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Object

Document Element: Policy DS5 – The Spatial Strategy to 2041

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Summary:

The tiered approach championed by the RSFA stymies opportunities to deliver new homes and leaves the Council unnecessarily hamstrung as a result. The Council is missing opportunities for, albeit modest levels of new housing development, within defined settlement boundaries and the allocation of settlements within the suggested lower Tiers (4 and 5) in particular warrants reconsideration and reappraisal, which goes beyond the out-dated limitations of the RSFA. By doing so, Acton Trussell in particular should be reallocated as a Tier 4 settlement.

Full text:

Planning Policy Background

National Planning Policy Framework (December 2023)

The National Planning Policy Framework (NPPF), Paragraph 2, states that the NPPF must be taken into account in preparing the development plan and is a material consideration in planning decisions. Planning policies and decisions must also reflect relevant international obligations and statutory requirements.

Paragraph 7 explains that the purpose of the planning system is to contribute to the achievement of sustainable development, including, inter alia, the provision of homes.

Paragraph 8 identifies three overarching objectives for the planning system: an economic, social and an environmental objective, which are interdependent and need to be pursued in mutually supportive ways.

Paragraph 9 states that these objectives should be delivered through the preparation and implementation of plans and the application of the policies in the NPPF. Planning policies and decisions should play an active role in guiding development towards sustainable solutions, but in doing so should take local circumstances into account, to reflect the character, needs and opportunities of each area.

Paragraph 35 of the NPPF states that Local Plans are examined to assess whether they are 'sound', which necessitates an evaluation to determine whether they have been positively prepared, justified, are effective, and are consistent with national policy. In terms of whether a plan is justified, they should be based on proportionate evidence.

Chapter 5 'Delivering a sufficient supply of homes' states, at Paragraph 69, that: 'Strategic policy-making authorities should have a clear understanding of the land available in their area'.

Paragraph 70 of the NPPF comments that: 'To promote the development of a good mix of sites local authorities should (inter alia) d) support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes'

Paragraph 83 states: 'To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services in a village nearby'.

Chapter 11 'Making effective use of land', Paragraph 124d) indicates that planning policies and decisions should, inter alia, 'promote and support the development of under-utilised land'.

Objections to Policy DS5 – The Spatial Strategy to 2041

It is noted that the overall identified housing need for the Plan Period (to 2041) has dropped dramatically since the previous Regulation 19 consultation in December 2022. However, to be clear, this reduction in housing numbers does not in any way effect or otherwise dilute our previously submitted objections to Policy DS5, which are updated, refreshed and restated below.

Strategic Objection 1 of the SSLPR Publication Plan indicates that the Council will protect the Green Belt and Open Countryside. The supporting text to Policy DS5 (The Spatial Strategy to 2041) comments that, inter alia: 'Non-Green Belt options have been maximised in line with national policy requirements....' However, it is clear that other opportunities have been, inexplicably, overlooked, as set out below.

Policy DS5 considers, inter alia, the distribution of housing development within the district and in doing so, guided by the narrow, and arguably out of date, remit of the Rural Services and Facilities Audit 2021 (RSFA), allocates 5no. Settlement Tiers within the District.

The scope and approach of the RSFA is understood however it does have its limitations and should not be the only determinative factor in arriving at the proposed settlement tiers (1 to 5), which currently appears to be the case. This categorisation is based upon an assessment of the presence and comparative quality of three key services - general store, primary school and public transport - together with the existing size of the settlement. However, we contend that it is no longer appropriate to rely solely upon surveys of the physical infrastructure and access to public transport, particularly given the significant shift in peoples' working arrangements, in these post Covid-19 pandemic times.

In light of this, it is entirely appropriate to also consider the social, economic and environmental benefits for sustainable development of the burgeoning trends in rolling out carbon efficient technologies into rural areas and trends in work and behavioural patterns. With an emphasis on quality of life, beauty and the environment and with increased levels of home/remote working and an expectation for more hybrid working patterns into the future, there is a notable increased shift in demand towards more rural living, and less day-to-day commuting to work for many.

Technological advances including electric cars, e-bikes and scooters, the emergence of commercial car sharing businesses, and faster broadband speeds all mean that rural living is a sustainable development option. Clearly many, both in urban and rural areas, now rely on the Internet for accessing a broad spectrum of social, community,

entertainment and other services, as well as for work. This trend has grown significantly during the Covid-19 pandemic and has continued, with people accustomed to the opportunities and tangible benefits, which include increased levels of home deliveries, including, but not restricted to, meals and grocery shopping. It is respectfully suggested that the RSFA fails to fully recognise such factors, and reliance upon the RSFA alone is an unsound approach.

Furthermore, the RSFA fails to fully recognise the fact that some of the settlements within the proposed Tier 5, in particular, already have clearly defined development boundaries and are removed from the Green Belt/Open Countryside and such settlements and villages are surely therefore appropriate locations for new windfall in-fill housing having such clearly defined development boundaries, and as such meeting the aspirations of Strategic Objective 1.

As indicated above, but worthy of repetition, Paragraph 70 of the NPPF comments that: 'To promote the development of a good mix of sites local authorities should (inter alia) d) support the development of windfall sites through their policies and decisions – giving great weight to the benefits of using suitable sites within existing settlements for homes' (Author's emphasis).

As currently stated, whilst Draft Policy DS5 makes allowances for windfall development within Tier 4 settlements, the same is not true for Tier 5 settlements, even though in some cases they have a clearly defined settlement (development) boundary. Whilst it is true that Policy DS5 with regard to Tier 5 settlements does (on a case-by-case basis) make provision for "very limited redevelopment of previously developed land for housing" in such settlements, that appears to be at odds with Paragraph 70d of the NPPF in those cases where a defined settlement boundary exists and where there is no requirement for the land to be previously developed.

It is suggested that every opportunity to deliver new homes within existing defined development (settlement) boundaries, however modest, should be taken, thereby further easing the pressure on the Green Belt and Open Countryside. Yet, the tiered approach championed by the RSFA stymies many such opportunities and leaves the Council unnecessarily hamstrung as a result.

Furthermore, there appears to be no consistent consideration or weight given to the size of some of these settlements, some of which are reasonably large yet are grouped in the same Tier (5) with very modest villages/settlements which in some cases amount to little more than a handful of houses.

As a prime example, Acton Trussell (with in the region of 250no. existing dwellings) is included in the very same Tier 5 as, for instance, Saredon, Brineton and Great Chatwell, which is frankly nonsensical and unjustified. It is akin to comparing apples with oranges.

Acton Trussell has a clearly defined and adopted development (settlement) boundary, and whilst it admittedly has limited services and facilities, it is nevertheless a thriving and highly desirable village, which provides support to other villages in the area, with, for example, younger children living within the village highly likely to attend the existing First School at nearby Bednall (in line with Paragraph 83 of the NPPF).

Furthermore, Acton Trussell is well located in terms of access to the wider highway network (and its proximity to Junction 13 of the M6 motorway) as well as the larger settlement of Penkridge and its range of shops and services, and to the north (beyond the district boundary) Stafford.

Despite all this, the RSFA allocates Acton Trussell as a Tier 5 settlement purely based upon the services contained therein. With respect, this is a flawed approach for the reasons set out above.

It is more appropriate to compare Acton Trussell with the proposed Tier 4 settlements. For example, Seisdon, Trysull, Bednall and Bobbington, with the latter 3 settlements only making it into Tier 4 on the basis of a small first school yet being completely devoid of any other services, including public transport. Yet, being in Tier 4 such villages benefit from support for unrestricted windfall in-fill housing growth, as is supported by Paragraph 70 of the NPPF, under Policy DS5, even though the range of services is clearly little different to some Tier 5 settlements, and in particular Acton Trussell. It is respectfully suggested therefore that the Council is missing opportunities for, albeit modest levels of new housing development, within defined settlement boundaries and that the allocation of settlements within the suggested lower Tiers (4 and 5) in particular warrants reconsideration and reappraisal, which goes beyond the out-dated limitations of the RSFA. By doing so, Acton Trussell in particular should be reallocated as a Tier 4 settlement.

It is the case that Policy DS5 places greater restrictions upon development within Tier 5 settlements than would be placed upon development beyond a defined settlement (development) boundary and thereby within the Green Belt or the Open Countryside. It simply cannot be right that new in-fill housing development would be permissible, in principle, within a Green Belt village but would be prevented within a defined settlement (development) boundary, as in the case of Acton Trussell, purely on the basis of the level of services and facilities, when it is highly likely that in-fill development in the Green Belt would, by its very nature, be completely lacking in services and facilities.

Paragraph 3.12 of the Housing Site Selection Topic Paper (2024) sets out a Sequential Test: 'To minimise more sensitive land release, as part of the Council's wider duty', with the sequential approach considering whether a housing site is, in turn, within: 'the development boundary of an existing settlement; safeguarded land previously removed from the Green Belt; Open Countryside beyond the Green Belt; Green Belt.' That is to say, the first, and thereby, preferred choice would be for the provision of new housing within a development boundary of an existing settlement. Yet, despite this, a village such as Acton Trussell, with a clearly defined and established adopted development boundary, carried forward from the current Development Plan (Adopted Core Strategy 2012), has restrictions placed upon it in terms of new housing development, based purely on the RSFA.

With respect - This anomaly requires attention and redressing via changes to Policy DS5. In those cases where a village/settlement has a clearly defined development boundary, such as Acton Trussell, it would be entirely appropriate for new development to come forward, via windfall opportunities within such settlements in a similar fashion to Tier 4 settlements, especially where in some cases the difference in the level of services between some Tier 4 settlements and some Tier 5 settlements (especially, Acton Trussell) is negligible. The reappraisal of some of the lower-level settlements (Tiers 4 and 5) is entirely appropriate, and in doing so should go beyond the current sole reliance upon the RSFA and in doing so consider other factors as outlined above.

Failure to do so renders Policy DS5 and thereby the SSLPR Publication Plan (April 2024) 'unsound', being insufficiently evidenced and justified and not consistent with national policy.

Change suggested by respondent:

In those cases where a village/settlement has a clearly defined development boundary such as, in particular, Acton Trussell, it would be entirely appropriate for new development to come forward via windfall opportunities within the development boundary of such settlements. This would be in line with national policy (NPPF – Paragraphs 70 and 83), in a similar fashion to Tier 4 settlements, especially where in some cases the difference in the level of services between some Tier 4 settlements and some Tier 5 settlements (especially, Acton Trussell) is negligible.

It is respectfully suggested therefore that Policy DS5 should be amended, with Tier 5 settlements only being restricted to those villages and settlements that currently have no defined development boundary. Those current Tier 5 settlements that do have such a defined development boundary should be upgraded to Tier 4, which would specifically include Acton Trussell.

Without such changes, Policy DS5 and the differing scope for housing development between Tier 4 and Tier 5 settlements will remain an anomaly. Without the suggested changes, Policy DS5 will remain inconsistent and will be at odds with national policy, as set out above.

Legally compliant: Yes

Sound: No

Comply with duty: Yes

Attachments: None