

Sean Roberts

From: Alex Yendole
Sent: 22 July 2016 12:37
To: Programme Officer
Subject: RE: Examination Statements - The Plan for Stafford Borough - Part 2.

Dear Sean

Please could you provide the Inspector with the following e-mail message as a response to the issues raised by Brian Edgecombe.

Just to make the point that at no stage has the Stafford settlement boundary included the Blackheath properties being promoted through Mr Edgecombe's case.

Kind regards

Alex

From: John Holmes
Sent: 01 July 2016 12:53
To: 'bedgecombe@yeseng.co.uk'
Cc: Jackie Taylor
Subject: RE: Examination Statements - The Plan for Stafford Borough - Part 2.

Brian,

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

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

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

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

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

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

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

I hope this clarifies the position.

Regards
John

John Holmes
Development Manager
Stafford Borough Council
01785 619302
jholmes@staffordbc.gov.uk

From: Brian Edgecombe [mailto:bedgecombe@yeseng.co.uk]
Sent: 21 July 2016 13:02
To: Programme Officer
Cc: Alex Yendole
Subject: RE: Examination Statements - The Plan for Stafford Borough - Part 2.

Dear Sean

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

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

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

For the avoidance of doubt the revised Settlement Boundary was published during the Appeal process and we consider it was incumbent upon SBC to have issued this to the Inspector with the SBC's final comments especially as the revised Settlement Boundary now fully adjoined the hamlet of 10 houses at Tixall Road, Baswich Lane and Blackheath Road. SBC did not provide this important piece of emerging policy to the Inspector at the due time. As above, our attempts to rectify SBC's omission were rejected. We remain concerned that the SBC omission (deliberate or otherwise) has influenced the outcome of the Appeal. For this reason we request that reference to the Appeal decision in 3.1.7 and 3.4.5 of SBC's response to 'Issue 3' is formerly discounted.

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

'Tixall Road, Baswich Lane, Blackhaeth Properties'.

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

Regards
Brian

Brian Edgecombe
Director



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Registered Office: 75 East Road, London N1 6AH

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

Hi John

Thank you for responding to this at such short notice.

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

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

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

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

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

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

Regards
Brian

Brian Edgecombe
Director



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Registered Office: 75 East Road, London N1 6AH

From: John Holmes [<mailto:jholmes@staffordbc.gov.uk>]

Sent: 01 July 2016 12:53

To: Brian Edgecombe <bedgecombe@yeseng.co.uk>

Cc: Jackie Taylor <jtaylor@staffordbc.gov.uk>

Subject: RE: Examination Statements - The Plan for Stafford Borough - Part 2.

Brian,

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

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I hope this clarifies the position.

Regards
John

John Holmes
Development Manager
Stafford Borough Council
01785 619302
jholmes@staffordbc.gov.uk

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

Hi Jackie

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

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

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

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

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

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

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

Regards
Brian
Brian Edgecombe
Director



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

Hi Jackie

Thanks for confirming what was sent. The settlement boundary was revised during the appeal process and the one that was sent is not the latest. I believe the settlement boundary was published later that month. The importance of this is the settlement boundary was changed adjacent to the appeal site and therefore this is very relevant to the appeal. I would have thought that the revised boundary should have been provided to the inspector? Are you able to confirm your policy (ie the revision of the settlement boundary) in this circumstance?

Regards
Brian

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

Dear Brian

Thanks for your email.

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

Regards
Jackie

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

Dear Jackie

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

Regards
Brian Edgecombe

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

Dear Mr Edgecombe

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

Regards

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

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