

# Where we are with the Local Plan for Stafford Borough - July 2025

## Frequently Asked Questions (FAQs)

The aim of this FAQ is to give guidance on questions you may be asked about the position of our Local Plan and the impact of losing the 5-year land supply.

This is not intended to be shared with the public and we advise that only answer the questions you are asked.

### 1. What Local Plan do we have?

The adopted plan is **The Plan for Stafford Borough** and several **Neighbourhood Plans**. Whilst this Local Plan is older than 5 years it is still the Plan used for decision making purposes as its timeframe is 2011 - 2031 (adopted in June 2014).

The **New Local Plan 2020-2040** is no longer being progressed and is **not** being used for any decision-making purposes.

The **New Local Plan 2025-2045** is currently being developed but will not be used for decision-making until it is completed.

### 2. Why did we not progress with the New Local Plan 2020-2040?

Work began on the New Local Plan 2020 - 2040 in 2017 with key consultations occurring in:

- July 2018: New Local Plan - Scoping the Issues
- February - April 2020: New Local Plan - Issues and Options
- October - December 2022: Preferred Options (Regulations 18)

Officers reviewed the comments from the Preferred Option consultation. Responses highlighted:

- the requirement to source further works to create a sound evidence base for the plan
- concern regarding the provision of additional dwellings for unmet need from the region as part of the future Stafford Borough development strategy.

To progress from Preferred Option stage (Regulation 18) to Submission (Regulation 19) it was essential to have a robust evidence base.

Extensive evidence relating to the plan, and the Meecebrook proposal, was required. It was estimated that this would take at least two - three years to complete the evidence base for testing through an Examination.

At the same time changes were happening on a national level relating to the creation and content of Local Plans through several NPPF versions published since December 2022. Changes that have occurred are:

### **Levelling up and Regeneration Act October 2023.**

This set out:

- 30-month timeframe to complete a new plan from start to adoption
- Upfront engagement with local communities and stakeholders
- Gateway Assessments: 1<sup>st</sup> and 2<sup>nd</sup> Gateway Assessments are advisory. 3<sup>rd</sup> Gateway Assessment will have a binding role as to whether the planning authority can submit their draft plan.

### **National Planning Policy Framework December 2024.**

This version of the NPPF introduced many changes, particularly the mandatory housing target **of 751 dwellings per year** (15,020 over the plan period 2025-2045) for Stafford Borough. When the now required 10% delivery buffer is applied this results in a target for plan-making of **826 dwellings per year** (16,520 over the plan period). **Since 1 April 2025 the mandatory housing target is now 749 dwellings per year.**

The second most significant change relates to progressing with new local plans. To progress through the existing system the Local Plan should have been ready for the pre-submission or submission for examination stage by 12 March 2025.

Furthermore, the Local Plan should have included policies that are less than 5 years old or linked into supporting the delivery of a higher-level Spatial Development Strategy.

**We did not meet any of these requirements.**

### **3. What has happened to the Meecebrook proposal?**

The allocation of Meecebrook was proposed in the New Local Plan 2020-2040 Preferred Option. As the New Local Plan 2020-2040 is no longer progressing, at this time, that also includes the Meecebrook proposal.

Nevertheless the Meecebrook proposal can still be put forward as part of the New Local Plan 2025-2045. If it is put forward as a proposed site it will be assessed as part of the new plan system.

### **4. What is the position with Duty to Cooperate and Unmet Need?**

The Duty to Cooperate is still a requirement as part of the National Planning Policy Framework.

The Preferred Option 2020-2040 proposed 2,000 homes being a contribution to meeting unmet need of other authorities within the region.

As the 2020-2040 Local Plan is no longer being advanced, conversations relating to the Duty to Cooperate will be progressed as part of the New Local Plan 2025-2045.

**5. Why didn't we reach Examination in the six years the New Local Plan 2020-2040 was being created?**

Currently it takes seven years to finalise a local plan. However, due to national changes we had to reconsider the Council's approach several times during the creation of the New Local Plan 2020-2040.

The Levelling Up and Regeneration Act sets out a new plan making system which will increase the speed and efficiency in the process. The new plan making system, details of which are awaited, state that a new plan should be created in a total of 30 months.

**6. Couldn't we have met the deadline if we just progressed with the Preferred Option?**

No.

The Preferred Option is just one stage on the journey of making a new Local Plan. It has no 'material' weight in terms of decision making.

To move from Preferred Option to Submission, which is effectively the Local Authority saying, "this is the plan we want to use for future decision making", takes substantial work and requires a robust evidence base.

It was identified that for robust evidence to support the New Local Plan 2020-2040 it would take two to three years to develop. This is due to the complexity of some of the policies and proposals within the Preferred Option.

**We did not have the evidence base required to move straight to Submission. We could not meet the deadlines set out within the NPPF of December 2024.**

**7. But what if we had just proceeded with the Preferred Option?**

In the scenario that we had simply proceeded with the Preferred Option as it currently stands straight to Submission, without undertaking any of the work required. Two things would have happened:

1. The Planning Inspectorate could have immediately dismissed the plan prior to the Examination hearing sessions as it did not have the evidence base to support the policies and allocations put forward. It costs at least £80,000 to undertake an Examination for a new Local Plan.

2. In the unlikely event the Inspectorate had allowed it to proceed and be adopted we would have had to undertake an immediate review of the plan due to the difference in the housing figure set out within the plan and the new mandatory housing target.

Therefore if it had been possible to adopt the 2020-2040 New Local Plan an immediate review would have been required due to the new mandatory housing figure. The housing figure put forward within the Preferred Option and subsequent Submission version of the New Local Plan 2020-2040 would have been based on the previous housing figure i.e. it is lower than the new mandatory housing figure, these policies would have been immediately discounted.

As a result the presumption in favour of development, known as the 'tilted balance' as set out in the National Planning Policy Framework, would have still applied and we would have no more control over the location and size of the new housing developments put forward as we do now.

**This is the same position we are in now with our current adopted Plan for Stafford Borough.**

#### **8. Could we have used a Regulations 19 Plan?**

No.

Regulation 19 of the Local Plan is a consultation stage prior to the Submission of the Plan under section 20 of the Town and Country Planning Act.

As it is a pre-submission document **it cannot be used for decision making purposes.**

#### **9. How have we been proactive?**

The decision was taken in March 2025 to stop work on the new Local Plan 2020-2040, due to the significant national changes and the fact that we could not meet the deadlines set out in NPPF.

A pro-active approach has been used to provide funding and a new timetable for the New Local Plan 2025-2045 process, with progress now taking place on evidence-based work.

#### **10. What does not having a 5-year land supply mean for us?**

**We still have an adopted plan, The Plan for Stafford Borough, where most policies can be used for making planning application decisions.**

Parts of policies Spatial Principle 2, Spatial Principle 7 and policies relating to settlement boundaries now carry less weight and therefore cannot be used as a reason to refuse planning applications for new housing developments

We must apply the NPPF 'tilted balance' which is a presumption in favour of sustainable development.

Settlement boundaries for Stafford, Stone, Key Service Villages no longer apply as identified in the adopted Plan and in Neighbourhood Plans.

Since we can no longer apply policies related to settlement boundaries, there is an opportunity for developers to propose sites that would have previously been refused.

**This does not mean that sites will automatically be granted planning permission.**

## **11. What happens with planning applications?**

Planning applications still must go through the same system as before and be considered on their individual merits.

A Pre-application process is being set up to assist applicants when preparing planning applications. Any queries to Members should be directed to officers in order ensure appropriate engagement with new sites being considered.

We can still refuse planning applications, but we need to be very clear as to why. Planning appeals successfully won by other Councils have been focused on:

- environmental impact
- historic impact
- design impact

As part of a planning appeal, the applicant can apply for 'costs'. This means that the Council may have to pay the appellants costs if the appeal is lost. The nature of these costs vary.

Where there is a costs' claim the Inspector will issue two decisions, one on the appeal and one on the costs' claim. A claim for costs is likely to be successful where the Council has acted unreasonably by being unable to substantiate a reason for refusal, and a partial costs award is made where the appellant has incurred additional costs in providing evidence in relation to this reason. A full cost award can be made where the Inspector decides that the Council has been unreasonable in refusing the application as it cannot justify any of the reasons for refusal.

It is possible for a Council to win an appeal but still have a partial costs award made against it.