

'The Plan For Stafford' – consultation on 'Main Modifications.'

Purpose :

To update members on progress of the Stafford Borough Local Plan, as a neighbouring authority, and to set out a suggested response as part of their Main Modifications consultation exercise.

Recommendation :

That the Borough Council support the Schedule of Main Modifications prepared by Stafford Borough and responds by stating that it has no further comments to make.

Reason :

The Plan for Stafford (Local Plan) has undergone a robust public examination process and the issues raised by the Borough Council formed part of the examination process. The Inspector's initial findings set out identify some changes to the Plan, in a Main Modifications document. The Schedule for Main Modifications has been formally published for consultation. All representations must be received by 12 noon on Thursday 20 March 2014.

1.0 **Background**

- 1.1 Stafford Borough Council has almost reached the end of preparing a new Local Plan, known as 'The Plan for Stafford' which directs where new development will take place across its area, describes what changes will occur and identifies how places will be shaped in the future. Once the Local Plan has been adopted Stafford Borough Council intend to bring forward a Site Allocations Development Plan Document.
- 1.2 Between 2008 and 2013 Stafford Borough Council carried out a series of consultation and information gathering exercises in preparation of the Plan. The Borough Council submitted joint representations with Stoke-on-Trent City Council to some of these and has contributed towards the plan through Duty to Co-operate meetings.
- 1.3 The remaining issues raised at the Publication/Submission stages and taken forward by your officers into the Examination of the Plan were:
 - To support the Plan for Stafford Borough with regard to their **development strategy** including the housing and employment requirements;
 - To suggest a rewording to Policy 'Stafford Town 1 (vii)' and the relevant paragraph in Policy Stone 1 – Stone Town with regard to **office development in town centres** to make it clear that B1 (a) office developments should be subject to sequential assessment;

- To object to **Policy C6 – Provision for Gypsies, Travellers and Travelling Show People** as the policy refers to the provision for pitches being made in-line with subsequent evidence base documents ('successor documents') not currently in the public domain.

- 1.4 Following submission of the 'Plan for Stafford' to the Planning Inspectorate last summer a public examination stage commenced from 20 August 2013. Hearing Sessions took place in October 2013. Your officers participated in the Communities hearing session and challenged the evidence in relation to the Gypsy and Travellers Policy.
- 1.6 The Planning Inspector published recommendations for further main modifications in December 2013. Following these recommendations Stafford Borough Council produced a Schedule of Main Modifications and these are now subject to consultation. The proposed modifications are intended to address soundness issues raised by the Inspector and address matters arising from representations throughout the Examination process
- 1.7 Stafford Borough Council has also produced a Schedule of Additional Modifications which are minor changes to the plan and considered immaterial in nature and therefore do not affect the soundness of the Plan.
- 1.8 The Schedule for Main Modifications has been formally published for consultation. All representations must be received by 12 noon on Thursday 20 March 2014. **However it is not an opportunity to repeat or raise further representations about the Plan for Stafford Borough.** Following the close of this stage all representations will be forwarded to the Inspector for consideration in preparing his Final Report. The Main Modifications document can be accessed via the following link: <http://www.staffordbc.gov.uk/modifications>

2.0 Schedule of Main Modifications

- 2.1 Key legal and soundness issues for the Borough Council as set out within the Schedule of Main Modifications are set out below:
- 2.2 Duty to Co-operate
The Inspector's initial findings indicate that Stafford Borough Council has met the requirements of the Duty to Co-operate in terms of maximising the effectiveness of the plan-making process and actively co-operating and engaging constructively with the relevant bodies in relation to sustainable development.
- 2.3 Development Strategy
The Inspector's initial findings suggest that the overall development strategy is sound although individual elements of the strategy such as the level of housing around Stone was substantially challenged at the Examination. With regard to the development strategy the inspector suggests that the proposed level of housing provision in Spatial Principle 2 (500 dwellings/year; 10,000 dwellings 2011 – 2031) is sufficient to meet the objective assessment of market and

affordable housing requirements for Stafford Borough, based on recent household projections and other evidence.

- 2.4 However the Inspector suggests that the proposed proportion of new housing allocated to Stafford and Stone does not precisely reflect the potential for new housing development at Stone, as shown in the scale of development at the proposed Strategic Development Locations (SDLs) and the current level of commitments. The inspector suggests it also overstates the likely level of housing development to be completed at the SDLs around Stafford during the current Plan Period.
- 2.5 A broader distribution of 70% (7,000 dwellings) at Stafford and 10% (1,000 dwellings) at Stone is suggested to better reflect the current and likely future provision of committed and proposed housing developments. This is a change from the published strategy of 7,200 dwellings at Stafford and 800 dwellings at Stone.
- 2.6 **Proposed Modifications MM9 – MM12 (and other associated changes) reflect proposed amendments to the Development Strategy. In particular Spatial Principle 4 is amended to show a development split of 70% to Stafford and 10% to Stone and the table at Paragraph 6.54 amended to update the housing completions and the housing requirements for Stone and Stafford. The text has also been amended to identify that settlement boundaries and sites will be established in a Site Allocations Development Plan Document.**
- 2.7 In addition to the proposed phasing of housing Stafford Borough Council had proposed a moratorium on new housing once housing completions got above 25% of the proposed distribution. The Inspector has suggested in his interim report that there is little in the National Planning Policy Framework which supports this approach, where the main emphasis is on stimulating house building and managing growth in sustainable locations. Furthermore the Inspector suggests that there is insufficient evidence to justify the imposition of a housing moratorium which involves complex calculations and assumptions about delivery and has stated that it is an unsound element of the submitted Plan.
- 2.8 In view of this Stafford Borough Council have agreed with the Inspector and do not carry this forward within the Schedule of Main Modifications.
- 2.9 Apart from the overall amount of new housing at Stone one of the other main issues was the phasing of further housing at the town after 2021. Stafford Borough Council proposed the phasing policy with the justification that this was to avoid any adverse impact on the regeneration strategy of North Staffordshire. Your officers contributed to a paper produced by Stoke-on-Trent City Council in support of Policy Stone 1, which outlined the regeneration strategy and the progress in housing delivery and distribution.
- 2.10 However, while the Inspector recognises that the adopted Core Spatial Strategy aims to stem out migration, particularly from the City of Stoke-on-Trent, he considers that migration to Stafford Borough has been a feature of demographic

trends in the past and is likely to continue under the strategy of the submitted Plan for Stafford Borough. The Inspector considers that new housing at Stone is a sustainable element of the Plan, with a strong housing market, and in these circumstances there seems to be insufficient justification to delay such development on the grounds that it *may* adversely affect the North Staffordshire regeneration strategy, including the part relating to The Potteries. The Inspector has not concluded this aspect of the Plan is unsound but has asked Stafford Borough Council to consider amending this element of the Plan as the potential harm to the regeneration strategy can be addressed on a site-by-site basis, subject to on-going monitoring, with sound evidence needed to defer specific developments.

- 2.11 **Proposed Modifications MM1, MM8 and MM51 reflect the above recommendations and DELETE references to ‘phasing of housing and employment areas within Strategic Development Locations until after 2021’. References to the implications of new development affecting the North Staffordshire conurbation’s urban regeneration initiatives have also been deleted.**

2.12 Office Development

Stafford Borough Council had previously agreed to changes to the office development policies, outside of the examination process, these references are maintained within the Main Modifications document.

- 2.13 **Proposed Modifications MM21 and MM44 continue to support amendments to Policy Stafford 1 and Stone 1 with regard to B1(a) office development only being permitted on employment sites outside the town centres if it can be proved, through a sequential assessment, that proposed development cannot be located with the town centre or edge of centre sites..**

2.14 Gypsy and Travellers

Together with Stoke-on-Trent City Council the Borough Council objected to the wording of Policy C6 Provision for Gypsies, Travellers and Travelling Show-people, because of its reliance upon successor documents which would not be subject to formal public consultation under the statutory planning process. Concern was also raised regarding the lack of involvement in the production of a Gypsy and Traveller Accommodation Needs Assessment (GTAA). As a consequence of these objections Stafford Borough attempted to reach a compromise during the hearing sessions by rewording Policy C6 and this is now treated as a ‘main modification.’ It is disappointing, however, that the Inspector has not provided any specific guidance on the independent evidence produced by Stafford Borough Council, or wording of the Policy C6 at this stage. This is in spite of both the Borough Council and Stoke-on-Trent City Council making an initial informal joint response to Stafford Borough in November 2013, sustaining the original challenge. The challenge made by both authorities at the Communities hearing session in relation to the methodology of the assessment has therefore not been addressed and there is no proposal to change to the number of pitches required in Stafford Borough as set out in Policy C6. This

remains as a total of 44 pitches as informed by their own independent 2013 study.

- 2.15 There may be further information set out within the Inspector's Final Report. However, at this stage the Inspector does acknowledge that Stafford Borough Council has confirmed its commitment to reviewing the Gypsies and Travellers Needs Assessment in association with adjoining authorities (including the Borough Council). Members are advised that the preparation of the Joint Local Plan will involve the preparation of the a new Gypsies and Travellers Needs Assessment for the Borough (replacing the North Staffordshire Housing Market Area Gypsy and Traveller Accommodation Needs Assessment published in December 2007) and officers from Stafford Borough Council have stated that they are willing to collaborate in its production together with the City of Stoke-on-Trent. This will help to ensure that cross boundary issues on this matter are appropriately addressed.

3.0 Conclusion

- 3.1 The Stafford Local Plan has undergone a robust public examination process and the issues raised by the Borough Council formed part of the examination process. The Inspector's initial findings identify some changes to the Plan, all of which have been taken into account in the Main Modifications document.
- 3.2 It is not considered prudent to raise any further issues as part of the Main Modification consultation. It is important that neighbouring authorities have up to date and sound development plans and it is in the best interests of Newcastle-under-Lyme Borough Council to support the approach taken and help ensure that the Plan for Stafford Borough can be adopted. It is, therefore, proposed that the Borough Council support the Schedule of Main Modifications prepared by Stafford Borough Council and states that it has no further comments to make on the Plan for Stafford Borough at this time.

4.0 Next Steps

- 4.1 Consultation on the Main Modifications of the Local Plan for Stafford Borough runs until 12 noon on 20th March 2014. Subject to member agreement it is proposed to submit a consultation response to 'The Plan for Stafford Borough – main modifications and if feasible this will be submitted jointly with Stoke-on-Trent City Council before the deadline on 20 March 2014.
- 4.2 Borough Council officers will continue to engage with Stafford Borough Council particularly with regard to the update of the Gypsy and Traveller Accommodation Needs Assessment and the development of their Site Allocations Development Plan Document.