

Staffordshire Moorlands Local Plan – Submission Version

Representations Form

Guidance Notes

Please ensure that you have read the guidance notes for submitting representations before completing this form.

The Local Plan and related background documents can be viewed on the District Council's website, Council offices and local libraries.

Website:

www.staffsmoorlands.gov.uk/localplan

Council offices:

- Leek** Moorlands House, Stockwell Street, Leek, Staffordshire, ST13 6HQ (8.45am - 5.15pm Monday - Thursday and 8.45am - 4.45pm on Friday)
- Cheadle** Councils Connect, 15a-17 High Street, Cheadle, Staffordshire, ST10 1AA (9.00am - 12.30pm & 1.00pm - 5.00pm on Monday, Wednesday and Friday)
- Biddulph** Town Hall, High Street, Biddulph, Staffordshire, ST8 6AR (9.00am - 5.00pm Monday – Friday)

Please return this form by **5pm on Wednesday 11th April 2018** to the email or postal address given below:

Email: forward.plans@staffsmoorlands.gov.uk

Post: Freepost RRLJ-XCTC-JBZK, Forward Plans, Staffordshire Moorlands District Council, Regeneration Services, Moorlands House, Stockwell Street, Leek, ST13 6HQ

Please note

Representations must be attributable to named individuals or organisations. They will be available for public inspection and cannot be treated as confidential.

Part A – Personal details and notifications

	Personal details	Agent's details (if applicable)
Title	Mr	Mr
First name	BJ	Grant
Last name	Fradley	Anderson
Job title (if applicable)	Developer	
Organisation (if applicable)		
Address line 1		
Address line 2		
Address line 3		
Address line 4		
Telephone number		
Email address		

Notifications and Consent

- Please specify whether you wish to be notified of any of the following stages in the Local Plan process **and give consent for use of your personal data** (please tick relevant box/s)

Submission of the Local Plan for independent examination	✓
Publication of the recommendations of the Inspector appointed to carry out an examination	✓
Adoption of the Local Plan	✓
Please tick the box if you consent to storage and use of your personal data in order to contact you about arrangements for the examination and the stages above (if requested).*	✓

***IMPORTANT. We need your consent to store and use your personal data to contact you about the Local Plan ONLY. Note this information will only be used by the District Council and Planning Inspectorate and will only be used to contact you about the examination process. It will also be used by the Council to let you know about Submission of the Local Plan for independent examination, Publication of the recommendations of the Inspector appointed to carry out an examination and adoption of the Local Plan if you have asked to be notified about these stages by ticking the boxes on this representations form. If you choose not to consent, we will not be able to use your information, including your representations.**

Part B - Representations

Please use a separate Part B Form for each representation and ensure that one copy of Part A (Personal details) is attached.

1. To which part of the Local Plan does this representation relate?

	Insert paragraph, policy or map number
Paragraph	
Policy	H2 and DSR4
Policies map	Map A4.11 at appendix 4

2. In relation to the policy, paragraph or map that you have identified, do you consider that the Local Plan is (please tick relevant box/s) :

	Yes	No
Legally compliant	<input type="checkbox"/>	<input type="checkbox"/>
Sound	<input type="checkbox"/>	<input type="checkbox"/>
Complies with the Duty to co-operate	<input type="checkbox"/>	<input type="checkbox"/>

3. Please give details of why you consider the Local Plan is not legally compliant or is unsound or fails to comply with the duty to co-operate. Please be as precise as possible. If you wish to support the legal compliance or soundness of the Local Plan or its compliance with the duty to co-operate, please also use this box to set out your comments.

1.Fradley Estates (“FE”) objects to the above policies for the following reasons.

2.Policy H2 sets out the Local Plan's proposed housing allocations including for the Rural Areas. The Local Plan proposes the allocation of two sites for Werrington (sites WE003 and WE052) under Policy DSR4.

3.The allocation of WE003 and WE052 under Policy H2 and DSR4 fails the test of soundness, for the following reasons.

Effective

3.1 The allocation of these sites is not effective as they are not deliverable. In particular, the attached technical note (appendix 1) prepared by SCP Consultants identifies a number of highway constraints in relation to both WE003 and WE052.

In the case of WE052, the site frontage is currently occupied by an existing bus stop, which would need to be relocated. SCP do not consider there is scope to relocate this bus stop in the locality.

Furthermore, SCP consider that there are serious doubts whether a safe access can be achieved to WE052 due to constraints on the visibility that can be achieved for any access.

In relation to site WE003, SCP do not consider that the necessary vision splays of 120 metres for the “y” distance can be achieved. This means that a safe access in accordance with current highway design standards cannot be delivered.

3.2Also attached at appendix 2 is the Council's proforma for the two sites. This includes the comments of Staffordshire CC as highway authority which have been highlighted. It is clear from these comments that the highway authority have identified the same type of issues as SCP and have raised serious concerns as to whether safe access can be achieved to the sites. On the basis of that technical evidence the only conclusion which can be drawn is that the sites are not proven to be deliverable indeed the contrary is the only reasonable conclusion that can be drawn.

3.3 In circumstances where the technical evidence raises such serious concerns as to the deliverability of the two sites, it is not an acceptable response for the Council to merely assert that a transport assessment will be required at the planning application stage. That approach where there is technical evidence against the sites merely supports the allocation of undeliverable sites. In those circumstances the plan is not effective and clearly fails the test of soundness.

3.4SCP have also identified further highway safety concerns having regard to the location of those sites to the south of Ash Bank Road. Nearly all of the community facilities in Werrington are located to the north of Ash Bank Road - for example: the shops, primary and secondary schools, doctors surgery, dentist, pharmacy, main playing fields and areas of open space (including the Common).

3.5The location of WE003 and WE052 means that families and children in any new dwellings on those sites will need to cross the busy Ash Bank Road to access these facilities. Given the history of road traffic accidents, and indeed fatalities, on Ash Bank Road and the lack of a safe pedestrian crossing in the vicinity of the two sites, both sites should be considered unsatisfactory from a highway safety perspective.

Justified

3.6 It is also considered that the allocation of WE003 and WE052 is not justified having regard to the reasonable alternatives. In this respect, it is submitted that FE's site off Langton Court and Tregaron Court (WE042 and WE043) (“FE Site”) is a deliverable housing site but is also a materially better housing site for the following reasons.

3.7 In terms of highway matters, the FE Site does not have the serious highway constraints identified in the SCP report which would affect its deliverability. SCP have advised that a satisfactory access to the FE Site can be achieved which meets current highway design standards. Being located to the north of Ash Bank Road, the FE Site also does not have the same highway safety concerns as sites WE003 and WE052 in relation to safe access to community facilities.

3.8 In terms of marketability and the question which site would appeal more to both developers and future residents, the attached report by Louis Taylor (appendix 3) demonstrates that the FE Site is considered to be a much better housing site than WE003 and WE052. In particular, the Louis Taylor report identifies that the location of WE003 and WE052 immediately adjacent to the existing HM Young Offenders Institution (HMYOI) as being a significant detractor for those sites, as would concerns over highway safety.

3.9 Residents living near to the HMYOI already complain of noise and bad language from the HMYOI. The building of housing closer to and immediately adjacent to the HMYOI will not only create a poor residential environment for the new residents, but will inevitably lead to conflicts between housing and the HMYOI. In contrast, the FE Site does not have any of these issues and given its site characteristics it is considered that it will create a high quality residential environment.

3.10 The Louis Taylor report therefore supports the view that the allocation of the FE Site in substitution for WE003 and WE052 would be a better strategy for the Local Plan and one which is in accordance with the spatial vision of the Local Plan, which seeks "desirable housing" (see section 5). It follows that the current proposal of the Local Plan to allocate WE003 and WE052 is inconsistent with this objective.

3.11 In terms of impact on Green Belt, both sites have been assessed by the Council's consultants as being suitable for release from the Green Belt if required for housing. An extract of the Council's consultants' assessment of the FE Site off Langton Court/Tregaron Court is provided at appendix 4. Bright & Associates (BA) have also undertaken an assessment of both the FE site and sites WE003 and WE052 (appendix 5).

3.12 BA have concluded that the allocation of the FE site for housing would improve the existing settlement edge on the north edge of Werrington, which would then be defined by an established and substantial woodland and Causley Brook. This would create a more coherent boundary and transitional edge between open countryside and existing residential development. They have also concluded that the FE Site is visually well contained due to the existing strong boundaries and woodland planting on its periphery and that it is well related to the existing settlement with current housing immediately to the east and south, and that with the existing strong boundaries development to this site would be seen as infilling.

3.13 In relation to sites WE003 and WE052, BA have assessed that these sites (in particular WE003) are one of the few remaining areas of open space to the south of Ash Bank Road providing breaks / open views along the otherwise built-up frontage of Ash Bank Road, which would be lost. For example, the monument and seating area which has been identified as an important local green space in the Local Plan is currently situated opposite the frontage of WE003 providing views over that land to the countryside beyond. Those views would be detrimentally affected.

3.14 Site WE003 is also particularly visible given the topography of the ground sloping away from Ash Bank Road and the site is visible from long distance and short distance views. Site WE003 makes a significant contribution to the setting of Werrington, as assessed by BA and indeed the Council's consultant's in the 2015 Green Belt Review Study.

3.15 On the basis of the key Green Belt criteria, it is clear that the FE Site is better than sites WE003 and WE052.

3.16 In relation to services, the FE Site already has services available and in situ to serve its development for housing. It is submitted that no evidence that that is the case for WE003 and WE052 has yet been provided.

3.17 The FE Site has been the subject of a Preliminary Ecological Appraisal and extended Phase 1 Habitat Survey by Haslam Ecology (appendix 6) which concludes there are no constraints which would prevent the FE Site being developed and indeed an opportunity for biodiversity enhancement.

3.18 Both sites have been the subject of assessment in the Council's sustainability appraisal. Further representations are submitted by FE in relation to that appraisal which contains a number of errors and material omissions such that the conclusions in it in relation to these sites are unsound. The position is that having proper regard to all relevant criteria, the FE Site is clearly a far better housing site than WE003 and WE052.

3.19 A summary of the comparison between WE003 and WE052 and the FE Site is provided at appendix 7. It is clear that on the basis of the available evidence that the FE Site is a far better housing site than sites WE003 and WE052 and the Local Plan in that regard cannot be regarded as justified as required by the test of soundness.

Consistent with National Policy

3.20 The allocation of WE003 and WE052 is inconsistent with national policy – in particular paragraph 123 of the NPPF and Policy SD4 of the Local Plan. Both these policies seek to protect people and the environment from pollution (including air / water / noise / vibration / light / ground contamination). It is inevitable that building new houses either side and immediately adjoining the HMYOI will lead to conflict between these different land uses and will create a poor environment for the new residents contrary to national and local plan policies.

3.21 Similarly, the proposal to allocate two sites which have a number of highway difficulties including fundamentally that they are undeliverable from a highway perspective is also inconsistent with national policy.

4. Please set out what modification(s) you consider necessary to make the Local Plan legally compliant or sound, having regard to the test you have identified in the question above where this relates to soundness. You will need to say why this modification will make the Local Plan legally compliant or sound. It will be helpful if you are able to put forward your suggested revised wording of any policy or text. Please be as precise as possible.

The Local Plan should be modified by the deletion of sites WE003 and WE052 in policy DSR4 and policy H2. In their place the FE Site off Langton Court/Tregaron Court should be allocated under policy DSR4 and policy H2.

(Continue on a separate sheet / expand box if necessary)

Please note

Your representation should cover succinctly all the information, evidence and supporting information necessary to support/justify the representation and the suggested modification, as there will not normally be a subsequent opportunity to make further representations based on the original representation at submission stage.

After this stage, further submissions will be only at the request of the Inspector, based on the matters and issues he/she identifies for examination.

5. If your representation is seeking a modification, do you consider it necessary to participate at the oral part of the examination? (please tick one box only)

No , I do not wish to participate at the oral examination	<input type="checkbox"/>
Yes , I wish to participate at the oral examination	<input checked="" type="checkbox"/>

6. If you wish to participate at the oral part of the examination, please outline why you consider this to be necessary

It is important for FE to have the opportunity to robustly test the Council's evidence/approach and assertion that the plan is sound at the examination and to adduce any additional technical evidence it considers relevant. Without that opportunity being provided FE's position is likely to be prejudiced.

(Continue on a separate sheet / expand box if necessary)

Please note

The Inspector will determine the most appropriate procedure to adopt to hear those who have indicated that they wish to participate at the oral part of the examination.

7. Signature:

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8. Date: