

## The Plan for Stafford Borough - Part 2 - Examination - Hearing Statement - Issue 3



### Issue 3 – Settlement Boundaries: Policy SB1

#### 3.1 Criteria for determining the proposed settlement boundaries:

(i) Are the criteria set out in paragraphs 2.11-2.23 appropriate to define the extent of the areas within the settlement boundaries to accommodate the necessary development, so as to enable the delivery of the objectively assessed housing requirement for Stafford Borough, as set out in PSB1?

The criteria are considered to be reasonable if correctly applied, which is the concern that we wish to raise. By and large we expect that the criteria have been adequately applied, but there are exceptions. During the consultation process YES Planning considered the application in relation to the Stafford Settlement Boundary and found some anomalies, a summary of which is included in Appendix 1

In relation to existing development we consider that a key test of the criteria listed in 2.11 of PFSB2 is stated in 2.17 of PFSB2 i.e.

*“A Settlement Boundary is more closely aligned to what most people would perceive as the settlement edge.”*

Further to this SBC in 2.24 of PFSB2 refer to “ground truth” test to validate the boundaries. We consider that this is essential. Specifically in the case of existing development on the edge of the settlement the application of the criteria of 2.17 of PFSB2 would be a clear test.

We would request the “ground truth” test listed 2.24 of PFSB2 is included in Methodology to establish boundaries.

We note that SBC in their ‘Examination Statement – Issue 3’ 3.17 attempt to introduce additional criteria that are not defined in PFSB2 2.11.

The concept of a ‘weakened boundary’ and ‘defensible boundary’ is put forward as a criterion to negate other criterion of 2.11.

We consider that the application of the criteria and 2.11 and 2.17 and the ‘ground truth’ test of 2.24 will result in a robust ‘defensible boundary’.

The application of a ‘weakened boundary’ and ‘defensible boundary’ in SBC’s Examination Statement – Issue 3 3.17 is further discussed in the next section.

The only reference to a ‘defensible boundary’ in the PFSB2 is made in 2.21 where it is used to exclude existing garden from the established settlement. We consider that this is contrary to the principle of defining the Settlement Boundary and that this extent of control to limit development is not warranted.

We would point out that the Planning Committee have permitted development on garden land contrary to Officer recommendations at 19 Deanshill Close Application 15/22948/OUT. The writer attended the committee meeting and members were clear that in their view the garden land should be considered to be part of the existing settlement. Refer to Appendix 2 for a letter from the applicants which records the Committee decision.

## The Plan for Stafford Borough - Part 2 - Examination - Hearing Statement - Issue 3



### (ii) Are the boundaries drawn in accordance with these criteria?

We are of the opinion that the Boundaries are not entirely drawn in accordance with the stated criteria.

This is evidenced by the study referred to in 3.1 (i) above. Refer to appendix 1 for a summary of the review of the existing development on the perimeter of the proposed settlement boundary.

We note that SBC in their 'Examination Statement – Issue 3' 3.17 have excluded the established hamlet of 10 houses at Tixall Road, Blackheath Lane, Baswich Lane from the settlement on the basis that Blackheath Lane and Baswich Lane form a defensible boundary as a recognisable physical feature and therefore the adjacent hamlet of 10 houses should be excluded from the Settlement Boundary.

The principle of SBC's approach is contrary to the criterion of 2.17 and some of the criteria of 2.11 ie: The hamlet/ houses themselves are;

- Significant recognisable physical features as a group and individually
- They are completed sites
- They are adjacent\* sites with extant planning permissions
- They are what most people will perceive as being the settlement edge.
- They would pass the 'ground truth' test

\* It is noted that the PFSB2 state that the adjacent Eastern SDL site should be regarded as established settlement.

## The Plan for Stafford Borough - Part 2 - Examination - Hearing Statement - Issue 3



3.4 Specific settlement boundaries: In the light of the above considerations, are any of the proposed settlement boundaries inadequately drawn? If so, which of the following settlement boundaries should be redrawn, in terms of specific sites and development capacity?

### (a) Stafford town

We consider that the proposed Settlement Boundary for Stafford is not positively prepared, justified or effective and should be adjusted to correctly reflect the criteria set out as discussed in 3.1 (i) and (ii) to include some existing edge of settlement properties, specifically those at the established hamlet of 10 houses at the junction of Tixall Road, Blackheath Lane and Backheath Lane.

We note that while the inclusion of these properties may result in some minor development, however, these sites already have the benefit of existing infrastructure and they do not result in the use of further greenfield land.

SBC's Examination Statement 3.4.5 refers to the recent appeal for a property at Brancote Row on Blackheath Lane. We note that the appeal was dismissed, however, it is important to note that SBC failed in their duty to provide the Inspector with the revised Settlement Boundary plan as part of the emerging plan. The recent revisions to the plan include a change in the Settlement Boundary which brings the proposed Settlement Boundary fully up to the hamlet of 10 houses. We consider this to be very relevant and it should have been properly brought to the attention of the Inspector by SBC.

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 the Inspector could not properly do so if the LPA had not provided the required information.

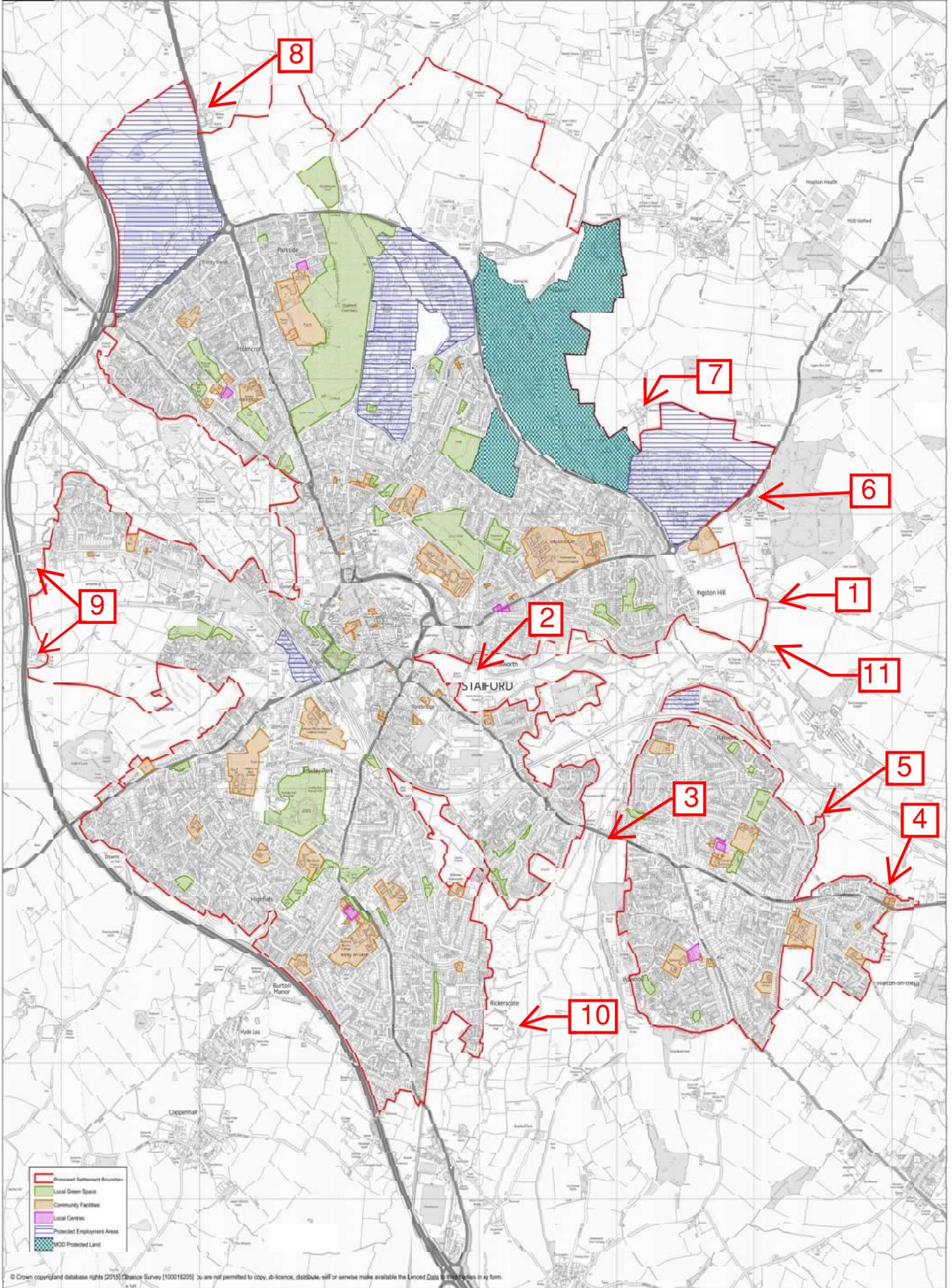
We believe that given the proximity of the proposed Settlement Boundary change it was incumbent on SBC to have appraised the Inspector of the progress of the emerging plan and submitted the revised Settlement Boundary, and it was for the Inspector to decide if it was relevant or not.

## **APPENDIX 1**

## **5 Review of “Inset – 1 – Stafford – Area”**

The proposed Settlement Boundary line for Stafford has been examined and the following copy of “Inset – 1- Stafford – Area” is marked up with locations of existing development that adjoin the proposed Settlement Boundary. Each of the identified locations are further discussed below and extracts from “Inset – 1- Stafford – Area” are included to further illustrate the setting at each location.

It is noted that while this report considers some sports venues, which are adjacent to other existing buildings currently excluded from the proposed settlement boundary, other sports venues have not been considered.



- Stafford Settlement Boundary
- Local Green Space
- Community Facilities
- Local Centres
- Protected Employment Areas
- MCO Protected Land

5.1 Location 1: Tixall Road/ Baswich Lane Black Heath Lane

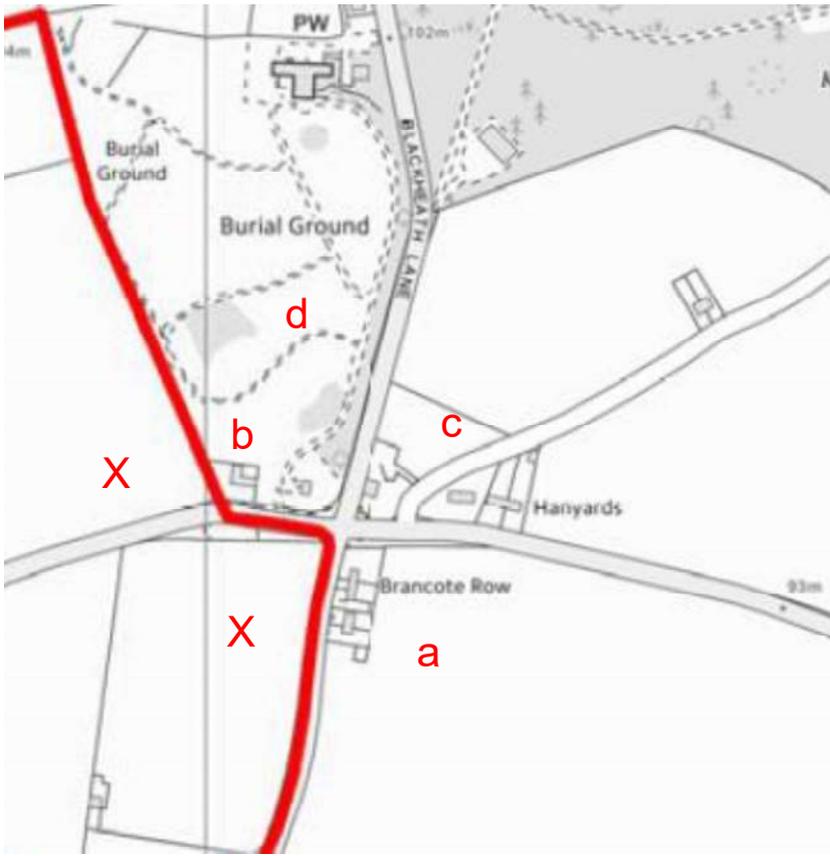


Figure 1a



Figure 1b

 "Ground Truth" test - settlement edge

X) Existing Settlement/ land to be regarded as established settlement (Refer to comment 2.14)

**a) Brancote Row, New Cottages, Priory Cottage, b) Mamistia,**

These are residential properties and they do not have any agricultural function.

They are adjacent the Stafford East residential Strategic Development Land allocation.

When the “Ground Truth” test is applied the property will clearly be within the settlement of Stafford as highlighted by the purple line showing the location of the first field i.e. the perceivable settlement edge. (Refer to comments 2.17 and 2.25).

**We conclude these properties should be included within the Settlement Boundary.**

**c) 1 & 2 Halfway House, Halfway Cottage, 1 & 2 The Hanyards**

These are residential properties and they do not have any agricultural function.

When the “Ground Truth” test is applied the property will clearly be within the settlement of Stafford as highlighted by the purple line showing the location of the first field i.e. the perceivable settlement edge. (Refer to comments 2.17 and 2.25)

**We conclude these properties should be included within the Settlement Boundary.**

**d) Burial ground and crematorium**

This is an essential existing community facility and part of the essential infrastructure of Stafford.

When the “Ground Truth” test is applied the property will clearly be within the settlement of Stafford as highlighted by the purple line showing the location of the first field i.e. the perceivable settlement edge. (Refer to comments 2.17 and 2.25)

**We conclude this property should be included within the Settlement Boundary.**

## 5.2 Location 2: Riverway



Figure 2a



Figure 2b

**a) Plant nursery**

This is commercial land.

When the “Ground Truth” test is applied the property will clearly be within the settlement of Stafford as highlighted by the purple line showing the location of the first field i.e. the perceivable settlement edge. (Refer to comments 2.17 and 2.25)

**We conclude there is a case to consider that this property should be included within the Settlement Boundary.**

**b) Sea Cadets Hall**

This is a community facility

When the “Ground Truth” test is applied the property will clearly be within the settlement of Stafford as highlighted by the purple line showing the location of the first field i.e. the perceivable settlement edge. (Refer to comments 2.17 and 2.25)

**We conclude there is a case to consider that this property should be included within the Settlement Boundary.**

**c) and d) Sports fields and club houses**

**This land has sports fields and club houses and provides a community facility.**

When the “Ground Truth” test is applied the property is likely to be considered by most people to be within town as it has development to each side.

**We conclude there is a case to consider that this property should be included within the Settlement Boundary.**

### 5.3 Location 3: Radford Bank



Figure 3a



Figure 3b  "Ground Truth" test - settlement edge

**a) BMW mini Knights**

This is commercial land.

When the “Ground Truth” test is applied the property appears to be separated from adjacent development by fields. (Refer to comments 2.17 and 2.25)

**b) The Radford Bank Inn**

This a public house/restaurant and community facility.

When the “Ground Truth” test is applied the property appears to be within the settlement of Stafford when approached from the east as highlighted by the purple line showing the location of the first field i.e. the perceivable settlement edge. (Refer to comments 2.17 and 2.25)

**We conclude there is case to consider that this property is included within the Settlement Boundary.**

### 5.4 Location 4: Walton Scout Hall



Figure 4a



Figure 4b  "Ground Truth" test - settlement edge

This is a Scout hall and therefore a community facility.

When the “Ground Truth” test is applied the property appears to be within the settlement of Stafford when approached from the existing development as highlighted by the purple line showing the location of the first field i.e. the perceivable settlement edge. (Refer to comments 2.17 and 2.25)

**We conclude there is case to consider that this property is included within the Settlement Boundary.**

### 5.5 Location 5: Purple Range



Figure 5a



Figure 5b



“Ground Truth” test - settlement edge

This is an existing house adjacent to existing development.

When the “Ground Truth” test is applied the property appears to be within the settlement of Stafford when approached from the existing development as highlighted by the purple line showing the location of the first field i.e. the perceivable settlement edge. (Refer to comments 2.17 and 2.25)

**We conclude there is case to consider that this property is included within the Settlement Boundary.**

### 5.6 Location 6: Weston Road Academy



Figure 6a



Figure 6b  "Ground Truth" test - settlement edge

This property is a high school with associated sports fields, and as such a community facility.

Given its use it is an essential part of the community infrastructure/ sustainability.

When the “Ground Truth” test is applied the property appears to be within the settlement of Stafford when approached from both the north east and the south west as highlighted by the purple line showing the location of the first open space being the wood to the north east i.e. the perceivable settlement edge. (Refer to comments 2.17 and 2.25)

**We conclude there is case to consider that this property is included within the Settlement Boundary.**

### 5.7 Location 7: Beacon Farm,

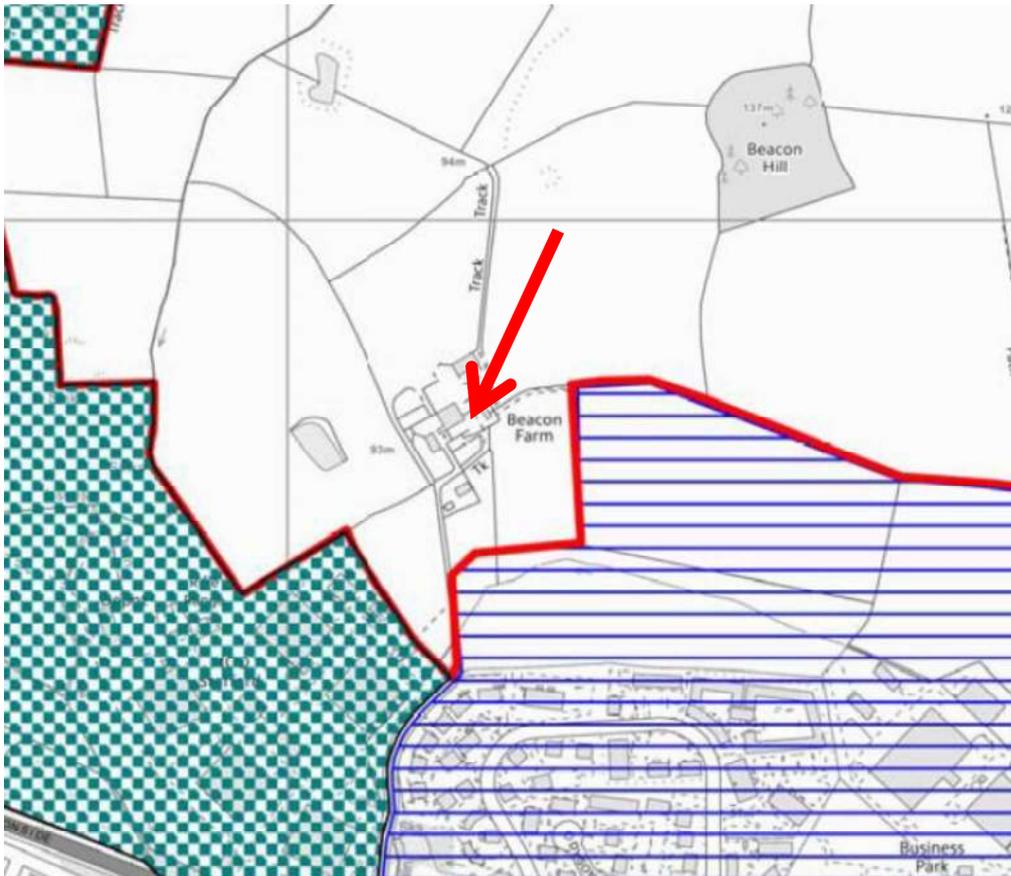


Figure 7a



Figure 7b

This property appears to a farmstead and as such associated with the countryside.

**5.8 Location 8: Redhill Farm,**



**Figure 8a**



**Figure 8b**

This property appears to a farmstead and as such associated with the countryside.

### 5.9 Location 9: Aston Bank Farm and Hill Farm



Figure 9a



Figure 9b



**Figure 9c Aston Farm**



**Figure 9d: Hill Farm**

These properties appears to a farmstead and as such associated with the countryside.

### 5.10 Location 10: Rickerscote Hall Lane Farm



Figure 10a



Figure 10b

This property appears to a farmstead and as such associated with the countryside.

### 5.11 Location 11: St Thomas Farm

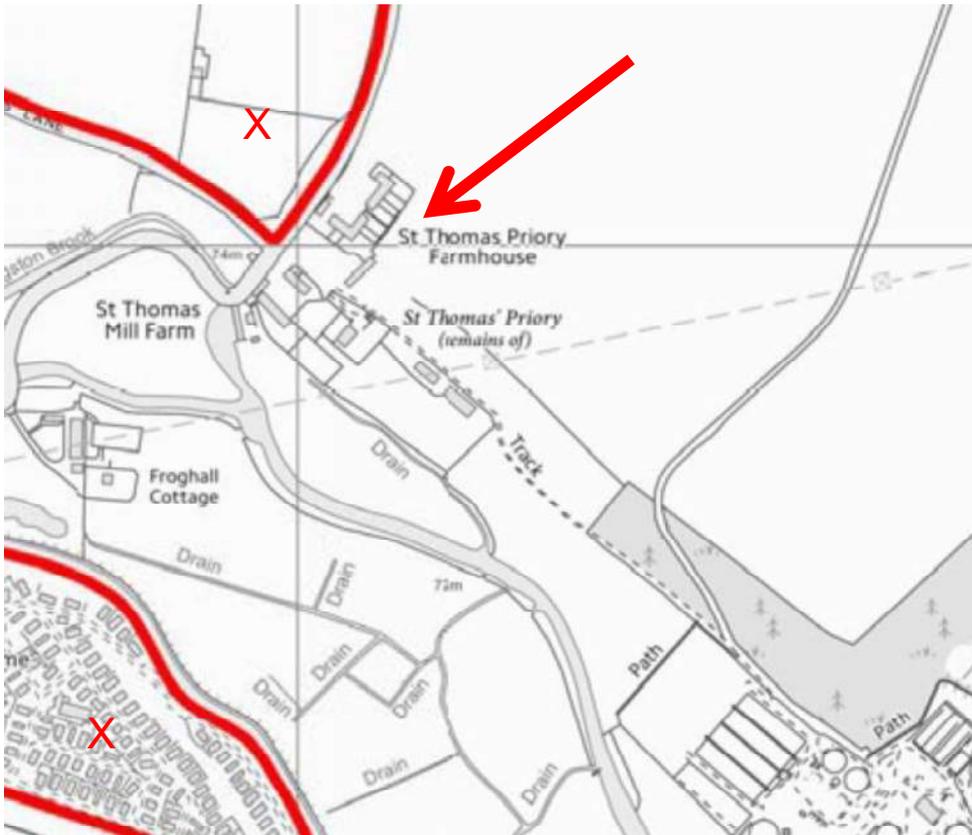


Figure 11a



Figure 11b

This property appears to a mix of farmstead and residential buildings and as such partially associated with the countryside.

This is adjacent to the Stafford East residential Strategic Development Land allocation, however, the development proposal has a large undeveloped zone at this southern tip resulting in separation to this property.

## 6 Conclusions/ Recommendations

This review concludes that the proposed Settlement Boundary for Stafford provides a relatively clearly defined Boundary, however, we consider that, based on Stafford Borough Council's stated methodology and explanation of a 'Settlement Boundary', and in particular Spatial Principle 7, there is very clear evidence that a number of existing developments bordering the proposed Settlement Boundary should be included within the Settlement Boundary as considered in Section 5 and summarised below.

In particular we conclude that the existing houses around the Tixall Road/ Baswich Lane and Blackheath Road intersection adjoining the infill major development of the Stafford East residential Strategic Development Land should be included in the Settlement Boundary as this inclusion is in accordance with the assessment criteria of SP7 and the "Ground Truth" test confirms that the perceived edge of Stafford will be on the field side of these houses. Options showing the proposed revised Settlement Boundary follow the summary table.

### Summary Table

Location	Property	Recommend for inclusion	Reasoning	Doc. Reference
<b>1a &amp; 1b</b>	1–3 Brancote Row, Brancote Row, Priors Cottage, Mamistia.	Yes	Residential land adjacent to developed settlement.  Passes "Ground Truth" test.	2.9/SP 7, 2.14, 2.17, 2.25
<b>1c</b>	1&2 Halfway House, Halfway Cottages, 1&2 The Hanyards	Yes	Residential land adjacent to developed settlement.  Passes "Ground Truth" test.	2.9/SP 7, 2.14, 2.17, 2.25
<b>1d</b>	Burial Ground and Crematorium	Yes	Essential community facility adjacent to developed settlement.  Passes "Ground Truth" test.	2.9/SP 7, 2.14, 2.17, 2.25, 2.29-2.31
<b>2a</b>	Riverway plant nursery	Yes	Commercial land.  Passes "Ground Truth" test.	2.9/SP 7, 2.14, 2.17, 2.25
<b>2b</b>	Sea Cadet Hall	Yes	Community facility.  Passes "Ground Truth" test.	2.9/SP 7, 2.14, 2.17, 2.25
<b>2c &amp; 2d</b>	Sports fields and club houses	Yes?	Community facility, sports venue.  Passes "Ground Truth" test.	2.9/SP 7, 2.14, 2.17, 2.25, 2.29-2.31

Location	Property	Recommend for inclusion	Reasoning	Doc. Reference
3a	BMW mini Knights BMW		Commercial land separated from existing settlement.  Fails "Ground Truth" test.	2.9/SP 7, 2.14, 2.17, 2.25
3b	The Radford Bank Inn	Yes	Community building and adjacent to existing settlement.  Passes "Ground Truth" test.	2.9/SP 7, 2.14, 2.17, 2.25
4	Walton Scout Hall	Yes	Community building with one side adjoining the settlement.  Passes "Ground Truth" test.	2.9/SP 7, 2.14, 2.17, 2.25
5	Purple Range	Yes	Community building with one side adjoining the settlement.  Passes "Ground Truth" test.	2.9/SP 7, 2.14, 2.17, 2.25
6	Weston Road Academy	Yes	Community building and recognisable physical area and building.  Passes "Ground Truth" test.	2.9/SP 7, 2.14, 2.17, 2.25
7	Beacon Farm		Near to existing settlement but is a farm and partly surrounded by fields.  Fails "Ground Truth" test.	2.9/SP 7, 2.14, 2.17, 2.25
8	Redhill Farm		Near to existing settlement but is a farm and partly surrounded by fields.  Fails "Ground Truth" test.	2.9/SP 7, 2.14, 2.17, 2.25
9a	Aston Bank Farm		Near to existing settlement but is a farm and partly surrounded by fields.  Fails "Ground Truth" test.	2.9/SP 7, 2.14, 2.17, 2.25
9b	Hill Farm		Near to existing settlement but is a farm and partly surrounded by fields.  Fails "Ground Truth" test.	2.9/SP 7, 2.14, 2.17, 2.25

Location	Property	Recommend for inclusion	Reasoning	Doc. Reference
10	Rickerscote Farm		Near to existing settlement but is a farm and partly surrounded by fields.  Fails "Ground Truth" test.	2.9/SP 7, 2.14, 2.17, 2.25
11	St Thomas Farm		Former farm/ Residential near settlement with some separation.  Fails "Ground Truth" test.	2.9/SP 7, 2.14, 2.17, 2.25

**Proposed Tixall Road/ Baswich Lane and Blackheath Road intersection Settlement Boundary.**



Figure 12 – Option 1

### Proposed Tixall Road/ Baswich Lane and Blackheath Road intersection Settlement Boundary.



Figure 13 – Option 2

This option omits the crematorium from formal inclusion but its purpose and its affect in confirming the settlement edge is acknowledged.

## **APPENDIX 2**

19 Deanshill Close  
Stafford  
ST16 1BW  
16th November 2015

To whom it may concern:

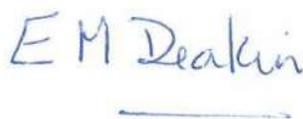
Planning Committee meeting 11/11/15 - Application 15/22948/OUT

We have been asked by Mr Edgecombe to provide a record of the meeting in relation to the Planning Committee's discussion regarding our planning application. We understand that Mr Edgecombe will use our statement to support an appeal application for a similar situation.

As background, we had applied for outline permission to subdivide our over large plot to build a new house in our garden. As this was our second application (the previous application was 15/21818/OUT) we were expecting that the planning officers would also refuse this application for the same reasons. For this application we consulted our Borough Councillor, Carolyn Trowbridge, who then had the application called in to be considered by the Planning Committee. As expected the case officer's report recommended refusal.

Mr Michael Deakin spoke for the application followed by Councillor Trowbridge. Councillor Trowbridge spoke of the site being part of the town (despite the draft settlement boundary line), the sustainable location and its compliance with SBC's policy SP7.

The Committee's debate queried the Case Officer's report in that it did not comment on the criteria of SP7. The criteria were read to the Planning Committee by the lead Planning Officer but he did not give any specific comment on this site's compliance with the criteria. He only commented that it was outside the draft settlement boundary line. The lead Planning Officer confirmed that the Settlement Boundary was only a draft and it did not carry full weight at this stage. In the committee's debate Councillors considered that the existing garden was certainly adjacent to the existing development, indeed they thought the whole site should have been included in the draft settlement boundary. Collectively the committee decided that the site meets the criteria of SP7 and hence the application was allowed with a vote of 7 in favour of approval and 1 against.

Mr & Mrs M.J. Deakin