



# Staffordshire Moorlands Local Plan

## Policy Topic Paper

June 2018



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## Introduction and background



## 1 Introduction and background

**1.1** This paper provides an overview of the background and context to the policies in the Staffordshire Moorlands Local Plan Submission Version where further detail is required to elaborate on relevant issues. Policies and related issues discussed in this paper are:

- Policy SS2 (Settlement Hierarchy) - categorisation of settlements
- Policy SS3 (Future Provision and Distribution of Development) - quantum and spatial distribution of housing and employment land
- Policy SS4 (Strategic Housing and Employment Land Supply) - windfall, housing trajectory and five year housing land supply
- Policy SS8 (Larger Villages Area Strategy) and Policy SS9 (Smaller Villages Area Strategy) - approach to infill housing developments
- Policy H1 (New Housing Development) - approach to self build and custom build housing; housing mix and dwelling size; Nationally Described Space Standards and Optional Requirement M4 (2) of Part M of the Building Regulations; Unallocated Windfall Sites and Conversion of Rural Buildings
- Policy H3 (Affordable Housing) - affordable housing need, viability and thresholds
- Policy H4 (Gypsy and Traveller Sites and Sites for Travelling Showpeople) - the assessment of needs and application of the criteria based policy
- Policy NE1 Biodiversity and Geological Resources - the Habitats Regulation Assessment process, how the assessment has influenced the Local Plan and the Council's view on the implications of the People Over Wind and Sweetman Court of Justice of the European Union judgement

**1.2** This paper does not include consideration of site allocations. Separate Site Allocations Topic Papers for Leek, Biddulph, Cheadle and the Rural Areas have been prepared in parallel to this paper to set out the rationale and site selection process behind the sites identified in the Local Plan Submission Version.

**1.3** The Council adopted the Core Strategy in March 2014 which established development requirements, a spatial strategy and Core Policies for the period 2006 to 2026. Whilst broad areas for development were identified, the Core Strategy did not allocate sites.

**1.4** The Inspector's Report on the Core Strategy queried the plan period for the Core Strategy and identified the need for:

**1.5** *"...an early and comprehensive review of the Core Strategy for the period 2016 – 2031 and rolling it forward into a single local plan combined with the Site Allocations DPD"*

**1.6** Elaborating further, the Inspector stated that an early review would provide the basis for taking account of longer term development requirements, reviewing affordable housing policy with the background of an improved economy and to update the evidence base. It is in this context that the Local Plan Submission Version has been prepared.

**1.7** The evolution of the policies of the plan from the adopted Core Strategy to the Local Plan Submission Version is set out in the Local Plan with reference to key influences that have helped to shape new and amended policies, including:

- Consultation feedback
- New evidence
- Sustainability Appraisal and Equalities Impact Assessment
- New or emerging national policy and guidance
- Consideration of how the adopted Core Strategy policies have been applied in practice since 2014.

## Spatial Strategy and Strategic Policies



## 2 Spatial Strategy and Strategic Policies

### Policy SS 2 Settlement Hierarchy

**2.1** Policy SS2 establishes the following tiers in the settlement hierarchy; Towns, Rural Area Larger Villages, Rural Area Smaller Villages and Other Rural Areas. Leek Biddulph and Cheadle are identified as the three towns in the District where growth will be focused. Policy SS8 (Larger Villages Area Strategy) and SS9 (Smaller Villages Area Strategy) go on to identify each of the villages that fall within either tier in the settlement hierarchy.

**2.2** The Local Plan Submission Version seeks to carry forward the settlement hierarchy and classification of individual settlements from the adopted Core Strategy. The classification settlement in the Core Strategy was based on their population, services, facilities and capacity for development. A summary of this information was provided as Appendix J to the Core Strategy and is copied as Appendix 1 to this Topic Paper for convenience.

**2.3** The settlement hierarchy in the adopted Core Strategy was also informed by the Development Capacity Study (2008/9) and update (2010/11) (examination library ref. 21). The Infrastructure Delivery Plan Baseline Report (2016) (examination library ref. 8.1) re-examined the quality and capacity of the following types of infrastructure: transport; education; utilities; telecommunications; flood risk and drainage; waste management; green infrastructure; sport, leisure and recreation; health; emergency services; and community and cultural provision. The report identified the ability of each type of infrastructure to support the delivery of housing and employment growth across the Districts towns and large villages.

**2.4** Based on analysis of current infrastructure and details of planned infrastructure the overall conclusion of the Baseline Report was broadly that the distribution of growth in the Core Strategy could be supported by current and planned infrastructure. Accordingly, the settlement hierarchy as set out in the Core Strategy was carried forward into the Local Plan Preferred Options (2017) (examination library ref. 2.1) for consultation purposes.

**2.5** Analysis of consultation feedback regarding Policy SS2 in the Local Plan Preferred Options did not reveal any substantive reasons to amend the settlement hierarchy with the majority of respondents supporting the policy.

### Policy SS 3 Future Provision and Distribution of Development

**2.6** Policy SS3 establishes the overall quantum of housing and employment land up to the year 2031 and the broad distribution of development across the District between Leek, Biddulph, Cheadle and the Rural Areas. The background to both of these aspects to the policy is outlined below.

#### Objectively assessed need for housing and employment

**2.7** The consideration of the objectively assessed need for housing and employment land has been dovetailed during the preparation of the Local Plan in order to ensure an appropriate balance between housing and jobs growth. The Strategic Housing Market Assessment (2014) (examination library ref. 27.1) Employment Land Requirement Study (2014) (examination library ref. 17.4) and subsequent updates have been central in the Council's determination of development requirements.



**2.8** The 2014 Staffordshire Moorlands SHMA assessed the extent of the local housing market and its characteristics. It also provided an assessment of the need for market and affordable housing. Key conclusions included:

- The objectively assessed need (OAN) for housing Staffordshire Moorlands was within the range of 260 to 440 homes per year. The bottom end of the range related to demographic needs (population and household growth). The top end of the range related to economic projections (jobs growth supported by inward migration).
- The need for affordable housing was deemed to be 707 (gross) over the next five years. This includes newly arising needs and clearing the backlog of demand over a five year period. 172 homes a year for five years are required to clear the backlog. Affordable housing needs are calculated on a different evidential basis from the wider housing requirement with the emphasis being on the ability of a household to pay rather than demographic and economic projections. This can explain the apparent discrepancy between the identified OAN range and affordable housing needs.
- Staffordshire Moorlands district is not a self-contained housing market area. The housing market overlaps with parts of Stoke-on-Trent. Work with Stoke on Trent City Council under the Duty to Co-operate on meeting housing needs may therefore be required.

**2.9** In order to take account of the latest household projections issued by Government (2014-based), Planning Inspector's reports and High Court judgements, new population and unemployment data, the Staffordshire Moorlands SHMA Update was issued in February 2017 (examination library ref. 27.5). This report superseded previous updates issued in 2015 and 2016. As the most up to date evidence regarding housing needs, the 2017 assessment was a key consideration in establishing the Local Plan Submission Version's housing requirement.

**2.10** As with the SHMA, the update appraised a variety of demographic and economic based scenarios. The latest 2014-based household projections were taken as the starting point with adjustments made as required following an updated review of market signals and consideration of new employment projections for the District. Employment projections sourced from both Oxford Economics and Experian were considered alongside a combined set of projections that averages jobs growth in each sector between the two data sources. The update report also revised affordable housing needs taking account of the Housing Register. The update covers the period 2014 to 2031 with separate figures also provided for the period 2014 to 2033 as an alternative period. 2014 was used as the start of the projection period as this is the base date for the 2014-based household projections.

**2.11** The demographic scenarios (A – Eb) of the SHMA update applied the components of population change (births, deaths and migration) to project future population change. The economic – led scenarios (F – Ia) were assessed to identify how much additional housing may be needed to take account of employment growth, over and above demographic needs.

**2.12** The SMHA update report provided details of the projected population change, jobs growth and associated annual housing requirement for each of the scenarios tested. An extract from the report with corresponding details is provided below:

	February 2017 SHMA						Previous January 2016 SHMA Update
	Population Change	Job Growth	Dwellings 2014-2031	p.a.	Dwellings 2014-2033	p.a.	Dpa 2014- 2031
A. Baseline			2,896	170	3,127	165	181
Aa. Baseline + PCU	2,239	-1,637	3,256	192	3,525	186	199
Ab MYE + PCU	2,567	-1,579	3,331	196	3,610	190	205
B. Natural Change	-3,838	-3,802	272	16	118	6	41
C. Zero Net Migration	-2,493	-2,695	-374	-22	-556	-29	7
D. Long Term Migration			2,369	139	2,450	129	136
Da. Long Term Migration +PCU	1,022	-2,220	2,721	160	2,838	149	-
E. OE Job Growth	7,236		4,744	279	4,993	263	398
Ea. OE + Reduced Commuting	2,713	339	3,061	180	3,282	173	329
Eb. OE + PCU	7,236		5,135	302	5,425	286	-
F. Job Stabilisation			4,398	259	4,774	251	290
Fa. Job Stabilisation +PCU	6,339	0	4,787	282	5,205	274	-
G. Past Trends			7,146	420	7,893	415	290
Ga. Past Trends +PCU	13,697	3,038	7,584	446	8,383	441	-
H. Experian Job Growth			5,655	333	6,227	328	-
Experian Job Growth + PCU	9,705	1,400	6,067	357	6,688	352	-
I Combined Job Growth			5,199	306	5,608	295	-
Ia. Combined Job Growth + PCU	8,471	870	5,601	329	6,054	319	-
Affordable Housing Needs				679 / 1,309		679 / 1,309	-

**Figure 2.1 Comparison of scenarios tested in the SHMA Update 2017**

**2.13** The table above demonstrated that as with the 2014 SHMA, the demographic scenarios would lead to lower population increases (or even decreases) from current levels. All demographic scenarios would also lead to a decline in the number of jobs available in the District. This is due to a contraction in the labour supply (people of working age) within the District related to the relatively modest levels of housing provision. Conversely, the economic scenarios indicate higher levels of population growth with corresponding levels of jobs growth or stabilisation. The higher levels of housing growth under these scenarios support the economy by enabling inward migration of people of working age to offset the decline of the labour force.

**2.14** In line with the NPPG, the update report included an uplift to the demographic scenarios of 10% to reflect market signals, namely the worsening affordability ratios. A further 10% uplift was then added to reflect the fact that the affordable housing need is high (see following table) as required by the NPPG, Inspector's reports and legal cases. The corresponding implications for these uplifts for the OAN for housing are identified below:

	Dwellings per annum (2014-2031)
Demographic Starting Point	170 dpa
Adjustments to Demographic-led Needs	196 dpa
Uplift for Market Signals	216 dpa
Employment Led Needs	329 dpa
Affordable Housing Needs (@33% delivery)	679 – 1,309 dpa
Uplift to demographic led needs for Affordable Housing (@10%)	238 dpa
<b>Full Objectively Assessed Needs (rounded)</b>	<b>235 dpa – 330 dpa</b>

**Figure 2.2 Factors in the determination of the range for the objectively assessed need for housing**

**2.15** Having reviewed the scenarios, the 2017 SHMA Update recommended a new OAN range of 235 to 330 homes per year to the year 2031. The bottom of the range (235) related to the demographic needs plus a 10% uplift to reflect market signals and a further 10% to respond to the high level of affordable housing need. The top of the range (330) related to the level of housing growth required to support the projected increase in jobs. Jobs growth is supported by the higher level of housing growth as it enables a higher level of inward migration of working age people from neighbouring areas. Natural population change in the District is largely driven by an increase in the elderly population.

**2.16** Broadly in the middle sits the job stabilisation scenario which sets out the number of new homes per year required to maintain the number of jobs in the District at current levels plus an adjustment or “partial catch up” (PCU). The adjustment increases the housing need to reflect a desirable uplift in household growth amongst 15-34 year olds to 2008 levels. There has been a decline in household growth amongst the younger population since then, largely due to the recession and continued economic constraints which have prevented younger people from establishing a home of their own.

**2.17** In terms of affordable housing needs, the 2017 SHMA Update reviewed the Housing Register as of October 2016 and current supply of affordable housing to identify a net backlog of 408. An assessment of likely newly arising affordable housing needs over the plan period was then undertaken to identify a net annual need for affordable housing of 224 to 432 homes per year. The lower figure of 224 would apply if allowances are made for a deposit and/or a greater proportion (35%) of income is spent on renting a property.

**2.18** The new OAN range and affordable housing needs are lower than all those previously recommended as summarised in the table below:

Study	Date	Affordable housing needs (p.a.)	OAN range (p.a.)
SHMA	April 2014	250 to 707	260 to 440
SHMA Update (examination library ref. 27.4)	January 2016	250 to 707	250 to 440

Study	Date	Affordable housing needs (p.a.)	OAN range (p.a.)
SHMA Update	February 2017	224 to 432	235 to 330

**Table 2.1**

**2.19** The Employment Land Requirement Study was completed in July 2014. The study reviewed a range of economic factors, projections relating to the performance of different sectors of the local economy and the working age population. It concluded that 25ha to 45ha of employment land was required for Staffordshire Moorlands for the period 2011 to 2031 (35% for B1a/B1b office, 40% for B1c/B2 industrial and 25% for B8 storage and distribution).

**2.20** This sought to balance the replacement of some existing B2 stock with aspirations for heightened demand in this sector going forward; the higher growth in B1/b office requirements, the slower decline of the industrial sector and the continuing relatively limited demand of B8 warehousing.

**2.21** The Staffordshire Moorlands Employment Land Review Update Report (examination library ref. 17.6) was completed in February 2017. This report updated the findings of the Employment Land Requirement Study in light of the latest sub-national household projections (2014-based) that also formed the basis of the objectively assessed need for housing.

**2.22** The 2017 Update Report found that the District benefits from a relatively high value manufacturing base with linkages to sector expertise and clusters of businesses. There are a high number of small businesses and entrepreneurialism, combined with strong business survival rates. A highly skilled workforce, combined with the exceptional Peak District landscape and quality of life offer make the authority area an ideal location for knowledge and creative businesses. The visitor economy is a key sector and the local authority area provides a market for Peak District businesses and branded products. This may result in a requirement for B-class uses such as offices for tourism-related business and manufacturing premises for niche food products.

**2.23** There is a lack of good quality small to medium-sized industrial premises, which is suppressing demand. In particular, the limited level of development in recent years has restricted the availability of sites for local businesses to expand.

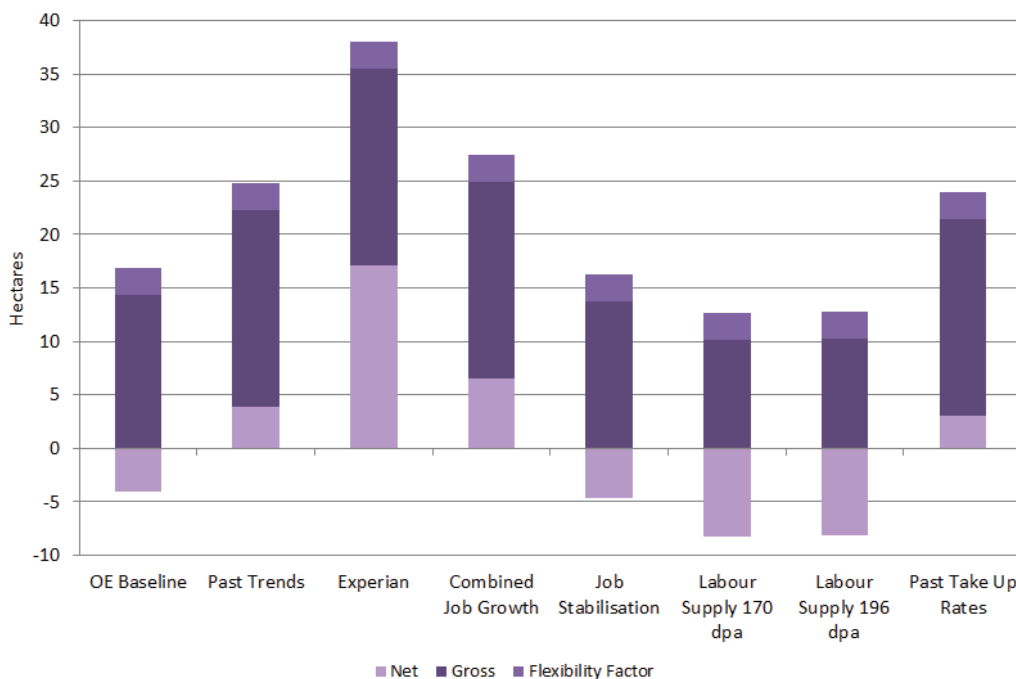
**2.24** Future realisable demand may be further restricted by the current poor and ageing existing stock, lack of public investment in infrastructure, poor access to many industrial estates/business parks, and weak inward investment offering relative to adjoining areas (notably Stoke on Trent).

**2.25** A high level of net out-commuting is also an issue in Staffordshire Moorlands where 12,737 (previously 13,956) more people commute out to work than commute in. There is significant level of net out-commuting to Stoke-on-Trent and Newcastle-under-Lyme. The three authorities are considered to constitute a “Functional Economic Area” (FEMA).

**2.26** The job density ratio of 0.64 (an increase from 0.55 at the time of the 2014 ELR) in the District is very low compared to the West Midlands average of 0.78. Rebalancing the land uses of the District to ensure that more, and better quality, jobs are provided could help to reverse this trend and ‘claw-back’ out-commuters and reducing net out-commuting rates.

**2.27** The latest post-Brexit jobs forecasts published by Oxford Economics showed an increase of 288 jobs (FTE) up to 2031. This is a significant decline from the previously forecasted 3009 jobs from the pre-Brexit forecasts. Forecasts prepared by Experian are also considered in the ELR Update. Experian data shows an increase in 1300 jobs in the District over the same period. Whilst both data sources are robust, this is a significant difference and may be attributed to the different methodologies applied. This has led to discrepancies in the jobs growth between sectors projected by each source. The largest difference is in manufacturing whereby Oxford Economics project a decline off 833 jobs in contrast to a growth of 829 anticipated by Experian. To address this, the 2017 ELR Update recommended that a combined jobs growth figure was applied in the scenarios which provides an average level of jobs growth for each sector taking both data sources in to account. This indicates a growth of 794 jobs (FTE) up to the year 2031.

**2.28** The 2017 Update Report considered a range of scenarios to identify the need for employment land in the District. These include; projections of labour supply (land needed to support jobs for future working age population), jobs forecasts (land needed to support Oxford Economics jobs forecasts) and consideration of past trends (amount of land developed in the District in recent years). Uplifts to the indicative requirements are then added to provide additional flexibility and to address potential future losses of employment land. A summary of the outcomes is provided below:



**Figure 2.3 Scenarios for the objectively assessed need for employment**

**2.29** With the above in mind, the 2017 Update recommended an OAN range for employment of 13 to 27ha up to the year 2031. This was a significant decline from the previously recommended range of 25 to 45ha as identified in the 2014 ELR. This can be attributed to the reduction in the forecasts levels of jobs growth by Oxford Economics, a shorter modelling period has now been applied (2014 to 2031, rather than 2011 to 2031). Take up and losses of employment land have been variable.

**2.30** 50% of the requirement was recommended for B1a/B1b (office, R&D) use with the other 50% recommended for B1c/B2/B8 (light industry, general industry, storage and distribution) to reflect past trends and forecast jobs, office vacancy and the need to replace existing poor quality industrial stock.

### **Housing and employment development requirements**

**2.31** On 8 March 2017, the Council (examination library ref. 33.4) considered the implications of objectively assessed need for housing and employment alongside other factors including the following in order to determine the planned level of housing and employment growth for the Local Plan Preferred Options 2017.

- Strategic Housing Land Availability Assessment (2015) (examination library ref. 26.1 - 26.4) - identified a total potential supply of land for 14,029 homes but did not take account of policy constraints such as Green Belt
- Consultation feedback - the 2016 Preferred Options Sites and Boundaries consultation sought views on the proposed housing (320 homes per year) and employment land (35ha in total) requirements over the period of the Local Plan up to the year 2031. The majority of comments in responses came from residents who were of the view that the requirements were too high.
- Infrastructure Delivery Plan (IDP) Baseline Report - concluded that broadly the level and distribution of growth as set out in the Core Strategy could be supported
- Interim findings of the Local Plan and Site Allocations Viability Study - revealed that potential sites were generally viable
- Green Belt Review (examination library ref 22.4) - identified sites with potential for release in exceptional circumstances but confirmed that the majority of the Green Belt should be retained
- Landscape and Settlement Character Assessment (examination library ref. 22.1) - some landscape character types were deemed to be more sensitive to change than others but the assessment did not quantify limits to development potential
- Landscape, Local Green Space and Heritage Impact Study (examination library ref. 22.5) - in landscape terms, of the 117 sites considered, 48 were deemed to be of low sensitivity; 41 were of medium sensitivity; and 28 were of high sensitivity. In heritage terms, of the 117 allocation sites considered, 81 sites would be highly unlikely to affect the settings of designated heritage assets; 32 sites would require an appropriate mitigation strategy as part of the proposed development; and 4 sites could not be developed without substantial heritage impacts.
- Strategic Flood Risk Assessment Level 1 (examination library ref. 28.1) - vast majority of the district was found to be a low risk of fluvial flooding (Flood Zone 1). Flood risk is not deemed to be a significant constraint to development in the District
- Duty to co-operate - aside from a windfall allowance within the Peak District National Park, no contribution towards development requirements from neighbouring local authorities were identified

- Habitat Surveys (examination library ref. 14) - findings were that some limited areas of the sites assessed may warrant some form of protection. However, no over-riding issue was been identified that would prohibit the delivery of housing
- Habitat Regulations Assessment (examination library ref. 7) - parts of the Rural Areas and Leek are closer to the protected sites and so further consideration of any effects and mitigation measures was required. However, the Council considered it unlikely that this would have a significant impact on the overall supply of developable land

**2.32** The Sustainability Appraisal was a further consideration in the determination of development requirements for the Local Plan. The Initial Sustainability Appraisal Report – Appraisal of alternative development requirements assessed the likely significant effects on sustainability of alternative options for housing and employment requirements. The options broadly relate to the top, middle and bottom of the OAN ranges. A fourth option was also appraised to test the implications of the highest potential growth scenario identified in the latest assessment of needs as set out below:

### Housing Options

- 235 homes per year (demographic needs, + allowance for catch up and 10% for market signals)
- 260 homes per year (job stabilisation)
- 330 homes per year (combined jobs growth scenario+ uplift partial catch up)
- 450 homes per year (past trends jobs growth + 10% uplift for partial catch up)

### Employment Options

- 13ha (labour supply)
- 16ha (job stabilisation)
- 25ha (past trends)
- 27ha (combined jobs growth scenario)

**2.33** The Sustainability Appraisal determined that the highest levels of growth score most positively in terms of economic benefits and meeting affordable housing needs. However, the highest growth scenarios also score least positively in terms of adverse environmental impact. For the scenarios at the bottom of the scale, the reverse applies. The middle of the range corresponds to a balanced relationship between the environmental, economic and social effects considered in the appraisal.

**2.34** Having regarding to the above factors and an options analysis of potential development requirements, the Council agreed to take forward an annual average housing requirement of 320 homes per year which was consistent with the requirement subject to the 2016 Preferred Options Sites and Boundaries consultation. At the time of the 2016 consultation, this requirement related to a "job stabilisation" scenario in the SHMA Update of January 2016. The requirement was taken forward because it:

- closely accords with the housing policy set out in the NPPF as it fully meets demographic housing needs and helps to address the affordable housing need. It also increases the scope to provide specialist housing such as Self-Build and Custom Build
- supports the provision of approximately 870 additional jobs up to the year 2031. This helps to support a positive economic strategy for the District in line with Paragraph 21 of the NPPF
- with a pro-active approach to delivery taken by the Council, is “aspirational, but realistic” when considered in the context of an historic average delivery rate of 178 homes per year
- is deliverable in terms of the supply of suitable housing land, the scope to release land from the Green Belt and infrastructure capacity
- is consistent with the requirement agreed by the Council in 2016. The majority of sites required for this level of development were not found to give rise to significant landscape or heritage impacts, including on the setting of the Peak District National Park
- provides a balanced range of social, economic and environmental effects as set out in the Sustainability Appraisal the most consistent with the four aims of the Corporate Plan (2015-2019) when read as a whole

**2.35** In determining the employment land requirement for the Local Plan, the Council considered the advice in the Employment Land Requirement Study which highlighted the need for housing and employment land requirements to dovetail. With this in mind, the Council agreed to take forward a employment land requirement of 27ha up to the year 2031 as:

- it was at the top of the OAN range for employment and so closely corresponds with the proposed housing requirement to support sustainable development
- it provides the greatest scope for business growth and wider economic benefits as identified in the Sustainability Appraisal
- there is a sufficient supply of suitable sites to accommodate this level of development
- this option is more closely aligned with the Government’s economic aspirations as set out in the NPPF and the recent Industrial Strategy

**2.36** The housing and employment land requirements agreed for the Local Plan Preferred Options were carried forward into the Local Plan Submission Version as the 2017 SHMA and ELR Update Reports remain the most up to date assessments of requirements.

### **The distribution of development**

**2.37** Policy SS3 of the adopted Core Strategy set out the proportion of housing and employment development to be distributed across the four sub-areas of the District, namely; Leek, Biddulph, Cheadle and the Rural Areas. The Local Plan Sites Options and Preferred Options Sites and Boundaries consultations (examination library refs. 3.1 & 4.1) carried forward the approach from the Core Strategy.



**2.38** However, the Local Plan Preferred Options (examination library ref. 2.1) introduced an amendment to the distribution of housing development by reducing the housing requirement for the Rural Areas by 3% and increasing Cheadle's requirement by the same amount.

Area	Core Strategy	Preferred Options and Submission Version Local Plan
Leek	30%	30%
Biddulph	20%	20%
Cheadle	22%	25%
Rural Areas	28%	25%

**Table 2.2 Change in spatial distribution of housing development between Core Strategy and Preferred Options & Submission Version Local Plan**

**2.39** This amendment to the distribution of housing in combination with revisions to proposed site allocations significantly reduced the number of homes planned in the Green Belt in the Rural Areas from 554 in the 2016 Preferred Options Sites and Boundaries consultation to 75 in the Preferred Options Local Plan.

**2.40** Following the 2016 Preferred Options Sites and Boundaries consultation and the publication of the Government's Housing White Paper in 2017, the Council re-considered its case for demonstrating exceptional circumstances to justify the comparatively large extent of Green Belt proposed in the Rural Areas.

**2.41** The Housing White Paper published in February 2017 reaffirmed the Government's commitment to protecting and maintaining the Green Belt, setting out Government proposals to amend the NPPF to make clear that Green Belt boundaries should only be amended when it can be demonstrated that all other reasonable options have been fully examined for meeting an authority's identified development requirements. These options included making effective use of brownfield land, optimising densities and exploring whether neighbouring authorities could accommodate some of the District's requirements outside of the Green Belt. None of these potential options yielded additional capacity outside of the Green Belt.

**2.42** In order to address this issue, the amendment to the distribution of development as proposed with additional housing earmarked in Cheadle given the status of the town in the settlement hierarchy, supply of potentially suitable housing land outside of the Green Belt and relatively low quantum of housing proposed for the town in the Core Strategy.

**2.43** In order to inform the Local Plan Submission Version, the Sustainability Appraisal (examination library ref. 6.4) considered four reasonable alternatives for the development approach in the Rural Areas, namely:

1. Preferred Options Sites and Boundaries 2016 approach - Green Belt release
2. Countryside release
3. Growth re-directed towards the towns
4. Strategic site release

**2.44** The Sustainability Appraisal then identified a 5th option (a hybrid of options 3 and 4)

5. Growth redirected to towns accompanied by strategic site release

**2.45** Option 5 was recommended to be carried forward as it was expected to:

- Restrict Green Belt release in line with the NPPF / White Paper.
- Be more closely aligned with the spatial strategy than option 4.
- Better recognise the needs of both urban and rural areas than option 3
- Consolidate development sites in the rural areas to improve deliverability and support regeneration opportunities and infrastructure improvements
- Deliver housing outside the Green Belt in a sustainable and accessible location
- Enable development to be focused where it could achieve high levels of affordable housing

## **Policy SS 4 Strategic Housing and Employment Land Supply**

**2.46** Policy SS4 applies the overall development requirements for housing and employment as established in Policy SS3 and sets out how they will be met up to the year 2031. Key components of this include; commitments and completions, the inclusion of an allowance for completions in the Peak District National Park <sup>(1)</sup> consideration of windfall and the approach to neighbourhood area requirements. Appendix 11 of the Local Plan Submission Version sets out the methodology used to determine neighbourhood area development requirements for housing.

### **Windfall**

**2.47** Paragraph. 48 of the National Planning Policy Framework supports and allowance for windfall sites in the five-year supply if there is compelling evidence that such sites have consistently become available in the local area and will continue to provide a reliable source of supply.

**2.48** The windfall allowances set out in the policy reflects past trends. Windfall allowances in the Local Plan Submission Version 1070 up to the year 2031 (approx. 28% of net housing requirement) are broadly in line with the Core Strategy (25% of requirement in urban areas and 30% in rural areas).

**2.49** Allowances included in the plan are supported by an analysis of such provision since 2006 as follows:

### **Leek**

- Policy SS4 large windfall allowance (15 per year) = 210.
- Policy SS4 small windfall allowance (10 per year) = 140

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1 As agreed in the Statement of Common Ground between the District Council and the Peak District National Park Authority (examination library ref. 9.2),

**2.50** Between 2006 and 2016 on average 12 new dwellings were delivered each year on small sites <10 dwellings. This was rounded down to 10 per annum for the small sites allowance.

### **Biddulph**

- Policy SS4 large windfall site allowance (20 overall) = 20
- Policy SS4 small windfall allowance (10 per year) = 140

**2.51** Between 2006 and 2016 on average 8 new dwellings were delivered each year on small sites <10 dwellings. This was rounded up to 10 per annum.

### **Cheadle**

- Policy SS4 small windfall allowance (10 per year) = 140

**2.52** Between 2006 and 2016 on average 11 new dwellings were delivered each year on small sites <10 dwellings. This was rounded down to 10 per annum.

### **Rural**

- Policy SS4 Small windfall allowance (30 per year) = 420

**2.53** Between 2006 and 2016 on average 23 new dwellings were delivered each year on small sites <5 dwellings. This was increased to 30 per annum to reflect increased flexibility for infill within and on the edge of the villages.

**2.54** The policy approach to windfall is more positive than that set out in the Core Strategy which sought to place a cap on the size of windfall sites that could come forward. However, Policy H1 of the Local Plan Submission Version also now sets out detailed criteria to ensure that development is appropriately managed having regards to the role of the villages, their character and constraints.

### **Housing trajectory and five year land supply**

**2.55** A housing trajectory is provided at Appendix 7 to the Local Plan Submission Version which illustrates projected completion over the plan period. This records the position as of 31 March 2017. Appendix 2 to this Topic Paper provides further details that have informed the March 2017 housing trajectory.

**2.56** After the publication of the Local Plan Submission Version, the Council completed its housing monitoring for the year 2017/18 as of 31 March 2018. Due to the timing of the availability of this information, it is not included in the Local Plan Submission Version, However, for completeness, a copy of an updated trajectory along with background data is provided at Appendix 3 to this Topic Paper.

**2.57** The housing trajectory is underpinned by assumptions regarding the rate of development and sales. The Local Plan and Site Allocations Viability Study (examination library ref. 24.1) provide the following commentary on the local housing market;

**2.58** *"In our experience a developer would seek to construct and sell around 30-40 dwellings per annum. For the purpose of the assessments we have assumed an average sales rate for each site of between 2 and 3 per month, depending on the size of the development, with the first sales typically taking place at between 7 months and 10 months after the start on site again dependent on the size of the development.*

**2.59** *Sales rates tend to increase in respect of larger sites as developers seek to 'double up' and develop out a site in tandem. This may take the form of affiliated developers or separate house builders. We have factored this into the sales rates assumed within the testing parameters for the largest developments and have adopted a rate of 4 per month." (Page 67).*

**2.60** Applying evidence from the Local Plan and Site Allocations Viability Study and officers knowledge and experience of the area, the following assumptions have informed the trajectories:

**Implementation of planning permission carried forward over next 5 years (March 2017)**

- Sites under construction (370) spread over 3 years (years 1-3)
- Full planning permission (large sites) spread out according to table below (start in year 1)
- Outline planning permission (large sites) spread out according to table below (start in year 2)
- All other planning permission sites spread out over 3 years (years 1-3)

Site Status		Site size / number of dwellings				Notes
		Less than 50 homes	50-199 homes	200 – 499 homes	500+	
Under construction	Deliverable sites	Start at year 1	Start at year 1	Start at year 1	Start at year 1	Build rate applies to residual capacity
	Developable sites					
	Build-rate (per annum)	15 dwgs	30 dwgs	50 dwgs	50 – 60 dwgs	
Full Planning permission / Reserved Matters	Deliverable sites	Start at year 1	15 in year 1 and then 30 from year 2	Start at year 2 25 in year 2 and then 50 from year 3	Start at year 2 25 in year 2 and then 50 – 60 from year 3	Lead in time to allow for infrastructure provision and construction start up
	Developable sites					
	Build-rate (per annum)	15 dwgs	30 dwgs	50 dwgs	50 – 60 dwgs	
Outline Planning permission	Deliverable sites	7 in year 1 and then 15 from year 2	Start in year 2	25 in year 2 and then 50 from year 3	25 in year 2 and then 50 – 60 from year 3	Lead in time to allow for full permission / reserved matters, infrastructure provision and construction start up
	Developable sites					
	Build-rate (per annum)	15 dwgs	30 dwgs	50 dwgs	50 – 60 dwgs	
Allocations	Deliverable sites	7 in year 3 and then 15 from year 4	15 in year 3 and then 30 from year 4	25 in year 3 and then 50 from year 4	25 in year 3 and then 50 – 60 from year 4	Lead in time to allow for planning permission, infrastructure provision and construction start up

Figure 2.4 Housing trajectory assumptions

**2.61** The Local Plan Submission Version as published demonstrates a five year housing land supply. As highlighted above, the Local Plan Submission Version is based on monitoring date as of 31 March 2017. For completeness, an updated five year housing land supply statement as of 31 March 2018 has also been prepared. Both assessments confirm that the Local Plan Submission Version enables a five year supply of housing land:

- March 2017 supply (Appendix 4) - 5.9 years
- March 2018 supply (Appendix 5) - 5.6 years

**2.62** Both land supply statements apply a 20% buffer as currently required by the National Planning Policy Framework to reflect persistent under delivery. However, it is understood that the application of a buffer to the five year housing land supply will be determined against performance against the forthcoming Housing Delivery Test to be introduced in the revised national Planning Policy Framework. Depending on the final scope of the Housing Delivery Test, the need to apply a 20% buffer to the five year housing land supply may or may not apply in the future.

**2.63** The "Liverpool method" has been applied to spread the housing shortfall up to the year 2031. The shortfall in completions is currently very high (1099 as of 31 March 2018). If it is met over 5 years using the Sedgefield method, this gives a very high annual requirement which is considered to go beyond the requirement in the National Planning Policy Framework to be aspirational but realistic. Net completions have averaged 163 homes per year across the District between 2006/7 and 2016/17 with the highest net completion total in a single year being 278 in 2014/15. Further details of historic completion in the District are provided in Appendix 6.

**2.64** Therefore it is considered that it is more appropriate that the shortfall should be met over the plan period using the Liverpool method of calculation as this gives a more realistic scenario for development to come forward whilst still boosting housing supply as required by the National Planning Policy Framework.

## **Policy SS 8 Larger Villages Areas Strategy and Policy SS 9 Smaller Villages Area Strategy**

**2.65** The settlement hierarchy of the adopted Core Strategy established the following approach in relation to development boundaries for the different categories of settlement that would be considered in the forthcoming Site Allocations DPD:

- Towns and larger villages - development boundaries would be defined. Within these boundaries, development of an appropriate scale and nature would be allowed (page 77, examination library ref. 32.7). In the smaller villages, infill boundaries
- Smaller villages - settlements will be defined by an Infill Boundary within which limited development of an appropriate nature will be allowed.
- Other rural areas - no boundaries due to the predominantly loose-knit and open character. development is generally inappropriate other than to meet essential local needs and for rural activities or on major sites suitable for re-development

**2.66** Boundaries for the towns, larger villages and eleven of the twenty nine smaller villages were previously defined by the Local Plan Proposals Map (1998) (examination library ref. 32.8).

**2.67** The Council's approach to boundaries during the evolution of the Local Plan is set out below:

### **Site Options 2015**

**2.68** Draft development and infill boundaries were proposed for consultation in line with the approach set out in the adopted Core Strategy. The draft boundaries were prepared having regards to boundaries from the 1998 Local Plan (where they existed) and the pattern of development with the intention of establishing tightly drawn limits to the extent of the settlements. Consultation feedback on the draft boundaries was mixed with views expressed that they were either too restrictive or not restrictive enough (examination library ref. 5.1).

### **Preferred Options Sites and Boundaries 2016**

**2.69** Preferred options development and infill boundaries were identified for the towns, larger villages and smaller villages as envisaged by the Core Strategy for consultation purposes. The boundaries had regards to consultation feedback and new evidence such as the Green Belt Review. Again, consultation feedback in relation to the appropriateness of the proposed boundaries was inconclusive. However, feedback did indicate that a flexible infill approach to development in the villages was suitable.

### **Local Plan Preferred Options 2017 and Local Plan Submission Version 2018**

**2.70** Given the inconclusive feedback regarding the appropriateness of boundaries and the feedback calling for a flexible approach to infill in the villages, the Council proposed an alternative approach to managing development for the larger and smaller villages at the Preferred options stage. This was carried forward to the Local Plan Submission Version. The proposed approach deviated from that set out in the Core Strategy in that:

- It provided policy support for small infill development on sites adjoining the development boundaries of larger villages
- It does not identify infill boundaries for the smaller villages. Instead, criteria were set out to enable consideration of appropriate small infill on a case-by-case basis. The principle that the smaller villages should only accommodate limited development remained.

**2.71** The principle of this approach was set out in Policy SS2, SS8, SS9 with the detailed criteria provided in Policy H1.

**2.72** The shift to a criteria approach allows the Council to carefully consider the impact of infill proposals at the application stage when more details are available regarding the scale and visual impact of development are known. This will enable the sustainable organic growth of the smaller villages and provide a clear policy to manage such development.

**2.73** The Sustainability Appraisal (examination library ref. 6.4) notes mitigation for Policy SS2 as *"Beneficial effects maximised by provision of clarity around the approach to development in the rural areas."* It is the view of the Council that the criteria based approach provides the required clarity whilst enabling the flexibility as highlighted in consultation feedback.

**2.74** The Sustainability Appraisal of Policy SS8 and SS9 notes the positive contributions that they make to housing provision whilst reflecting settlement character.



## Development Management Policies



## 3 Development Management Policies

### Policy H1 New Housing Development

**3.1** Policy H1 New Housing Development carries forward Core Strategy Policies H1 - New Housing Development and R2 - Rural Housing. It has been updated to reflect recent legislation such as the Self-build and Custom Housebuilding Act and reduces the number of Core Strategy policies dealing with rural housing.

#### Self-build / Custom-build

**3.2** Policy H1 part 2) regarding self-build / custom-build states that where a demand exists appropriate provision will be in agreement with the Council and negotiated on a case by case basis.

**3.3** The Self-build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act) places a duty on District Planning Authorities to keep a register of those who wish to acquire serviced plots of land for self-build or custom-build projects and have regard to those registers in carrying out their planning functions.

**3.4** The Council's Annual Monitoring Report (examination library ref. 12.4) monitors information from the Self-build Register to assess the demand for this type of accommodation in the District. During the monitoring period there were 27 applications for the register. A number of registrations gave limited details. 8 had also registered with other local planning authorities. All the other authorities were neighbouring authorities Stoke-on-Trent City Council, Stafford Borough Council, Newcastle Borough, Cheshire East. All were from individuals looking for a single plot.

**3.5** 25 were for a detached house (7 of which wanted bungalow). Of the others 2 stated they were flexible regarding plot type and the other did not specify.

**3.6** The majority of registrations were for a large property. 11 were for a 4 bedroom dwelling, 11 for a 3 bedroom dwelling and 6 for 1-2 bedrooms.

**3.7** Most registrations specified a particular location in the District. 8 registrations indicated they wanted a plot anywhere in the District and 19 Specified a particular location:

- 6 Leek
- 2 Biddulph Moor
- 2 Caverswall, Forsbrook, Blythe Bridge
- 3 North Leek Cheadle
- 4 Rural semi rural
- 2 Waterhouses area

**3.8** A small number of respondents to the Preferred Options Local Plan (examination library ref. 2.1) and Local Plan Submission Version (examination library ref. 1.1) have raised concerns over not providing sufficient land for self-build and the lack of clarity regarding the

position on sites of over 15 dwellings. The Register indicates a relatively low level of interest to date however, the Council will negotiate the provision of self-build / custom-build plots on sites where it is considered to be appropriate and in the right location. The Council makes a commitment to keeping information on the Register under review and by stating in Policy H1 part 2) that an appropriate contribution towards this need will be in agreement with the Council and negotiated on a case by case basis.

### **Housing Mix and Dwelling Size**

**3.9** Policy H1 part 3 a) states that Housing mix will be negotiated with the developer based on housing needs as informed by the Strategic Housing Market Assessment (SHMA) (examination library refs. 27.1 - 27.6) and other relevant factors such as available supply and market demand.

**3.10** In terms of housing size the SHMA suggests that going forward the requirement should be 60% 1 and 2 beds and 40% 3 and 4 beds. The Local Plan and Site Allocations Viability Study (examination library ref. 24.1) recommends that the Council takes a flexible approach to applying this advice when dealing with housing applications in the District, as relatively lower levels of housing viability in urbanised parts of the District could be compromised by an unsuitable housing mix. The analysis of recent planning applications indicates an overall split of approximately 46% 1 and 2 bed dwellings with 54% being 3 bed or larger. In terms of viability testing the Study used a 50/50 mix for the appraisals as this was between the split recommended by the SHMA and recent trends. Over time, following the adoption of the new Local Plan the Council will pro-actively negotiate a housing mix more in line with the SHMA recommendations.

**3.11** A small number of respondents to the Preferred Options Local Plan and Local Plan Submission Version have raised concerns over rigidly applying district-wide housing mix. However, Policy H1 part 3 b) does not seek to rigidly apply generic district – wide housing mix and density requirements as the policy states that the final mix will be negotiated with the developer based on housing needs as informed by the SHMA and other relevant factors such as available supply and market demand.

### **Nationally Described Space Standard and Optional Requirement M4 (2) of Part M of the Building Regulations**

**3.12** National planning policy has set technical standards for new dwellings. The new system comprises a new national space standard and optional technical standards. Planning Practice Guidance makes clear that the optional technical standards should only be required through new Local Plan policies if they address a clearly evidenced need and where their impact on viability has been considered.

**3.13** In order to address the changes in population structure, new homes should where possible be designed to provide flexible, accessible accommodation that is capable of future adaptation to meet the differing and changing needs of households. Policy H1 part 3 a) refers to the need for housing for specialist groups, particularly for older people as identified in the SHMA. Policy H1 part 3 d) states that all new dwellings should adhere to the new nationally described space standard and delivered to meet accessibility standards set out in the Optional Requirement M4(2) of Part M of the Building Regulations.

**3.14** The SHMA Update 2017 (examination library refs. 27.5 & 27.6) confirms that the District is expected to see an increase in the over 60 age groups and a sharp increase in the over 70 age groups by 2031. This will mean that there will be an increased demand for

specialist housing and adaptations to enable people to remain in their own homes. The table below indicates the population projections for residents aged 60+ in the district over the period up to 2031. The number of residents aged 75 - 84 are expected to increase from 7,317 in 2015 to 11,008 in 2031. The number of residents aged 85 or older will almost double from 2,706 in 2015 to 5,314 in 2031.

Population mid-year	2015	2017	2019	2021	2023	2025	2027	2029	2031
60/65 - 74	16,740	17,061	17,071	17,116	16,564	16,634	17,050	17,649	18,086
75 - 84	7,317	7,688	8,369	8,990	10,096	10,750	11,033	11,058	11,008
85+	2,706	2,924	3,087	3,337	3,653	3,958	4,308	4,820	5,314

**Table 3.1**

**3.15** The Local Plan and Site Allocations Viability Study (examination library ref. 24.1) confirms that the dwelling sizes that have been assumed for the purpose of the viability testing accord with the requirements of the National Space Standards. This is reflective of the analysis of dwelling sizes from recent developments in the district however have been adjusted as necessary to accord to the National Space Standards. In terms of the Optional Technical Standards M4 (2) the costs associated with meeting these requirements have been incorporated into 20% of the dwellings. Policy H1 part 3 d) confirms that this will be determined on a site-by-site basis subject to considerations such as viability and design.

### **Unidentified (Windfall) Sites**

**3.16** Local Plan policy SS2 sets out the 'Settlement Hierarchy' in terms of Towns, Larger Villages, Smaller Villages and Other Rural Areas. Policy H1 part 4) sets out where new housing will be supported on unidentified windfall sites in line with the Spatial Strategy.

### **Towns**

**3.17** Policy H1 part 4) states that within the development boundaries of the towns, residential development and development on unidentified (windfall) sites will be permitted subject to compliance with the Spatial Strategy and wider Local Plan policies.

### **Larger Villages**

**3.18** Local Plan policies SS2 and SS8 set out the role of the larger villages. These are the most sustainable settlements in the rural areas which generally have a good local social infrastructure, some local employment opportunities and good accessibility to the towns and larger centres. They will provide for the bulk of the housing requirement of the rural areas by means of allocated sites and unidentified (windfall) sites.

**3.19** The section on Policy SS8 within this Policy Topic Paper (see paragraph 2.65 onwards) sets out the Council's approach to boundaries during the evolution of the Local Plan. Part 4) of Policy H1 states that within the development boundaries of the larger villages, residential development and development on unidentified (windfall) sites will be permitted subject to compliance with the Spatial Strategy and wider Local Plan policies. Part 4) also sets out a new criteria based approach providing policy support for small infill development on sites adjoining the development boundaries of larger villages.

### **Smaller Villages**

**3.20** Local Plan policies SS2 and SS9 set out the role of smaller villages. These settlements are not defined by a development boundary and only limited development of an appropriate nature will be allowed.

**3.21** The section on Policy SS9 within this Policy Topic Paper (see paragraph 2.65 onwards) sets out the Council's approach to boundaries during the evolution of the Local Plan. Policy H1 part 4) sets out a new criteria based approach to enable consideration of appropriate small infill on a case-by-case basis. The principle that the smaller villages should only accommodate limited development remains.

### **Definition of Limited Infill**

**3.22** It is not considered appropriate to specifically define what is 'limited infill' in Policy H1 part 4). The criteria based approach will allow flexibility and enable the Council to consider the impact of each proposal on a larger or smaller village at the application stage when more details are available regarding the scale and visual impact of development .

### **Conversion of Rural Buildings**

**3.23** Policy H1 part 5d) permits 'the conversion of rural buildings for residential use where the building is suitable and worthy in physical, architectural and character terms for conversion....'. The Council concludes that without this specific wording it could lead to unsuitable schemes coming forward for functional buildings allowed to support agriculture or industry, being retained and converted once their useful life has expired.

**3.24** This wording goes further than para 55 of the NPPF which states that one of the special circumstances for allowing new homes in the countryside is 'where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting'. The NPPF also states in para 17 that planning should 'always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings'. Para 60 of the NPPF clearly supports the Council's approach by stating 'it is however, proper to seek to promote or reinforce local distinctiveness'.

**3.25** The Council strongly considers there is a continued need to resist the conversion of inappropriate rural buildings and has successfully used the existing wording to defend inappropriate planning applications/appeals for the conversion of rural buildings.

- Below: An example of an inappropriate scheme below for the conversion of an existing redundant stable into 1 bedroom single storey dwelling. The Council refused this application and the subsequent appeal was dismissed.



- Below: A good example of a barn conversion to residential use.



### Policy H3 Affordable Housing

**3.26** Policy H3 carries forward Core Strategy Policy H2 'Affordable and Local Needs Housing'. Policy H3 sets out the thresholds and a target of 33% affordable housing on-site from all sources. The policy also sets out the expected affordable housing split of 60% social/affordable rent and 40% intermediate / starter homes. Definitions of 'Affordable Housing' and 'Starter Homes' are included in Appendix 12 Glossary.

## Affordable Housing Need

**3.27** The NPPF requires that authorities meet the full, objectively assessed needs for market and affordable housing. The 2014 SHMA (examination library doc. 27.1) assessed the extent of the local housing market and its characteristics and provided an assessment of the need for market and affordable housing. It was updated in 2017 (examination library docs 27.5 & 27.6) to take account of the 2014 based Sub-National Household Projections and new employment projections. The 2017 SHMA update concluded that the housing needs of the District lie within the range of 235 to 330 additional homes per year up to 2031.

**3.28** This range also reflects an uplift to support additional affordable housing of which there is a relatively high need in the District. The 2017 SHMA Update reviewed the Housing Register as of October 2016 and current supply of affordable housing to identify a net backlog of 408. An assessment of likely newly arising affordable housing needs over the plan period was then undertaken to identify a net annual need for affordable housing of 224 to 432 homes per year.

**3.29** In order to address the objectively assessed needs for housing in the District the Local Plan Submission Version proposes 320 homes per year which is towards the top of the OAN range. The proposed level of provision will enable to Council to:

- fully meet demographic housing needs
- help support an increase in jobs
- help address the affordable housing need.

**3.30** The Local Plan Submission Version does not set an affordable housing target as the SHMA 2017 Update identified an annual need for affordable housing of up to 432dpa which is higher than the top of the recommended range for the objectively assessed need for housing.

## Affordable Housing Viability

**3.31** The Local Plan and Site Allocations Viability Study (2018) (examination library ref. 24.1) has tested generic development typologies and also the site specific viability assessments assuming 33% affordable housing provision in line with the target in the Local Plan Submission Version. In addition viability testing at lower levels of 10% and 20% have also been undertaken. The Study concludes that it may not be possible to achieve this target level of 33% affordable provision on all sites. Policy H3 however states that the actual level of provision will be determined through negotiation taking into account development viability and other contributions.

## Affordable Housing Thresholds

**3.32** Policy H3 requires that in the towns, residential developments of 15 dwellings (0.5 hectares) or more shall provide a target of 33% affordable housing on-site from all sources. Analysis of consultation feedback regarding Policy H3 in the Local Plan Preferred Options (examination library ref. 5.2) indicated that no comments were received in relation to this Policy. As a result the affordable housing threshold of 15 dwellings (0.5 hectares) for the towns set in the Core Strategy has been carried forward into the Local Plan Submission Version unchallenged.

**3.33** Elsewhere, Policy H3 requires residential developments of 5 dwellings (0.16 hectares) or more shall provide a target of 33% affordable housing on-site from all sources. The Local Plan and Site Allocations Viability Study considers the viability of small windfall sites of 5 and 10 dwellings across 4 zones within the Staffordshire Moorlands. These zones cover different parts of the rural areas and the Study indicates that some zones could support 33% affordable housing, whereas others can support between 10 and 20%.

**3.34** Since the House of Commons: Written Statement in November 2014 regarding 'Support for small-scale builders, custom and self-builders' the Council has been operating a 10 dwelling threshold for affordable housing in the rural areas. However since November 2014 there have been a number of planning applications approved for schemes between 5 and 10 dwellings in the rural area totalling 49 dwellings. These schemes could have secured up to 16 affordable units if the threshold of 5 units had been applied. Given the high level of affordable housing need in the District, particularly in the rural area, it is considered appropriate to maintain a 5 dwelling threshold.

#### **Policy H4 Gypsy and Traveller Sites and Sites for Travelling Showpeople**

**3.35** Policy H3 in the adopted Core Strategy set out a series of criteria for the determination of traveller applications. These are retained in Policy H4 in the Local Plan Submission Version which (alongside Government Policy) will be used to determine traveller site applications where these arise during the lifetime of the Local Plan.

**3.36** Government Policy states that local planning authorities should set pitch targets for gypsies and travellers which address the likely permanent and transit site accommodation needs of travellers in their area, working collaboratively with neighbouring local planning authorities.

**3.37** The Updated Gypsy and Traveller Needs Assessment (2015) (examination library ref. 18.2) undertaken with Stoke-on-Trent City Council, Newcastle-under-Lyme Borough Council and Stafford Borough Council concluded there was a need for 6 residential pitches in Staffordshire Moorlands and zero transit pitches for the period 2014-2019. No need for additional travelling showperson plots was identified over the same period. A further two residential pitches are estimated to be required beyond this to 2034 accounting for household formation. However the planning definition of 'traveller' was changed by the Government in 2015 (which may have the effect of excluding those who have ceased to travel permanently) leading the consultant to recommend that these needs figures are unlikely to represent a minimum and are in fact potentially likely to represent a maximum due to the fact that not all traveller households travel.

**3.38** The Government's Planning Policy for Traveller Sites 2015 states that Councils should have 5 year's supply worth of 'deliverable' traveller sites at all times, sites with planning permission should be considered 'deliverable'. In February 2018 the Council granted full permission for the stationing of three caravans off Uttoxeter Road, Checkley, which is therefore considered to contribute 3 pitches as 'deliverable' supply leaving a residual requirement of 3 permanent pitches to 2019. A previous appeal APP/B3438/A/11/2149915 on this site applied for 4 caravans however the appeal consent was limited to 3. The site appears hypothetically large enough to accommodate further pitches.

**3.39** The residual needs for traveller accommodation in the Staffordshire Moorlands have repeatedly been described as 'modest' by appeal inspectors: the 2008 Checkley site appeal inspector (APP/B3438/C/08/2074827) concluded the residual need for pitches at that time



(2 permanent plus 2 transit pitches) was modest therefore there was no pressing need to allow the appeal in the interests of provision for gypsies in general. Similarly the appeal inspectors to later appeals APP/B3438/A/11/2149915 and APP/B3438/C/11/2149184 across the District continued to reference the District's need as 'modest' with the latter concluding that limited weight be attributed to the need for sites.

**3.40** Given that the Local Plan does not allocate a site to meet the residual requirement, future supply will be dependant on windfall provision coming forward under Policy H4.

## **Policy NE1 Biodiversity and Geological Resources**

**3.41** Policy NE1 is underpinned by the Habitats Regulations Assessment (HRA) which has been undertaken during the preparation of the Local Plan (examination library refs 7.1 - 7.3). The HRA has also considered and influenced other policies of the Local Plan. The approach to HRA, how it has influenced the Local Plan and the Council's view on the implications of the People Over Wind and Sweetman Court of Justice of the European Union judgement is set out below.

### **HRA Process**

**3.42** In line with the Conservation of Habitats and Species Regulations 2017, in preparing its Local Plan, the Council has had regard to the EC Habitats Directive and Wild Birds Directive. As required, the Council has undertaken Habitats Regulations Assessment (HRA) of the emerging SMDC Local Plan to assess the significance of any potential impacts of the plan on European protected sites.

**3.43** The HRA has been undertaken by independent consultants who have worked closely with the District Council's planning policy team during the preparation of the emerging Local Plan. Key stages in the assessment are set out below.

- Natural England were consulted in May 2016 regarding the proposed approach to the HRA and the European sites to be considered in the assessment.
- The Council's preferred option development sites were first screened for likely significant effects (LSEs) in June / July 2016. The results of the screening were reported to the plan authors and the results were also consulted on with Natural England.
- The policies within the emerging Local Plan were screened for LSEs during September / October 2016 (updated in June 2017) and the preferred site allocations and any associated development site policies in January / February 2017.
- Modifications proposed to the Local Plan prior to publication of the submission version were screened in January 2018.

**3.44** The HRA screening of policies and preferred option sites resulted in the identification of a number of LSEs and it was therefore found necessary to progress to stage two of the HRA - Appropriate Assessment (AA) - in order to examine the risk of adverse effects on the conservation objectives of the European sites and to ensure that suitable mitigation measures could be put in place as part of the Local Plan.

**3.45** Where the potential for in-combination effects with other plans was identified, the scope of the AA was broadened to assess the possible combined effects of plans in the wider area.

#### **How the HRA influenced the Plan**

**3.46** Screening identified the potential for the Local Plan to lead to “urban effects” on European sites that may be significant. A variety of urban effects can result in adverse effects on European sites:

- Cat predation;
- Effects of dogs - eutrophication (mainly through faeces) and disturbance of grazing livestock;
- Localised recreational pressure;
- Localised effects from construction and on water quality;
- Fires; and
- Fly tipping / Litter.

**3.47** The HRA concluded that these effects could potentially affect the following European sites:

- Peak District Moors (South Pennine Moors Phase 1) SPA;
- South Pennine Moors SAC; and
- Peak District Dales SAC.

**3.48** The HRA screening identified likely significant urban effects in relation to the following sites due to their proximity to European sites:

- Waterhouses (WA004) located approximately 1950m from the Peak District Dales SAC; and
- Sites on the eastern edge of Leek, Land at the Mount (LE066, LE140, LE128, LE142) located between 3.8km and 4.2km from the Peak District SPA and the South Pennine Moors SAC.

**3.49** In addition, screening identified that the following policies (text as at 27th June 2017) could result in LSEs due to a risk that they could result in development close to the European sites:

- SS8 – Larger Villages Area Strategy; and
- SS9 – Smaller Villages Area Strategy.

**3.50** An appropriate assessment was undertaken and the findings noted that:

- 400m is considered to be the zone where adverse effects from cat predation could occur;
- studies have found that 75% of people using heathland for recreation have walked less than 500m to reach the heath, and 89% walked less than 1km;
- beyond a 500m buffer around a designated site the incidence of unplanned fires has been found to be close to zero;
- fly-tipping and littering (including garden waste) have been found to be more prevalent when the urban area is within 500m of the SPA/SAC boundary.
- golden plover and other birds for which the SPA is designated are considered to spend the majority of their time feeding within 2km of the SPA during the breeding season.

**3.51** The proposed site allocations on the eastern edge of Leek (located between 3.8km and 4.2km from the SPA) were considered to be well outside of the foraging range of cats and due to the distance between the proposed allocations and the South Pennine Moors (Phase 1) SPA / SAC, the effects of dogs and localised recreational pressures, fly tipping, littering and fire-setting were not considered to be significant. Also all watercourses near to the proposed allocations at Leek flow in a westerly direction away from this SAC/SPA and therefore no adverse effects were anticipated from construction of the preferred option sites as a result of dust deposition on surrounding habitats and localised run-off of pollutants into adjacent watercourses.

**3.52** However in order to avoid adverse effects on European sites from occurring as a result of the proposed allocation site at Waterhouses (WA004), following the HRA report recommendations, the following text was added to the first bullet of Local Plan Policy NE1 Biodiversity and Geological Resources:

- “Any development with a potential to adversely affect a European site/s through construction activities should ensure that Ciria construction guidelines are followed including environmental good practice on control of dust and water pollution.”

**3.53** In order to avoid adverse effects on European sites from occurring as a result of the two draft policies: Policy SS8 Larger Villages Area Strategy and Policy SS9 Smaller Villages Area Strategy, wording similar to that already included in Policy SS10 Other Rural Areas Strategy was added to policies SS8 and SS9, as follows:

- “Any development proposal that might have the potential to affect a European or Ramsar Site must itself be subject to appropriate assessment.”

**3.54** In order for the Council to help identify development proposals that should be subject to appropriate assessment, the HRA report provides the following guidance:

- any development within a 2km zone around the South Pennine Moors Phase 1 SPA should be expected to undertake a project-level HRA to ensure no potential adverse effects on the SPA or land that is functionally connected to it;

- any development proposed within a 500m zone of the SACs or SPA should be subject to a project-level HRA to ensure no potential adverse effects occur from cat predation, fires or other urban effects.

### **Implications of People Over Wind and Sweetman**

**3.55** On 12th April 2018 the Court of Justice of the European Union issued a judgement (Case C-323/17 - People Over Wind and Sweetman 2018) relating to implementation of the Habitats Directive and undertaking Habitats Regulations Assessment (HRA).

**3.56** The CJEU was asked to determine whether mitigation measures can be considered at the HRA screening stage of a particular development in order to determine whether it is necessary to progress to the second stage of HRA – the AA of the likely significant effects of the proposal on a protected site.

**3.57** In its judgement the CJEU ruled that Article 6.3 of the Habitats Directive means that mitigation measures should be assessed within the framework of an appropriate assessment (AA) and that it is not permissible to take account of measures intended to avoid or reduce the harmful effects of the plan or project on a European site at the screening stage.

**3.58** Given that the HRA of the Local Plan identified likely significant effects through screening of preferred option site allocations and policies, and the HRA subsequently progressed to Appropriate Assessment, the Council considers that its HRA report is legally compliant in the light of the judgement.

Appendix 1 - Core Strategy Village Assessment



**Appendix 1 - Core Strategy Village Assessment**

Appendix J Village Assessment

ASSESSMENT OF VILLAGE HIERARCHY														
	POPULATION				FACILITIES AND SERVICES									
	Village Population [Updated May 2013]	% of Total Larger and Smaller Villages population	Primary School	Secondary School	GP Surgery	Dentist	Opticians	Village Hall	Post Office	Church	Play Facilities	Library (incl mobile)	General Store	Public House
<b>LARGER VILLAGES</b>														
Alton	934	2.7%	X		X			X	X	X	X	X	X	X
Biddulph Moor	1263	3.7%	X				X	X	X	X	X	X	X	X
Blythe Bridge & Forsbrook	4658	13.5%	X	X	X		X	X	X	X	X	X	X	X
Brown Edge	1943	5.6%	X				X	X	X	X	X	X	X	X
Cheddleton	3589	10.4%	X			X	X	X	X	X	X	X	X	X
Endon	2605	7.6%	X	X	X	X	X	X		X	X	X	X	X
Ipstones	822	2.4%	X		X		X	X	X	X	X	X	X	X
Kingsley	884	2.6%	X				X	X	X	X	X	X		X
Upper Tean	3204	9.3%	X		X		X	X	X	X	X	X	X	X
Waterhouses	742	2.2%	X		X		X	X	X	X	X	X	X	X
Wetley Rocks	369	1.1%	X				X	X	X	X	X	X	X	X





Adopted Core Strategy

Longsdon	485	1.4%										X				X	
Lower Tean	686	2.0%											X			X	
Meerbrook	52	0.2%										X				X	
Oakmoor	345	1.0%										X				X	
Rudyard	301	0.9%	X									X				X	
Rushton Spencer	111	0.3%	X									X				X	
Stanley	145	0.4%										X				X	
Stockton Brook	360	1.0%									X	X				X	
Swinscoe	136	0.4%									X					X	
Whiston	209	0.6%									X					X	
Winkhill	90	0.3%														X	
<b>POPULATION OF ALL LARGER AND SMALLER VILLAGES</b>	<b>34435</b>	<b>100%</b>															

Table J.1

Appendix 2 - Background data to the Local Plan Submission Version  
Housing Trajectory

**Appendix 2 - Background data to the Local Plan Submission Version Housing Trajectory**

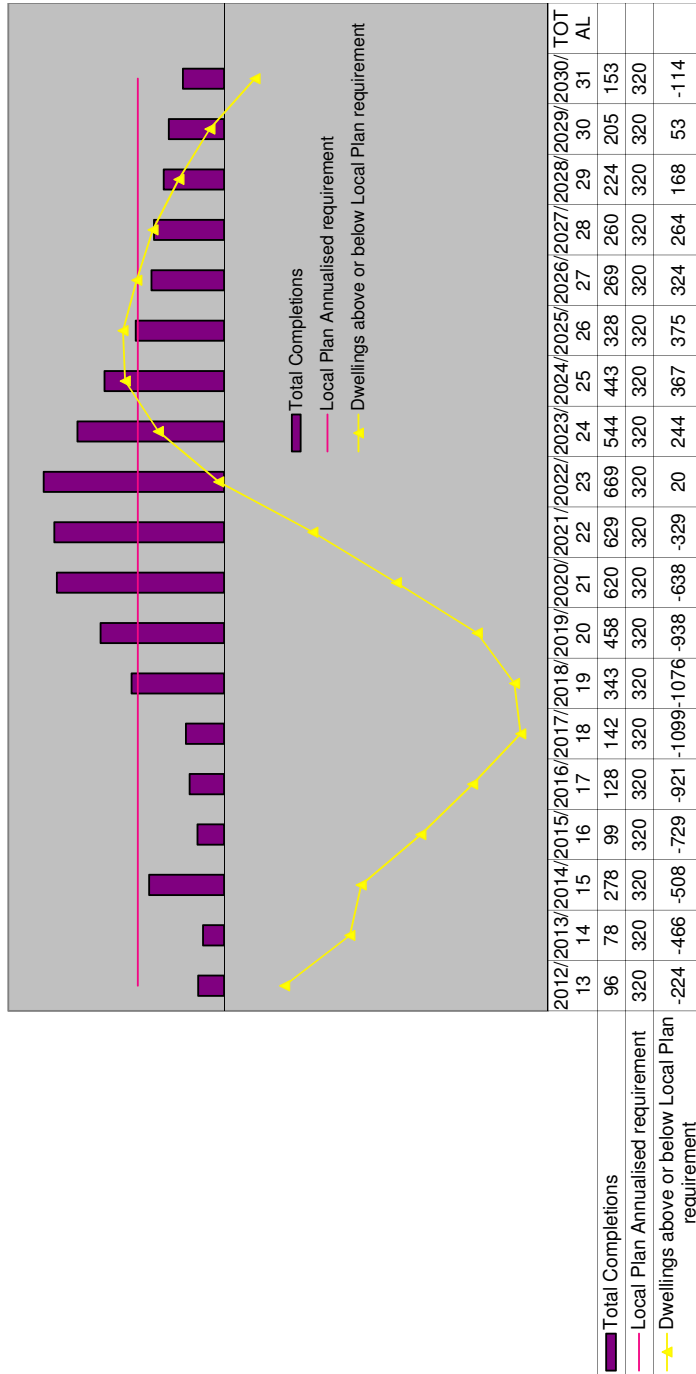
Staffordshire Moorlands Local Plan: Policy Topic Paper

	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30	2030/31	TOTAL	
<b>COMPLETIONS</b>																					
Pass Completions	96	78	278	359	128																679
<b>COMMITMENTS</b>																					
Sites under construction (370)																				679	
Large sites with FPP	124	123	123																		370
Leek (Ref: 2006) Queen Street (8)																				8	
Biddulph (Ref: 130) Forge Colour Works (19)																				19	
Cheedale (Ref: 641) Huret's Yard (42)																				42	
Cheedale (692) Ness Grove (36)																				36	
Cheedale (2746) Leek Road (10)																				10	
Cheedale (3212) Leek Road (10)																				10	
Redburn (2002) Sugar Street (9)																				9	
<b>Large sites with OHP</b>																				134	
Leek (Ref: 1810) London Mill (93)																				93	
Cheedale (Ref: 644) Broadhouse Way (43)																				43	
Rural (Ref: 2649) Fole Dairy (60)																				60	
Rural (Ref: 2793) Craswell (169)																				169	
Leek (Ref: 1222) Leek Road (10)																				10	
Rural (Ref: 1121) Moss Field, Dinton (10)																				10	
Other committed sites (319)																				319	
<b>Total Deliverable supply (1442)</b>																				1442	
<b>ALLOCATIONS</b>																					
Leek Ashburne Road LE022 (16)																				16	
Leek Victoria House (175)																				175	
Leek Horsecroft Farm ADO001 (15)																				15	
<b>Leek Macasfield Road LE002 (26)</b>																				26	
<b>Leek The Mount (345)</b>																				345	
Large windfall allowance (15 per year)	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	15	
Small sites allowance (10 per year)	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	
Biddulph The Mills (67)																				67	
Biddulph Wharf Road (68)																				68	
Leek Victoria House (175) (95)																				95	
<b>Large windfall allowance (20 overall)</b>																				20	
<b>Small sites allowance (10 per year)</b>																				890	
Stanley North (20)																				20	
Cheedale Green (20)																				20	
Cheedale Froghall Road (45)																				45	
Cheedale near of the Birch (51)																				51	
Cheedale Stoddards (32)																				32	
Cheedale The Green (42)																				42	
Cheedale Moberney (40)																				40	
Small sites allowance (10 per year)	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	10	
Alton, Capri (13)																				13	
Blythe Vale (300)																				300	
Leek Victoria House (175) (20)																				20	
Upper Tom, St Thomas Road (15)																				15	
Waterhouses, Leek Road (36)																				36	
Werrington, YO1 (75)																				75	
small sites allowance (420)	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	30	
<b>PENFA (100)</b>																				100	
<b>Total Completions</b>	96	78	278	359	128	313	419	526	467	629	669	544	443	326	269	200	224	205	205	153	
<b>Projected completions</b>	96	78	278	359	128	313	419	526	467	629	669	544	443	326	269	200	224	205	205	153	
<b>Cumulative Completions</b>	96	174	452	811	939	1252	1671	2197	2664	3293	3962	4506	4949	5275	5544	5744	5868	5973	6078	6131	
<b>Local Plan Annualised Requirement</b>	320	320	320	320	320	320	320	320	320	320	320	320	320	320	320	320	320	320	320	320	
<b>Cumulative requirement</b>	320	640	960	1280	1600	1920	2240	2560	2880	3200	3520	3840	4160	4480	4800	5120	5440	5760	6080		
<b>Dwellings above or below Local Plan requirement</b>	224	-466	-508	-721	-821	-828	-829	-813	-846	-157	132	416	538	547	486	436	340	225	53		

Appendix 3 - Updated Housing Trajectory and background data (31  
March 2018)



**Appendix 3 - Updated Housing Trajectory and background data (31 March 2018)**









Appendix 4 - Five year housing land supply position for Submission  
Version Local Plan (data as of 31 March 2017)

**Appendix 4 - Five year housing land supply position for Submission Version Local Plan (data as of 31 March 2017)**

**Staffordshire Moorlands District Council  
5 Year Land Supply Assessment March 2017 (320) Liverpool inc 20% buffer**

<b>A.</b>	Completions from April 2012 to 30 March 2017	=	679
<b>B.</b>	Sites in the trajectory including under construction	=	2719 (2364+370-15)
<b>C.</b>	Housing Requirement (2012-2031)	=	6080
<b>D.</b>	Annual Requirement [C/19]	=	320
<b>E.</b>	Target Completions (April 2012 to March 2017) [Dx5]	=	1600
<b>F.</b>	Current shortfall [E-A]	=	921
<b>G.</b>	5 year requirement with shortfall [(Dx5) + ((F/14) x5)] x1.2]	=	2315 (1600 + (921/14x5=329) x1.2
<b>H.</b>	Annual 5 year requirement with shortfall [G/5]	=	463
<b>I.</b>	No. of years supply [B/H]	=	5.9 years



Appendix 5 - Five year housing land supply position for Local Plan  
Submission Version with updated data (as of 31 March 2018)

**Appendix 5 - Five year housing land supply position for Local Plan Submission Version with updated data (as of 31 March 2018)**

**Staffordshire Moorlands District Council  
5 Year Land Supply Assessment March 2018 (320) Liverpool inc 20% buffer**

<b>A.</b>	Completions from April 2012 to 30 March 2018	=	821
<b>B.</b>	Sites in the trajectory including under construction	=	2719
<b>C.</b>	Housing Requirement (2012-2031)	=	6080
<b>D.</b>	Annual Requirement [C/19]	=	320
<b>E.</b>	Target Completions (April 2012 to March 2018) [Dx6]	=	1920
<b>F.</b>	Current shortfall [E-A]	=	1099
<b>G.</b>	5 year requirement with shortfall [(Dx5) + ((F/14) x5)] x1.2]	=	2428 (1600 + (1099/13x5=423) x1.2
<b>H.</b>	Annual 5 year requirement with shortfall [G/5]	=	486
<b>I.</b>	No. of years supply [B/H]	=	5.6 years





Appendix 6 - Housing completions between 2006/7 and 2016/17



**Appendix 6 - Housing completions between 2006/7 and 2016/17**

**HOUSING COMPLETIONS – 31<sup>st</sup> March 2017**

Sub-area	Completions 2006/7		Completions 2007/8		Completions 2008/9		Completions 2009/10		Completions 2010/11		Completions 2011/12		Completions 2012/13	
	Gross	Net	Gross	Net	Gross	Net	Gross	Net	Gross	Net	Gross	Net	Gross	Net
LEEK	77	77	106	105	64	62	76	75	50	48	34	17	41	41
BIDDULPH	40	40	44	41	18	17	7	- 4*	8	8	7	7	6	6
CHEADLE	9	9	20	20	27	26	47	46	5	2	1	1	37	37
RURAL	134	134	95	95	134	131	69	68	53	52	34	33	12	12
<b>DISTRICT</b>	<b>260</b>	<b>260</b>	<b>265</b>	<b>261</b>	<b>243</b>	<b>236</b>	<b>199</b>	<b>185</b>	<b>116</b>	<b>110</b>	<b>76</b>	<b>58</b>	<b>96</b>	<b>96</b>

Notes - \* 11 losses in the year  
\*\*37 losses in the year

Sub-area	Completions 2013/14		Completions 2014/15		Completions 2015/16		Completions 2016/2017		Total Completions	
	Gross	Net	Gross	Net	Gross	Net	Gross	Net	Gross	Net
LEEK	15	-22**	174	149	29	29	44	44	710	625
BIDDULPH	78	71	61	60	28	28	40	40	337	314
CHEADLE	3	3	32	31	11	10	4	4	196	189
RURAL	28	26	40	38	32	32	40	40	671	661
<b>DISTRICT</b>	<b>124</b>	<b>78</b>	<b>307</b>	<b>278</b>	<b>100</b>	<b>99</b>	<b>128</b>	<b>128</b>	<b>1914</b>	<b>1789</b>



