

**Notes of the public meeting held on Thursday 3rd March 2016 at 7.30pm
Regarding planning application 16/23639/OUT (formerly 14/21272/OUT)
Horseshoe, Audmore**

The meeting was attended by approximately 150 people including 11 members of the Parish Council, as well as Clerk, Jayne Cooper, SBC Cllr Mike Smith, SBC Cllr Ken Williamson and SCC Cllr Mark Winnington. The Staffordshire Newsletter was represented.

Apologies were received from: Cllr M Deegan, Cllr T Simkin, Mr and Mrs A Moore (Audmore) and Mr and Mrs Ward.

The meeting was chaired by Roger Greatrex (Chair of Planning Committee), with Jeff Rhodes (Chair of the Neighbourhood Working Group), and Keith Abbot, (Vice Chair of NP WG) present at the front to respond specifically to issues on this.

The views of the parishioners who attended and spoke are detailed within these notes.

Pat Alker, Chair of Parish Council, welcomed everyone to the meeting. She explained that responses have to be made by 18th March and that comments made at the meeting would be appended to the GPC official response.

Roger Greatrex introduced members of the NP group and explained that they would respond on those issues and also that SBC councillors would give comments from the Borough's viewpoint.

Comments from Cllr Mike Smith, related by the Chair as SBC councillors were unlikely to be able to make the meeting:

- SBC can demonstrate a minimum of 5 years' housing land supply.
- They only have to review this annually and recalculation will begin this month.
- The Plan for Stafford Borough (PFSB) does not have The Loop/Horseshoe identified for development and neither does Part 2 of the PFSB.
- Gnosall's NP does not have this area listed for development either.

Roger Greatrex:

Explained that this application is hardly any different from the previous one and that any applicant has a "free go" at another application if one is refused and they choose not to Appeal. Richborough are acting for the landowner and are doing their duty for their client, which any client has a right to expect.

He felt it was highly unlikely to be approved with our NP in place. It could go to Appeal but hopefully any Inspector would see the NP as an important legal document.

He explained that the full Parish Council (not a committee or small group) would meet, look at all responses and formulate an official response.

He then opened the meeting to questions.

- John Prendergast thanked the GPC and all involved for completing the NP and the Chair for a clear opening briefing.
- Joyce Rowe asked what the date for responses was as she had read 8th March, not 18th. It was explained that this had been extended because the statutory notices were late appearing. She also asked whether Richborough or the landowners were present and no one responded when the question was put.
- Keith Parry said he was in process of responding and questioned whether anyone could object or support, whoever they were or wherever they might live? Chair said they could. Mr Parry questioned the fairness of this when some responses were from relatives with a vested interest in getting the land

sold but who had not made that interest clear. Chair said there were about 19 beneficiaries of the land and they all had the right to comment without identifying themselves as such. Gail Gregory (speaking as Secretary of GRID, not as a councillor) said that in just the same way, anyone might ask their friends and family via Facebook etc to make a response. They don't have to be residents, neighbours etc. Mr Parry still could not believe that such a conflict of interest could be fair if you were a beneficiary so the Chair said that was a legal point which he was unable to comment on but that SBC's Legal team could be asked to rule on it.

Moving on from this, Mr Parry asked whether there were still incentives in the form of housing bonuses on offer from local authorities to encourage councils to build new houses? Jeff Rhodes responded that he was unsure of the current legal position but it was unlikely to apply here anyway as SBC were exceeding targets for housing already. He confirmed that re planning applications, anybody could comment but with all such comments it was the relevance in planning terms that was the important point. He felt there was no conflict of interest whether a beneficiary or not – if your comments were planning related, they were worthy of consideration. Mr Parry queried exactly how SBC would know that someone had such a conflict unless someone told them? Gail Gregory replied that they would have to be made aware, though it wouldn't make a difference. The Chair confirmed that SBC would know the main landowners but be unaware of other beneficiaries.

SBC councillors Mike Smith and Ken Williamson arrived at this point

The Chair asked Cllr Williamson whether SBC would be aware of beneficiaries and the conflict of interest. He replied that there was no mechanism in place to identify them and it wasn't a relevant issue as the planning relevance of comments was what mattered, not who made them.

- Maxine Buchele asked, if the application went to Appeal, who would hear it? The Chair explained that the Planning Inspectorate in Bristol would appoint an independent Inspector. The public/GPC could then register to speak at such an Appeal. Mike Smith explained that there are 3 levels of Appeal. Ms Buchele asked whether an Appeal decision was final and the Chair explained how the Secretary of State can call in a decision if he wishes or a judicial review can be called (but GPC couldn't afford this.)

The Chair explained the process:

- parishioners make comments
- SBC refer it to the planning committee if it is deemed to be a Large Scale Major (at present this was unclear as it was under the number of houses for that but the physical site was large. Decision awaited on that.) If it isn't a LSM, then an Officer may make the decision alone.

Ms Buchele asked whether an Inspector's decision could be overruled by the Secretary of State and Gail Gregory reminded the meeting that the SoS had decided to "recover" all decisions concerning over 10 houses in areas of NP sensitivity. So far, she had found no record of an "adopted" NP being challenged in this way.

Jeff Rhodes listed the "tick boxes" which had to be in place to assure the utmost possible legal protection available to a community at this time. They were: up to date Local Plan (we have one); up to date adopted NP (we have one); 5 year housing land supply (we have one). He said that Appeals were usually allowed if one or more of these was absent but we have all three and therefore our situation was positive in terms of the protection we have. He felt we were "as safe as we can be".

Mike Smith said that for these reasons he and Cllr Williamson were confident of refusal but the question was, what would happen at any Appeal. Mr Parry queried what grounds a developer might use for Appeal if the decision were to refuse? Cllr Williamson said he was at a loss to understand quite why the developer had chosen to reapply at this time when their case was weaker than it had been earlier. He supposed they would probably try to argue that the 5 year housing land supply was unsafe. However, he recommended that residents continue to make their comments since planning committee members were only human and the number of valid comments did serve to apply pressure.

Cllr Smith reminded the group that, should an Appeal take place, the Inspector would have sight of ALL documents and comments so they were very relevant indeed.

- Victor Schofield asked how many houses were proposed on this site? The Chair confirmed that it was 90 but that this was only an Outline application and if approved, a Reserved Matters application would follow when the exact number etc would be confirmed. Mr Schofield asked whether he could object on the basis of 90 houses and the answer was yes.
- Doug Webb asked whether he was correct in saying that if an Appeal were to approve the application, then it blew our NP to pieces and indeed ALL NPs and Local Plans everywhere in the country. The answer was yes. Mr Webb hoped that common sense would prevail given the time and expense devoted to these plans.
- Andrew Lee asked about procedure and whether, if an Appeal were held, SBC would oppose it? Cllr Williamson said they would and he explained that a most robust defence had been mounted at an earlier Appeal by a then Officer who was no longer on the staff. However, SBC were hoping to engage her from her consultancy to represent them since she knew the patch and the issues so thoroughly. He could not yet confirm this but the question was being asked.
- Steve Hopkins asked when the next 5YHLS figures were due, given that its importance had been much stressed? Cllr Smith told him that the review was due at the end of this month but he was confident that a 5YHLS still existed.
- Tony Griffiths (Audmore) mentioned the latest initiative Healthy Towns and wondered whether, since the Loop was used so extensively for leisure, this might be at all relevant? The Chair replied that planning objections had to be based on planning law and that this initiative was not relevant.
- Gail Gregory asked the SBC Cllrs to remind their colleagues in planning to be mindful that developers' challenges are based in large part on the reasons put forward in the SBC Decision Notice. Therefore, it is important that ALL relevant and applicable reasons are listed in this Notice. In the present case, Richborough were at pains to stress that the only reason given for refusal was the NP and not anything to do with the proposal per se. Cllr Smith agreed the importance of this and said the Officers usually did list every reason though he could think of at least one occasion when this had not happened and it had been crucial.
- Tom Moore asked what were planning reasons for refusal and Keith Abbott showed him the notification to neighbours and those who had previously commented, which helpfully listed relevant planning reason for comment. There was a discussion about who had and had not had this notification.
- Cynthia Spencer asked who had the responsibility for clearing and maintaining ditches around the Loop if the land were sold as this is usually the responsibility of the landowner and clearly that would no longer be the case. The answer was that this would depend on the exact proposals submitted at REM stage.

Meeting closed 8.15 pm.