

The notes of this meeting are intended as a general account of the proceedings and are not a verbatim record.

The Plan for Stafford Borough Examination

Examination Hearing Sessions

Friday 25th October 2013 – Morning Session at 10.00am

Stafford Town (Policies Stafford 1 & 2)

Attendees

Stephen J Pratt	Planning Inspector	The Inspector
Katharine Makant	Note taker	KM

Stafford Borough Council

Alex Yendole	Stafford Borough Council	AY
David Smethurst	Stafford Borough Council	DS
George Venning	Levvel Ltd (author - D51)	GV
Paul Shukur	WYG Planning & Design (author – D15 & D16)	PShk

Other Participants

Nick Dawson	Staffordshire County Council – Transport	ND
Jon Jarvis	Staffordshire County Council – Transport	JJ
Annabel Chell	Staffordshire County Council - Transport	AC
Andrew Marsden	Staffordshire County Council - Education	AM
Jane Field	Environment Agency	JF
Andrew Eden	Environment Agency	AE
Paul Windmill	Local Resident	PW
Richard Thomas	Creswell Parish Council	RT
Hugh Lufton	Clarkes Farms	HL
Paul Shaw	Milwood Ltd	PShw
Ian Romano	St Modwen Developments	IR
Jason Tait	Taylor Wimpey (Stone)/ St Modwen	JT
Colin Campbell	Taylor Wimpy/Bellway	CC
Frazer Sandwith	Akzo Nobel UK	FS
Jeremy Cahill QC	Akzo Nobel UK	JC
Chris May	Maximus Strategic	CM
Sarah Wozencroft	Commercial Estates Group	SW

1. Homework

- 1.2 The Inspector referred to paragraph 1.1 of the Plan and to previous sessions in which the Council had indicated that the new Plan would replace all adopted Local Plan policies. He asked the Council to clarify whether all policies would be superseded on the adoption of the Plan or whether some would remain – **Homework 13 (N2.12)**. With reference to the previous day's discussion on Settlement Boundaries, he noted that there was a fourth option, which was to save the relevant Local Plan policy in order to keep all Residential Policy Boundaries.

2. Stafford Town (Policy Stafford 1)

- 2.1 The Inspector reminded participants that the Examination was a two stage process. The first stage was to establish whether the Plan was sound. Only if it was found unsound would alternatives be considered. Therefore, those promoting alternative sites would need to demonstrate why the Plan as submitted was unsound. The addition of new sites would constitute Major Modifications which would be subject to statutory consultation.
- 2.2 The Inspector then summarised the interests and concerns of participants as follows:

Participant	Interests & Concerns
Commercial Estates Group	Interest in Eastern extension, concern about deliverability of North and West
Maximus Strategic	Support Policy Stafford 1 and, broadly, Policy Stafford 2 but seeking modification to extend site
Akzo Nobel	Support Plan but seeking modification to include area of land to north (Option B)
Taylor Wimpey/Bellway	Promoting western direction of growth, support Stafford Town 1 but concerns about MOD and employment
St Modwen	Interests in two sites in Stafford Town plus western extension, general support for Policy Stafford 1
Milwood Ltd	Promoting alternative site within Residential Policy Boundary (38 acres, 320 units). Concern about deliverability of Stafford North.
Clarkes Farms	Promoting alternative site, concerned that some SDLs are unsound
Creswell Parish Council	Concerns around unanswered questions and absence of Area Master Plans
Paul Windmill	Generally supportive but concerns about non-compliance with NPPF, Master Plans and viability
Environment Agency	Supportive of strategy including revised wording
Staffordshire County Council	Supportive of transport and education proposals

- 2.3 On behalf of the Council, AY explained the basis for the policy as set out in the Examination Statement (M4/1a) and made reference to Additional Modifications M27 to M47 (A26), some of which dealt with the change in transport route to the east, and to Further Modifications FAM 17 and FAM 18 (J45), which updated the figures on retail provision.
- 2.4 On transport routes, AY explained that no changes had been made to the northern or western schemes. However, changes had been made to the eastern scheme following the receipt of new evidence in the last six months. The changes related to the wider scheme and did not impact on the Eastern Strategic Development Location (SDL).
- 2.5 In terms of overall provision, AY confirmed that the figure was 7,200 for Stafford Town, of which 5,500 would be delivered by the SDLs. An extra 350 houses would be provided for MOD families returning to the UK in September 2015. The 7,200 figure was part of the overall 10,000. The 350 MOD homes were extra. In addition, paragraph 2.7 of the Council's Examination Statement (M4/1a) made reference to 745 units for single living accommodation similar to student accommodation, which would be provided within the MOD HQ.
- 2.6 RT of Creswell Parish Council said that the evidence base did not include details of the

northern access improvements, despite a reference to the Infrastructure Development Plan in paragraph 7.18 of the Plan. AY noted that the reference in paragraph 7.18 should be to Chapter 13 which could be found on pages 117-121 of the Plan. The Inspector reminded RT that he was examining the Plan document, not the supporting documents. AY confirmed that Policy Stafford 2 and its supporting text referred to highway capacity improvements and that Appendix D of the Plan gave details of transport requirements for the north, west and east. Further information was available in the Infrastructure Delivery Plan (D57) which was in the Examination Library. AY noted that this was a 'living document' and that detailed information on the access improvements would form part of the relevant planning applications.

- 2.7 In terms of the overall transport package for Stafford, AY confirmed that reference was made in Policy Stafford 1, criterion 2 of the section on Infrastructure and that the Integrated Transport Strategy (J15) was in the Examination Library. AC of Staffordshire County Council outlined the input of the County Council into this work and confirmed that there were no outstanding matters of concern. He noted that further work had taken place on the northern scheme since the Plan had been written and that the wording could be modified to reflect this. The Inspector said that his role was to establish whether the policy was sound.
- 2.8 On the subject of viability, AC confirmed that the County Council was satisfied that this had been assessed for the infrastructure proposals. He noted that the Atkins Report (J17) confirmed that the north, west and east proposals plus the package of wider measures would deliver the required housing. Any issues arising after delivery would be dealt with through the Integrated Transport Strategy. AC confirmed that external funding had already been secured from the Local Pinch Point Fund and that a bid had been put forward to the Single Local Growth Fund to support the western scheme. He further confirmed that there were no other projects that were not mentioned in the Plan.
- 2.9 HL of Clarkes Farms expressed concern that the Plan might not meet all of the MOD's requirements and referred to difficulties in getting information. AY confirmed that the Council was satisfied that it had all the information it needed and referred to the recent signed protocol with the Defence Infrastructure Organisation (MOD) which was included in the updated Duty to Cooperate Statement (K2).
- 2.10 PShw of Milwood Ltd said that his concern was whether the SDLs would deliver the level of housing required during the plan period, particularly affordable housing. The Inspector referred to the table at paragraph 6.54 of the Plan and to the updated figure of 5,433 for new provision in Stafford (Page 57, A26). AY confirmed that most, if not all, the housing provision for Stafford Town was expected to come from the SDLs. However, the Plan did not preclude other sites in Stafford from coming forward as the moratorium did not apply to Stafford. He confirmed that Policy Stafford 1, criterion iii in the section on Housing, could apply to sites other than SDLs. AY acknowledged that this could provide headroom in the Plan, if the SDLs were completed within the plan period.
- 2.11 The Inspector asked whether, if large capacity housing sites came forward, this would affect the deliverability of the SDLs in Stafford. AY replied that the SHLAA had looked at capacity within Stafford Town and had concluded that there was not sufficient to deliver the quantity of housing required. There would be no significant impact on SDLs if small sites came forward. This was backed up by the evidence in the Housing Monitor (E1). AY confirmed that the SHLAA had identified sites which could deliver a further 302 houses in total and that this was not included in the figures on page 57 of A26. He added that the delivery of the SDLs

within the first five years was included in the Housing Trajectory and that it was imperative to get them off the ground.

- 2.12 On behalf of Maximus Strategic, CM endorsed the Council's response and confirmed that his clients' assessment had indicated that there was limited capacity in the Stafford Town urban area. He added that such sites would differ in quality from the SDLs, in that the former would be brownfield whereas the SDLs were 'garden suburb' in nature. FS of Akzo Nobel echoed this view and noted that his client had received expressions of interest from four high quality house builders to take the SDL forward.
- 2.13 On behalf of Taylor Wimpey/Bellway, CC said that his concerns about the MOD had been dealt with in correspondence and he was satisfied. However, the wording of the policy seemed confused on this issue and he had suggested alternative wording in his submission. In particular, he felt that the MOD element should be separated out. The Inspector noted that the Stafford Town overall housing provision figure of 7,200 did not appear to feature anywhere in the policy. The Council agreed to review the wording of Policy Stafford 1 in the light of these comments – **Homework 14 (N2.13)**.
- 2.14 CC raised two further points which related to an inconsistency in the Key Diagram for Stafford Town and whether the Council was bound to consider 'all' reasonable alternatives, including late submissions such as the Clarkes Farm site. On the first point, he acknowledged that the updated Key Diagram on page 59 of A26 addressed his concerns. On the second point, the Inspector confirmed that the Council did not have to consider 'all' alternatives put forward.
- 2.15 RT outlined the concerns of Creswell Parish Council which related to a perceived lack of communication on proposed changes to the northern access scheme. The Inspector noted that no changes had been proposed in terms of the submitted Plan. AC of Staffordshire County Council confirmed that the Plan referred to increasing capacity but gave no details on how this was to be achieved. RT did not accept this. He said that the Parish Council had been told that the A513 was to be improved but now there was a proposal for a new road. Consultation had taken place on the developers' plans but these did not show a road going through the middle of the site. In his view, this fundamentally changed the development and the local community had not been consulted. The Inspector reminded RT that his role was to consider the submitted Plan, for which no changes had been proposed.
- 2.16 RC went on to raise concerns about flooding and the effect of the eastern and western access schemes on traffic in the town centre. He noted that paragraph 13.7 of the Plan suggested that there was no funding available to meet infrastructure requirements. In his view, the Plan should deal with these issues and ensure that they were deliverable.
- 2.17 On behalf of Commercial Estates Group, SW made the following comments:
- the overall housing requirement and numbers for Stafford Town should be increased;
 - the statement that the 350 MOD homes were additional was welcomed;
 - generally supportive of Policy Stafford 1 and SDLs, but concerned about deliverability, especially in first five years, infrastructure viability and affordable housing;
 - not clear in text whether policy allowed for other sites in urban area to come forward;
 - policy included long list of requirements for open space, sport and recreational facilities (page 40 of Plan) - this had implications for land use and viability and should be subject to evidence that they were necessary;
 - CEG did not support Policy N6 on Cannock Chase SAC which, when added to the Policy Stafford 1 requirements, cast further doubt on deliverability;

- Supported clarification of wording on EDR to be consistent with Policy Stafford 4;
- Questions about the Housing Trajectory figures on page 38 of Topic Paper C (K1), as they related to the individual SDLs.

(A break was held for refreshments at this point.)

- 2.18 On the flooding issue, the Inspector asked the Environment Agency to confirm that it had been fully engaged in the plan-making process and that it was content with the modifications put forward. AE confirmed that specific policies to address flood risk were included for the Strategic Development Locations, to ensure that they did not exacerbate existing problems. A study was being carried out to identify viable solutions for the Sandyford Brook area, including highways and drainage. The final report was due in spring 2014. Developer contributions would be required in order to alleviate the problems and the SDL and environment policies in the Plan would ensure that flood risk was not increased. AE had been personally engaged with the developers' consultants, sharing data and meeting with the County Council to consider solutions.
- 2.19 On the Housing Trajectories on pages 38 and 39 of Topic Paper C (K1), the Inspector asked whether the Council could produce housing trajectories for each of the Strategic Development Locations. The Council agreed to provide these *(and information on affordable housing – see below)* **Homework 15 (N2.16)**
- 2.20 On behalf of Clarkes Farm, HL expressed concern that a small number of housing developers such as Taylor Wimpey appeared to hold a monopoly on the Borough's land supply. He asked whether this was in the interests of the local community and suggested that it could have implications for the deliverability of the SDLs. The representatives of Akzo Nobel, Taylor Wimpey, Maximus Strategic and Commercial Estates Group repudiated this suggestion and confirmed that they were confident that their sites could be delivered. They expected a number of different house builders ranging from national to local firms to be involved in the delivery of the SDLs.
- 2.21 PShw of Milwood Ltd asked whether as part of the homework on housing trajectories, the Council could provide information on affordable housing delivery, particularly for the first five years. AY agreed but added that all of the SDLs were required to provide 30% affordable housing and there were no exemptions. PShw said that reference was made to exemptions in the Levvel study (D51). PW noted that housing trajectories were not reliable.
- 2.22 On behalf of Levvel, GW said that there had been no intention in the viability report to suggest that there would be exemptions. The study had looked at a number of scenarios as there were uncertainties, such as the cost of infrastructure, which was normal at such an early stage. In many of the scenarios, the 30% affordable housing level had not been reached but as negotiations progressed, the calculations could be refined and reassessed.
- 2.23 The Inspector referred to Further Additional Modification FAM 18, which updated the retail figures in criterion i of the section on Stafford Town Centre, and questioned whether it was a minor modification. PShk of WYG explained that the retail landscape had changed significantly since the original report had been produced in 2011 (D16). 25% of all retail sales now took place online and there was a lot more data available. The requirement for comparison retail floor space in the town centre had declined significantly and the requirement for convenience retail floor space had increased. Detailed reasons for this were set out in the update report produced by WYG for the Council in 2013 (D15). The Inspector

thanked PShk for his input and asked the Council to review whether FAM18 should be a major modification.

- 2.24 The Inspector asked the Council to clarify whether the list of open space and recreational facilities at the top of page 40 of the Plan was a requirement for all new development. He also queried the meaning of 'indoor wet-side capacity'. AY explained that the Council would not expect each development to provide all of the items listed. However, Policy C7 referred to standards for open space and recreation set out in Appendix G of the Plan and a study was being carried out to assess the needs of the Borough in terms of quality and quantity. Developers would be expected to contribute to these standards. The Council agreed to review in the wording of Policy Stafford 1 in the light of these comments – **Homework 16 (N2.14)**.

(The session was adjourned for lunch at 12.40pm)