other than Church of England. Location 'a' properties are approx 200m within the proposed settlement boundary Location 'b' properties are approx 1 km within the proposed settlement boundary

Criteria	Notes	Map Reference Sheet	Criteria	Distance	1a	1b	2a	2b	3a	3b	4a	4b	5a	5b	6a	6b	7a	7b	Distance
A	Primary School	A	Schools, further education:	Distance	ST170LU	ST170J1	ST172H8	ST172EP	ST172YS	ST172DU	ST161HL	ST161ED	ST161PU	ST161FE	ST163L	ST162FZ	ST163Y1	ST163RX	Distance
	Primary School			0.9	Berkswich Primary	Berkswich Primary	Barton Manor Primary	Flash Lay Community Primary	Castlechurch Primary	Castlechurch Primary	Dovey Primary	Dovey Primary	Tillington Manor Primary	Tillington Manor Primary	John Wheddon Academy	John Wheddon Academy	St John's Primary	St John's Primary	0.6
	High School			0.5	Wolton High	Wolton High	Stafford Manor High	Stafford Manor High	King Edward VI High	King Edward VI High	King Edward VI High	King Edward VI High	Balfour High	Balfour High	Sir Graham Academy	Sir Graham Academy	Weston Road Academy	Weston Road Academy	0.9
	College or University			1.0	Staffordshire University	Staffordshire University	Stafford College	Stafford College	Stafford College	Stafford College	Stafford College	Stafford College	Stafford College	Stafford College	Stafford College	Stafford College	Stafford University	Stafford University	0.6
	<b>TOTAL RANKING</b>			<b>2.4</b>	<b>4.0</b>	<b>3.3</b>	<b>5.2</b>	<b>3.0</b>	<b>3.6</b>	<b>2.1</b>	<b>4.3</b>	<b>3.4</b>	<b>4.6</b>	<b>1.8</b>	<b>4.1</b>	<b>3.2</b>	<b>1.9</b>	<b>1.9</b>	<b>2</b>
B	Health care:			4	12	9	15	15	8	3	13	7	14	14	10	6	2	2	2
	Healthcare			1.1	Weeping Cross Health Centre	Weeping Cross Health Centre	Rising Brook Surgery	Rising Brook Surgery	Castlefields Surgery	Castlefields Surgery	Millbank Surgery	Millbank Surgery	Holmcroft Surgery	Holmcroft Surgery	Cross St Surgery	Cross St Surgery	Beaconside Surgery	Beaconside Surgery	0.6
	<b>TOTAL RANKING</b>			<b>1.8</b>	<b>3.2</b>	<b>2.9</b>	<b>3.9</b>	<b>2.7</b>	<b>2.7</b>	<b>2.8</b>	<b>4.5</b>	<b>3.5</b>	<b>3.5</b>	<b>2.9</b>	<b>1.9</b>	<b>2.9</b>	<b>1.4</b>	<b>0.6</b>	<b>0.3</b>
C	Shops:			7	14	8	13	9	12	4	15	11	11	6	6	3	2	2	2
	Local shop			0.6	Co-operative	Co-operative	Co-operative	Co-operative	SPAR	SPAR	Sainsbury	Sainsbury	Co-operative	Co-operative	Tesco Express	Tesco Express	Co-operative	Co-operative	0.5
	Supermarket			8	ALDI	ALDI	Co-operative	Co-operative	Tesco	Tesco	Sainsbury	Sainsbury	Co-operative	Co-operative	ASDA	ASDA	ASDA	ASDA	1.1
	<b>TOTAL RANKING</b>			<b>1.8</b>	<b>1.1</b>	<b>1.3</b>	<b>1.5</b>	<b>1.5</b>	<b>1.3</b>	<b>0.9</b>	<b>1.3</b>	<b>1.4</b>	<b>1.4</b>	<b>1.2</b>	<b>1.2</b>	<b>0.7</b>	<b>1.6</b>	<b>1.6</b>	<b>1.1</b>
D	Public house or pub			0.1	825	825	75, 54, 76	68, 54, 75, 76	0	0	6	6	0.1	0.1	0.1	0.1	0.1	0.1	0.2
	Public house or pub			2.3	Stafford Train Station	Stafford Train Station	Stafford Train Station	Stafford Train Station	Stafford Train Station	Stafford Train Station	Stafford Train Station	Stafford Train Station	Stafford Train Station	Stafford Train Station	Stafford Train Station	Stafford Train Station	Stafford Train Station	Stafford Train Station	0.2
	<b>TOTAL RANKING</b>			<b>2.4</b>	<b>3.3</b>	<b>3.0</b>	<b>2.5</b>	<b>2.2</b>	<b>1.5</b>	<b>1.0</b>	<b>1.7</b>	<b>1.2</b>	<b>2.0</b>	<b>1.7</b>	<b>1.7</b>	<b>1.4</b>	<b>1.4</b>	<b>1.6</b>	<b>1.4</b>
E	Faith:			12	15	14	13	13	4	1	6	2	10	8	8	3	9	5	5
	Church			0.9	St Thomas' Church	Berkswich Church	St Peter's Church	St Peter's Church	St Mary's Church	St Mary's Church	St Thomas & St Andrews	St Thomas & St Andrews	St Bertelin Church	St Bertelin Church	Sandon Church	St Patricks Church	St John the Baptist	St John the Baptist	0.5
	<b>TOTAL RANKING</b>			<b>1.3</b>	<b>0.2</b>	<b>0.6</b>	<b>1.5</b>	<b>1.5</b>	<b>0.5</b>	<b>0.5</b>	<b>0.4</b>	<b>0.4</b>	<b>0.5</b>	<b>0.5</b>	<b>0.2</b>	<b>0.2</b>	<b>1.0</b>	<b>1.0</b>	<b>1.2</b>
F	Restaurant or public house			0.6	Seven Stars	Wildwood	The Royal Oak	The Royal Oak	Kings Horse	Kings Horse	Market Square	Market Square	Lucky Penny	Lucky Penny	Market Square	Market Square	Morris Man	Morris Man	0.3
	House with food			7	Staffordshire and Worcestershire Canal Walk	Baswich Playing Field	Stafford 21 Footpath	Stafford 21 Footpath	Stafford 21 Footpath	Stafford 21 Footpath	Stafford 21 Footpath	Dovey Marshland	North End Community Grounds	North End Community Grounds	Charley Rd Playing Field	Charley Rd Playing Field	Kingston Brook Wood	Kingston Brook Wood	0.3
	<b>TOTAL RANKING</b>			<b>0.7</b>	<b>1.5</b>	<b>0.7</b>	<b>0.3</b>	<b>0.3</b>	<b>0.2</b>	<b>0.2</b>	<b>0.5</b>	<b>0.6</b>	<b>0.4</b>	<b>0.4</b>	<b>0.4</b>	<b>0.2</b>	<b>0.2</b>	<b>0.2</b>	<b>0.4</b>
H	Employment sites:			7	13	12	7	7	15	12	12	13	9	9	4	4	4	4	9
	Industrial estates or retail park or town centre			0.6	Queensville Retail Park	Queensville Retail Park	Queensville Retail Park	Queensville Retail Park	Town Centre (edge of)	Town Centre (edge of)	Dovey	Dovey	Town Centre (edge of)	Town Centre (edge of)	Tollgate Industrial Estate	Albans Industrial Site	Stafford Technology Park	Stafford Technology Park	0.1
	Industrial estates or retail park or town centre			0.6	Beacon Business Park	Albton Power	Albton Power	Albton Power	Town Centre	Town Centre	Town Centre	Town Centre	Trinity Fields	Trinity Fields	Town Centre (edge of)	Town Centre (edge of)	Hospital	Perkins Engine Company	0.5
	<b>TOTAL RANKING</b>			<b>1.2</b>	<b>3.2</b>	<b>3.2</b>	<b>1.8</b>	<b>2.4</b>	<b>3.0</b>	<b>2.0</b>	<b>2.5</b>	<b>1.4</b>	<b>2.2</b>	<b>2.3</b>	<b>1.6</b>	<b>1.6</b>	<b>0.8</b>	<b>0.7</b>	<b>0.6</b>
	<b>Sustainability Comparison:</b>			<b>13.1</b>	<b>16.8</b>	<b>15.4</b>	<b>20.3</b>	<b>13.5</b>	<b>18.2</b>	<b>10.4</b>	<b>18.2</b>	<b>13.6</b>	<b>15.7</b>	<b>14.4</b>	<b>14.4</b>	<b>10.0</b>	<b>9.5</b>	<b>7.8</b>	<b>7.8</b>
	<b>RANKING - 'a' sites</b>			<b>5</b>	<b>12</b>	<b>7</b>	<b>15</b>	<b>7</b>	<b>13</b>	<b>4</b>	<b>6</b>	<b>8</b>	<b>11</b>	<b>6</b>	<b>9</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>1</b>
	<b>RANKING - 'b' sites</b>			<b>4</b>	<b>6</b>	<b>6</b>	<b>8</b>	<b>6</b>	<b>6</b>	<b>3</b>	<b>6</b>	<b>7</b>	<b>5</b>	<b>5</b>	<b>3</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>1</b>

- i The nearest non fee paying education site is considered (excluding faith schools except CoE).
- ii Local convenience stores are considered eg Co-operative, Spar, Tesco express, plus the nearest supermarket. If a supermarket is closest this is measured twice. It is noted that the Beacon Business and Retail Park site has got planning permission but is not yet constructed.
- iii While the nearest bus stop is considered it is noted that some services may be 'less frequent'. These locations are highlighted in red. The distance stated is to the nearest 'frequent' service.
- iv The nearest restaurant or public house with food, takeaway/ fast food restaurants are not included.
- v The nearest large open space eg large park, woodland, sports ground are not included.
- vi The nearest large open space or the site or where 2 town centre locations are closest, the second distance is to the market square.
- vii Private healthcare is not considered. Red cells indicate services without an associated pharmacy.
- viii All distances are in miles and are taken as the shortest walking route.

