

Stone Neighbourhood Development Plan (Submission Plan September 2018)

As you are aware I have been appointed to conduct the Examination of the Stone Neighbourhood Development Plan. I can see that considerable community effort has gone into developing the Plan; in order that I may progress the Examination I would be grateful for the Qualifying Body's response to the initial enquiries below; the local authority may also have comments. The queries are not extensive but the responses will all contribute to the progressing of the Examination.

I still have considerable work to undertake in fully assessing the submitted Plan but my purpose here is to better understand the intention behind the policy content from the authors and it is not to invite new content or policies that will not have been subjected to the public consultation process. In some instances I need to be sure that the Plan policies meet the obligation to "provide a practical framework within which decisions on planning applications can be made with a high degree of predictability and efficiency" (NPPF para 17*). It is an expectation of Neighbourhood Plans that they should address the issues that are identified through community consultation, set within the context of higher level planning policies. There is no prescribed content and no requirement that the robustness of proposals should be tested to the extent prescribed for Local Plans. Where there has been a failure by the Qualifying Body to address an issue in the round, leading to an inadequate statement of policy, it is part of my role wherever possible to see that the community's intent is sustained in an appropriately modified wording for the policy.

In order to ensure transparency with the conduct of the Examination a copy of these queries is being sent to the Local Planning Authority with a request that the exchange of emails be published on the webpage relating to the Neighbourhood Plan alongside the representations received during the Regulation 16 public consultation.

*NB As you are aware a new National Planning Policy Framework (NPPF) was published in July 2018 (now updated in February 2019) but the transitional arrangements in para 214 Appendix 1 on Implementation apply and thus this Examination is unaffected by the changed NPPF; accordingly all references to the NPPF in this document (and in the final Examination Report) are to the original 2012 NPPF document, unless otherwise indicated.

Contentious Issues:

The two most contentious issues appear to be:

- a) whether the Plan is positively framed;
- b) whether some or all of the Local Green Spaces meet the NPPF criteria.

Is the Plan positively framed?

The representation from Stafford BC says "Overall sustainable growth needs to be delivered through the Neighbourhood Plan process in line with the Revised NPPF 2018 para 29. This is clearly not demonstrated by the Stone Neighbourhood Plan Submission.....In particular the Neighbourhood Plan should help to identify new development sites to accommodate additional growth, provision of new recreational facilities as well as Local Green Space". Other representations say: "I fail to see the benefits of this plan" and "this is a plan for stagnation not growth". Para 29 of the (now 2019) NPPF says: "Neighbourhood plans should not promote less development than set out in the strategic policies for the area, *or undermine those strategic policies*" (*my emphasis*).

However, the Planning Practice Guidance clarifies (Paragraph: 040 Reference ID: 41-040-20160211): "Neighbourhood plans are not obliged to contain policies addressing all types of development. However, where they do contain policies relevant to housing supply, these policies should take account of latest and up-to-date evidence of housing need. In particular, where a qualifying body is

attempting to identify and meet housing need, a local planning authority should share relevant evidence on housing need gathered to support its own plan-making". And further, "A neighbourhood plan can allocate additional sites to those in a Local Plan where this is supported by evidence to demonstrate need above that identified in the Local Plan" (Paragraph: 044 Reference ID: 41-044-20160519). The Plan document (page 39) notes that at March 2017 (not updated to March 2018) housing completions and commitments total 1,135 against the Plan for Stafford Borough 2011-2031 "total requirement [for Stone] of 1,000 new homes over the Plan period". The Stafford BC representation does not dispute the 1,000 new homes figure but suggests this is a minimum rather than an absolute figure; the level of additional growth that would have been desirable is undefined. However, again national guidance is relevant: Planning Practice Guidance (ref: 41-009-20160211) says: "Neighbourhood plans should consider allocating reserve sites to ensure that emerging evidence of housing need is addressed. This can help minimise potential conflicts and ensure that policies in the neighbourhood plan are not overridden by a new Local Plan". In this regard a representation comments: "we question whether the Town Council should progress with a Neighbourhood Plan at this time and whether work on the Neighbourhood Plan should instead be delayed to allow for the emerging Local Plan to be prepared".

As another representation notes, there is a consequence to the Neighbourhood Plan not allocating any sites for housing despite (as noted on page 39 of the Plan) the Plan for Stafford stating that "development allocations for specific sites will be identified through (*sic*) the Settlement Boundaries through the Neighbourhood Planning Process". In the event that Stafford BC cannot demonstrate a 5 year supply of deliverable housing sites then the Development Plan policies on housing supply will be considered to be out of date and permissions will be granted (NPPF para 24) "unless: – any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or – specific policies in this Framework indicate development should be restricted". The Ministerial Statement of December 2016 clarified that supply of housing policies will not be considered out of date in areas with a made Neighbourhood Plan provided 3 conditions are met, one of which is that "The Neighbourhood Plan allocates sites for housing"; clearly that requirement will not be met for Stone. Meanwhile, as the representations show, there are a number of sites that developers suggest and urge could be used for sustainable development. I note that the Stafford BC 'Housing Monitor 2018' indicates that a 5 year housing land supply is being sustained albeit 47% of outstanding commitments at March 2018 were from unallocated 'windfall' sites which may not accord with community location preferences.

From what I have read so far it would appear that the new Local Plan for Stafford is not at a stage where revised housing requirements have been calculated or published. With a standard methodology now available (www.gov.uk/guidance/housing-and-economic-development-needs-assessments) it would have been possible for the Qualifying Body to undertake an assessment of their own, although I appreciate that the resource implications are significant. This would however have allowed the Qualifying Body to ensure that future housing developments were plan led. I repeat what the Planning Practice Guidance says: "Neighbourhood plans should consider allocating reserve sites to ensure that emerging evidence of housing need is addressed. This can help minimise potential conflicts and ensure that policies in the neighbourhood plan are not overridden by a new Local Plan" (ref: 41-009-20160211).

Instead of making site allocations, the "Growth Strategy" section of the Plan (page 39) suggests that reliance will be placed on the Plan for Stafford Borough and "a series of enabling policies". I would be pleased to know the Qualifying Body's view of what those "enabling policies" are. Further, reliance is placed on the Plan for Stafford Borough Part 2 Spatial Principle 7 (SP7) which directs new development in Stone to sustainable locations within the defined Settlement Boundaries. As far as I can ascertain, the vast majority of the suggested Local Green Space allocations are within those

Settlement Boundaries. Has any work been undertaken to estimate the capacity of the Settlement Boundaries for new housing development (as distinct from employment or other development)?

STC COMMENT	<p>Comments noted, the NP was being prepared in parallel with the Plan for Stafford Borough Part 2 of which the Town Council participated in the consultation. There was not evident need through community engagement to challenge the growth strategy or rationale that the LPA were developing. Therefore we did not undertake any additional evidence base as the local plan evidence we thought would be robust.</p> <p>The settlement boundaries were set by the LPA and these are in the adopted plan, we did not seek to modify them.</p>
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The Council representation also asserts that “taken in combination [Neighbourhood Plan] policies H2 [Housing Design], CAF2 [Green Infrastructure], CAF3 [Protected Views and Vistas] and CAF4 [Local Green Space] have the ability to severely restrict development. This approach is inconsistent with the Plan for Stafford Borough and national guidance”. Individually the Policies seem to address legitimate matters for a Neighbourhood Plan. I will later look at the Policies in turn but I invite you to comment on whether you have considered the cumulative impact of these policies and indeed on all the above lines of thought which may help me to understand the rationale behind the Plan.

STC COMMENT	<p>Comments noted, the following points are raised in response:</p> <ul style="list-style-type: none"> • Housing Growth: This plan is pro-growth. In its preparation Stone Town Council has taken great care to ensure it plans positively for the projected level of growth that the LPA have indicated and does not seek to reduce the housing numbers allocated. • The NP does nothing to restrict the development of the strategically allocated sites. Although these have not all been developed the projected numbers have already been met in planning permissions gained, including windfall sites. • Permitted development in some instances would also enable additional housing growth. • It is perfectly legitimate to focus on economic and town centre regeneration. • The neighbourhood plan does nothing to restrict housing supply. • Community engagement did not highlight site allocations for housing as a theme as the LPA have catered for housing growth and this would be a repetition. • The NP is focused on business and employment. • The NP supports strategic housing allocations in the mix and types of housing to encourage well designed places and homes that cater for the housing need identified by the LPA. • Policy BE2 enables residential development at upper floors in the town centre with a view to re-populate the town centre. • CAF1 makes sure that housing is supported by social infrastructure.
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Do all of the proposed Local Green Spaces (LGS) meet the NPPF criteria?

A representation notes that very little hard evidence has been produced to support the 'tick-boxes' used to demonstrate compliance with the NPPF criteria. Other representations suggest that the information provided for some specific sites is either incorrect or misleading. Particularly when the owner of the site of a proposed Green Space objects to a designation, the evidence required by the NPPF criteria needs to be compelling. Further I would hope to see evidence that the site owner's views had been considered and addressed.

As is noted in the Plan, the NPPF (para 77) says the "Local Green Space designation will *not be appropriate for most green areas or open space [my emphasis]*. The designation should only be used:

- where the green space is in reasonably close proximity to the community it serves;
- where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and
- where the green area concerned is local in character and is not an extensive tract of land."

(Incidentally the two additional criteria that you suggest derive from paragraph 77, relating to the site's planning position, do not appear there at all but I assume derive from a consideration of paragraph 76 which says: "Identifying land as Local Green Space should therefore be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services. Local Green Spaces should only be designated when a plan is prepared or reviewed, and be capable of enduring beyond the end of the plan period").

The phrase "designation will not be appropriate for most green areas or open space" implies that a reasonable level of selectivity will be adopted when arriving at spaces for formal designation; there does not appear to have been any or any significant selectivity in arriving at the schedule of potential Green Spaces for Stone. Although the Council have identified that a number of the identified spaces have "potential to contribute to the sustainable development of Stone", 'development potential' per se is not a reason for rejecting individual LGS designations. Another representation comments: "Taking the requirements of the [NPPF] and PPG into account, it is essential when allocating LGS, plan makers can clearly demonstrate that the requirements for its allocation are met in full, and that they are capable of enduring over the plan period and beyond".

All three criteria must be met for designation but no-one has suggested that any proposed area is not "in reasonably close proximity to the community it serves". A limited number of sites have been queried as potentially "extensive tracts of land"; the NPPF does not define at what point sites become "extensive" but the Planning Practice Guidance (paragraph: 015 Reference ID: 37-015-20140306) suggests that context is important: "there are no hard and fast rules about how big a Local Green Space can be because places are different and a degree of judgement will inevitably be needed". The Guidance goes on to say that "blanket designation of open countryside adjacent to settlements will not be appropriate. In particular, designation should not be proposed as a 'back door' way to try to achieve what would amount to a new area of Green Belt by another name".

On the matter of the Local Green Space being "demonstrably special" and holding "a particular local significance" the examples provided (within the NPPF and the Practice Guidance) do make it clear that it will be the exception rather than the rule that open areas should be designated.

Representations seem to suggest that you have set the bar rather low and that not every incidental or open piece of green space either requires or deserves to be regarded as "special". As you note green spaces in general can give health benefits and that may make them useful but it does not make them "demonstrably special". Some Plans have included policies for green corridors than can

be recognised as providing attractive pedestrian routes and havens for some wild life but they are recognised for their own sake rather than there being any suggestion that, even as linked spaces, they are “special”.

Planning Practice Guidance notes, “If land is already protected by designation, then consideration should be given to whether any additional local benefit would be gained by designation as Local Green Space” (Paragraph: 011 Reference ID 37-011-20140306). It would seem perhaps that 3 spaces (out of the 75) may have been reconsidered on this basis but it is suggested in representations that there are others that may already be protected to an equivalent or better degree than as a Local Green Space, the most obvious examples being Local Nature Reserves and land designated as green infrastructure in the Local Plan.

Obviously I will need to visit every space as part of reaching a judgement* but it would be helpful for that visit if you could revisit your assessment of each site and provide more clarity how the criteria (NPPF and PPG) are met - other than the “in reasonably close proximity” one - including, but not exclusively, the following:

* For the purposes of my visit it would be most helpful to have a Neighbourhood Area map with the proposed Local Green Space locations marked.	
LGS 01	Since it is “amenity space” is it already protected land under the terms of the original planning consent? What is the “particular” local significance since field remnants would not seem significantly historical?
LGS 02	Confusingly the map here identifies two sites but no mention is made of the space labelled “Trent Road”. The Council representation assumes that the latter space is included but no separate justification is apparent? Are these areas already protected land?
LGS 03	Is this amenity greenspace already protected land?
LGS 05	Is this amenity greenspace already protected land?
LGS 06	Is this amenity greenspace already protected land?
LGS 07	I note that the pond is in private ownership but is the remaining part of the site already protected land? The Council representation seems to assume that it is not.
LGS 08	As this is a “Local Nature Reserve” and is owned by the Town Council is that not already sufficient protection? The Council representation suggests also that this might be an “extensive tract of land” but the aerial photo does not allow me to judge.
LGS 09	Are these amenity greenspaces already protected land?
LGS 10	I presume that the “historical significance” here is that the spaces and houses have been together since the 1940s but I wonder whether they can be considered “demonstrably special” green space if the residents use parts as a car park? Is this amenity greenspace already protected land?

LGS 11	Is this amenity greenspace already protected land?
LGS 12	I note that this site is green infrastructure in the adopted Local Plan and a Local Nature Reserve; ownership is not mentioned but is this not already sufficient protection?
LGS 13	As with LGS 10, I wonder whether this space can be considered “demonstrably special” if the residents use parts as a car park? Is this amenity greenspace already protected land?
LGS 14	Is this local play area already protected land?
LGS 15	Is this local play area already protected land?
LGS 16	Is this amenity greenspace already protected land? The representation from the Council would seem to suggest it is not.
LGS 17	Is this amenity greenspace already protected land?
LGS 18	As with LGS 10 and LGS 13, I wonder whether this space can be considered “demonstrably special” if the residents use parts as a car park? Is this amenity greenspace already protected land?
LGS 19	Is this amenity greenspace already protected land?
LGS 20	I note that this area is already part of a designated Conservation Area; does that not provide sufficient protection? The land owners do not agree that the NPPF criteria have been met.
LGS 21	The representation from the Council suggests that area 1 should be considered separately from the other areas. Are these “landscaped amenity” greenspaces not already sufficiently protected?
LGS 22	Is this amenity greenspace already protected land?
LGS 23	Apart from this site probably being undevelopable, is this amenity greenspace already protected land?
LGS 25	I note that this site is outside of the Settlement Boundary and within a designated Conservation Area; I understand the latter relates to the setting of Grade II listed Hayes Mill. I note that the Appeal Inspector rejected development proposals for the site based on its relationship with Hayes Mill: “The development would not accord with one of the core planning principles of the Framework which seeks to conserve heritage assets in a manner appropriate to their significance so that they may be enjoyed for their contribution to the quality of life of this and future generations”. The Inspector noted <i>inter alia</i> that the “County Council’s Historic Environment Character Assessment describes the Moddershall Valley as of particular interest with reference to the ancient woodlands and the historic mills area. It identifies the area, including in the vicinity of the appeal site, as being highly sensitive to housing expansion and infrastructure development which would impact on the well preserved historic landscape character of ancient woodlands and the setting of individual listed buildings”. You will have noted that the owner of the land objects to the designation as LGS and argues that none of the designation criteria is satisfied. They also note that the position with the public footpath is misrepresented. I note there are a number of representations that argue in support of the designation. Further a representation asserts that the map on page 23 of the Plan “appears to identify the land at Nicholl’s Lane as lying within the Green Belt. This is incorrect and should be amended and clarified”; I am unsure whether this is actually the diagrammatic map on page 23 or that on page 86.
LGS 26	Is this amenity greenspace already protected land?
LGS 27	Is this amenity greenspace already protected land?
LGS 28	The Council notes that this site is immediately adjacent to a much larger area of Green Infrastructure. Is this amenity greenspace already protected land?
LGS 29	Is this amenity greenspace already protected land?

LGS 30	Apart from this site probably being undevelopable, is this amenity space already protected land?
LGS 31	The Council notes that this space is immediately adjacent to Green Infrastructure. Is this amenity greenspace already protected land?
LGS 32	The Council advise that this space is already Green Infrastructure designated within Policy N5 of the adopted Local Plan. Is this amenity greenspace already sufficiently protected?
LGS 33	I note that part of this site is within or adjacent to the Trent and Mersey Canal Conservation Area. Is this amenity greenspace already protected land?
LGS 34	The Council advises that the southern part of this space, outside of the Settlement Boundary, now has a planning consent granted via Appeal for affordable housing. This would seem to indicate that the remainder of the land is undevelopable? The boundary would need to be updated.
LGS 35	The Council representation suggests that this space need not be regarded as one, the west part perhaps having the better claim for designation. Are these amenity greenspaces already protected land?
LGS 36	The Council representation notes that this space is recognised as green infrastructure in the adopted Local Plan, as the Plan notes it is also a Local Nature Reserve, and in the Council's estimation it is an extensive tract of land.
LGS 37	Is this amenity greenspace already protected land?
LGS 38	The Council representation notes that this space is recognised as green infrastructure in the adopted Local Plan.
LGS 39	Is this amenity greenspace already protected land?
LGS 40	The Council representation notes that this space is recognised as green infrastructure in the adopted Local Plan although a number of representations express a concern about Council plans to sell this site (or part) for a housing development and an assertion in one that the Council has annotated this site as "having potential to contribute to the future sustainable development of Stone", but this is not the case.
LGS 41	This space is outside the Settlement Boundary. I note that at Appeal this site was refused for a housing development because "there is no need to release greenfield sites for development, such as the appeal site". A representation objects to the designation on the grounds that it is "erroneous and flawed" and asserts that the trees on the site are not the subject of a Tree Preservation Order.
LGS 42	Is this amenity greenspace already protected land?
LGS 43	Is this amenity greenspace already protected land?
LGS 44	The schedule indicates that this site has been removed.
LGS 45	The Council representation notes that this space is recognised as green infrastructure in the adopted Local Plan, as the Plan notes it comprises "protected pitches and spaces", and in the Council's estimation it is an extensive tract of land. Is this space already sufficiently protected?
LGS 46	The Council representation notes that this space is recognised as green infrastructure in the adopted Local Plan.
LGS 47	Representations comment that this space forms part of properties on Chandlers Way which is subject to a restrictive covenant preventing development. The representations assert that if the owners had been consulted during the Plan making then this information would have been shared earlier.
LGS 49	Is this amenity greenspace already protected land?
LGS 50	As the Plan and a representation from the Council note, this space is recognised as green infrastructure in the adopted Local Plan.
LGS 51	As the Plan notes this site is held in protective Trusteeship. Is this space therefore

	already sufficiently protected?
LGS 52	An owner representation notes that the site, which appears to include a significant building, is currently the subject of a short term lease but the site has residential potential.
LGS 53	As this site is owned by the Town Council is it already sufficiently protected?
LGS 54	A representation from one of the joint owners of the allotments points out that the boundary for this site extends beyond the allotments to include two small paddocks at the eastern end; this paddock land “demonstrably does not serve the local community”. Is the allotment space already protected land?
LGS 55	As a site within which the residents have a stake is it already sufficiently protected?
LGS 56	As this site is owned by a community interest company is it already sufficiently protected?
LGS 57	As this site is owned by the Town Council is it already sufficiently protected?

STC COMMENT	<p>Comments noted, the NP only seeks to make 53 LGS Designations from 73 that were originally part of the process following the wider audit, where some spaces did not even make the long list as they were discounted for failing to meet the NPPF criteria.</p> <p>With regards to the map to show all of the LGS together unfortunately we do not have the mapping capabilities, however we could take you around them understanding we would not be able to discuss them but help you navigate the area or perhaps the LPA may be able to help us to make the map.</p> <p>The proposed designations may include other designations such as LNR, which further adds to the supporting evidence of how a space meets the LGS criteria.</p> <p>The table on the next page shows the extensive process that the Town Council went through before arriving at the Local Green Spaces included within the Plan. It should be noted that at Stages 4 and 5, as referred to in the table, the consultation included posting the information on the Town Council Website, sending letters to all the landowners and users of the sites where they could be identified, contacting the County Borough Councils, advertising in the local press and having a pop-up market stall in the town. The increase in the number of possible Local Green Spaces at Stage 4 was largely as a result of an email from Sport England received as part of the consultation. It is appended as Appendix A to this note.</p> <p>It is also interesting to note the consultation response made by Wardell Armstrong on behalf of Barratt Homes & David Wilson Homes Mercia BDW Trading Ltd.:</p> <p><i>“We note the concern expressed by Stafford Borough Council Cabinet Report that, due to the extent of new areas of LGS identified within Appendix D of the Neighbourhood Plan, this will lead to over-allocation of Local Green Space and an impact on the sustainable development of Stone.</i></p> <p><i>Having reviewed the LGS sites identified, the designations outlined by the Plan appear, generally to be consistent with the tests set out in para.100 of the NPPF, being special to a local community; and of particular local significance, because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife. We support their protection through this policy.”</i></p>
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Local Green Space Designation and Consultation Process		
Stage	Approx. Date	Activity Description
Stage 1	Nov 2015	<p>Scoping exercise and first public consultation/community event prior to initial preparation of the Neighbourhood Plan.</p> <ul style="list-style-type: none"> The shortage of green space was identified as the most important issue and recorded as a 'Key Outcome and Issue' in the initial scoping exercise undertaken.
Stage 2	May 2016	<p>Initial Green Space list.</p> <ul style="list-style-type: none"> A small working party was set up to note and photograph possible green spaces within the Town Boundary. Some 73 green spaces were identified, and these formed a generous initial working list of green spaces to investigate.
Stage 3	Summer 2016	<p>Preparation of green spaces for first consultation.</p> <ul style="list-style-type: none"> The initial list was reduced from 73 to 46 after the working party were mindful of NPPF (2012) para 77 and Planning Practice Guidelines criteria. Fields in Trust guidance 'Beyond the 6 Acre standard', Lawton Report 'making space for Nature. (Sept 2010) and the Government's emphasis on well-being in their Sporting Futures Strategy, (Dec 2015) also shaped our thinking. Efforts to identify and notify stakeholders, arrange media advertising, and arrange digital copies on the Council's web site were made. A public presence was also made available on the High Street.
Stage 4	Oct 2016	<p>1st Local Green Space Consultation. – 6 weeks</p> <ul style="list-style-type: none"> An initial list of 46 green spaces was made available both online and as a paper copy at many public locations. Feedback was collected, noted and responded to where appropriate. The green spaces list was reviewed, updated and edited to 54 possible Local Green Spaces.
Stage 5	Aug 2017	<p>2nd Local Green Space Consultation. – 3 weeks</p> <ul style="list-style-type: none"> New list of 54 potential green spaces was made available both online and a paper copy at public locations. Feedback was collected, noted and responded to where appropriate. Green Spaces list was reviewed again.
Stage 6	July 2018	<p>Regulation 14 consultation. – 6 weeks</p> <ul style="list-style-type: none"> Final list of 54 proposed Local Green Spaces was put forward for consultation and made available both online and a paper copy at public locations. Feedback was collected, noted and responded to where appropriate. Green spaces list was reviewed.
Stage 7	Oct 2018	Submission to Stone Town Council for approval and acceptance for inclusion into the Stone Neighbourhood Plan.

STC COMMENT

Policy H1: Housing Tenures and Types

Whilst it is evident from the Local Plan that affordable housing is needed for the Borough, the “Rationale and Evidence” preamble to the Policy does not seem to address affordable housing at all, and this despite the fact, as noted in a representation, that the Council’s Annual Monitoring Report (October 2018) showing that the number of affordable homes completed decreased 2017/18 compared to the previous year. As another representation notes it cannot be realistic for every development of whatever scale to include the whole array of affordable housing as well as housing for the older population and so some rewording will be required to allow for site-specific choice. The Council’s representation makes the point that to have regard to Local Plan and national policy the requirement for affordable housing can only be expected for sites of 12 dwellings or more. It also points out that the Policy is quite vague on the types of accommodation for the elderly that might be appropriate for Stone and suggests that this derives from a lack of evidence. Another representation is concerned that this Policy does not add anything to that which is provided for in the Local Plan.

Your comments are invited on these lines of thought.

STC COMMENT	<p>Comments noted, the NP used the evidence based produced for the Local Plan. The NP does not seek to modify the affordable housing contributions, using their evidence of the types of housing that were not translated into a local plan policy, this policy seeks to encourage a range of homes to be delivered within the developments.</p> <p>See para 2 on page 40 of the NP: “Paragraph 84 in the Plan for Stafford Borough states that: in terms of housing type, Stone and its environs has a significant oversupply of detached properties to the detriment of mid-sized units such as semi-detached properties and terraced housing. There is also a pressing need for more affordable housing to meet current and future demand..... Analysis of the population information for Stone shows that over 65 year olds will increasingly be a significant group.....”</p>
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Policy H2: Housing Design

This is one of the Policies that the Council regards as likely to, cumulatively with others, restrict development. However I note that the NPPF says (para 58): “[Local and] neighbourhood plans should develop robust and comprehensive policies that set out the quality of development that will be expected for the area. Such policies should be based on stated objectives for the future of the area and an understanding and evaluation of its defining characteristics”. But Policy H2 does not appear to derive evidently from “an understanding and evaluation of [Stone’s] defining characteristics” and it is unclear in what ways Local Plan policies are added to; the exception may be the part of the Policy that addresses Special Character Area North but what is proposed is a very blunt tool without any clarity on how “infill” is defined and therefore might be interpreted. The NPPF lends some support to the approach (para 53): “Local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area” but not all development may be “inappropriate”?

A representation adds that not all the criteria will be relevant or applicable for every site and the Policy wording must allow for this. The same representation expresses concern that no specific evidence has been provided in support of the provision of electric charging points and that this is more a matter for national policy than a Neighbourhood Plan.

Your comments are invited on these lines of thought.

STC COMMENT	Comments noted, electric car charging points are becoming a more common design element in well-designed places, these policies are in line with the development of future and current technologies and seek to encourage more sustainable development, supporting greener technology and modes of transport. The Local Plan Part 1 and Part 2 does not cater sufficiently for these sustainable elements.
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Policy BE1: Small Home Based Businesses

As written Policy BE1 provides for “the conversion of existing residential propertiesfor new start-up businesses”; I doubt that you were intending to encourage the loss of whole dwellings (not least because this would put the new dwelling numbers into reverse)? Another perhaps unintended consequence is that the intention of the designation of Special Character Area North could be undermined by the “extension of existing residential properties or the development of new buildings within the residential plot”.

In relation to the second bullet point there seems to be a presumption that “existing businesses” are all within residential areas? It is unclear how a planning applicant might assess whether their proposal amounts to “an over-intensification of business uses” and what might distinguish “an established residential area”. The NPPF expectation is that policies should positively guide applicants to deliver what is needed locally.

Your comments are invited on these lines of thought.

STC COMMENT	<p>Comments noted, as you have acknowledged it is not the intention of the policy to result in the loss of residential properties. This is an enabling policy to encourage home based businesses that are ancillary to the residential use as part of our drive to support more sustainable work patterns and a range of businesses in the Neighbourhood Area.</p> <p>In reference to the special character area, it is correct we would not want to undermine the designation and special policy, although it does not restrict the extension of existing dwellings.</p> <p>The first bullet point is about enabling new businesses. The second bullet point is about supporting the growth of existing businesses that we know from our community engagement already exist in residential areas. This part is to provide a test so that planners can make a judgment on the scale and intensity of a use and its impact on neighbour amenity. For example in a design and access statement we want to encourage applicants to consider the impact (positive or negative) that that business may have. This could be about the number of deliveries, hours of operation, noise etc.. Your advice would be welcomed on this enabling policy.</p>
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Policy BE2: Stone Town Centre and Local Retailing

The heading here includes “Local Retailing” but the Policy doesn’t actually address this, unless this is town centre retailing? I doubt that it is readily possible to establish for every proposal that it will “maintain or enhance [Town Centre] vitality and viability”; is the expectation not more about proposals contributing to and not displacing uses that are appropriate to the Town Centre? I have yet to see the High Street but are the “retail frontages” readily distinguished from other frontages – there should be no ambiguity? Also, are Policy elements 2 & 3 together

saying that residential uses should not displace a shop on the ground floor but other ground floor uses would be acceptable provided the shop frontage design is retained? Within element 2 does “considered for approval” mean ‘supported’?

STC COMMENT	<p>Comments noted, this is an enabling policy to support a range of suitable town centre uses that continue the vibrancy of Stone and its offer. The second point about residential is to protect against the loss of active ground floor frontages and usage. The building frontages are clearly distinguished and SBC did produce a map of the active frontages, which were marked for the local plan evidence base, but these were not translated in to policy.</p> <p>At the time of drafting this policy the application for the new M&S store was being considered and our concerns about the negative impact of the out of town centre development have been realised, which is having a detrimental impact on the High Street. This is due to a number of factors including those beyond the scope of planning such as the limit on time using the car parking and charges.</p>
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Policy CAF1: Local Play, Sports and Recreation Facilities

This is one of the Policies that the Council regards as likely to, cumulatively with others, restrict development. The representation from the Council points out that this Policy does not show general conformity with Local Plan Policy C7. The NPPF (para 173) says: “To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable”. The Council representation questions the feasibility of the expectation that an 11 unit development should provide both a Local Area for Play and a Locally Equipped Area for Play. If you feel that the Council’s standards are inadequate for Stone then I would need to see evidence as to why and evidence that developments will remain deliverable.

The second element of the Policy apparently requires every prospective developer to produce a Play, Sports and Recreation Masterplan for Stone. But a developer can only influence the development that is the subject of their proposals – and these are likely to vary in size. The Council’s proposed wording seems more realistic in this regard.

Your comments are invited on these lines of thought.

STC COMMENT	<p>Comments noted, originally this policy was drafted using the fields in trust guidance directly within the policy itself. Following considerable formal and informal consultation with the LPA and community this has been revised to the current wording, with their support. The aim of this policy is to ensure that there is a reasonable and fair point when this policy would be triggered so not to make development un-viable. The 10 units was applied as this would also be the point for affordable housing contribution. The policy aims to ensure that there are play, sports and recreational facilities provided when developing larger housing developments as part of our sustainable community these are important to the health and well-being of the community. These principles have been strongly supported and developed through the community engagement.</p> <p>Your advice on how best to draft an enabling policy that ensures that development is considered in the whole by the LPA, considering the cumulative impact of medium-larger sized developments and the provision of these or improvement of existing would be welcomed.</p> <p>Millers Reach on the A34 at Fillybrooks is an example of where SBC have granted consent for approx. 209 homes without any usable green space for recreation or leisure within the development. There are minimal areas included as part of the landscaping. LGS40 Tilling Drive, is within walking distance of this site and serves the community of the new Millers Reach development.</p> <p>This is the LGS that the LPA are seeking to reduce in size in favour of residential development, despite extensive objections, evidence base from the NP, LGS proposed designation and Sports England Objection to the loss of the sports area and it being currently identified in the Part 1 Local Plan as green infrastructure (see Pg 23 of the NP for the LPA evidence map of designation).</p>
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Policy CAF2: Green Infrastructure

This is one of the Policies that the Council regards as likely to, cumulatively with others, restrict development. I imagine that this is largely because Policy CAF2 is nebulous; as worded the Policy requires *inter alia* that every tree and hedgerow must be preserved or enhanced, but not even a Tree Preservation Order could achieve that level of protection, come what may. The Council’s suggested wording seems more realistic.

The second element of the Policy seems to relate to a financial commitment by the Parish Council and, as it is not a land use matter, this commitment would more appropriately be located within the “Non-Planning Matters” section?

I note that the “Rationale and Evidence” paragraphs that relate to Policy CAF2 are much more wide-ranging than the Policy itself and I wonder whether this might perhaps be a hangover from an earlier draft? Similarly the listing of Community Facilities in Appendix D (but not cross-referenced here) includes many features that are not “green infrastructure” but if those were omitted the list may be helpful to prospective developers to understand to what the term “green infrastructure” extends.

Your comments are invited on these lines of thought.

STC COMMENT	<p>Comments noted, the mature trees within the streetscene, strategic sites and hedgerows are an important asset that without the benefit of the TPO or within the Conservation Area can be currently removed. These are important features and should be considered when evaluating development proposals. Similarly, Stone’s rural character is a key element of the community engagement that was clear to protect and enhance.</p> <p>The policy was not drafted to be onerous to developers but to encourage the LPA, landowners and developers to consider natural assets, which may form boundary treatments to new development and be retained where possible. This is also to limit the impact of the development particularly in transition to the open countryside as often panel fencing is erected which does not enhance the rural character.</p> <p>The policy also identifies where CIL or Section 106 could be used to improve access to these or support the LPA green infrastructure network.</p>
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Policy CAF3: Protected Views and Vistas

This is one of the Policies that the Council regards as likely to, cumulatively with others, restrict development. I imagine that the purpose of Policy CAF3 is to ensure that developments will be sympathetic to their setting and part of that setting for some will be glimpses of the site from various locally sensitive locations. As the Council representation notes however, how can any new building be designed to “preserve or enhance” when it will necessarily be a new feature in the landscape. Another representation suggests that identifying views “should be supported by robust evidence which has not occurred”. A more realistic expectation may be to require applicants to assess and address the impact of their proposals, where appropriate, from the viewpoints listed. For most developments it would seem unlikely that there will be any impact.

Your comments are invited on this line of thought.

STC COMMENT	<p>Comments noted, The suggestion of requiring applicants to assess and address the impact of their proposals, where appropriate, from the view points we have identified would be welcomed.</p>
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Policy CAF4: Local Green Spaces

I addressed this controversial Policy earlier.

STC COMMENT	<p>Comment noted, please see previous response.</p>
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Non-Planning Matters

The core of this section appears very much to be a planning issue, albeit not one that is being pursued at this time within the Neighbourhood Plan. To avoid confusion I suggest that the content relating to the Neighbourhood Development Order (NDO) is omitted but reused when the NDO is being put out for public consultation. The only non-planning matter would therefore seem to be the finance point presently under Policy CAF2.

Your comments are invited on this line of thought.

STC COMMENT	Comments noted, the reference to the NDO could be removed as suggested.
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Appendix A – Evidence and Documents Used

Whilst it is important that source material is referenced, the present references are not always sufficient for the purpose; details of the publisher and/or a hyperlink to the on-line location of the material would be appropriate. Footnotes within the Plan document would be helpful to locate where these evidence sources have been used.

Your comments are invited on this line of thought.

STC COMMENT	Comments noted, these can be amended to use the Harvard referencing method or links within this section to the documents used where they are available electronically.
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Appendix B: Plan of the North Character Area

Whilst it is helpful to know the bounds of the North Area, the inclusion of the South Area, not now the subject of a Policy, is no longer appropriate. Your comments are invited on this line of thought.

STC COMMENT	Comments noted, any plans considered irrelevant to the policies and evidence can be removed as advised.
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Appendix D – Community Facilities

The purpose of this Appendix – which at the beginning at least appears to have been mis-edited – is not clear, especially as it does not appear to be cross-referenced within the CAF Policies section.

Your comments are invited on this line of thought.

Appendix E & Appendix F – Local Green Space Designations

I am unclear why this supporting material is spread across two Appendices but all the designation maps will need to be at a level of scale and clarity that the area for designation is accurate and unambiguous.

Appendix G – Plan of the Stone Settlement Boundary

Since the Neighbourhood Plan does not designate the Settlement Boundary it is vital that the source of the boundary line is included with the map not least because it may change within the lifetime of the Plan.

[Protected] Views and Vistas

The significance of the selected viewpoints and their vistas will presumably become more apparent when I visit the area but viewpoint 7 seems particularly difficult to interpret since, from the description, it appears to apply to multiple views and vistas as one moves along the Trent and Mersey Canal corridor. Is not such a purpose already served by the Conservation Area – as may also be the case for views around the Stone Conservation Area? Your comments are invited on this line of thought.

STC COMMENT	<p>Comments noted, throughout the community engagement, Stone Town Centre, and its key views were raised as a point to cover in the NP. Previous applications have been granted consent by the LPA without fully considering the impact on some of the key aspects within the Conservation Area and town centre. This policy seeks to provide a clearer point of key elements within the area to consider.</p> <p>At the examination of the Part 1 local plan where concerns were raised about the impact of development on the on the historic setting of the townscape this was left to be addressed at the Part 2 local plan. Set out below are a number of the comments made by the inspectors in respect of this matter:</p> <p>The Inspector for the Plan for Stafford Borough Part 1 commented:</p> <p><i>“The area is located within the setting of several prominent buildings within the Stone Conservation Area, including The Moorings, a former canal-side warehouse (grade II), The Priory, an eighteenth century residence (grade II*), and the striking Church of St Michael (grade II*), whose tower can be seen from many places, including Westbridge Park. These buildings and their sylvan context are critical to the character of the impressive gateway to the town centre, which can be viewed from the A520 by Westbridge Park, and this is a feature which is clearly valued by local people.”</i></p> <p>The Inspector for the Plan for Stafford Borough Part 2 commented:</p> <p><i>“I agree with the PSB1 Inspector who states: “The introduction of new buildings, car parks and roads also could begin to change the character of this fringe of the park, and erode the appearance of this important gateway into the town and its historic Conservation Area, as well as impacting on SBC’s Green Infrastructure Strategy”. I find this statement encapsulates the most powerful argument in favour of modifying the proposed settlement boundary to exclude the Westbridge Park land as indicated in the submitted Plan.”</i></p> <p><i>“I consider that the arguments advanced by the Council for the deviation of the settlement boundary from the canal at Westbridge Park are significantly outweighed by the planning, environmental and conservation grounds.”</i></p> <p><i>“In the light of the above considerations, I conclude that the proposed modification [MM3] to realign the settlement boundary to the route of the canal to the south of the A520 Stafford Road is necessary for the Plan to be sound on the grounds of being justified and accordance with national policy.”</i></p>
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From: Maggie Taylor [<mailto:Maggie.Taylor@sportengland.org>]
Sent: 26 October 2016 09:29
To: Town Clerk <clerk@stonetowncouncil.org.uk>
Subject: Local Green Space Audit Consultation

Thank you for consulting Sport England on the above audit.

Firstly Stafford Borough Council have undertaken a full open space, sport and recreation audit, under PPG17/NPPF Par 73, across the Borough. This is referred to in the Plan for Stafford. They are currently developing the outcomes of the audit into a strategy which will soon be available for further public consultation.

The Stone local green space audit and ultimate recommendations need to ensure they are complementary to this assessment and forthcoming strategy in order to be in accordance with the Local Plan.

I note that many of the green spaces are of local value but have no formal sport usage therefore my comments are limited to:

1. Ensuring all local green space is protected in the Neighbourhood Plan as the Stafford Plan for Sport (main modifications) is deferring to NPs to protect local green space. My concern is that there are many playing fields in Stone which are not protected by the NP – these might be on school or club sites (e.g. Stone Cricket Club, Alleynes School, Walton Middle School, Stonefield Park, Stone Tennis Club) but they are still of great value to the community and provide essential access to green space for sports usage. If the protection of these is not explicit in the NP they may not receive such strong protection in the light of any development proposals. If NPPF Par 74, the Councils strategy for open space sport and recreation and generic policies in the Plan for Stafford are to be relied on to protect these facilities then this needs to be explicit and given as much weight as those designated locally.
2. Sport England welcomes protection of playing fields through LGS 40, 44, 45 and 46 – all of which contain grass pitches – but, as set out above, recommends all playing fields in Stone are given equal protection where they have community value and are needed to meet current and growing demand.

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