

Pre-Submission Local Plan – Summary Schedule of Representations

Rep No. & Name	Legally Compliant?	Sound?	Section to which rep relates	Reason for Unsoundness	Summary of Representation	Changes requested	Council Response	Section change	Mod No.
LP1 – Mr Keith Sunley	Yes	No	Strategic Policy 7: Sustainable Urban Extensions	a. Not Positively prepared b. Not Justified c. Not Effective	a. Positively Prepared The Uttoxeter Settlement Boundary Extension to include Hazelwalls Farm would allow the Strategic Option 2 to be adopted when this was rejected in favour of Option 1 (west Uttoxeter) in the previous consultation. This was rejected for poor infrastructure reasons i.e. furthest from shops, schools and leisure facilities, creates a rat run parallel to Stafford Rd, difficult to include in an existing bus route and access is funnelled through an existing housing estate. b. Justified. Option 1 in the Strategic Plan was adopted to meet the stated housing and employment needs of Uttoxeter. The extension of the Settlement Boundary to include an extra 450 houses on the Hazelwalls Farm green field site is not needed within the time scale of the plan. c. Effective. This extension to the Settlement Boundary has been added to accommodate Mosaic Estates plans for a housing estate on Hazelwalls Farm. The local plan should be biased towards the needs of the Town and local people, not a Developer.	The changes to be made are; remove the Settlement Boundary extension to the south of Uttoxeter on the Hazelwalls Farm site and the many references to it in the text. The reasons for this are stated above on how it fails the soundness tests.	The requirement for increased level of housing in Uttoxeter is based on an increased housing figure from the SHMA. No change proposed. Evidence of infrastructure is set out in The Infrastructure Delivery Plan and Water Cycle Study which demonstrates that these issues have been considered throughout plan preparation. The allocation for Hazelwalls is for 350 dwellings and has been appraised through the Sustainability Appraisal. The appraisal concludes several negative effects in terms of loss of greenfield land and countryside with positive effects in terms of relationship to the town and delivery of housing and uncertain impacts in terms of impact on road network and accessibility. The Sustainability Appraisal where possible took information from the Statement of Community Involvement October 2011. No proposed change.		
LP2 – Rev'd George Crossley	Yes	No	Whole document	d. Consistent with National Policy	d. Consistent with National Policy: The Plan should enable the delivery of sustainable development in accordance with the policies in the National Planning Policy Framework (NPPF).		Noted. No proposed change.		
LP4 – Mr Robert Dodman	Yes	No	Homes in Open Countryside	c. Effective d. Consistent with National Policy			Noted. No proposed change.		
LP5 – Mr Jim Jacobs on behalf of Mr I Shipton	No	No	Policies map – Burton upon Trent Inset	b. Justified c. Effective	My clients have concerns as to the legal compliance and soundness of the land allocations at Outwoods on the western fringe of Burton-on-Trent. Statute indicates that it is the purpose of core strategies to establish strategic options and preferred options for future development. Strategic options are those general areas of development which will meet the identified housing demand and can be	The area identified for development at Outwoods should have an amended site boundary which should extend all the way west to Outwoods Lane and all the way south to	The amendments to settlement boundaries are drawn in a way to demonstrate deliverability. The masterplan for the Upper Outwoods Strategy allocation demonstrates that a sustainable scheme can be delivered. No proposed change.		

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					<p>site or area specific.</p> <p>The boundary of the allocated land at Outwoods does not represent a strategic allocation but it follows the line of land ownership/control relating to an actual planning allocation. Specific land ownership should not impact upon the consideration of a development strategy providing all the land identified within a strategic development area or allocated area has been assessed and has been found to be available for development.</p> <p>Consequently the adoption of an irregular area of land as a strategic development area which follows a particular ownership boundary will result in an odd shaped area difficult to develop to maximum efficiency and incorporating undeveloped land intruding into the primary development area with associated risks of adverse amenity and interaction.</p> <p>The allocated area at Outwoods should therefore be modified as to incorporate the consented land but also in such a way as to provide a regularly shaped and more easily developed strategic housing development area.</p>	Field Lane so as to capture all land which is situated to the north of Field Lane and the east of Outwoods Lane. This amendment would then reflect a strategic housing allocation rather than an artificially drawn allocation following an irregular pattern of land ownership boundaries.			
LP6 - Mr Anthony R Barrington	Yes	No	Uttoxeter Inset map	b. Not Justified c. Not Effective d. Consistent with national policy	The amount of extra, mainly car, traffic will cause extreme problems for both existing parties and for the near residents. Many children from 'Westlands' area regularly walk to school. This will become dangerous given the already heavy traffic on the Stafford / Old Knotty Way junction. The existing roads are too narrow to allow buses to traverse the area.	Abandon the plan for this area as unsuitable for large increase in residential property.	The development strategy identifies sites to meet the objectively assessed needs of the Borough which have also been robustly assessed through the SA and are considered sustainable and capable of delivery. No change proposed.		
LP7 – Mr and Mrs Cossar		No	Policies map – inset 10 - Marchington	a. Not Positively prepared b. Not Justified	I don't believe that the plan has been assessed soundly with reference to the problems already existing with the infrastructure of Marchington village. Flooding has been a problem in Marchington for many years and try as we do we can't cure this at present what will happen when we cover greenfield sites on Jacks Lane with concrete and tarmac, add to the problem?	I don't consider the proposed development at Yew Tree Farm a problem, in fact I think it would enhance the village. But if more houses are required why not	The development strategy identifies sites to meet the objectively assessed needs of the Borough. No change proposed. Evidence of infrastructure is set out in The Infrastructure Delivery Plan, Water Cycle Study which demonstrates that these issues have been considered throughout plan preparation.		

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						build them on the brownfield site on the disused living accommodation on the old army site.	The justification for settlement boundary amendments is set out in the Settlement Boundary Topic Paper. The sites represent a sustainable option to meeting the needs of the rural area. No proposed change.		
LP8 – Mr C Crowe		No	Policies map – inset 10 - Marchington	d. consistent with national planning policy	<p>I consider the pre-submission plan unsound as it applies to the village of Marchington and in particular the extension of the settlement boundary in Jacks Lane as indicated on Inset Map 10.</p> <p><u>Flooding</u></p> <p>I live at the top of Woodland Views. Over the past few years it has been impossible on many occasions to enter Jacks Lane owing to flooding. The flooding is caused after heavy rain has fallen on sloping fields at the sides of Jacks Lane and the water has flowed down from the fields into the lane. Attempts to ease the flooding problem in the village has recently been made by the appropriate authorities but we are advised that the problem in Jacks Lane cannot be rectified without major development of the surface water drainage infrastructure. House building in this location will make things worse without substantial costly drainage improvement work.</p> <p><u>Traffic</u></p> <p>Jacks Lane is the main route through the village and subject to intense traffic flow by both heavy and light vehicles. There are no pavements on either side of the lane. Use of the lane by pedestrians is already hazardous. Further development along this lane will</p> <p>increase traffic and make access into the lane from existing and any new properties dangerous. If pavements are established and the lane widened in this section it will be out of keeping with the rest of the road system in the village.</p> <p><u>Green Field Site</u></p>	The extension to the settlement boundary in Jacks Lane should be omitted from the Pre-Submission plan.	<p>The development strategy identifies sites to meet the objectively assessed needs of the Borough which have also been robustly assessed through the SA and considered appropriate.</p> <p>Evidence of infrastructure is set out in The Infrastructure Delivery Plan, Water Cycle Study which demonstrates that these issues have been considered throughout plan preparation.</p> <p>Policy SP27 'Climate Change, Water Body Management and Flooding' provides criteria for the mitigation of flooding through new development which includes sustainable drainage systems that reduces runoff such as the use of permeable surfacing.</p> <p>The justification for settlement boundary amendments is set out in the Settlement Boundary Topic Paper. The sites represent a sustainable option to meeting the needs of the rural area.</p> <p>No proposed change.</p>		

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					The extension is onto a green field site currently used for grazing animals. This is surely unsatisfactory in a village location where much of the village is in a Conservation Area.				
LP9 – Mr I L Brown		No	Marchington Inset Map	b. Justified	<p>I consider that the local plan is unsound, in that the proposal to increase the settlement boundary on Jacks Lane and at Yew Tree Farm, to accommodate 20 new houses, does not take into account the probable adverse environmental consequences to the lower sectors of the village, in particular to housing on or adjacent to Church Lane. This area is liable to flooding due to:</p> <p>1. overflowing of Marchington Brook at or below the Church Lane bridge, frequently exacerbated by rapid drainage of surface water from roads and houses situated on the elevated areas to the west of the brook, including Jacks Lane & Yew Tree farm.</p> <p>2. the fact that the existing sewers and surface drains are already unable to cope with the volumes of water resulting from relatively moderate rainfall at periods when the ground is already saturated.</p> <p>Flooding has actually occurred four times on Church Lane since June 2012, with foul water entering houses adjacent to the church on two occasions</p> <p>Evidence of the causes of this flooding has already been provided by Severn Trent Water, who surveyed the village during 2012/2013 and have reported to residents that the sewers/drains are inadequate to cope with existing water/effluent. The Environment Agency are involved and are in general agreement with the above findings. They are currently carrying out a detailed survey of the village and its environs, and should be reporting shortly. We can also produce letters from various interested parties, including copies of</p>	In the light of the evidence presented above, I strongly recommend that the new houses which ESBC say must be built in Marchington, should and could be accommodated in other areas of the Parish, where they would result in little or no environmental impact.	<p>The development strategy identifies sites to meet the objectively assessed needs of the Borough which have also been robustly assessed through the SA and considered sustainable.</p> <p>Evidence of infrastructure is set out in The Infrastructure Delivery Plan, Water Cycle Study which demonstrates that these issues have been considered throughout plan preparation.</p> <p>The justification for settlement boundary amendments is set out in the Settlement Boundary Topic Paper. The sites represent a sustainable option to meeting the needs of the rural area.</p> <p>No proposed change.</p>		

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					<p>letters to village residents from ESBC, which clearly state that no more building should be permitted in the village due to the lack of drainage/sewerage capacity. No enlargement or improvements have been made to the systems since those letters were written.</p> <p>It is our contention that the proposed boundary increases / new building would increase the risk of flooding, and the severity of any such flooding, in the areas discussed above, which would cause increased hardship and distress to existing residents. Any additional building/paving/hardstanding in the proposed areas must accelerate discharge of surface water to the brook, and obviously the sewerage discharge from 20 new dwellings cannot be accommodated by existing sewers. It would appear that the consultation process prior to the formulation of the local plan failed to highlight these problems, so I contend that the current proposals for Marchington are seriously flawed.</p>				
LP10 - Mr S Miller	No	No	Policy & Policies Map (Inset 10 - Marchington)	d. Consistent with National Policy	<p>I consider that the pre-submission plan is unsound as it applies to the village of Marchington. This is especially in regard to the proposed extension of the settlement boundary in Jacks Lane and Yew Tree Farm as indicated on Inset Map 10.</p> <p>Legal Compliance</p> <p>I consider that East Staffordshire Borough Council have tried to make the process of objecting or approving the pre-submission Plan as difficult as possible without due consideration of residents. The purpose of East Staffordshire Borough Council is to look after the interests of residents NOT to try to make it nearly impossible for an individual to make representation.</p> <p>I therefore contend that the Pre-Submission Local Plan is not Legally Compliant and should be rejected.</p>	Taking into account the evidence shown above, I propose that the settlement boundaries in Jacks Lane and Yew Tree Farm should be excluded and omitted from the Pre-Submission Plan.	<p>The development strategy identifies sites to meet the objectively assessed needs of the Borough which have also been robustly assessed through the SA and considered sustainable.</p> <p>Evidence of infrastructure is set out in The Infrastructure Delivery Plan, Water Cycle Study which demonstrates that these issues have been considered throughout plan preparation.</p> <p>The justification for settlement boundary amendments is set out in the Settlement Boundary Topic Paper. The sites represent a sustainable option to meeting the needs of the rural area.</p> <p>No proposed change.</p>		

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					<p>Essential Services The existing water, gas, electricity and drainage are inadequate for existing needs. Any increase in such proposed development would put an even greater strain on such services and result in unacceptable problems for residents.</p> <p>In particular, the flooding in Jacks Lane has become unacceptable and nothing has been done to alleviate the problem. To build further houses would result in untold damage to the existing framework and buildings. I live in Jacks Lane and during the past few years the flooding has been so bad that it has not been possible sometimes to negotiate the flooding or gain access to Woodland Views, without causing damage to the infrastructure and property. I understand that the various authorities have advised that the flooding problem in Jacks Lane cannot be rectified without major development of the surface water drainage infrastructure. Any increase in house building will make the situation worse without substantial costly drainage improvement work.</p> <p>The fact that the existing culverts and sewers are already unable to cope with the volumes of water resulting from relatively moderate rainfall at times when the ground is already totally saturated, is 100% evidence that such proposed Pre-Submission Plan has been totally incorrectly considered. I contend that East Staffordshire Borough Council has ignored all the current problems that are causing the flooding and pressure on existing services and traffic problems in the village.</p> <p>Roads and Traffic Jacks Lane, Marchington is the main route into the village of Marchington by both cars and heavy vehicles. The road just cannot sustain the additional proposed build of more houses, which would cause substantial traffic problems. Already, cars, wagons and agricultural vehicles go along Jacks Lane at an unacceptable speed</p>				

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					<p>and more housing would increase both the dangers of exiting onto the road and increase the possibility of accidents. The road in Jacks Lane and Yew Tree Farm are both insufficient to accommodate additional vehicles, which would be the result of additional housing being built at both the proposed areas in the village. The road structure is insufficient to cater for additional traffic. The proposed building would make access to and from Jacks Lane dangerous for both existing, new and other traffic.</p> <p>The sites submitted in the Pre-Submission Plan are on Green Field sites and as they are close to the Conservation Area would be unsatisfactory in a village location.</p> <p>Conclusion It appears that East Staffordshire Borough Council have totally ignored the existing problems or considered the effect on the environment and local area. In view of the above, I contend that the proposed sites should be excluded and removed from the Pre-Submission Plan.</p>				
LP11 – Mr Bryan Chinn		No	Policy SP4 – Distribution of Housing Growth	b. Justified	<p>1. The Local Plan pre - submission document has more than a few examples of inconsistent and incorrect data, which together with assumptions made, could be interpreted as an indication of insufficient preparatory work.</p> <p>2. It is regrettable that it appears that the document has not been proof read - therefore it could be commented that the plan has been constructed from an amount of unsubstantiated data.</p> <p>There are many errors in the text, a typical example is the statement on page 28 which shows an incorrect location of The National Brewery Centre. Such obvious errors do not inspire confidence in the accuracy of the document in other respects, in fact to report conclusions without reference to source of</p>		<p>The approach to settlement boundaries is set out in the Settlement Boundary Topic Paper.</p> <p>No change proposed.</p>		

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					<p>information can lead to suspicions that the document may lack authenticity.</p> <p>3. It is relevant that Rolleston on Dove Parish Council has challenged the Settlement hierarchy which defines their future as a "Strategic Village" but it is significant that no thorough investigation was made to obtain data for this decision - in fact questions have elicited the response that as an employee of ESBC lived in the village information was gathered via that employee.</p> <p>It is therefore open to question that as the score is defined by facilities, and there is apparently no evidence of questions having been asked of the operators or owners of the facilities, then the scoring cannot be accurate. There surely should have been a more accurate survey and if the Parish Council had been involved accurate data could have been provided.</p> <p>4. It is noted that "College Field" is indicated as a development site at Rolleston. This site's planning application has twice been deferred, and the NDP for Rolleston does not include this site, so the proposal shows no recognition of the NDP. - it is a matter of concern that ESBC has not participated in this NDP.</p> <p>5. I request that this letter be considered as a response to the Consultation, and in particular that comments about Rolleston on Dove's place in the settlement hierarchy should be carefully reconsidered, as there is evidence that there is insufficient data to support the decision.</p>				
LP12 – Mrs Margaret Betson		No	Policies Map – Inset 3 Uttoxeter	b. Justified	Request TPO of trees as shown in submitted schedule and plan for Stone Road, Uttoxeter Strategic Site.	TPO trees as identified in submitted plan.	The Local Planning Authority holds such records and can be viewed on the live mapping service. It would be too difficult to show every such feature on the Local Plan Policies map due to scale. Policy DP8 will require trees to be assessed of their significance as and when planning application is submitted. Applicants will be required to submit tree survey as part of taking account of existing trees onsite as		

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							required under Policy DP8. No change proposed.		
LP13 – Mr R Dodman	Yes	Yes	Policy – Housing in Tier 3 settlements	a. Positively prepared b. Justified c. Effective d. Consistent with national policy	For Tier 3 settlements are 3 houses acceptable as affordable housing. For Tier 3 settlements are 4 ecofriendly/sustainable homes as self builds acceptable.		Support noted. No change proposed.		
LP14 - Mr R Dodman	Yes	Yes	Whole plan	a. Positively prepared b. Justified c. Effective d. Consistent with national policy	I believe the Local Plan is Positively prepared, Justified, Effective and Consistent with National Policy and if implemented in accordance with the aims set out will go some way to relieve the chronic housing shortage and give ordinary people more choice of where they want to live.		Support noted. No change proposed.		
LP15 – Mrs Ann Wynniatt-Husey	Yes	No	Policies Map – Inset 10, Marchington	b. Justified c. Effective	1. Due consideration has not been given to the effect extra houses would have on the current drainage problems experienced in the village. The drains very obviously do not cope with current requirements. 2. Buildings and tarmac on the sloping site alongside Jacks Lane would cause problems for the new houses as well as considerably reduce soak away land which anyway at presents drains down on to the lane. 3. Extending the village envelope onto a greenfield site is not desirable, it would cause detriment to the environment of a conservation village and cause extra traffic and parking on what is a busy lane much used as a through route by cars, lorries and farm vehicles.	As Marchington has been identified as a suitable site for 20 extra houses on the pre submission new local plan, why propose a greenfield site when there is considerable brown field space at Forest Side and also at Birch Cross where it is understood locally that the site of the Blacksmiths Arms pub may be used for housing.	The development strategy identifies sites to meet the objectively assessed needs of the Borough which have also been robustly assessed through the SA and considered sustainable. Evidence of infrastructure is set out in The Infrastructure Delivery Plan, Water Cycle Study which demonstrates that these issues have been considered throughout plan preparation. The justification for settlement boundary amendments is set out in the Settlement Boundary Topic Paper. The sites represent a sustainable option to meeting the needs of the rural area. No change proposed.		
LP16 – Mrs Jessie Gent	Yes	No	Policies Map – Inset 7, Rochester	b. Justified c. Effective	The Strategic Site Allocation area has some flooding problems. In recent years the flooding has become more acute and very unpredictable. Are you sure that future floods can be controlled? The traffic from this development will join the very busy High Street, which is already congested with street parking.	The Woodseat Grove development (at junction of Northfield Avenue and Dove Lane) when completed has built in access to the further part of the field, It would be suitable for a further 'mixed' development. There	Evidence of infrastructure is set out in The Infrastructure Delivery Plan and the Strategic Flood Risk Assessment which demonstrates that these issues have been considered throughout plan preparation. The strategic site allocation represents a sustainable location. No change proposed.		

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						<p>are no flooding problems with this land.</p> <p>Northfield Avenue does not suffer from street parking like the High Street and has a clear route to the bypass (Uttoxeter-Ashbourne road)</p>			
LP17 – Cllr Julian Mott	Yes	No	Various sections and policies	c. Effective	<p>The production of the plan has been inconsistent. Sites that were not in the original plan have now been included. Amounts of affordable housing have been reduced with no explanation.</p> <p>Generally I do not find the plan ambitious or aspirational. I realise that the council has few aces but it seems to have given up on affordable homes. Surely we set a high percentage, which we can relax later in negotiations. If we relax it in the local plan we will never get what we want.</p> <p>There is nothing to distinguish Burton or Uttoxeter from dozens of towns nationwide. Last week members of the Planning Application Committee visited Barleyfields, Horninglow and saw what a disaster it is. Yet there didn't seem to be any recognition that this was the fault of the council that had allowed the site to be overdeveloped with little or no greenery. In the plan there is little specific and lots of generalities.</p> <p>1) Much of growth is in the numbers of elderly according to p38 and p111. Over 2000 new dwellings for the elderly are needed. It is important to decide immediately where these should go so that they are close to facilities, shops and bus routes.</p> <p>2) Health. An increasingly aging population will need more health facilities in terms of GPs and Queen's Hospital. This requires</p>	<p>The plan needs more justification particularly with changes.</p>	<p>Evidence of infrastructure (such as health and education) is set out in The Infrastructure Delivery Plan which demonstrates that these issues have been considered throughout plan preparation.</p> <p>The appropriate housing mix is informed by evidence contained in the SHMA, including housing for retired people and extra care housing however there are changes proposed to refer the mix to detail set out in an SPD.</p> <p>Change Proposed</p> <p>The Pre-submission version of the Plan referred to "an average 25%" affordable housing. This is the amount of affordable housing assessed to be needed in the new Strategic Housing Market Assessment. The Council proposes to modify the policy following completion of the Plan Viability Study.</p> <p>Change proposed</p> <p>Policies contained in the Local Plan reinforce the need for high quality developments. The Green Infrastructure policy (SP23) supports green spaces that also link with other green spaces in order to promote biodiversity and healthy lifestyles. Development proposals should also demonstrate high quality design (Policy DP1 and SP28) in order to promote low carbon energy consumption from appropriate</p>	<p>Page 113</p> <p>SP17</p>	<p>Mod No. 76</p> <p>Mod No.78</p>

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					<p>planning in more detail.</p> <p>3) Secondary schools p100. The council cannot just let current schools expand as in the past. A new site decision needs to be taken straight away. Where could it go?</p> <p>4) Mix of housing</p> <p>a) I find this disappointing. Are homes affordable to first time buyers? The average age of a first time buyer is mid-thirties. This is not good enough. Where are the houses for first time buyers?</p> <p>b) Why are some affordable houses off site, e.g. Lawns Farm? Surely we want to achieve a social mix. How much will a developer have to pay to a RSL for each off-site affordable home?</p> <p>c) I assume that this reduction on affordable has been done to satisfy the developers and not the residents – the council is developer led</p> <p>d) No imaginative ideas for affordable homes.</p> <p>5) Has the council learned lessons from eco-house? Insulation standards should be as high as possible, not the minimum allowed by building regulations</p> <p>a) With the price of energy such an issue, well insulated homes will be popular</p> <p>b) Orientation of houses does not seem to be considered at all.</p> <p>6) Uttoxeter was not included in the original growth point bid but now seems to be getting a greater population percentage increase than Burton.</p> <p>a) Will there be enough jobs for the extra residents?</p> <p>b) If no new jobs, will housing still be released?</p> <p>7) Map on page 42 needs more explanation and is hard to believe</p> <p>a) Social housing? Homes for rent? Affordable homes? Apparently 25% affordable is needed p113 but only 13% (325) onsite of SUE developments Why is off-site affordable housing acceptable?</p>		<p>sources. This is in turn informed by ‘Renewable Energy in Staffordshire’ document which is a piece of evidence base that the Local Plan refers to which should be used by developers.</p> <p>The Council’s position on renewable energy proposals, including wind farms is stated in Policy SP28 including the pre-amble. Applications for such installations will be assessed against the policy in terms of potential impact on the surrounding environment and to ensure that no adverse impacts arise such as visual intrusion, noise and odour, balanced against the benefits of gaining a renewable energy source which will contribute to the overall national target for renewable energy provision.</p> <p>The NPPF and the Local support the reuse of brownfield sites, where the Local Plan identifies and provides a breakdown to the key strategic brownfield sites. An assessment of brownfield sites and capacity is set out in the Strategic Housing Land Availability and Brownfield Sites Topic Paper, both of which set out that there are insufficient sites to address housing need. The Council also recognises that some brownfield sites may not be developable as they may not be economically viable to redevelop.</p> <p>Local Plans as part of the overall development plan consists of the Borough’s Local Plans and Neighbourhood Plans. Neighbourhood Plans usually have precedence of the Borough Local Plan but in turn it is expected that Neighbourhood Plans should be in general conformity and be consistent with the Borough Local Plan.</p> <p>The requirement for increased level of housing in Uttoxeter (as for elsewhere in the Borough such as Burton upon Trent) is based on an increased housing figure from the SHMA.</p> <p>Provision for walking and cycling needs is provided in relevant evidence base including the</p>		

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					<p>What happened to social mix? b) Affordable housing was originally at 30 per cent. Why cut? Whose instigation? Developers? Council? The council is being developer led.</p> <p>8) What will the council do to ensure brownfield sites at JCB, Pirelli and Plasplugs for example are developed first? Is Plasplugs included somewhere? I can't see any mention in plan.</p> <p>9) Fuel poverty p41 – nearly 10,000 households in East Staffordshire. How do we tackle this? Better insulation? More efficient heating?</p> <p>10) Jobs are A1, B1, B2, and B8. No manufacturing?</p> <p>11) Will walking/cycling routes be agreed before development starts? Tutbury plan p88 is not impressive. Not clear how walking/cycling routes will link footpaths/cycle paths to the village centre and (I hope) the railway station. Walking/cycling route appears to go straight on to A511. Paths go up very steep hill. Needs longer slopes to reduce gradient. Looks like roads are put in first and walking routes last. Is this true?</p> <p>12) There must be a dedicated cycle path through Lawns Farm as at present.</p> <p>13) Are we confident over the figures on p83 and p84? 950 homes to be built in 2016-17, p85. Is this realistic or a figure plucked from thin air? Seems very unlikely given present build numbers are a quarter of this.</p> <p>14) P91 why called Branston Locks not Branston Lock. There is only one lock between Dallow Bridge and Tatenhill lock and thus only one Branston Lock.</p> <p>15) Will there be planning briefs or SPDs for all developments?</p> <p>16) Green open space p195. 30% - will the council stick firmly to this?</p> <p>17) What is the council's position on wind farms? Again an ambitious plan might include a settlement with entirely renewable energy.</p> <p>18) How many dwellings have permission at</p>		<p>Draft Integrated Transport Strategy.</p> <p>The Local Plan, whilst informed by pieces of technical evidence base which provides more background detail to policies, further supplementary planning documents (SPDs) may be produced to supplement Local Plan policies. Present adopted SPDs will also be revised so that they comply with the NPPF and new Local Plan.</p> <p>The preamble to Policy SP7 'Sustainable Urban Extensions' states that developers will be expected to produce Masterplans for SUEs. It is expected that Masterplans would incorporate design codes.</p> <p>The council will expect the National Forest Standards as set out to be met on site, however the viability of providing this along with other commitments will be a material consideration for every planning application, in line with the NPPF.</p> <p>No change proposed.</p>		

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					JCB Uttoxeter? 240 when it went to committee, now 257. Why? p83 19) Money from LEP is just borrowed not funding as implied on p86 but a loan 20) What happens if there is conflict between a Neighbourhood Plan and the local plan? 21) Map 1: Derby Road development is on top of existing houses?				
LP18 – Mr P Sharpe, Inland Waterways Association	No	No	SP 3 Provision of Homes and Jobs & SP4 Distribution of Housing Growth	a. Positively prepared b. Justified c. Effective d. Consistent with national policy	The Local Plan is unsound due to: 1. Unjustified population growth forecast and excessive housing requirement. 2. Unsustainable allocation of greenfield sites. 3. Unnecessary and undesirable inclusion of Lawns Farm site.	1. A significant reduction in the population forecast on which the whole plan is based, in particular a major reduction in net international immigration assumptions. 2. A consequent reduction in the housing and employment land requirements, and in particular a major reduction in the strategic greenfield allocations, with recognition in the SA that loss of agricultural land is fundamentally unsustainable. 3. Deletion of the “Branston Locks” (Lawns Farm) greenfield site allocation.	The development strategy identifies sites to meet the objectively assessed needs of the Borough which have also been robustly assessed through the SA and considered sustainable. The 2013 SHMA sets out the housing requirement, based on objectively assessed need and employment factors. No change proposed. Growth options to the east of Burton upon Trent has been discounted due to the constraint of the Green Belt between Burton upon Trent and Swadlincote, flooding and different administrative boundaries. No representations have been received from South Derbyshire District Council in terms of accommodating their housing need and no issues have been raised through the duty to cooperate process. No change proposed		
LP19 – Ms Sharon Farnell, Rocester Parish Council	Yes	No	Policy SP3 Provision of Homes	a. Positively prepared	Is 40 hectares sufficient employment land allocated (See Strategic Policy 3)?	This amount of land is questionable, is there any evidence to back up this	The Employment Land review update report 2013 sets out the employment requirement, based on objectively assessed need. No change proposed		

Rep No. & Name	Legally Compliant?	Sound?	Section to which rep relates	Reason for Unsoundness	Summary of Representation	Changes requested	Council Response	Section change	Mod No.
			and Jobs			statement?			
LP20 – Ms Sharon Farnell, Rocester Parish Council	Yes	No	Policy SP9 Infrastructure Delivery and Implementation	b. Effective	<p>Should the Infrastructure Delivery and Implementation (See Strategic Policy 9) policy set out more explicit intention for a mixed S106/S278 and CIL approach to maximise the contributions from developers (n.b. CIL values are often much lower whereas S106/S278 sumis optimised for the site in question - currently it is a bit vague).</p> <p>The role of the Stoke and Staffordshire LEP and Staffordshire County Council funding (e.g. Pinchpoint) recognised in the evidence base (e.g. Employment Land Review) has not made it through and adequately reflected in the Local Plan itself, with a non-objective bias towards the Greater Birmingham LEP. Is East Staffordshire trying to change its housing market to accommodate Birmingham's needs / what are the implications in terms of funding new infrastructure.</p>	More detail and information should be demonstrated in the policy.	<p>Evidence of infrastructure is set out in The Infrastructure Delivery Plan which demonstrates that these issues have been considered throughout plan preparation.</p> <p>The CIL schedule will be consulted upon in 2014.</p> <p>East Staffordshire Borough Council is collaborating on a GBSLEP wide housing study to inform Birmingham of its housing shortfall. East Staffordshire aligns itself to the GBSLEP however, a further reference to the Stoke on Trent and Staffordshire LEP is proposed as a modification to the plan.</p> <p>Change proposed</p>	Page 19	Mod No. 5
LP21 – Ms Sharon Farnell, Rocester Parish Council	Yes	No	SP 3 Provision of Homes and Jobs & SP4 Distribution of Housing Growth	a. Positively prepared	<p>Distribution and deliverability of Housing (Strategic Policy 4): What other alternative is preferable (n.b. I appreciate that planning applications have been determined (often through appeal) but some are currently live - e.g. West of Uttoxeter, and those with known constraints, e.g. flood plain in Rocester).</p> <p>The overall number of houses has increased by 2700. How have they arrived at the figure of 11,648? The correct type of housing stock is necessary for what people need.</p>	Clarification is needed of how these figures have been arrived at.	<p>The development strategy identifies sites to meet the objectively assessed needs of the Borough which have also been robustly assessed through the SA and considered appropriate.</p> <p>The 2013 SHMA sets out the housing requirement and appropriate housing mix for local needs, based on objectively assessed need and employment factors.</p> <p>No change proposed.</p> <p>Preamble text to Strategic Policies 3 and 4 gives adequate reference to relevant evidence base such as the SHMA which explain where the figures have arrived.</p> <p>No change proposed.</p>		
LP22 – Ms Sharon Farnell, Rocester Parish Council	Yes	No	Policy SP10 Education	a. Positively prepared	Do we need more certainty over a new secondary school and primary school site over and above what we have secured - i.e. is it appropriate to defer a site allocation to a further	There should be more certainty in the document over secondary and	Evidence of infrastructure including education is set out in The Infrastructure Delivery Plan and the Burton upon Trent School Planning Report which demonstrates that these issues have		

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			Infrastructure		document (See Strategic Policy 10).	primary school sites.	been considered throughout plan preparation. Further work is being undertaken to resolve the education infrastructure issue currently identified. Change proposed to SP10.	SP10	Mod No. 55
LP23 - Mr R Dodman	Yes	Yes	Policy	a. Positively prepared b. Justified c. Effective d. Consistent with national policy	Para d above does not allow the boxes a,b,c and d to be left empty which I read as being a "no" to one of the "soundness" tests. I therefore repeat my previous comment that the soundness tests are positively prepared, Justified, Effective and Consistent with National Policy.		Support noted. No change proposed.		
LP24 – Mr A Barton	Yes	Yes	Policies Map – Inset 5 Barton Under Needwood	a. Positively prepared b. Justified c. Effective d. Consistent with national policy	I support the authorities proposed local plan and particularly the decision in relation to leaving the development boundaries to Barton under Needwood as originally drafted along the Dunstall edge of the village including the conservation area. There were representations made to include 2 paddocks for 25 executive homes. I believe it to be sound and correct that the authority has not included these sites and not altered the development boundary to accommodate them. I believe it to be correct for the following reasons. It's part of the green gateway from the village of Barton to Dunstall, it is open countryside and green fields and priority should be given to brownfield regeneration. The potential vehicular access to service the proposed sites would have been problematic The site would not contribute to the wider need for provision of affordable housing not only in the borough but also in villages such as Barton Under Needwood. if these sites were developed, where would it stop? Would it open up development off Dunstall Road and therefore blur the village boundaries between Dunstall and Barton		Support noted. No change proposed.		

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LP25 – Mrs Amanda Smith, Stretton Parish Council	Yes	No	Various Policies	<p>a. Positively prepared b. Justified c. Effective</p>	<p>Stretton Parish Council consider the production of the plan has been inconsistent as is now includes sites that had not been included or consulted upon previously.</p> <p>Strategic Policy 17 – Affordable Housing. The noticeable reduction in numbers of affordable social housing from previous consultation is concerning and no justification has been made.</p> <p>Strategic Policy 10 – Education Infrastructure. Inadequate consideration of secondary education provision has been made despite identifying it as a potential short term problem. The Plan concentrates on primary provision which is now adequately provided for.</p> <p>Strategic Policy 9 and 35 – Transport Infrastructure. The entire area of Burton on Trent and surrounding VILLAGES has not been adequately surveyed with regard to transport infrastructure and to assume that people will disregard their vehicles for public transport is short sighted and naïve.</p>	<p>The plan needs more clarity and justification in relation to changes that have been made with identified sites and numbers, from previous consultations.</p> <p>The plan needs to effectively identify additional secondary education provision in the areas that will need it most and take the pressure away from already oversubscribed schools/academies.</p> <p>The greater number of single people, both young and elderly, desperately need more affordable and adequate accommodation.</p> <p>The plan needs to show a clear vision for the improving of transport infrastructure for East Staffordshire as the current road system will not cope with the potentially high numbers of extra vehicles from the additional developments over 30 years. These should work side by</p>	<p>The development strategy identifies sites to meet the objectively assessed needs of the Borough which have also been robustly assessed through the SA and considered sustainable.</p> <p>Evidence of infrastructure including affordable housing and appropriate mix, education and transport is set out in the Strategic Housing Market Assessment (SHMA), The Infrastructure Delivery Plan and the Draft Integrated Transport Strategy respectively which demonstrates that these issues have been considered throughout plan preparation.</p> <p>In 2013, the traffic modelling was updated and a 2031 forecast was produced. The model was refined in terms of completed developments, the Borough Council's pre-submission strategy and network alterations. The traffic growth methodology used was compliant with Department for Transport Guidance. All transport assessments for strategic development sites in Burton-upon-Trent have used the County Council's traffic model and have taken into account forecast traffic growth for the duration of the Local Plan.</p> <p>Evidence of education provision is set out in The Infrastructure Delivery Plan and the Burton upon Trent School Planning Report which demonstrates that these issues have been considered throughout plan preparation. Further work is being undertaken to resolve the education infrastructure issue currently identified.</p> <p>Modifications to the affordable housing policy and justification are proposed.</p> <p>Change Proposed</p>	SP17	Mod No. 78

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						side and be proactive instead of reactive when problems present.			
LP26 – Mrs Amanda Smith, Stretton Parish Council	Yes	No	Policies Map – Inset No 1, Burton upon Trent	a. Positively prepared b. Justified c. Effective	<p>Stretton Parish Council consider the production of the plan has been inconsistent as is now includes sites that had not been included or consulted upon previously.</p> <p>Map – Inset No 1.</p> <p>Stretton has not been identified as being protected by Strategic Green Gap, although Rolleston has. Stretton has its own identify and wants this to continue and not merge into other areas unlike the Princess Way/Derby Road side of the parish.</p>	<p>The plan needs to be consistent with protecting the Strategic Green Gap statement and including all areas to “protect the coalescence” of the areas and “protect their character”</p> <p>Stretton would like to see a Strategic Green Gap identified at the rear of Bitham Lane up to the identified golf course and at the rear of Craythorne Road including the Jinny Trail.</p> <p>This would also be in accordance with the recommendations being made within the Stretton Neighbourhood Development Plan that is being formulated.</p>	<p>The approach to defining Strategic Green Gaps is set out in the Strategic Green Gaps Topic Paper.</p> <p>Neighbourhood Plans need to be in general conformity with the policies in the Local Plan.</p> <p>No change proposed.</p>		
LP27 – Mrs Valerie Burton, Burton Civic Society	Yes	Yes	Strategic Policies 1 East Stafford	a. Positively prepared b. Justified c. Effective d. Consistent with	<p>Burton Civic Society wishes to make the following comments on the Pre-Submission Local Plan Document:-</p> <p>1. We consider the Document to be a</p>		<p>Air quality is recognised as a sustainability issue in the Sustainability Appraisal. The plan as a whole aims to encourage sustainable modes of transport and allocate sites which would not lead to increased emissions.</p>		

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			shire Approach to Sustainable Development, 3 Provision of Homes and Jobs, 6 Managing the Release of Housing and Employment land, 10 Education Infrastructure, 30 Locally Significant Landscape and 35 Accessibility and Sustainable Transport	national policy	<p>thorough examination of the facts, and are pleased that the evidence base has been improved from the earlier version.</p> <p>2. Strategic Policy 1 and 35</p> <p>We note that per capita CO 2 emissions in the borough are higher than the average for the West Midlands, (08.6t as against 6.8t) and the latest figures show a rising trend. As noted in the Plan, this is a particular issue at black spots such as the two bridges over the Trent. The problem can only become worse with higher population levels, and we should like to see more positive suggestions for mitigation, e.g. an underpass to replace the pedestrian crossing near to Tesco's; more and safer cycle routes, support for a third river crossing.</p> <p>We appreciate that these issues are not all within the remit of the borough, but traffic problems in general are an issue for the town of Burton and need to be addressed.</p> <p>3. Strategic Policy 3</p> <p>We support the weight given in the Plan to employment issues, and the need to balance the release of housing land with new employment sites.</p> <p>4. Strategic Policy 6</p> <p>This policy states that 'the release of land for housing and employment will be managed.' We should like to see more specific detail as to how this will be achieved, and what legal powers will support the 'Development Plan Document' by which action is to be taken.</p> <p>5. Strategic Policy 10</p> <p>We regret that no specific site is allocated for a</p>		<p>The release of land can be controlled through time conditions on planning applications.</p> <p>Evidence of infrastructure including education is set out in The Infrastructure Delivery Plan and the Burton upon Trent School Planning Report which demonstrates that these issues have been considered throughout plan preparation. Further work is being undertaken to resolve the education infrastructure issue currently identified.</p> <p>Support noted.</p> <p>No change proposed.</p>		

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					<p>new secondary school, given the long lead-in time to completion. In the context of the comments made regarding further education, we wonder whether land shouldn't have been allocated for expansion of the College – maybe on the retail site (ex B&Q) or on the Rugby Ground site that has been also earmarked for retail, both in Lichfield Street, neither of which sites offer great value in terms of retail expansion.</p> <p>6. Strategic Policy 30</p> <p>We strongly support the comments (p.148) on the importance of Burton's green frame, and the statement that development will not be allowed which would affect it. We note that no such sites are allocated in the Plan, and trust that this decision will be supported by the Inspectorate.</p>				
LP28 – Mr J Connolly	Yes	No	Policy SP7 Sustainable Urban Extensions	<p>a. Positively prepared b. Justified c. Effective</p>	<p>A. Positively prepared.</p> <p>In the application from RPS (On behalf of Mosaic Estates), they have applied to avoid having an environmental impact Assessment Screening Opinion, the content of their application is flawed. They start off by referring to the land as 'agricultural land with pasture', then go to in the same document to say that the site will be visually enhanced by the removal of 'industrial buildings', by this I assume they mean traditional farm buildings.</p> <p>This land is beautiful rolling countryside, not industrial land as implied?</p> <p>B Justified</p> <p>This proposal to increase the settlement boundary has been rejected once, what has changed, the site is entirely inappropriate to be developed, there is not the supporting infrastructure in the area, it is all very well saying they plan to build schools etc, is it realistic to say these public facilities will be</p>	<p>1. The residents of the Town should be properly consulted to work with the Council in having a debate about where they would like to see development, there are many brownfield sites, these seem to be being ignored, whilst developers run circles round the residents with plans to build on greenfield sites.</p> <p>2. A proper environmental assessment should be done on the proposed area for development, the application to have</p>	<p>The requirement for increased level of housing in Uttoxeter is based on an increased housing figure from the SHMA.</p> <p>Strategic Sites, including alternative sites have been assessed through the Sustainability Appraisal process.</p> <p>An assessment of brownfield sites and capacity is set out in the Strategic Housing Land Availability Assessment and Brownfield Sites Topic Paper, both of which set out that there are insufficient sites to address housing need for the plan period.</p> <p>Evidence of infrastructure including education for Uttoxeter is set out in The Infrastructure Delivery Plan which demonstrates that these issues have been considered throughout plan preparation.</p> <p>The plan is supported by the East Staffordshire Draft Transport Integrated Strategy which demonstrates where network improvements will be required and delivered.</p>		

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					<p>completed after all the dwellings have been built, when will that be?</p> <p>We already have plenty of brownfield sites within the Town, it would make more sense to have a proper consultation on how local residents would like to see the Town developed? Why tear up countryside, when we have (for instance) the old JCB site in the Town centre, left vacant, creating an eyesore, we have the right to be consulted surely?</p> <p>Uttoxeter has a population of 14,000, give or take, there are already traffic problems getting on to the A518 and all the access roads off Westlands Road, there are plans to build an extra (circa) 2000 homes in the town, at an occupancy rate of 3 per home, are we really expecting a growth of nearly 50% in the Towns population?</p> <p>The development at Hazelwalls will hugely increase traffic flow, some roads in the proposed development are not suitable for this kind of traffic, it will also create rat runs as people look to use residential roads to avoid the already congested main roads surrounding the development.</p> <p>There are all forms of wildlife in the proposed development area, no reference seems to be being made to this, in the attempts to avoid an environmental assessment.</p> <p>The increased amount of traffic in the area will create a danger to children, trying to get to Picknalls/Oldfields/Alleyne's schools in the mornings and evenings.</p>	<p>this waived is flawed and inconsistent</p> <p>3. There has been no explanation of why all this additional housing is needed by the Town, we do not have the local jobs to support such development, this is a small market Town, which seems to being earmarked for development as a commuter Town for those who wish to work elsewhere.</p> <p>4. Public infrastructure should come first, not after, this development would require a new school, we have no fully manned police station, roads are unsuitable, there is no ambulance station, the residents of this Town and in particular those affected by Hazelwalls, appear to have limited say?</p> <p>5. A proper survey of the areas transport facilities, roads etc, should be undertaken, last time this plan was thrown out because it was unsuitable, what has</p>	<p>In 2013, the traffic modelling was updated and a 2031 forecast was produced. The model was refined in terms of completed developments, the Borough Council's pre-submission strategy and network alterations. The traffic growth methodology used was compliant with Department for Transport Guidance. All transport assessments for strategic development sites in Burton-upon-Trent have used the County Council's traffic model and have taken into account forecast traffic growth for the duration of the Local Plan.</p> <p>No change proposed.</p>		

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						changed, why were residents not made aware of this and consulted?			
LP29 – Mr C Bygrave	No	No	Strategic Policy 7: Sustainable Urban Extensions	<ul style="list-style-type: none"> a. Positively prepared b. Justified c. Effective d. Consistent with national policy 	<p>Hazelwalls Development.</p> <p>Traffic= Along with this development we are told there are 1000 homes in the area with planning permission that have yet to start, There is the proposed development to the West of Uttoxeter and then the brownfield site of JCB and the Highways department site at the junction of Knotty Way and Stafford road. The towns roads will be chaotic if all these developments are allowed to take place.</p> <p>Access to the Hazelwalls site are poor and the access from the Abbots Bromley Road into the Stafford Road will no doubt end in Fatalities as it is already a blind get out.</p> <p>Access through Westlands Road is ridiculous narrow and congested as most of these houses are pre war with no garages and have only Road side parking making journeys via Westlands difficult.</p> <p>Access via Timber Lane again unbelievable narrow and of course this approach is used by many pedestrian walkers traversing the Staffordshire Way. Again we will await fatalities as the proposed route will become a rat run between roundabout Knotty Way/Stafford Road and the Abbots Bromley exit.</p> <p>One can only imagine the chaos at school times and when the railway gates are down!</p> <p>Infrastructure</p> <p>Primary Schools full Secondary Schools full. Doctors full. Leisure Centre facilities withdrawn indefinitely. Community Health Services being</p>	Reject the Hazelwalls development.	<p>The development strategy identifies sites such as Hazelwalls Farm to meet the objectively assessed needs of the Borough which have also been robustly assessed through the SA and considered sustainable.</p> <p>Evidence of infrastructure including education is set out in The Infrastructure Delivery Plan which demonstrates that these issues have been considered throughout plan preparation. There is an identified need for a new first school that will be located either Hazelwalls Farm or at land west of Uttoxeter. A change is proposed to SP10 to also state that delivery could be achieved through extension of existing schools.</p> <p>Change proposed</p> <p>The plan is supported by the East Staffordshire Draft Transport Integrated Strategy which demonstrates where network improvements will be required and delivered.</p> <p>In 2013, the traffic modelling was updated and a 2031 forecast was produced. The model was refined in terms of completed developments, the Borough Council's pre-submission strategy and network alterations. The traffic growth methodology used was compliant with Department for Transport Guidance.</p> <p>No change proposed</p>	SP10	Mod No. 55

Rep No. & Name	Legally Compliant?	Sound?	Section to which rep relates	Reason for Unsoundness	Summary of Representation	Changes requested	Council Response	Section change	Mod No.
					<p>withdrawn from the area (Heart Failure. - Cardiac Recovery-Pulmonary Failure-Lifestyle-Diabetes)</p> <p>Bus Services being withdrawn- Train Services very poor. Station in a poor state with no services available.</p> <p>None or very little jobs within the town.</p> <p>Shops closing down- Precinct now deserted= Buxton and Bonnet now leaving the town. High Street used as a thoroughfare as council seem uninterested in bollards at top end of High Street.</p> <p>Environment</p> <p>You are proposing to take away possible the most beautiful view of Uttoxeter from Cullimore Lane by filling in the green fields with brick and concrete.</p> <p>You are devaluing houses that back onto this proposed development. Will we see a reduction in Rates. I presume not!</p> <p>The area is full of wildlife that will be destroyed!</p> <p>The displacement of water runoff with the concrete fill in will result in flooding at the bottom of Timber Lane /Stafford Road.</p> <p>I am one of many who want Uttoxeter to remain as a market town and not become a commuter based town and one of many who want our surrounding areas to remain green.</p> <p>Make the brownfield sites use or lose their rights to build now.</p>				
Rep LP30 – Miss E Webb		No	Policies Map – Inset 10 Marchington	<p>a. Positively prepared</p> <p>b. Justified</p> <p>c. Effective</p>	I consider the 'Pre-submission Plan' to be unsound and ask the Council to strongly consider the following. During the last 8 years, opposite our drive, one house has been demolished and two bungalows built on the site	I strongly object to the extension of the settlement boundary in Jacks Lane and feel it should be	<p>The justification for settlement boundary amendments is set out in the Settlement Boundary Topic Paper.</p> <p>Evidence of infrastructure is set out in The</p>		

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					<p>plus the alteration of vehicular access to the new build. This has led to more water flowing onto Jacks Lane from the larger tarmaced area, an increase in traffic on Jacks Lane and a loss of hedgerow. With the proposal of 20 more houses being built on Jacks Lane, I feel that those problems will be significantly multiplied. My objections are based around three major points that I feel your office ought to take into account when considering this application.</p> <p>Drainage & other services - flooding is a problem on Jacks Lane and this will only be further exasperated by replacing green fields with tarmac. The existing drainage system is inadequate. Walking along the road can be particularly hazardous after it has rained. There are no pavements on Jacks Lane, it is not very wide and effectively a single lane. Flooding is a situation that has not eased over the years but has got worse, particularly the entrance to Jacks Lane off the B5017, the bottom of Woodlands Views and the junction by The Bull. Water then continues to flow down and flood into the lower part of the Village by the Dog & Partridge and Church Lane. If plans went ahead to build, the Council would need to provide funds for work to substantially re-structure the drains. Plus a considerable financial input would be required to upgrade other essential services such as water, gas, electricity, bus routes and communication.</p> <p>Safety - with 20 more houses being built, apart from the initial congestion from HGVs, trades people and interested buyers, there will be a long term increase on a daily basis of a large number of cars plus all the relatives, friends and service vehicles that will drive to this development. Please note that there are no footpaths on this part of the Lane. Children and other pedestrians, who tend to be the inhabitants of the Village walk up and down the Lane quite confidently because traffic tends to be quite light, local and careful (apart from the</p>	<p>removed from the 'Pre-submission Plan'. I have been unable to see in the PSP whether other sites have been previously suggested and rejected - has the Council looked at other sites such as the 'The Old Camp' and 'The Blacksmiths' which link onto the B5017 and are not in the flood zone? Hopefully the Council might take some of the comments on board and rather than exasperating the situation they might take note of and solve some of the existing problems.</p>	<p>Infrastructure Delivery Plan and the Strategic Flood risk Assessment which demonstrates that these issues have been considered throughout plan preparation.</p> <p>Other pieces of evidence base have been used to inform the development strategy for Marchington including the Staffordshire Landscape SPG and the Habitats Regulations Assessment Screening Report</p> <p>Strategic Policies SP1 and SP35 seek to ensure that new developments would provide safe transport networks for pedestrians and highway users.</p> <p>Biodiversity considerations are covered by Policy SP29 'Biodiversity and Geodiversity'.</p> <p>No change proposed.</p>		

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					<p>school buses and during shift change at the prison). The Council sensibly put some bumps in the Lane, put a restriction on vehicles that can use the Lane and further down made it single lane passing only. With the building of more houses and increase of traffic turning right and left in what is already a narrow lane the safety of children and the villagers will be compromised throughout the day.</p> <p>Conservation - the building of 20 more houses will take away green fields. The gardens, fields and hedgerows around the proposed building area provides a home for a myriad of wildlife, foxes, badgers, bees, hedgehogs, birds, bats, butterflies and help to make Marchington such an attractive, welcoming and safe place to live and children to grow up. Last year Marchington won the 'Best Small Village' award, to build 20 new houses will upset the balance of the village, which is still coping with increased traffic caused by the building and opening of the prison.</p>				
Rep LP31 – Dr R Barrington	No	No	Policies Map – Inset 3 Uttoxeter	b. Justified	<p>I feel the planning development (map 3) is not legally justified for the following reasons:</p> <ol style="list-style-type: none"> 1. The road system is not adequate to cope with the increased flow of traffic. This is especially so for the northern development around Westlands road area. In addition, the design of the northern development has the potential to lead to the creation of rat-runs for commuter traffic which would greatly increase the risk of road deaths. This would also have implications for school children on their way to school. 2. No environmental consultation has been undertaken for the northern development, Considering buzzards are present in the area, this need to be redressed before any proceeding building work is permitted. 3. There is already a high risk of flooding in the Westlands road area due to increased run-off from the existing housing development. Disturbing the balance pools upstream in the 	<ol style="list-style-type: none"> 1. Housing should be built in locations closer to main roads (closer to the A50) and correct procedures with regard environmental consultations should be included in the process. 2. Any existing infrastructure should be up-graded prior to the developments proceeding, to ensure that an increased risk of road deaths is not likely. 3. Any area prone to 	<p>The development strategy identifies sites to meet the objectively assessed needs of the Borough which have also been robustly assessed through the SA and considered sustainable.</p> <p>Strategic housing sites, included in the Local Plan are assessed through the Sustainability Appraisal process which covers environmental issues.</p> <p>Evidence of infrastructure is set out in The Infrastructure Delivery Plan, Draft Integrated Transport Strategy and the Strategic Flood risk Assessment which demonstrates that these issues have been considered throughout plan preparation.</p> <p>Environmental considerations are covered through the SA/SEA/HRA process as part of the overall plan making process.</p> <p>No change proposed.</p>		

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					<p>area of the proposed northern development would increase this risk. In addition the increased run-off from the new development would increase flood risk downstream and may have implications for household flood insurance on existing properties.</p> <p>4. Better alternatives for development exist closer to places of work. It is not sustainable to build more housing and increase the town population without first increasing the job opportunities present or other infrastructure such as school places.</p>	<p>flooding should not be developed.</p> <p>4. Job opportunities should be increase prior to any new houses, in order for any development to be sustainable. Without these job opportunities, the development do not conform to the council's sustainability claim.</p>			
Rep LP32 – Mr P Smith	Yes	No	Policy – SP4 Distribution of Housing Growth	<p>a. Positively prepared</p> <p>b. Justified</p> <p>c. Effective</p> <p>d. Consistent with national policy</p>	No text provided		<p>Noted.</p> <p>No change proposed.</p>		
Rep LP33 – Mr P Reynolds	Yes	No	Policies Map – Inset 10 Marchington	d. Consistent with National Policy	<p>Over the past few years to enter Jacks Lane has proved difficult due to severe flooding. Attempts to ease the flooding problem in the whole village particularly at the bottom of the village close to the church has not proven successful. I understand that the local authorities have advised that, the problem in Jacks Lane cannot be rectified without major development of the surface water drainage infrastructure. Surely additional house building in this location will make things worse without this work being carried out.</p> <p>Marchington Brook overflows consistently at or below the Church Lane bridge, exacerbated by rapid drainage of surface water from roads and current houses indicating that the existing sewers and surface drains are already unable to cope with the volumes of water.</p> <p>The proposed boundary increases/new buildings would increase the risk of flooding,</p>		<p>Evidence of infrastructure is set out in The Infrastructure Delivery Plan and the Strategic Flood risk Assessment which demonstrates that these issues have been considered throughout plan preparation.</p> <p>The design and historic environment policies contained in the Local Plan will ensure high quality development will occur in order to safeguard the character and integrity of the conservation area.</p> <p>The justification for settlement boundary amendments is set out in the Settlement Boundary Topic Paper. The sites represent a sustainable option to meeting the needs of the rural area.</p> <p>No change proposed.</p>		

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					<p>and the severity of any such flooding, in the village as a whole should not be included unless firm and genuine plans are put in place to resolve the flooding issues. It appears that the consultation process prior to the formulation of the local plan has failed to highlight these problems.</p> <p>Traffic is also now becoming a serious problem in the village as Jacks Lane is the main route through the village and subject to increased movements. There are no pavements on either side of the lane or around the village, use of the lane by pedestrians is already dangerous. Further development along this lane will increase traffic and make access into the lane from existing and any new properties more difficult.</p> <p>The sites submitted in the Pre-Submission Plan are on Green Field sites and as they are close to the Conservation Area would be unsatisfactory in a village location.</p>				
Rep LP34 – Mrs S Barrington	No	No	Policies Map – Inset 3, Uttoxeter	Justified	<p>The site has already been rejected for a preferred option.</p> <p>Inappropriate access via Westlands Road, Fennel Avenue and Sorrel Close and bus route via Timber Lane.</p> <p>Increase in traffic in these locations and also on the Abbots Bromley road B5013 and Stafford Road which are already busy roads and all traffic will funnel into the roundabout at the bottom of the Stafford Road.</p> <p>Flooding has already taken place on Foxglove Avenue and the Hazelwalls playing area and more building will lead to more flooding because the Balancing ponds will need to take excess water.</p> <p>This is a greenfield site with an abundance of</p>	<p>The proposed plan is to build on a Greenfield site and to increase the boundary line of the town. There are Brownfield sites within the town that would be more appropriate. If there is to be a big increase in the population of Uttoxeter as planned then due consideration should be taken before more houses are planned of the infrastructure and</p>	<p>The development strategy identifies sites to meet the objectively assessed needs of the Borough which have also been robustly assessed through the SA and considered sustainable sites.</p> <p>Evidence of infrastructure is set out in The Infrastructure Delivery Plan, Draft Integrated Transport Strategy and the Strategic Flood Risk Assessment which demonstrates that these issues have been considered throughout plan preparation.</p> <p>Other pieces of evidence base work have been used to inform the development strategy for Uttoxeter including the Employment Land Review and the Habitats Regulations Assessment Screening Report.</p> <p>No change proposed.</p>		

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					<p>wildlife and their habitat will be threatened. Buzzards are nesting in the wood around The White Cottage and they are a protected species and therefore an environmental assessment should take place.</p> <p>Where are the jobs for the proposed increase in population of Uttoxeter?</p>	amenities that will be needed before work is undertaken i.e. jobs, schools, town centre shops and leisure facilities.			
Rep LP35 – Mr D Faulkner	Yes	No	Policy SP7 & Policies Map Uttoxeter	<p>a. Positively prepared b. Justified c. Effective d. Consistent with national policy</p>	<p>a) Positively Prepared:</p> <p>I do not consider the plan for the Hazelwalls farm development adequately addresses infrastructure and development needs. In the original consultation the Hazelwalls farm development was NOT a preferred option - a decision made on infrastructure and development grounds. It is unclear how this has been overturned in the current plan with no additional public consultation and, so far as can be ascertained no material change to the plans other than the enthusiasm of the developer concerned to build on the land.</p> <p>The proposed estate road (parallel) to Stafford Road will inevitably create a "Rat run" for commuters wishing to bypass the ever more congested Stafford Road route. At Peak times this is exacerbated by pedestrian crossing traffic (on Old Knotty Way) routing school children from the existing estate to schools on the other side of town. This pedestrian traffic will be noticeably greater if the proposed build at Hazelwalls proceeds. The secondary school provision is not likely to change so even if a primary school is built this pedestrian traffic will remain an issue.</p> <p>b) Justified</p> <p>As mentioned above this site was previously cited as not preferred. It is clear that on the basis of sites allocated for industrial use the vast majority of the homes proposed will not be occupied by locally employed people and that Uttoxeter will merely be a commuter belt town</p>	<p>In the Borough as a whole there should be a greater emphasis on creating housing where there is reasonable prospects for local employment. This would be better aligned with sustainable development needs. Plans for Uttoxeter have little chance of sustainability with regard to local employment and commuter journeys will inevitably increase.</p> <p>Whilst the plans talk about sustainable development the use of greenfield sites is potentially selling out on agricultural land which with rising energy costs may come to be a key factor in the on-going sustainability of communities and our nation as a whole. Favouring</p>	<p>The development strategy identifies sites to meet the objectively assessed needs of the Borough which have also been robustly assessed through the SA and considered appropriate.</p> <p>The requirement for increased level of housing in Uttoxeter is based on an increased housing figure from the SHMA.</p> <p>Policy SP4 identifies the JCB, Pinfold Lane site as part of the development strategy for Uttoxeter in addition to other Greenfield sites. The NPPF recognises that the redevelopment of brownfield sites (paras 17 & 111). The Council recognises that brownfield sites can only be delivered if they viable. Whilst the buildings on this site have been demolished there may be other viability issues that need to be overcome.</p> <p>Evidence of infrastructure is set out in The Infrastructure Delivery Plan, Draft Integrated Transport Strategy and the Strategic Flood Risk Assessment which demonstrates that these issues have been considered throughout plan preparation.</p> <p>In 2013, the traffic modelling was updated and a 2031 forecast was produced. The model was refined in terms of completed developments, the Borough Council's pre-submission strategy and network alterations. The traffic growth methodology used was compliant with Department for Transport Guidance. All transport assessments for strategic development sites in Burton-upon-Trent have used the County Council's traffic model and</p>		

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					<p>for Stoke, Derby, Stafford and Burton. This being the case the Uttoxeter West development adjacent to the A50 is a better location than Hazelwalls and could meet the development needs of Uttoxeter for many years.</p> <p>It appears to be an ESBC policy to draft plans which focus on Burton for both shopping and commercial activities and the decline of Uttoxeter town centre already bears witness to this. The creation of commuter belt housing in Uttoxeter furthers this Burton focus and does not serve the needs of Uttoxeter residents.</p> <p>The old JCB site which is scheduled for development will, apparently, remain an undeveloped eyesore whilst the greenfield development at Hazelwalls is promoted as an easy option for developers. This is not in the interests of Uttoxeter and will continue to present an unfavourable aspect for town visitors.</p> <p>c) Effective</p> <p>With no definitive commitment to school provision the Hazelwalls location has no guarantee of providing the infrastructure needed. The road planning proposed will create a dangerous "rat run " as already mentioned and it is unclear how the environmental and sustainability goals can be met with the current plan.</p> <p>As noted above Uttoxeter is already moving towards commuter town status and many of the new residents are likely to be commuters to Stoke-on-Trent. It is unclear how building new homes in Uttoxeter and increasing the commuter traffic into Stoke can be compatible/coherent with the strategies of the Stoke-on-Trent authority as it will surely impact their regeneration plans for the city including housing and industrial sites. Similar comments would no doubt apply to Derby and Stafford,</p>	<p>housing over agriculture is a short term view and the increasing cost of food and fuel should be a wakeup call in this regard - once it's gone it's gone!</p>	<p>have taken into account forecast traffic growth for the duration of the Local Plan.</p> <p>Other pieces of evidence base work have been used to inform the development strategy for Uttoxeter including the Employment Land Review and the Habitats Regulations Assessment Screening Report.</p> <p>No representations from Stoke on Trent City Council have been received and no strategic issues have been raised through duty to cooperate.</p> <p>No change proposed.</p>		

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					<p>although, as pointed out earlier this is clearly what the ESBC favour - based ion and biased towards the interests of Burton.</p> <p>d) Consistent with National Policy.</p> <p>It is my understanding that the National Policy calls for sustainable development based on:-</p> <p>An Economic role : - At this time it is unclear that sufficient jobs will be created in the local economy for this criteria to be met.</p> <p>A social role: The proposed volume of housing does not equate with the needs of the Uttoxeter community - even for the "generations to come". It is clear that proposed developments will encourage an influx of residents from outside the community. The presence of action groups opposed to the Uttoxeter plans speaks for itself in this regard - the plans are not "by locals and for locals"</p> <p>An environmental role: The development on the Hazelwalls site is on greenfield land currently in farming use (there are sheep in the fields as this is written). Farmers, in common with pub chains will always prefer housing as an option but with ever increasing transport costs locally produced produce is increasingly important and once agricultural land is gone it is gone for good. The fact that the developments proposed will increase commuter traffic is also contrary to the "low carbon economy" aims of the national policy.</p>				
Rep LP36 – Mr B Edwards	Yes	No	Paragra ph 3.1	<p>a. Positively prepared b. Justified c. Effective d. Consistent with national policy</p>	<p>Accordingly the proposed Local Plan the proposed number of actual dwellings to be delivered in the first 5 years of the Plan period is 3,431, this excludes any buffer to provide choice of sites.</p> <p>This is made up by adding the supply figures for years 2012/13 (86), 2013/14 (106) 2014/15 (196) 2015/16 (712) 216/17 (952) total (2,052) to the extant planning permissions as at day</p>	<p>The Housing Trajectory should be revised such that it facilitates sufficient new dwellings to provide an adequate 5 year supply of housing land.</p>	<p>The NPPF requires the Local Planning Authority to provide objectively assessed housing need for the Local Plan period which have also been robustly assessed through the SA and considered appropriate. The 2013 SHMA sets out the housing requirement, based on objectively assessed need and employment factors.</p> <p>Proposed modification to amend the housing</p>		

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					<p>one of the Plan period (1,379 planning permissions existed allowing for the 10% lapse rate) making a total of 3.431.</p> <p>According the Inspector who recently conducted the appeal for Red House Farm planning application P/2012/01215 ESBC should provide 650 new dwellings per year plus the 943 undersupply from previous years, which must be supplied during the first 5 years of the Plan resulting in a 5 year total requirement of 4,193 new dwellings, again these figures do not include the 5% or 20% buffer requirement for the 5 year supply figure.</p> <p>Since it is proposed to supply 3,431 new dwellings this produces a shortfall of 762 houses in the first five years which is unacceptable.</p> <p>Even if ESBC's own figure of 613 new dwellings a year is used there is still an undersupply of 577 dwellings in the first 5 years of the Plan period.</p> <p>The Red House Farm appeal inspector was of the opinion that ESBC should provide a 20% buffer on their 5 year housing land supply figures because of consistent under supply in previous years. The proposed scenario will perpetuate this situation.</p>		<p>trajectory to include recent housing application appeals.</p> <p>A 5 year housing land supply document is provided as part of the evidence base and forms part of the examination library.</p> <p>The SHMA evidence base takes into account previous unmet need and previous 'undersupply'.</p> <p>No change proposed.</p>		
Rep LP37 – Mr B Edwards	No	No		<p>a. Positively prepared b. Justified c. Effective d. Consistent with national policy</p>	<p>Considering the importance of the Local Plan it is extremely disappointing that it has not been proof read. There are far too many mistakes in it ranging from incorrect words used, incorrect formatting where sentences are included in inappropriate paragraphs and incorrect facts like the location of The National Brewing Museum.</p> <p>I was particularly disturbed when I asked two planning officers at the Customer Services Centre in Burton Market Place for a copy of the Local Plan to take away and pursue at my leisure and was told that I could not have a</p>	It is too late now to correct this situation.	<p>Noted. Relevant amendments to the Local Plan will be made as a Schedule of Modifications which will be submitted to the Planning Inspectorate alongside the Local Plan.</p> <p>No proposed change.</p>		

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					<p>copy. I was informed that the Plan could be examined at the Customer Services centres, in public libraries or on the internet, I protested that it was not practical to study in depth a document of that size and complexity and that not everyone has an internet connection. It was then pointed out to me that a copy of the Plan was expensive to produce and that I might be able to purchase a copy, again I protested that I had never been asked to pay to take part in a consultation undertaken by ESBC before.</p> <p>It was not until I stated that as Chair of Rolleston Neighbourhood Plan group I needed a hard copy for a meeting our group was having at which the Local Plan would be discussed that it was suggested that if I contacted the Interim Head of Planning she might send me a copy. I did telephone ESBC planning department on another matter and mentioned that I needed to speak to the Head of planning about obtaining a copy of the emerging Local Plan and the person I spoke to agreed to send me a copy.</p> <p>My concern is that a consultation of this importance should be all inclusive.</p>				
Rep LP38 – Mr B Edwards	No	No	Policy SP2 A Strong Network of Settlements	<ul style="list-style-type: none"> a. Positively prepared b. Justified c. Effective d. Consistent with national policy 	<p>This Policy does not accord with the Localism Act 2011 or the National Planning Policy Framework (NPPF). Both of these pieces of legislation give local communities the right to determine how their community evolves in respect of what type of development is permitted and where any development, in that community, should take place. This right is conveyed through Neighbourhood Plans.</p> <p>The network of settlements has been created using the Settlement Hierarchy (revised 2012 version) which is inaccurate and out of date as far as Rolleston on Dove is concerned. ESBC have been asked on a number of occasions, by several groups within Rolleston on Dove including the Parish Council to revisit this document and address the points raised but unfortunately all requests have been refused.</p>	<p>The Settlement Hierarchy should be updated to take account of any inaccuracies in it and changes that have taken place since it was published.</p> <p>Account should be taken of the rights given to communities through the Localism Act 2011 and the NPPF.</p>	<p>Consider the policy is compliant with the NPPF and the Localism Act 2011.</p> <p>The Council will consider updating the settlement hierarchy paper prior to submission of the Local Plan.</p> <p>No change proposed.</p>		

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					<p>The Settlement Hierarchy awards points to Rolleston on Dove wrongly for having:-</p> <ol style="list-style-type: none"> 1. A Village Hall/Community Centre. The scout headquarters building has been given this status even though the scouts have written to ESBC pointing out that this is not the case as they built their headquarters building for scouting purposes and use it every night of the week. 2. Two Churches. There used to be 2 churches in the village but the Methodist Chapel closed earlier this year. 3. A General Store. The local Newsagent Shop has been classified as a General Store because it sells foodstuff. The newsagent advises that he sells approximately 10 loaves of bread and approximately 10 hot pies/sausage rolls a day. This cannot be considered to be of sufficient significance to categorise the shop as a General Store. 4. Two Members Recreational Facilities. The local golf club went into administration and closed at the beginning of this year. 5. Two Public Houses within 750 metres of the centre of the village. There is only one public house within 750 metres of the centre of the village consequently ESBC created a "functional centre" that just included the second public house. This makes a mockery of the process. 6. It is also known that the only restaurant in Rolleston on Dove is planning to close in 2014. <p>The effect of these inaccuracies is to categorise Rolleston on Dove as a Tier 1 village when it should be in the Tier 2 category. This means that Rolleston on Dove has received an allocation of 125 new houses instead of 40 new houses as allocated to other large Tier 2 villages.</p>				

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Rep LP39 – Mr B Edwards	No	No	Policy SP4 Distribution of Housing Growth	<ul style="list-style-type: none"> a. Positively prepared b. Justified c. Effective d. Consistent with national policy 	<p>This Policy does not accord with the Localism Act 2011 or the National Planning Policy Framework (NPPF). Both of these pieces of legislation give local communities the right to determine how their community evolves in respect of what type of development is permitted and where any development, in that community, should take place. This right is conveyed through Neighbourhood Plans.</p> <p>The network of settlements has been created using the Settlement Hierarchy (revised 2012 version) which is inaccurate and out of date as far as Rolleston on Dove is concerned. ESBC have been asked on a number of occasions, by several groups within Rolleston on Dove including the Parish Council to revisit this document and address the points raised but unfortunately all requests have been refused. The Settlement Hierarchy awards points to Rolleston on Dove wrongly for having:-</p> <ol style="list-style-type: none"> 1. A Village Hall/Community Centre. The scout headquarters building has been given this status even though the scouts have written to ESBC pointing out that this is not the case as they built their headquarters building for scouting purposes and use it every night of the week. 2. Two Churches. There used to be 2 churches in the village but the Methodist Chapel closed earlier this year. 3. A General Store. The local Newsagent Shop has been classified as a General Store because it sells foodstuff. The newsagent advises that he sells approximately 10 loaves of bread and approximately 10 hot pies/sausage rolls a day. This cannot be considered to be of sufficient significance to categorise the shop as a General Store. 4. Two Members Recreational Facilities. The 	<p>The Settlement Hierarchy should be updated to take account of any inaccuracies in it and changes that have taken place since it was published.</p> <p>Account should be taken of the rights given to communities through the Localism Act 2011 and the NPPF with strategic allocations being removed so that local communities can have some input in how their communities evolve.</p>	<p>Consider the policy is compliant with the NPPF and the Localism Act 2011.</p> <p>The Council will consider updating the settlement hierarchy paper prior to submission of the Local Plan.</p> <p>Chapter 2 sets out how settlement numbers have been arrived at and the preamble to Policy SP4 references the relevant evidence base that supports the policy.</p> <p>No change proposed.</p>		

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					<p>local golf club went into administration and closed at the beginning of this year.</p> <p>5. Two Public Houses within 750 metres of the centre of the village. There is only one public house within 750 metres of the centre of the village consequently ESBC created a "functional centre" that just included the second public house. This makes a mockery of the process.</p> <p>6. It is also known that the only restaurant in Rolleston on Dove is planning to close in 2014.</p> <p>The effect of these inaccuracies is to categorise Rolleston on Dove as a Tier 1 village when it should be in the Tier 2 category. This means that Rolleston on Dove has received an allocation of 125 new houses instead of 40 new houses as allocated to other large Tier 2 villages.</p> <p>The Strategic Allocations made in Barton Under Needwood and Tutbury have already been granted planning permission leaving just the locations of the windfall allowance to be determined in those villages. Since the windfall sites cannot be pre-determined, otherwise they would be planned development, this means that Barton Under Needwood and Tutbury are prevented from having any input in how their respective villages evolve.</p> <p>There have been 25 houses granted planning permission in Rolleston on Dove since the beginning of the Plan period. These are "windfalls" which means that one and a half years into a nineteen year Plan period the whole of the windfall allowance has been used up and as there is a statement on page 82 of the Plan document stating:- <i>In relation to the development allowance permissions already granted since the start of the plan period, will form part of the extant permission supply, when the allowance has been delivered no further development within</i></p>				

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					settlements will be allowed. This statement means there will be no more windfall permission granted in Rolleston on Dove during the Plan period which is totally unrealistic. This statement also wrongly relates the windfall allowance with the extant supply that existed when the Plan period began.				
Rep LP40 – Mrs L Richardson	Yes	No	Policies Map – Inset 10 Marchington	e. Consistent with national Policy	<p>I consider the pre-submission plan unsound as it applies to the village of Marchington and the extension of the settlement boundary in Jacks Lane as indicated on inset Map 10.</p> <p>I have lived on Jacks lane for the last 7 years and have noticed increasing problems with flooding along this lane and throughout the village and surrounding access roads. Water runs off the saturated fields as well as from Woodland Views, the existing sewers and surface drains are already unable to cope with moderate rainfall. We have seen extreme flooding outside our house, with cars driving through and causing backwash and erosion to the grass verges.</p> <p>Increasing building and paving and driveways to the proposed area will cause even greater strain to the sewers as we have less and less soak away areas.</p> <p>The proposed number of 20 houses will see an increase in cars to the village, most houses have two people living in them and with children adding to this equation you could be looking at up to an extra 80 cars in the village as most people seem to have a car per person, this will cause event greater strain on the road infrastructure within the village</p> <p>We should be looking to keep the village as a village and not extending into a green field site with grazing animals.</p>	The extension to the settlement boundary in Jacks Lane should be omitted from the pre-submission. The houses have to be built within the Parish yet the Parish consists of a lot larger area than Marchington village alone, with Birches Cross, Forest Side and Marchington Woodlands and would have little or no impact to the environment should houses be spread throughout the Parish.	<p>The justification for settlement boundary amendments is set out in the Settlement Boundary Topic Paper.</p> <p>Evidence of infrastructure is set out in The Infrastructure Delivery Plan and the Strategic Flood risk Assessment which demonstrates that these issues have been considered throughout plan preparation.</p> <p>Policy SP27 ‘Climate Change, Water Body Management and Flooding’ provides criteria for the mitigation of flooding through new development which includes sustainable drainage systems that reduces runoff such as the use of permeable surfacing.</p> <p>No change proposed.</p>		
Rep LP41 – Miss Johanna Fox	No	No	Policies Map – Inset 10 Marchin	a. Positively prepared b. Justified	<p>1) East Staffordshire Approach to Sustainable Development</p> <p>In line with Principle 1, development proposals</p>	I understand the need for growth in rural areas, due to the excessive	Completions within Marchington in terms of the overall development allowance can only be counted as part of the new Local Plan period, therefore any completions from April 2012		

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			gton		<p>will be required to demonstrate the principles of sustainable development and will be assessed against the presumption in favour of sustainable development as interpreted and applied locally to East Staffordshire Borough Council.</p> <p>In assessing whether a development proposal or allocation is as sustainable as possible, the Council will apply the following principles</p> <ul style="list-style-type: none"> • " located on, or with good links to, the strategic highway network, and should not result in goods vehicles harming residential amenity, causing highway safety issues or harming the character of open countryside • it is convenient and safe to walk, cycle and travel by public transport between (and for larger sites, around) the site and existing homes, workplaces, shops, education, health, recreation, leisure, and community facilities and between any new on-site provision; • re-uses existing buildings where this is practicable and desirable in terms of the contribution the buildings make to their setting • integrated with the character of the landscape and townscape, provides for archaeological investigation where this is appropriate and enhances buildings of heritage importance and their setting; • designed to protect the amenity of the occupiers of residential properties nearby, and any future occupiers of the development through good design and landscaping; • high quality design which incorporates energy efficient considerations and renewable energy technologies; • developed without incurring unacceptable flood risk or drainage problems and uses 	<p>pressures that are already placed on the infrastructure of our towns and cities. The proposed development site for Jacks Lane will compound issues already faced within this vicinity -</p> <p>Flooding and drainage issues</p> <p>Further congestion on Jacks Lane with regards to vehicular movements</p> <p>Poor surface conditions of the highway</p> <p>Access restrictions to existing and proposed new dwellings.</p> <p>I find it hard to accept that a more suitable area is not available to meet the needs expressed by ESBC. Utilization of existing available resources would surely be a more viable option. The Old Army Barracks for example.</p> <p>Over the past few year dwellings have been renovated in</p>	<p>onwards.</p> <p>Evidence of infrastructure is set out in The Infrastructure Delivery Plan and the Strategic Flood risk Assessment which demonstrates that these issues have been considered throughout plan preparation.</p> <p>Policy SP27 'Climate Change, Water Body Management and Flooding' provides criteria for the mitigation of flooding through new development which includes sustainable drainage systems that reduces runoff such as the use of permeable surfacing.</p> <p>Hedgerow and relating habitats are protected under Policy SP29, where development is expected to retain, protect and enhance features of biological and geological interest.</p> <p>Other pieces of evidence base work have been used to inform the development strategy for Marchington, including the Habitats Regulations Assessment Screening Report.</p> <p>No change proposed.</p>		

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					<p>Sustainable Drainage Systems (SUDS) where appropriate;"</p> <p>No evidence has been available to substantiate all of the above principles</p> <p>1a)STRATEGIC POLICY 27</p> <p>"Climate Change, Water Body Management and Flooding</p> <p>Proposals in flood risk areas, or proposals which would affect such areas, will only be permitted where they would not cause unacceptable harm to the following interests:</p> <p>(i) The protection and storage capacity of the flood plain, washlands and other areas at risk from flooding;</p> <p>(ii) Access to watercourses for maintenance;</p> <p>(iii) The characteristics of surface water run-off;</p> <p>(iv) The integrity of fluvial defences;</p> <p>(v) The drainage function of the natural watercourse system; or</p> <p>(vi) The necessity for additional public finances for flood defence works"</p> <p>Marchington is identified as a Flood zone 2 /3,</p> <p>Have or are the objectives of the Water Framework Directive being given due consideration?</p> <p>2)" The Plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence".</p> <p>No evidence has been presented to</p>	<p>Marchington, Barn Conversions (Yew Tree) has this not been included? Has this not increased the number of dwellings available for residence in Marchington?</p> <p>And finally, I would like stress my concerns around wildlife.....hedgerows " <i>Hedgerows are the most significant wildlife habitat over large stretches of lowland UK and are an essential refuge for a great many woodland and farmland plants and animals ."</i></p> <p>Hedgerows are the principal habitat for around 50 existing species of conservation concern in the UK, including 13 globally threatened or rapidly declining species (more than for most other key habitats). They are particularly important for butterflies and moths, farmland birds, bats and dormice. There is an estimated ½ million km of hedgerow in</p>			

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					<p>demonstrate that this is the most appropriate strategy, no other reasonable alternatives have been presented to the residents of the village.</p>	<p>England and Wales, of which 42% (about 154,000 km) are ancient and/or species-rich.</p> <p>Over 600 plant species, 1500 insects, 65 birds and 20 mammals have been recorded at some time living or feeding in hedgerows. Over 100 species of invertebrates can be found in a typical 20-metre section of hedgerow. Hedgerows adjacent to roads, green lanes, tracks and wooded ground tend to be particularly species-rich.</p> <p>Hedgerows also act as wildlife corridors for many species, including reptiles and amphibians, allowing movement between other habitats. With modern farming practices fields can be barren deserts; hedgerows often afford the only cover for wildlife over huge areas of countryside.</p> <p>Since 1945 there has been a drastic</p>			

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						<p>loss of hedgerows through removal and neglect throughout the UK, particularly in eastern counties of England. This loss is still continuing. Between 1984 and 1990, the net loss of hedgerow length in England was estimated as 21%, in Scotland 27% and in Wales 25%. This loss was the result of a combination of outright removal (1.7% per annum) and neglect (3.5% pa). In England and Wales the loss continued between 1990 and 1993, with neglect becoming increasingly important and removal less so.</p> <p>The above is According to the UK Government advisors on nature conservation, the Joint Nature Conservation Committee (JNCC):</p>			
Rep LP42 – Mr P Richardson	No	No	Policies Map – Inset 10 Marchington	Consistent with National Policy	In relation to the Pre-Submission Plan for Marchington I think that having plans for an extra twenty houses would make a considerable impact on the village life and would be detrimental to the current infrastructure of the	Taking in to account the evidence shown above, I propose that the settlement boundaries in Jacks	<p>The justification for settlement boundary amendments is set out in the Settlement Boundary Topic Paper.</p> <p>Completions within Marchington in terms of the</p>		

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					<p>village.</p> <p>In the last twelve months there has been three barn conversions in the village which I believe should count towards some of the proposed twenty houses, in light of these houses already converted they are bringing more traffic and population to the village. To add a further twenty houses would put an untold burden on to Jacks Lane which is the main route into the village.</p> <p>Having lived on Jacks Lane for the last seven years I have noticed that the flooding is getting worse every year with heavy down pour's of water running off the Woodland View's Estate and therefore threatening to flood properties in Jacks Lane; I can provide photos to support this.</p> <p>The drains and sewage system cannot support any more houses as Marchington is situated in a valley and the water cannot escape. By adding more houses and more tarmaced areas this can only make the problem worse.</p> <p>There are other outlying areas within the Parish that would support the extra houses better than Marchington Village such as the Black Smiths Arms which is a Brown soil site on the B5017 as well as Forest Side and Marchington Woodlands.</p>	Lane should be excluded and omitted from the Pre-Submission Plan.	<p>overall development allowance can only be counted as part of the new Local Plan period, therefore any completions from April 2012 onwards.</p> <p>Evidence of infrastructure is set out in The Infrastructure Delivery Plan and the Strategic Flood risk Assessment which demonstrates that these issues have been considered throughout plan preparation.</p> <p>Policy SP27 'Climate Change, Water Body Management and Flooding' provides criteria for the mitigation of flooding through new development which includes sustainable drainage systems that reduces runoff such as the use of permeable surfacing.</p> <p>No change proposed.</p>		
Rep LP43 – Mr B Edwards	Yes	No	Policy SP5 Distribution of Employment Growth	<p>a. Positively prepared b. Justified c. Effective d. Consistent with national policy</p>	Outline planning permission has recently been granted for 18 hectares of employment land as part of the application for the development of land south of Branston. There is no mention of this site in the Plan even though it will make a significant contribution to the borough.	The employment land south of Branston needs to be included in this Plan.	<p>Employment land at Land South of Branston (LSOB) is not allocated within Strategic Policy 5 as this is already committed and accounted for in the Employment Land Review 2013 document. This is explained in the footnote for SP7 'Sustainable Urban Extensions' (page 91) in the Local Plan.</p> <p>No change proposed.</p>		
Rep LP44 – Mr B Edwards	Yes	No	Policy SP8 Development Outside Settlement	<p>a. Positively prepared b. Justified c. Effective d. Consistent with national policy</p>	The policy for not allowing development outside of development boundaries is supported, however the proposed modification to the development boundary of Rolleston on Dove is not.	The development boundary for Rolleston on Dove to be modified to accord with the Neighbourhood Plan	<p>The approach to settlement boundaries is set out in the Settlement Boundary Topic Paper.</p> <p>No change proposed.</p>		

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			ent Boundaries		The community of Rolleston on Dove have expressed their preference, through their responses to the Neighbourhood Plan consultations, that the proposed modification to the development boundary should not be confirmed. Instead the existing college playing field should be returned to sports use and the development boundary modified as indicated in the Neighbourhood Plan to include the preferred development sites.	and the proposed boundary change that includes the college playing field not to be agreed.			
Rep LP45 – Mr B Edwards	Yes	No	Policy SP9 Infrastructure Delivery and Implementation	<ul style="list-style-type: none"> a. Positively prepared b. Justified c. Effective d. Consistent with national policy 	<p>ESBC have established Parish Councils in all areas of the borough and these Parish Councils should be formally consulted on what infrastructure is needed in their areas. Parish Councils should be included in negotiating Section 106 agreements not dictated to.</p> <p>There are no proposed highway improvements indicated in this Plan even though there are proposals for almost 12,000 new homes with almost 3,000 of these new dwellings potentially joining Shobnall Road.</p> <p>Mention is made of ESBC introducing a CIL, which is supported, but a commitment should be given for when this will happen.</p>	<p>A planned series of highway improvements should be incorporated into the Plan along with details as to who will be responsible for funding them to mitigate the effect the cars from the additional dwellings will have on the road network.</p> <p>A timetable for introducing a CIL should be included in the Plan.</p>	<p>Evidence of infrastructure is set out in the Infrastructure Delivery Plan and the Draft Integrated Transport Strategy which demonstrates that these issues have been considered throughout plan preparation.</p> <p>In 2013, the traffic modelling was updated and a 2031 forecast was produced. The model was refined in terms of completed developments, the Borough Council's pre-submission strategy and network alterations. The traffic growth methodology used was compliant with Department for Transport Guidance. All transport assessments for strategic development sites in Burton-upon-Trent have used the County Council's traffic model and have taken into account forecast traffic growth for the duration of the Local Plan.</p> <p>Following completion of viability work recently a draft charging schedule for CIL will be prepared and consulted upon in due course.</p> <p>No change proposed.</p>		
Rep LP46 - Mr B Edwards	Yes	No	Policy SP10 Education Infrastructure	<ul style="list-style-type: none"> a. Positively prepared b. Justified c. Effective d. Consistent with national policy 	The whole point of a Local Plan is to plan where various needed infrastructure like schools is located. It is therefore considered unacceptable not to locate the senior school that is acknowledged to be needed in the Burton upon Trent area within the next 4 to 5 years.	The new senior school should be located.	Evidence of infrastructure is set out in The Infrastructure Delivery Plan and the Burton upon Trent School Planning Study which identifies need and provision for primary and secondary facilities. Therefore such evidence demonstrates that these issues have been considered throughout plan preparation.		

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							No change proposed.		
Rep LP47 - Mr B Edwards	Yes	No	Policy SP14 Rural Economy	a. Positively prepared b. Justified c. Effective d. Consistent with national policy	This policy restricts the right of a small business owner with a business in a rural area from selling his business for housing development as a brownfield site when he wants to retire or move on.		Policy SP14 & The Reuse of Farm Buildings SPD implements viability tests in order to safeguard employment in rural areas. It does not prohibit changes of use such as housing, but the viability tests have to be met. No change proposed.		
Rep LP48 – Mr B Edwards	Yes	No	Policy SP31 Green Belt and Strategic Green Gaps	a. Positively prepared c. Effective	The principle promoted by this Policy is fully supported but it is felt that part of SSG1, adjacent to Rolleston on Dove, does not provide sufficient protection against coalescence of Rolleston on Dove with Burton on Trent.	The area of land between Rolleston Road, Knowles Hill, Anslow Lane, Tutbury Road and Rolleston Parish boundary should be afforded the full protection of "Green Belt" determination.	The approach to defining Strategic Green Gaps is set out in the Strategic Green Gaps Topic Paper. No change proposed.		
Rep LP49 – Mr B Edwards	Yes	No	Policy SP32 Outdoor Sports and Open Space Policy	a. Positively prepared c. Effective	This Policy is wholeheartedly supported because with an increasing population more sports facilities will inevitably be required. What is not understood nor supported is the loss of one of the best purpose made sports fields in East StaffordshireI, of course, refer to the sports field belonging to Burton and South Derbyshire College at their former Rolleston campus. This sports field features as a Strategic Allocation for 100 houses in Strategic Policy 4.	The Strategic Allocation attached to this sports field should be removed and the local community should be allowed to locate any planned new housing in Rolleston.	The development strategy identifies sites to meet the objectively assessed needs of the Borough which have also been robustly assessed through the SA and considered sustainable. No change proposed.		
Rep LP50 – Mr B Edwards	Yes	No	Policy SP3 Provision of Homes and Jobs	a. Positively prepared b. Justified c. Effective d. Consistent with national policy	ESBC engaged GVA Grimley to produce a report on the housing requirement in East Staffordshire between 2012-2031. This report concluded that the Net Projected Dwelling Requirement was 11,648. This figure has been derived using 2011 Office of National Statistics (ONS). In 2011 ESBC consulted on their Draft Pre-	The Plan requirement or 5 year supply requirement needs adjusting to take account of the "under supply" and the Plan requirement needs reducing to take	The 2013 SHMA sets out the housing requirement as well as previous housing supply, based on objectively assessed need and employment factors. No change proposed. A 5 year land supply document is provided as part of the evidence base and forms part of the examination library. The objectively assessed need cannot anticipate		

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					<p>Publication Core Strategy which contained figures that meant 78.9% of the increase of population (13,110 out of a total of 16,620) would be as a result of "in-migration." In 2011 ONS figures show that 593,000 people moved to the United Kingdom from abroad. The coalition government have stated their intention to reduce the amount of in-migration to less than 100,000 per year.</p> <p>If the government achieve their target and the population increase in East Staffordshire is reduced by a pro rata amount the population would increase as a result of in-migration by approximately 2,500 over the Plan period, if this figure is added to the 3,510 increase in the natural population (ESBC Draft Pre Publication Core Strategy figure) the total increase in population over the Plan period would be approximately 6,010. this means the number of new dwellings being proposed is far too high.</p> <p>ESBC acknowledge in their 5 year supply calculations that there has been an under supply of new dwellings of 943 since 2006 and when calculating their five year supply requirement the 11,648 GVA Grimley requirement is added to the 943 under supply figure.</p>	<p>account of the reduced "in migration" brought about by government Policies.</p>	<p>or react to government intention as it is unknown what impact Government policy will have. Whilst the intention may be to stem the inflow internationally, other factors may lead to an increase such as other countries joining the EU.</p> <p>No change proposed.</p>		

Pre-Submission Local Plan – Summary Schedule of Representations

Rep No. & Name	Legally Compliant?	Sound?	Section to which rep relates	Reason for Unsoundness	Summary of Representation	Changes requested	Council Response	Section change	Mod No.
LP51 Mr. Edwards	No	No	SP20 Town and Local Centres Hierarchy	a. Positively prepared b. Justified c. Effective, d. Consistent with national policy	This Policy aims to strengthen the Rural Centres and increase the floor space selling comparison goods in the Strategic Villages but what is not clear is where this additional floor space will be provided. Both Barton Under Needwood and Tutbury have had planning permission granted for their strategic allocations and planning applications have been submitted for Rocester and Rolleston on Dove none of which have any provision for a retail outlet.	The part of this Policy relating to Rural Centres would seem undeliverable therefore it should be removed.	New retail provision does not necessarily have to be provided at the same time as housing permissions are implemented. This policy provides for comparison goods retail floorspace (and limited convenience goods floorspace) to be permitted in appropriate locations in rural centres, where there is a deficiency in the appropriate basic level of facilities in the Centre. No change proposed		
LP52 Mr. B. Edwards	No	No	Strategic Objective 4	a. Positively prepared b. Justified c. Effective, d. Consistent with national policy	Strategic Objective SO4 purports to ensure communities have the right to positively shape where development takes place in their community using Neighbourhood Plans. This objective is not supported by other Policies in the Local Plan. The villages of Barton under Needwood, Rocester, Rolleston on Dove and Tutbury all have strategic allocations imposed on them taking up all of their development allowances apart from "windfalls" and by their very nature "windfalls" cannot be planned for. It is therefore not clear how any of the communities in these villages can influence the shape of any development in them especially when ESBC intend capping development in villages at the allowance indicated in Strategic Policy 4 (see page 82 of Plan).	This Objective is meaningless given other Policies and intentions stated elsewhere in the Local Plan document added to the premature granting of planning permission for sites in the Tier 1 villages.	Neighbourhood Plans can address a very wide range of issues, including the location of housing on non-site specific allocations. NPPF para 184, however, is clear that NPs should not promote less development than set out in the Local Plan or undermine its strategic policies. No change proposed		
LP53 Residents of Fennel Close (Mrs Hilary Meldrum)	Yes	No	SP7 Sustainable Urban Extensions	a. Positively prepared b. Justified c. Effective, d. Consistent with national policy	I make the comments on behalf of my near neighbours in Fennel Close, Uttoxeter. 9 in total. a. Positively prepared. The preferred option 2, Extension to the Uttoxeter South boundary Hazelwall Farm was rejected in the 2012 Preferred Options as Option 1 Uttoxeter West was the preferred option, providing 700 homes, school and employment opportunities and was nearer to the town. Option 2 has now been put back into the Pre-submission Local Plan without any further consultation. The proposed greenfield development of Hazelwall Farm site which is agricultural land which has been farmed for generations is in our	The extension to the Uttoxeter South settlement boundary should be removed from the Pre-submission Local Plan and all references to the Hazelwall Farm site should be removed from the text.	Hazelwalls Farm was allocated at Pre-Submission stage in response to the need to find additional sites to meet the updated housing requirement of 11648 homes within the Plan period. The Pre-Submission stage constitutes the consultation on this allocation, with an opportunity to object. Those mentioned by the objector as suitable site will not be sufficient by themselves to meet the housing requirement identified for		

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					<p>opinion not a suitable site for more houses. The traffic flow implications can only be imagined, especially if the proposed access routes are allowed into Fennel Close, Sorrel Close and Westlands Road. These roads are narrow, the houses are close to the road and all converge on the Stafford Road roundabout.</p> <p>b. Justified. We believe that Option 1 Uttoxeter West adequately meets the needs for housing, schools and employment opportunities for a town of this size for the near future. The Uttoxeter South extension to the settlement boundary in order to build 365 extra houses on greenfield land should not be needed at this present time, especially as the nearer to town brownfield JCB site has outline Planning Permission for 257 houses and the old Highways Depot has room for another 35, and we understand that there are other brownfield sites which will be available in the future.</p> <p>c. Effective. Option 2 Uttoxeter South does not have the necessary infrastructure to support this proposed development i.e., no schools and too far from town schools which are already overcrowded, inadequate roads to cope with increased traffic flow. It is out of the town and would no doubt become yet another 'commuter village' with cars clogging up the roads out of town and the residents providing little input into our community. The Uttoxeter West development alone will have considerable impact on services, medical, schools, police, leisure and traffic flow etc. This Plan should be for the benefit of the Town and Local Residents and not just to meet the wishes of a developer (Mosaic Estates) who would prefer to build on Greenfield land.</p> <p>d. National Policy. The Government is always telling us we must look after our green space so we should avoid building on Greenfield sites at all costs.</p>		<p>the Borough.</p> <p>The Infrastructure needs arising from these allocations and other developments in Uttoxeter have been identified in evidence base documents and the Infrastructure Delivery Plan. The Council is already working with the partners who will be responsible for implementing infrastructure projects to ensure they are in place in time.</p> <p>The Council wishes to maximise brownfield land development, (there are 2 major allocations in Uttoxeter) but must demonstrate that these sites are deliverable. There is not a sufficient quantity of deliverable brownfield land to yield the number of homes and facilities required, hence the need to allocate Greenfield sites.</p> <p>No change proposed</p>		
LP54 Mr. G. Whitehead	Yes	No	Paras 2.23, 2.28, 3rd para on pg 79, Policy	b. Justified d. Consistent with national policy	<p>The content of the plan is not justified because it does not reflect the most appropriate strategy, in that it has not taken into account the particular nature of Marchington Parish, it has failed to take into account the potential for limited scale development to be sustainably located in other locations, for example:</p> <ul style="list-style-type: none"> Marchington Woodlands 	<p>The amendments to the settlement boundary, as shown in Inset Map 10 should be removed.</p> <p>The wording of Strategic Policy 2 paras 1-3 should be</p>	<p>The scope for sustainable development outside settlements is far more limited, and the circumstances where this might be the permitted are set out in Policies SP8, DP3 and DP4. Policy SP14 specifically supports</p>		

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			SP2 A Strong Network of Settlements & Inset Plan 10 Marchington		<ul style="list-style-type: none"> Birch Cross Adjoining the industrial estate and/or the prison Through the conversion of underutilised agricultural buildings <p>I believe that the wording of paragraph “for Tier 2 settlements..” does not reflect the concern that Marchington Parish Council and local residents that the proposed amendments to the settlement boundary are not based on a full assessment of alternative approaches and do not reflect the character of the area and will have an adverse impact on the local environment.</p>	<p>amended to enable alternative sites or approaches to be identified through Neighbourhood Planning. The 3rd para should read:”Where a Neighbourhood Plan has been made, or is to be prepared, then the NP takes precedence over this Policy”</p> <p>This would bring the policy wording and context into accordance with para2.23.</p>	<p>the re-use of redundant agricultural buildings, and cross-refers to the more detailed Supplementary Planning Document the Council has adopted on this subject.</p> <p>The amendment to Policy SP2 would not be consistent with government guidance that an NP has material weight only when it has been through examination and it can only override a Local Plan when it has been “made”. However, if, in the future the parish council produced an NP and the community was in agreement that certain sites outside the development boundary should be allocated, and this was in general conformity with the Local Plan’s strategic policies, then, once the NP was ‘made’, the NP’s policies would take precedence.</p> <p>No change proposed</p>		
LP55 Mr. G. Whitehead	Yes	No	Paras 2.23, 2.28, 3rd para on pg 79, Policy SP2 A Strong Network of Settlements & Inset Plan 10 Marchington	b. Justified d. Consistent with national policy	Proposed amendment to settlement boundary at Yew Tree Farm is not consistent with national policy – does not take into account need to preserve and enhance the Conservation Area as set out in the Planning(Listed buildings and Conservation Areas)Act 1990 and NPPF paras 126-141. Amended boundary potentially conflicts with SP25.	<p>Remove amendment to settlement boundary affecting Yew Tree Farm, Inset Map 10.</p> <p>Amend wording of SP2 paras 1-3 to enable alternative sites or approaches to be identified through Neighbourhood Planning. The 3rd para should read:”Where a Neighbourhood Plan has been made, or is to be prepared, then the NP takes precedence over this Policy” This would bring the policy wording and context into accordance with para2.23.</p> <p>Amendment will enable Parish</p>	<p>The amendment to Policy SP2 would not be consistent with government guidance that an NP has material weight only when it has been through examination and it can only override a Local Plan when it has been “made”. However, if, in the future the parish council produced an NP and the community was in agreement that certain sites outside the development boundary should be allocated, and this was in general conformity with the Local Plan’s strategic policies, then, once the NP was ‘made’, the NP’s policies would take precedence.</p>		

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						Council working with the local community, ESBC and English Heritage to determine what, if any, development should occur at Yew Tree Farm to take account of the need to preserve and enhance conservation area and listed buildings.	Any proposal for development at Yew Tree farm would need to meet the provisions of SP25, and NPPF paras 126-141. No change proposed		
LP56 Ms. M. Bettson	Yes	No	Policies Map – Inset Map 3, Uttoxeter	b. Justified c. Effective	Unsound because (with special reference to Mount Pleasant, Stone Road) 1. The increase in traffic in this area which serves five schools is undesirable and dangerous. 2. It is not consistent with the Council's own policy of maintaining green spaces to enhance the health and welfare of the community. 3. Destroying the landscape is unacceptable when there are Brownfield sites undeveloped - it is unjustified. 4. The land is partly - public ownership - a priority - this area. It should be maintained for Educational, leisure or recreational use. 5. Housing would have a negative impact on the natural environment.	Please delete the Mount Pleasant/Stone Road land from housing development plans. ([Site]121 SHLAA Report). Ensure that this land is kept for educational, leisure or recreational use. Once it is gone it is gone forever.	The Infrastructure needs arising from these allocations and other developments in Uttoxeter have been identified in evidence base documents and the Infrastructure Delivery Plan. The Council is already working with the partners who will be responsible for implementing infrastructure projects to ensure they are in place in time. The Council wishes to maximise brownfield land development, (there are 2 major allocations in Uttoxeter) but must demonstrate that these sites are deliverable. There is not a sufficient quantity of deliverable brownfield land to yield the number of homes and facilities required, hence the need to allocate Greenfield sites. A proposed modification is to remove the Stone Road allocation. Change proposed	SP4 and Uttoxeter Proposals Map	Mod No. 37 and 152
LP57 Ms M. Turner	Yes	No	Policies Map – Inset Map 3, Uttoxeter	b. Justified c. Effective	Unsound because (with special reference to Mount Pleasant, Stone Road) 1. The increase in traffic in this area which serves five schools is undesirable and dangerous. 2. It is not consistent with the Council's own policy of	Please delete the Mount Pleasant/Stone Road land from housing development plans. ([Site]121 SHLAA Report).	The Infrastructure needs arising from these allocations and other developments in Uttoxeter have been identified in evidence base documents and the Infrastructure		

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			er		<p>maintaining green spaces to enhance the health and welfare of the community.</p> <p>3. Destroying the landscape is unacceptable when there are Brownfield sites undeveloped - it is unjustified.</p> <p>4. The land is partly - public ownership - a priority - this area. It should be maintained for Educational, leisure or recreational use.</p> <p>5. Housing would have a negative impact on the natural environment.</p>	Ensure that this land is kept for educational, leisure or recreational use. Once it is gone it is gone forever.	<p>Delivery Plan. The Council is already working with the partners who will be responsible for implementing infrastructure projects to ensure they are in place in time.</p> <p>The Council wishes to maximise brownfield land development, (there are 2 major allocations in Uttoxeter) but must demonstrate that these sites are deliverable. There is not a sufficient quantity of deliverable brownfield land to yield the number of homes and facilities required, hence the need to allocate Greenfield sites.</p> <p>A proposed modification is to remove the Stone Road allocation.</p> <p>Change proposed</p>	SP4 and Uttoxeter Proposals Map	Mod No. 37 and 152
LP58 Ms J. Dunnicliff	Yes	No	Policies Map, Inset Map 3 - Uttoxeter	<p>b. Justified</p> <p>c. Effective</p>	<p>It is unsound because it is unjustified to destroy open green fields and beautiful landscape.</p> <p>It would be ineffective because the increase in traffic would be hazardous especially in this area where children from 5 schools use the very narrow footpath.</p> <p>Not consistent with the council's own policy of keeping green spaces to enhance health and welfare of the wildlife habitat.</p> <p>Mount Pleasant is presently in public ownership, it should be used for education, recreation and leisure purposes. The valley is an important corridor for wildlife which can be enjoyed by everyone</p>	Delete Stone Road, Mount Pleasant site from any development plans. Ensure this land is kept for education and leisure uses.	<p>The Infrastructure needs arising from these allocations and other developments in Uttoxeter have been identified in evidence base documents and the Infrastructure Delivery Plan. The Council is already working with the partners who will be responsible for implementing infrastructure projects to ensure they are in place in time.</p> <p>The Council wishes to maximise brownfield land development, (there are 2 major allocations in Uttoxeter) but must demonstrate that these sites are deliverable. There is not a sufficient quantity of deliverable brownfield land to</p>		

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							<p>yield the number of homes and facilities required, hence the need to allocate Greenfield sites.</p> <p>A proposed modification is to remove the Stone Road allocation.</p> <p>Change proposed</p>	SP4 and Uttoxeter Proposals Map	Mod No. 37 and 152
LP59 Rev. Alexander Nicoll	Yes	No	Policies Map, Inset map 3 - Uttoxeter	<p>b. Justified c. Effective</p>	<p>The proposal to build on the Mount Pleasant land is unsound: it would entail destroying environmentally important greenfield land when viable alternative brownfield sites are available.</p> <p>The increase in traffic would be both horrendous and dangerous: the pavements are used by pupils attending five local primary/middle schools as well as a number from Alleyne's High.</p> <p>The Picknall Valley epitomizes the town's identity, farming roots and sense of cohesion. Retaining green spaces is both consistent with Council policy and essential for the maintenance of the community's health and well being now and for generations to come.</p> <p>It was always the intention that Mount Pleasant be retained for agricultural, educational or leisure usage and it is ideally placed to provide the much needed addition sports facilities which the town currently lacks.</p>	To remove the proposal to build a hundred houses on Mount Pleasant from the Local Plan and re-site them on brownfield or other more suitable land in the area.	<p>The Infrastructure needs arising from these allocations and other developments in Uttoxeter have been identified in evidence base documents and the Infrastructure Delivery Plan. The Council is already working with the partners who will be responsible for implementing infrastructure projects to ensure they are in place in time.</p> <p>The Council wishes to maximise brownfield land development, (there are 2 major allocations in Uttoxeter) but must demonstrate that these sites are deliverable. There is not a sufficient quantity of deliverable brownfield land to yield the number of homes and facilities required, hence the need to allocate Greenfield sites</p> <p>A proposed modification is to remove the Stone Road allocation.</p> <p>Change proposed</p>	SP4 and Uttoxeter Proposals Map	Mod No. 37 and 152
LP60 Mr. M. Harrison - The Coal Authority	Yes	Yes	DP7- Pollution	-	<p>The Council will be aware that there is a limited legacy of past coal mining activity that could pose a risk to land stability on the eastern boundary of the plan area. The Coal Authority therefore supports DETAILED POLICY 7 which requires development proposals in these areas (i.e. the western part of Burton upon Trent) to afford due consideration to ground conditions.</p>	None	<p>Support noted.</p> <p>No change proposed.</p>		

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LP61 Mr. R. Statham - JH Statham & Son	Yes	No	SP31 Green Belt and Strategic Green Gaps and Policies Map	b. Justified	A portion of the land attached to Elms Farm, Bramshall has been included within the proposed designated Green Gap area to the west of Uttoxeter. As this land does not border the current urban boundary of Uttoxeter or the edge of the village of Bramshall, it seems that the designation of the entire area is excessive. Indeed, it would be unlikely that any large scale development which the designation seeks to restrict would be considered on these areas due to the distance from both settlements and accordingly it is felt that this area of the designation is unjustified.	In the Strategic Green Gaps Topic Paper from September 2013, Bramshall is detailed as not having a development boundary and that the Local Spatial Strategy identifies growth to the west of Uttoxeter, just under 1km away. Wouldn't a development boundary around the village as it is currently achieve the same results? Further to this, whilst it has been noted that (and in line with the statutory designation of Green Belt) development for agricultural and forestry purposes is exempt. The Elms Farm is a working agricultural unit which would require the exemption for development for agricultural purposes to be retained indefinitely, not just until the expiry of the 2031 Plan.	Policy SP31 sets out the policy position on development within the Strategic Green Gaps. Reasoned Justification paragraph before the Policy makes it clear that not all development is precluded within Strategic Green Gaps, and buildings within the extent of the existing farm development would not necessarily have a negative effect on the openness of the landscape. The Policy does not override the Town & Country Planning (General Permitted Development) Order 1995 (as amended) insofar as it refers to certain types of agricultural development as being permitted development. No change proposed		
LP62 Ms A Marrison	Yes	No	Paras 2.23, 2.28, 3rd para on pg 79, Policy SP2 A Strong Network of Settlements & Inset Plan 10, Marchington	b. Justified	I feel that ESBC has been over prescriptive in pre-determining the location of new development within Marchington and has not taken full account of the adverse impact of the proposed settlement boundary on the character of the Marchington Conservation Area. I would contend that the Plan is not justified as it does not take into account the particular nature of Marchington Parish. It appears to focus exclusively on accommodating new development in the village and does not take into account the potential for limited small scale new development to be sustainably located in areas such as Birch Cross or adjoining the industrial estate and/or prison, or through the conversion of underused agricultural buildings. In addition to the above, should this development go ahead, there will be severe strains on the local sewage and drainage systems, with local residents already experiencing difficulties.	The amendments to the settlement boundary, as shown on the Inst Map no. 10, should be removed and the wording of Strategic Policy 2 (paras 1-3) should be amended to enable alternative sites to be identified through Neighbourhood Planning.	The scope for sustainable development outside settlements is limited, as there are few or no services to serve new homes. The circumstances where development might be permitted are set out in Policies SP8, DP3 and DP4. Any proposal for development would need to meet the provisions of Policy SP25, and NPPF paras 126-141 on the protection of the historic environment. Policy SP2 already states that where there is a 'made' (legally in force) Neighbourhood Plan, then its policies take precedence over the Local Plan.		

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							No change proposed		
LP63 Mr. R. Brown	No	No	SP7Sustainable Urban Extensions	<p>a. Positively prepared</p> <p>b. Justified</p> <p>c. Effective,</p> <p>d. Consistent with national policy</p>	<p>I consider that East Staffordshire Borough Council have tried to make the process of objecting or approving the pre-submission plan as difficult as possible without due consideration of residents. The purpose of East Staffordshire Borough Council is to look after the interests of residents NOT to try to make it nearly impossible for an individual to make representation. I therefore believe that the Pre-Submission Local Plan is not Legally Compliant and should be rejected.</p> <p>I consider that the local plan is unsound The production of the plan has been inconsistent. The Hazelwalls site that was not in the original plan has now been included. The provision of 1000 houses could be covered by the A50 site (Preferred Option 2012) and the JCB brownfield site. Why is the brownfield site not being utilised before the greenfield site of Hazelwalls is even considered? The old JCB site which is scheduled for development will, apparently, remain an undeveloped eyesore whilst the greenfield development at Hazelwalls is promoted as an easy option for developers. This is not in the interests of the residents and tax payers of Uttoxeter. Has the destruction of the wildlife in the proposed Hazelwalls area even been considered? The proposed access roads for the Hazelwalls estate are not good. Access from Westlands Road appears to be through existing allotments which are fully occupied & with a waiting list. Access down Fennel Avenue would continue onto the Hazelwalls estate through what is currently only a footpath. My understanding is that Timber Lane would be a bus-only route, though surely it is not wide enough for this. The proposed 350 houses for the Hazelwalls estate will likely mean an additional 700 cars using the road system around this area, which anyone with local knowledge knows will cause serious congestion issues. Creating an access road out onto the B5013 Uttoxeter to Abbots Bromley road will only create further issues where the B5013 joins the A518 Uttoxeter to Stafford road at the difficult junction around the grass triangle. The current Westlands road bus route (428) is to be cancelled early 2014. This is a temporary contract. The proposed Hazelwalls estate will not be accessible from existing bus routes. The plan shows that several balancing ponds will be needed to take excess runoff water from the</p>	(None given)	<p>Hazelwalls Farm was allocated at Pre-Submission stage in response to the need to find additional sites to meet the updated housing requirement of 11648 homes within the Plan period. The Pre-Submission stage constitutes the consultation on this allocation, with an opportunity to object. Those mentioned by the objector as suitable sites will not be sufficient by themselves to meet the housing requirement identified for the Borough.</p> <p>The allocation for Hazelwalls is for 350 dwellings and has been appraised through the Sustainability Appraisal. The appraisal concludes several negative effects in terms of loss of greenfield land and countryside with positive effects in terms of relationship to the town and delivery of housing and uncertain impacts in terms of impact on road network and accessibility. The Sustainability Appraisal where possible took information from the Statement of Community Involvement October 2011.</p> <p>The Infrastructure needs arising from these allocations and other developments in Uttoxeter have been identified in evidence base documents and the Infrastructure Delivery Plan. The Council is already working with the partners who will be responsible for implementing infrastructure</p>		

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					increased hard standing that the new estate will create. This is far from ideal and surely a workaround not a serious solution to the problem of water removal. There is already pressure on existing schools, not only Primary but also Middle and High school. Furthermore the proposed 350 house estate at Hazelwalls will be remote from the existing amenities in Uttoxeter and across the busy A518, made busier by the addition of the proposed estate. Where are the jobs for the proposed increase in population of Uttoxeter? As there is no increase in local employment, the traffic in and around this part of Staffordshire will be increased due to increased commuting to towns with employment. If housing is needed, why not build it closer to the employment areas?		<p>projects to ensure they are in place in time.</p> <p>The Council wishes to maximise brownfield land development, (there are 2 major allocations in Uttoxeter) but must demonstrate that these sites are deliverable. There is not a sufficient quantity of deliverable brownfield land to yield the number of homes and facilities required, hence the need to allocate Greenfield sites. Employment sites are allocated in the Local Plan, with the prospect of local employment growth currently very high.</p> <p>No change proposed</p>		
LP64 Ms J. Langston	Yes	No		<p>b. Justified c. Effective</p>	<p>I am writing regarding proposed Uttoxeter developments - that is where I live and it is the area I know. I don't feel in a position to judge whether or not the plan is legal, but it is certainly unfortunate. It will destroy rolling farmland, and add a huge number of houses to a small town without any of the necessities that all these extra people will need - schools and jobs for example</p> <p>B. JUSTIFIED I struggle to see how the proposals are justified. This is a plan to build hundreds of houses on rolling farmland surrounding the town while there are ugly brownfield sites standing unused. This plan was rejected once - why is it being resurrected?</p> <p>C. EFFECTIVE I don't understand how the plan is effective. We are in danger of making Uttoxeter a dormitory town for people who commute to other towns to work. I don't see where in the plan the matter of sufficient employment opportunity has been addressed for all of these extra people, nor where their children will go to school. This will mean a lot of extra cars to a small town which is already becoming very congested. It is inevitable that all of these houses will bring many more cars, and yet one of the</p>	<p>This plan was rejected once because it wasn't suitable and seems to have been reintroduced by stealth.</p> <p>As a percentage increase to the number of dwellings Uttoxeter already has, this is huge. Are you sure all of these people are likely to descend on Uttoxeter in the next few years? Even if projections are correct, we should be concentrating on building on brownfield sites first of all, and only after this has been done should the question of building on our local countryside be considered.</p> <p>And if, and only if, that is proved to be necessary. Local people should be consulted first.</p>	<p>Hazelwalls Farm was allocated at Pre-Submission stage in response to the need to find additional sites to meet the updated housing requirement of 11648 homes within the Plan period. The Pre-Submission stage constitutes the consultation on this allocation, with an opportunity to object.</p> <p>The Infrastructure needs arising from these allocations and other developments in Uttoxeter have been identified in evidence base documents and the Infrastructure Delivery Plan. The Council is already working with the partners who will be responsible for implementing infrastructure projects to ensure they are in place in time.</p> <p>The Council wishes to maximise brownfield land development,</p>		

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					roads to access to the new Hazelwalls development is through existing small roads already crowded with parked cars impeding progress. The new planned roundabout on the Abbots Bromley Road will make a handy short cut to those wishing to avoid the A road and cut a corner and that will add nuisance and danger to the residents already living in the area.		(there are 2 major allocations in Uttoxeter) but must demonstrate that these sites are deliverable. There is not a sufficient quantity of deliverable brownfield land to yield the number of homes and facilities required, hence the need to allocate Greenfield sites. Employment sites are allocated in the Local Plan, with the prospect of local employment growth currently very high. No change proposed		
LP65 Ms. A Brazendale	Yes	No	SP4 Distribution of Housing Growth	a. Positively prepared b. Justified c. Effective, d. Consistent with national policy	Traffic - Traffic levels on the Hazelwalls site would be hugely increased on roads that are too narrow to cope. Access to the new areas of the development will be via existing roads on the estate plus one new entrance off the Abbots Bromley Road. Sorrel Close is a narrow cul de sac with a sharp corner part way along that is already hard to see around particularly with parked cars on the roadside. Many cars are parked along the curb which makes an already narrow cul de sac road hard to navigate. Construction traffic to gain access to the site through Sorrel Close would be unbearable and dangerous not to mention the huge increase in traffic once the houses were built. Fennel Close/Timber Lane again very narrow roads and proposing a bus route along here seems unbelievable. Westlands Road is already congested with many houses not having driveways/garages and there is always a struggle to get along here and to find a place to park. All of the above roads all lead down to the Stafford Road roundabout. On the basis of most households having two cars this would be very dangerous and cause gridlock especially at rush hour, school opening and closing times, when the level crossing barriers come down. Access off the Abbots Bromley road/Cullimore Lane area for the other part of the Hazelwalls site still would cause problems. That road has historically many accidents /fatalities and the turning onto the Stafford Road has	Reject Hazelwalls development. Former JCB site - This has now been empty for years and an eyesore to the town. Shouldn't the efforts be made to build here on existing land that is crying out for re-development? Bramshall Road/A50 development plans - These developments are closer to the main commuter roads and to town and seem the more appropriate sites in which to develop.	Hazelwalls Farm was allocated at Pre-Submission stage in response to the need to find additional sites to meet the updated housing requirement of 11648 homes within the Plan period. The Pre-Submission stage constitutes the consultation on this allocation, with an opportunity to object. The Infrastructure needs arising from these allocations and other developments in Uttoxeter have been identified in evidence base documents and the Infrastructure Delivery Plan. The Council is already working with the partners who will be responsible for implementing infrastructure projects to ensure they are in place in time. The Council wishes to maximise brownfield land development, (there are 2 major allocations in Uttoxeter, including the JCB site) but must demonstrate that these sites are deliverable. There is not a sufficient quantity of deliverable		

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					<p>visibility issues and long queues of traffic forming there already. An increase in traffic here would also be dangerous. Many "new residents" I'm sure would use Westlands Road, Timber Lane, Sorrel Close etc as a rat run to avoid going through the main entrance. The roads cannot cope.</p> <p>Beautiful Countryside, farm buildings to be destroyed. Residents that live alongside this chose this setting for a reason. Quiet safe cul de sacs/streets for us and our children to live in. Wildlife to be seen and heard. What wildlife is going to be destroyed?? Badgers, foxes, buzzards, bats..... Schools - Primary/secondary/high schools are already brimming. Can the schools cope with anymore?? Flooding - The park already floods easily and the estate is not accessible at these times. An increase in flood water off the development is a huge concern.</p>		<p>brownfield land to yield the number of homes and facilities required, hence the need to allocate Greenfield sites. Employment sites are allocated in the Local Plan, with the prospect of local employment growth currently very high.</p> <p>No change proposed</p>		
LP66 Uttoxeter Rural Parish Council (Mr M. Bagguley)	Yes	No	Paragraphs 2.4, 2.14, 2.24	c. Effective	<p>HIGHWAY INFRASTRUCTURE. The first thing that the Parish Council noted was the lack of a Detailed Policy relating to Highway Infrastructure. You may be well aware that Uttoxeter Rural Parish has commented on the proposals for Uttoxeter West Development. Uttoxeter, although not forming part of the rural parish, suffers from traffic congestion. The result of this is drivers using unsuitable roads on which they can avoid the congestion. This affects Stramshall greatly and causes great distress to the residents, because of the speed of traffic, the volume of traffic and the volume of heavy goods vehicles. Much of this traffic is regular vehicles using the C110 as a short-cut to JCB at Beamhurst. The volume of traffic is hugely increased during the tourist season, when Alton Towers is open. In the case of Bramshall, the result is similar with traffic using the B5027 and Bennetts Lane to access the A518. Not only does the volume of traffic increase, but also the speed of traffic, with the rural aspect of the road providing drivers with the impression of a fast, open road, where it is safe to drive fast. The road also carries an unacceptable amount of HGVs accessing Bramshall Industrial Estate. This estate, originally meant for small starter businesses, has been allowed to grow out of proportion without the accompanying infrastructure. This estate needs direct access to the A518 and that should be the only access. It is therefore very apparent that no thought has been given to resolving the present issues, let alone accommodating all the additional traffic generated by</p>	-	<p>The Council is very aware that proper infrastructure provision (and not just transportation infrastructure) is crucial to determining whether or not a development is deliverable. There will be an access point to the north, with the requirements and traffic loads of the proposed employment site taken into account.</p> <p>The National Infrastructure Plan, announced in December 2013, sets out a programme of funding schemes, including improvements on the A50 at Uttoxeter to be delivered by Staffordshire County Council</p> <p>The Infrastructure needs arising from these allocations and other developments in Uttoxeter have been identified in evidence base documents and the Infrastructure Delivery Plan. The Council is already working with the partners who will be responsible for</p>		

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					<p>proposed industrial and residential industrial development, contrary to The Sustainable Development Strategy 2.4 (p57).</p> <p>STRATEGIC GREEN GAPS It is vitally important to retain the rural nature of the area surrounding Uttoxeter. Sustainable Development Policy 2.14 (p60) refers to this in connection with Bramshall. However, Stramshall, which is not mentioned in Policy 2.14, is much nearer to Uttoxeter and must not be allowed to be swallowed up by the urban sprawl. The proposed Uttoxeter west development extends to the A50 at Beamhurst. No future development must be allowed to reduce the gap between Stramshall and the A522.</p> <p>HOUSING Development Policy 2.24 (p63) refers to Tier 3 small villages as having no site allocations for residential development, but an overall allocation will be achieved under the Housing Exceptions Site Policy. It has been a desire of the council to provide a 'Community Field' for the general use of the residents of Bramshall. It is envisaged that this is achievable by means of the planning process. Strategic Policy 2, Strong Network of settlements refers to the Sustainability Appraisal and the need to accommodate Choice and flexibility of housing stock, meet local needs by providing a range of and mix of housing types and in particular affordability. Whereas this council supports the retention of affordable housing for the use of the local community, the council will strongly resist any such proposals which involve the use of such housing for non-local persons. Powered by Objective Online 4.2 - page 2 EMPLOYMENT Development Policy 2.4 (p67) refers to land west of Uttoxeter. The council is aware of the proposals for an industrial site adjacent to The Parks off the A522. However, the proposals for access to and egress from the site are flawed. Improved connectivity with the A50 must form part of any planning permission for this site. Such improvements would then enable the completion of a Uttoxeter Circular Bypass to re-join the A518. Mention has already been made about connectivity of Bramshall Industrial Estate. At present it is considered that the industrial estate conflicts with the aims set out in Development Policy 2.42 and 2.43 (p67). No further development must be allowed on this site without investment in a new access to the A518, the closure of the</p>		<p>implementing infrastructure projects to ensure they are in place in time.</p> <p>Further Strategic Green Gaps could be designated through a Neighbourhood Plan, prepared by the Parish Council, as could the provision of a community field. The Plan would need to show how this was to be funded, which could be via the local community top slice from CIL, when this is introduced.</p> <p>Affordable housing within small communities would only be permitted in response to a demonstrable need, and for Tier 3 settlements (with no development boundaries) would have to meet the criteria for Exception Sites (Policy SP18) unless a Neighbourhood Plan specifically allocates the site for affordable housing (see Policy SP17).</p> <p>No change proposed</p>		

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					existing access to the B5027, and proper internal infrastructure provided for roads and drainage.				
LP67- Mr. G. Taylor	No	No	Policy SP2 A Strong Network of Settlements, Paragraphs 2.23, 2.28 and Marchington Inset Map 10	b. Justified c. Effective	<p>I am aware of the need to find sites to house an ever expanding population this should be done with due regard to the needs of the existing population and the heritage of the area.</p> <p>I am disappointed with ESBC's proposals with regard to the area incorrectly identified as Yew Tree Farm, the land is in fact owned by Mr Bagshaw and Mr Lloyd and in my experience referred to as "Bagshaws". Fifty years ago much of the heritage of Marchington was lost to developers and "Bagshaws" represents one of the last important sites in the centre of the village indeed in 2006 Mr Edwards the last conservation officer employed by ESBC wrote: "I would advise that there is considerable interest in retaining as many of the buildings as possible, on the site of the demolished frontage, since these buildings have both a social – economic and a architectural / visual significance which contributes to the character and the appearance of the area. Our Local Plan policies specifically require that the character or appearance of a Conservation Area should be preserved or enhanced. Similarly the listed building and by default the building which is directly attached to it and is on the street frontage are in need of careful repair and with respect of the latter, possible structural works, to stabilise it, no doubt."</p> <p>In 2007 planning consent was granted for the redevelopment of Area 1 on the attached plan, this scheme sought to preserve as much of the historical heritage of the site as practical whilst providing 5 new dwellings, sadly the economic melt down of 2008 put paid to the redevelopment and the consent lapsed in 2010.</p> <p>The current proposals are on a completely different scale and increase the proposed area for redevelopment by 3.5 times and all of this within the conservation area. SCC Highways Department raised serious concerns (which were never resolved) regarding the access and egress from the site onto the High Street when the 2007 plans for five units were presented, enlarging the site area and tripling of the housing density can only serve to exacerbate</p>	<p>I have and will continue to support the redevelopment of the "Bagshaws" site but in a manner which goes some way to preserving the character and heritage of the area. ESBC's proposals will create a large development site which I don't believe will meet any of these criteria and if my experience of ESBC's planning department are anything to go by they pay scant regard to either listed building or conservation area status and you are not to be trusted with our heritage. I urge you to revisit your decision regarding the Bagshaws" site and I oppose the extension to the settlement boundary.</p>	<p>The justification for settlement boundary amendments is set out in the settlement boundary topic paper.</p> <p>The development strategy identifies sites to meet the objectively assessed needs of the Borough which have also been robustly assessed through the SA and considered appropriate.</p> <p>Evidence of infrastructure is set out in the Infrastructure Delivery Plan, Water Cycle Study which demonstrates that these issues have been considered throughout plan preparation.</p> <p>Policy SP27 'Climate Change, Water Body Management and Flooding' provides criteria for the mitigation of flooding through new development which includes sustainable drainage systems that reduces run off such as the use of permeable surfacing.</p> <p>The justification for settlement boundary amendments is set out in the Settlement Boundary Topic Paper. The sites represent a sustainable option to meeting the needs of the rural area.</p> <p>Marchington has an allocation of 20 units over the Plan period, but these do not necessarily have to be located over the two allocated sites alone.</p> <p>No change proposed</p>		

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					this situation, at the narrowest point on the High Street. Any realignment of High Street would almost inevitably mean the loss of the existing streetscape. I acknowledge that the inclusion of this land in the local plan does not mean that planning constraints are in anyway relaxed, but it does send a signal to potential developers that previous conservation considerations may be abandoned and that the wholesale demolition of the existing buildings, including the Grade 2 listed house and its attached outbuilding may be considered paving the way for perhaps 12 or more houses on the site and the loss of yet another element of Marchington's architectural heritage.				
LP68 - St Modwen (West of Uttoxeter)	Yes	No	SP32 Outdoor Sports and Open Space	a. Positively prepared b. Justified c. Effective, d. Consistent with national policy	Objection is raised to the inclusion of the sentence: " <i>Where appropriate, contribution towards recreational provision for non-residential development, in the form of amenity space, which is designed to complement the nature of the development will be sought.</i> " It is respectfully submitted that Strategic Policy 32 relates to outdoor sports and outdoor space with the emphasis throughout on sport and recreation. The sentence identified above appears completely out of context with the remainder of that Policy; it reads as implying that as part of any non-residential development space will be provided to ensure that any new development is provided for within a well landscaped and attractive context. There is no evidence to suggest that non-residential development results in any additional demands for sport and recreational facilities. To demand such a provision would be unjustified and unduly onerous upon that development. The requirement to provide a non-residential development within a landscaped setting which is integrated into the townscape or landscape is a matter that is dealt with appropriately within Detailed Policy 1: Design of New Development.	It is submitted that the sentence highlighted adjacent should be deleted from Strategic Policy 32.	The Policy is a composite one, dealing with outdoor sports facilities and the provision/protection of open space and recreation land. The sentence objected to is clear that, for non-residential development, it is just the provision of amenity space that is required – not sports facilities, and the sentence contains a further qualification in that it would be applied "where appropriate". No change proposed		
LP69- Marchington Parish Council (Ms L. Hoptroff)	Yes	No	Paras 2.23, 2.28 and 3rd on Page 7, Policy - SP 2 A	b. Justified	With reference to the second test of Soundness (b. justified), it is contended that the Plan is not justified because it does not reflect the most appropriate strategy in that it has not taken into account the particular nature of Marchington Parish. In focusing exclusively on accommodating new development in the village of Marchington, it has failed to take into account the potential for limited small scale new development to be sustainably	The amendments to the settlement boundary, as shown on the Inset Map No.10 should be removed. The wording of Strategic Policy 2 -paragraphs 1 to 3 on page 80 - should be amended to	The scope for sustainable development outside settlements is far more limited, and the circumstances where this might be the permitted are set out in Policies SP8, DP3 and DP4. Policy SP14 specifically supports the re-use of redundant		

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			Strong Network of Settlements, Policies Map - Inset 10, Marchington		located in other locations, for example; - Marchington Woodlands. -Birch Cross. - Adjoining the Industrial estate and/or the prison. - Through the conversion of underused agricultural buildings. It can also be argued that, based on past rates of development (windfalls), it is not necessary to allocate sites or make specific provision for new housing. (However, it is noted that this needs to be evidence based and care needs to be taken that such an approach would not lead to over intensification or "garden grabbing" especially in and adjoining the Conservation Area). It is believed that the wording of Paragraph 2.28 - (" For Tier 2 settlements ESBC officers have visited each Parish Council to discuss their existing settlement boundary and the level of growth deemed appropriate over the plan period. Many of the Tier 2 villages have not had their settlement boundaries changed for many years and have over the past 10 years had infill development such that there is little capacity for more development. With this in mind officers have been working with Parishes to identify sustainable locations for growth and have mended settlement boundaries to reflect discussions. Each settlement has been treated separately as there not a "one size fits all' approach. Summaries of each approach can be found in the "Settlement Boundary Review' which supports the Pre-Submission consultation.") does not reflect the concerns expressed by Marchington Parish Council and local residents that the proposed amendments to the settlement boundary are not based on a full assessment of alternative approaches and do not reflect the character of the area and will have an adverse impact on the local environment.	enable alternative sites or approaches to be identified through Neighbourhood Planning. The third paragraph could read; - Where a Neighbourhood Plan has been made, or is to be prepared, then the Neighbourhood Plan takes precedence over this policy. This would bring the policy wording and context into accordance with Paragraph 2.23 (Sustainable Development Strategy) which states that; - The delivery of this development allowance will be community led. Communities can decide how the allowance will be delivered over the plan period and there are two options that can come forward. The first option is to rely on windfall infill development which will be allowed on appropriate and mostly brownfield sites within settlement boundaries as opportunities arise over the plan period. The second option is the allocation of small sites, which has greater potential to deliver affordable housing and other community benefits. Where communities have already chosen an option settlement boundaries have been extended. Where communities have not yet decided, settlement boundaries will be revised, once they have chosen, through the adoption of Neighbourhood Plans.	agricultural buildings, and cross-refers to the more detailed Supplementary Planning Document the Council has adopted on this subject. The amendment to Policy SP2 would not be consistent with government guidance that an NP has material weight only when it has been through examination and it can only override a Local Plan when it has been "made". However, if, in the future the parish council produced an NP and the community was in agreement that certain sites outside the development boundary should be allocated, and this was in general conformity with the Local Plan's strategic policies, then, once the NP was 'made', the NP's policies would take precedence. No change proposed		
LP70 – St. Modwen (West	Yes	No	SP10 Educati	a. Positively	Objection is raised to Strategic Policy 10 since it fails to recognise that within Uttoxeter they operate a three tier	Strategic Policy 10 should therefore be amended but	Since work to identify the exact school place requirement, and		

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of Uttoxeter)			on Infrastructure	prepared b. Justified c. Effective, d. Consistent with national policy	system of school provision; that is first, middle and high schools. Following discussions undertaken with the Education Authority and local schools, it may not be necessary to provide for a new "first" school within the West of Uttoxeter SUE since there may be the alternative of increasing the capacity of existing schools in the near vicinity to the site such as at Tynsel Parkes First School.	introduce some flexibility in relation to the Uttoxeter SUE to read as follows:- It is expected that new first school provision for Uttoxeter will be met through the expansion of existing schools or through the identification of sites within the proposed SUEs at West of Uttoxeter and/or Hazelwalls Farm.	location within Uttoxeter of any need, is ongoing, then more flexible wording as suggested, to cover all possible eventualities would appear to be prudent. Modification to policy SP10 in line with change requested proposed.	SP10	Mod No. 55
LP71 – St Modwen (West of Uttoxeter)	Yes	No	DP11 European Sites	a. Positively prepared b. Justified c. Effective, d. Consistent with national policy	It is recognised that there is a need for development to safeguard the integrity of the Cannock Chase Special Area of Conservation (SAC). To this end, all developments resulting in a net increase in dwellings within 15km of the Cannock Chase SAC are to incorporate suitable mitigation proportionate to the significance of the effect. Objection is however raised to the final sentence of Detailed Policy 11 which suggests that the Council can, at its discretion, require development proposals further than 15km to demonstrate that they will have no adverse effect on the integrity of the SAC. In this respect the Policy is not precise or clearly stated. The Policy does not specify the circumstances upon which development beyond 15km will be required to demonstrate whether or not it affects the integrity the SAC. It is respectfully submitted that a line has to be drawn; the evidence base suggests that development beyond 15km from the SAC is unlikely to adversely affect the integrity of the SAC. In these circumstances, the final two sentences of Detailed Policy 11 should be deleted. By way of illustration, the West of Uttoxeter SUE has been brought forward as a planning application submitted on behalf of St. Modwen (reference P/2013/00882). The application site comprises some 51 hectares. Having regard to the need to meet with Strategic Policy 7, some 17 hectares (approximately one third) of the site area is to comprise open or recreational land. The proposed development provides ample opportunity for future residents to undertake formal and informal recreation within the development. The likelihood of a resident of the proposed West of Uttoxeter SUE needing to visit Cannock Chase on a regular basis for sport and recreation is remote as facilities will exist much closer to home. In other words, large scale developments such as the West of Uttoxeter	In the light of the adjacent comments, it is proposed that Detailed Policy 11, insofar as it relates to the Cannock Chase Special Area of Conservation (SAC) should be amended to read as follows:- "Development will only be permitted where it can be demonstrated that it will not be likely to lead directly or indirectly to [unacceptable] adverse effect[s] upon the integrity of the Cannock Chase Special Area of Conservation (SAC)....." The final two sentences of Detailed Policy 11 are considered, in the light of the above, to be unnecessary, unwarranted and unjustified. They should therefore be deleted.	Modifications are proposed to this Policy as a result of comments from Natural England through a statement of common ground. Change proposed.	DP11	Mod No. 138

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					SUE will make provision for significant amounts of formal and informal sport and recreational space in accordance with the Policies of the emerging Plan.				
LP72 – Marchington Parish Council	Yes	No	Para(s) 2.23, 2.28 & 3rd on Page 79. Policy- SP 2 A Strong Network of Settlements and SP25 Historic Environment. Policies map - Inset 10 Marchington	d. Consistent with national policy	It is contended that the proposed amendment to the settlement boundary at Yew Tree Farm is not consistent with national policy in that it does not take into account the need to preserve and enhance (the) Conservation Area(s), as set out in legislation - the Planning (Listed Buildings & Conservation Areas) Act 1990 and in advice contained in the National Planning Policy Framework (NPPF), paragraphs 126 - 141. The amended settlement boundary is also potentially conflicts with Strategic Policy 25 (Historic environment).	The amendment to the settlement boundary at The Bagshaws (referred to as Yew Tree Farm by ESBC), shown on Inset Map No.10 should be removed. The wording of Strategic Policy 2 – paragraphs 1 to 3 on page 80 - should be amended to enable alternative sites or approaches to be identified through Neighbourhood Planning. The third paragraph could read; - Where a Neighbourhood Plan has been made, or is to be prepared, then the Neighbourhood Plan takes precedence over this policy. This would bring it into line with Para. 2.23 (Sustainable Development Strategy) which states;- The delivery of this development allowance will be community led. Communities can decide how the allowance will be delivered over the plan period and there are two options that can come forward. The first option is to rely on windfall infill development which will be allowed on appropriate and mostly brownfield sites within settlement boundaries as opportunities arise over the plan period. The second option is the allocation of small sites, which has greater potential to deliver affordable housing and other community benefits.	The amendment to Policy SP2 would not be consistent with government guidance that an NP has material weight only when it has been through examination and it can only override a Local Plan when it has been “made”. However, if, in the future the parish council produced an NP and the community was in agreement that certain sites outside the development boundary should be allocated, and this was in general conformity with the Local Plan’s strategic policies, then, once the NP was ‘made’, the NP’s policies would take precedence. Any proposal for development at Yew Tree farm would need to meet the provisions of SP25, and NPPF paras 126-141. No change proposed		

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						Where communities have already chosen an option, settlement boundaries have been extended. Where communities have not yet decided, settlement boundaries will be revised, once they have chosen, through the adoption of Neighbourhood Plans. This amendment will enable the Parish Council, working with the local community, ESBC & English Heritage, to determine what, if any, development should occur at The Bagshaws to take account of the need to preserve and enhance the Conservation Area & Listed Buildings.			
LP73 – St Modwen (West of Uttoxeter)	Yes	No	SP31 Green Belt and Strategic Green Gaps	b. Justified c. Effective, d. Consistent with national policy	These Representations have been prepared on behalf of St. Modwen who have an interest in the proposed West of Uttoxeter Sustainable Urban Extension (SUE). Objection is raised to the provision of all Strategic Green Gaps and in particular that between Bramshall and Uttoxeter as shown on Inset Map 3: Uttoxeter. The purpose of Strategic Green Gaps stated on page 149 of the Pre-Submission Plan is “to prevent the coalescence of settlements” and whilst not all development is precluded within Strategic Green Gaps, only development that does not have a negative effect on the openness of the landscape will normally be permitted.” Having regard to the purposes of Green Belt set out at paragraph 80 of the NPPF and the fundamental aim of Green Belt namely “keeping land permanently open” (paragraph 79) the proposed Strategic Green Gaps are tantamount to Green Belt by another name. In these circumstances, it is necessary to have regard to the guidance provided in the NPPF in relation to the designation of Green Belt. At paragraph 82 of the NPPF it states that the “general extent of Green Belt across the country is already established” In this context “new Green Belt should only be established in exceptional circumstances”. It is acknowledged that such exceptional circumstances could include the planning for larger scale developments such as “new settlements or major urban	Notwithstanding the adjacent objection to the entire principle of Strategic Green Gaps, it is submitted that if they are to be retained then they should follow the principles of defining Green Belt boundaries provided for at paragraph 85 of the NPPF. In other words, any boundaries for the Strategic Green Gaps should be consistent with the Local Plan Strategy for meeting identified development requirements for sustainable development. The boundaries should be set in order to meet longer term development needs stretching well beyond the Plan period and the LPA should satisfy themselves that the boundaries will not need to be altered at the end of the Development Plan period. Furthermore, any boundaries	The Strategic Green Gap between Uttoxeter and Bramshall will be retained but the boundaries are proposed to be modified in accordance with planning application boundaries. Future growth in Uttoxeter will need to be assessed in a sustainable manner when it can be demonstrated that need has arisen. The Strategic Green Gap will be reviewed alongside other considerations such as all SHLAA sites to arrive at the most appropriate strategy. Change proposed.	Strategic Green Gap allocation at Uttoxeter	Mod No. 152

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					<p>extensions.” This is not stated to be the reason for pursuing Strategic Green Gaps in the Pre-Submission Local Plan. It is submitted that the provision of Strategic Green Gaps should follow the general principles of Green Belt provided at Section 9 of the NPPF. In these circumstances, it is submitted, having regard to paragraph 82 of the NPPF, that the Planning Authority has not demonstrated why normal planning and development management Policies would not be adequate to prevent the coalescence of settlements and maintain the openness of the landscape. The Planning Authority has not demonstrated what the consequences of the proposed Strategic Green Gaps would be for sustainable development or how proposed Strategic Green Gaps would meet other objectives of the Framework. It is submitted that there is little evidence presented in the Strategic Green Gap Topic Paper to justify the proposed Strategic Green Gaps and the significant constraints they place on delivering sustainable development.</p>	<p>should be clearly defined using physical features that are readily recognisable and likely to be permanent. Objection is therefore raised to the boundary to the Strategic Green Gap as shown on Inset Map 3: Uttoxeter on the basis that it has been too tightly drawn. St. Modwen have demonstrated in the submission of their planning application for the West of Uttoxeter SUE that in order to meet the requirements for 700 dwellings, 10 hectares of employment, together with an appropriate level of retail, leisure, social, cultural, community and health facilities and provide a well designed edge to the development and sensitive transition to adjoining areas in the wider countryside, it is necessary for the boundary of the SUE to be more widely drawn. This has been borne out by the Master Planning exercise that has been undertaken by St. Modwen in conjunction with the Planning Authority. As has already been stated in the objections made by St. Modwen in respect of Strategic Policy 7, it follows that in identifying a Sustainable Urban Extension for Uttoxeter, and to ensure that the effects of outward commuting from Uttoxeter are minimised, the SUE should be sufficiently large to take account of the need to provide for the future expansion of Uttoxeter beyond</p>			

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						the Plan Period. It is for this reason that St. Modwen are proposing that the boundary of the SUE should be enlarged as shown on drawing 3781.88 (submitted under separate cover). It therefore follows that in order to allow for the appropriate development of the Uttoxeter SUE and in order to meet longer term development needs stretching well beyond the Plan Period, the Strategic Green Gap between Bramshall and Uttoxeter should be deleted. It is submitted that normal Planning Policies would be more than sufficient to prevent the coalescence of Uttoxeter with Bramshall and maintain the openness of the countryside between the two settlements. There is no strategic justification for Green Gaps in general and in particular the Strategic Green Gap between Bramshall and Uttoxeter.			
LP74 – St Modwen (West of Uttoxeter)	Yes	No	SP7 Sustainable Urban Extensions	b. Justified c. Effective, d. Consistent with national policy	<p>These Representations have been prepared on behalf of St. Modwen who have an interest in the proposed West of Uttoxeter Sustainable Urban Extension (SUE).</p> <p>St. Modwen has demonstrated through their Master Planning, undertaken as part of the planning application submitted to East Staffordshire Borough Council (a Master Plan that was prepared in cooperation with the Planning Authority), that the vast majority of houses within the proposed SUE lie within 300 metres of a bus route or a proposed bus route. However, the SUE is required under provisions of Strategic Policy 7 to incorporate “Well designed, secure cycle ways and walking routes serving the local facilities, separate from roads for motor vehicles where appropriate.” St. Modwen, in the Master Plan that accompanied planning application P/2013/00882, has demonstrated that such cycle ways and walking routes can</p>	Objection is raised to the eighth bullet point of Strategic Policy 7. It is recommended that this bullet point should be amended to read “Housing located, wherever practical and viable, within a walking distance of 300 metres of a frequent and accessible bus service”. The eighth bullet point of Strategic Policy 7 should therefore be amended to provide some measure of flexibility within the Policy that recognises that it may not be necessary for all of the houses in the proposed development	<p>The “where viable” at the end of the eighth bullet point is considered to give sufficient flexibility.</p> <p>With regard to the eleventh bullet point, Policy DL2 covers all the designing out energy demand features listed by the objector, and the Policy applies to all development. There is no need to repeat it here. To be regarded as a Sustainable Urban Extension, a development should demonstrate that the very best technology and design has been incorporated: not to do soon such a large</p>		

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					be provided to provide access to the surrounding residential development providing connectivity to the remainder of the town. However, within the Master Plan that has been produced, there will be some houses that would be more than 300 metres from an existing or proposed bus route but would be within easy walking distance of local facilities and services by means of the proposed cycle ways and walking routes. Objection is also raised to the eleventh bullet point of Strategic Policy 7 on the basis that the requirement to incorporate renewable or low carbon energy supply "on a district wide or decentralised basis" is too prescriptive. This particular bullet point may require the development to proceed on the basis of an approach that may not be the most sustainable. It is recommended that this bullet point should be amended to reflect the approach incorporated in Detailed Policy 2.	to be within 300 metres of a bus route since they may enjoy better and sustainable access to local services and facilities by means of the proposed cycle ways and walking routes. The eleventh bullet point should be amended to read as follows:- "Designing out energy demand by incorporating energy efficient measures; incorporating, where viable, the best environmental practice and construction techniques in line with the Government's Zero Carbon Buildings Policy whilst using appropriate materials, form, orientation and layout of buildings to maximise the benefits of passive solar heating, pooling, lighting and natural ventilation."	development would represent a missed opportunity. The requirement to incorporate low carbon or renewable energy supply on a district-wide or decentralised (i.e. local) basis is not considered onerous. The bullet point contains flexibility, in that viability and amenity are considered, but at least there should be a serious attempt to investigate its suitability. No change proposed		
LP 75 – St Modwen (West of Uttoxeter)	Yes	No	Inset Map 3 - Uttoxeter	b. Justified c. Effective, d. Consistent with national policy	These Representations have been prepared on behalf of St. Modwen who have an interest in the proposed West of Uttoxeter Sustainable Urban Extension (SUE). St. Modwen, whilst fully supporting the identification of a SUE to the West of Uttoxeter centred on Parks Farm, consider that the extent of the SUE to the West of Uttoxeter as shown on Inset Map 3 has been too tightly drawn and its boundary should be extended to provide sufficient land to accommodate the identified 700 dwellings, 10 hectares of employment land, an appropriate level of retail, leisure, social, cultural, community and health facilities, any justified education provision, together with the creation of a well designed edge to the development providing a sensitive transition to adjoining areas in the wider countryside and to allow for some future expansion. The extent of land identified for the SUE is too small. St. Modwen have made a planning application to East Staffordshire Borough Council to deliver the West of Uttoxeter Sustainable Urban Extension. That application is	It is for The adjacent reasons that St. Modwen are proposing that the boundary of the SUE should be enlarged as shown on drawing 3781.88. In order to allow for the appropriate development of the Uttoxeter SUE and in order to meet longer term development needs stretching well beyond the Plan Period, the boundary of the Strategic Green Gap between Bramshall and Uttoxeter should be deleted. If Strategic Green Gaps are to be maintained, then excluding all the land shown on drawing 3781.88 would ensure that the boundaries would endure and	The Strategic Green Gap between Uttoxeter and Bramshall will be retained but the boundaries are proposed to be modified in accordance with planning application boundaries. Change proposed	Strategic Green Gap allocation at Uttoxeter	Mod No. 152

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					<p>accompanied by a Master Plan that has been prepared in conjunction with the Planning Authority. The Master Planning exercise has demonstrated that in order to accommodate the scale of development proposed, the allocated site is simply too small. As a minimum, the boundary of the SUE as shown on Inset Map 3 should be increased such that the boundaries coincide with the boundary to the application site for the planning application (reference P/2013/00882). The site for the SUE should be sufficiently large to provide sufficient land to accommodate the proposals at appropriate densities consistent with that of the adjoining development. There should also be flexibility within the layout of the site so to ensure that the highest quality of development is achieved. The Strategy (paragraph 2.19) anticipates that a significant amount of development should be directed to sites in and around Uttoxeter. The Plan states that the Council is aware (paragraph 2.19) that to be successful "Uttoxeter's economic base needs to be bolstered and sites regenerated to attract investment." Additional housing within Uttoxeter is seen to "provide a sustainable location where new employees can live without the need to commute from other towns." If Uttoxeter is to meet the strategic objective of being a balanced and sustainable community, then it follows that the Plan, in identifying SUEs, should be of sufficient size to take account of the need to provide for the future expansion of Uttoxeter beyond the Plan Period. In these circumstances, it is recommended that the extent of the Strategic Urban Extension identified on Inset Map 3 should be amended and extended as shown on drawing 3781.88 (submitted under separate cover). Objection is raised to the boundary proposed for the West of Uttoxeter SUE and the boundary proposed for the Strategic Green Gap between Bramshall and Uttoxeter as shown on Inset Map 3: Uttoxeter. The basis of St. Modwen's objection to the principle of Strategic Green Gaps is set out in their objection to Strategic Policy 31. The objection that St. Modwen's have submitted corresponding to the West of Uttoxeter SUE are set out in relation to Strategic Policy 7. It is submitted that the Strategic Green Gap between Uttoxeter and Bramshall should be deleted. However, if a Strategic Green Gap between Uttoxeter and Bramshall was to be retained, then the definition of its boundary should follow the principles of defining Green Belt boundaries provided for at paragraph</p>	<p>would not need to be altered at the end of the Development Plan period.</p>			

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					<p>85 of the NPPF. In other words, any boundaries for the Strategic Green Gap should be consistent with the Local Plan Strategy for meeting identified development requirements for sustainable development. The boundaries should be set in order to meet longer term development needs stretching well beyond the Plan period and the LPA should satisfy themselves that the boundaries will not need to be altered at the end of the Development Plan period. Furthermore, any boundaries should be clearly defined using physical features that are readily recognisable and likely to be permanent. Objection is therefore raised to the boundary to the Strategic Green Gap shown on Inset Map 3: Uttoxeter on the basis that it has been too tightly drawn. St. Modwen have demonstrated in the submission of their planning application for the West of Uttoxeter SUE that in order to meet the requirements for 700 dwellings, 10 hectares of employment, together with an appropriate level of retail, leisure, social, cultural, community and health facilities and provide a well designed edge to the development and a sanctity of transition to adjoining areas in the wider countryside, it is necessary for the boundary of the SUE to be more widely drawn. This has been borne out by the Master Planning exercise that has been undertaken by St. Modwen in conjunction with the Planning Authority.</p> <p>As has already been stated in the objections made by St. Modwen in respect of Strategic Policy 7, it follows that in identifying a Sustainable Urban Extension for Uttoxeter, and to ensure that the effects of outward commuting from Uttoxeter are minimised, the SUE should be sufficiently large to take account of the need to provide for the future expansion of Uttoxeter beyond the Plan Period</p>				
LP76 – Mrs H. Faulkner	Yes	No	SP4 Distribution of Housing Growth, SP7 Sustainable Urban Extensions, SP10 Education	<p>a. Positively prepared b. Justified c. Effective, d. Consistent with national policy</p>	<p>1. The policy is said to have been made in accordance with the Sustainable Development Strategy, and to meet requirements of government directives to build housing. However, it was my understanding that through the preferred option 2012, the housing need would be amply met by other proposed sites for development adjacent to the A50 and the old JCB brownfields site. It is not clear why this has changed and what evidence has been brought forward to change this view. This leads one to suspect that it is through lobbying by land owners and developers rather than evidenced need. Of course it is much</p>	-	Hazelwalls Farm was allocated at Pre-Submission stage in response to the need to find additional sites to meet the updated housing requirement of 11,648 homes within the Plan period. All other Uttoxeter sites were in the Preferred Option. Those sites mentioned by the objector as suitable site will not be sufficient by themselves to meet the housing requirement		

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			ation Infrastructure, DP7 Pollution, DP8 Tree Protection and Policies Map		<p>easier and more lucrative to develop a green field site than a brownfield one and very lucrative for the landowner.</p> <p>2. In para 1.72 it is acknowledged that high volumes of traffic affect the A50, and in para 1.73 it is states that Carbon Dioxide emissions are higher in East Staffordshire, 8.6t per capita than the Staffordshire average of 6.8t. It is also stated that sustainable development means developing sustainable modes of transport and there is a reference to electric hook up points. What evidence is there to show how many of these new residents will have electric cars? Will it be a requirement for coming to live here? It seems that this paragraph is merely acknowledging that a reduction of carbon emissions is desirable - it is not based on reality. The reality is that the proposed development in Uttoxeter will mean a significant increase in the traffic on the main roads in the town and the A50. It is clear that despite the proposed release of land for business use or possible employment, the reality is that there are will not be any real new jobs in Uttoxeter and nearly all those coming to reside in the town will be travelling to Stoke or Derby on the A50. Each new home will have 1 car, the majority will have two cars and some will have 3 cars. As well as clogging up the roads within the town and the A50 this will create a rise in Carbon Emissions in this area. In the proposed Hazelwalls development site, the access via Westlands Road is unsuitable because it is narrow and usually lined with parked cars. It would create a potential short cut to avoid congestion on Stafford Road. There is also mention of a school building on the site which will further exacerbate the traffic problem in the area. The Abbots Bromley Road is narrow and the junction with Stafford Road is not suitable to cope with the increase in traffic. Stafford Road is already extremely busy and traffic backs up when the railway crossing and pedestrian crossings are in use. `Strategic Objective 4 - Neighbourhood planning - To ensure local communities have opportunities to help plan their own neighbourhood to positively shape where development is located.' This is based on National Policy but has not been followed. This objective has not been followed by</p>		<p>identified for the Borough.</p> <p>The Infrastructure needs arising from these allocations and other developments in Uttoxeter have been identified in evidence base documents and the Infrastructure Delivery Plan. The Council is already working with the partners who will be responsible for implementing infrastructure projects to ensure they are in place in time.</p> <p>Uttoxeter Town Council are in the process of producing a Neighbourhood Plan – the tool which central government see as being the way a local community can plan for their community – and they have been fully aware of the Local Plan process and responded accordingly at each consultation.</p> <p>The Council is in ongoing liaison with the Education Authority and the Clinical Commissioning Group (via Staffs CC Public Health) to determine demand and the need for new or improved facilities. Where these are needed as a result of new major development, the developer will either make payments for their provision or provide them directly, to the specification of the appropriate Authority, in advance of occupation of new homes. The Infrastructure Delivery Plan shows those facilities that have been identified as being required, so that planning ahead for these can take place. It is inappropriate to include detail within the Local</p>		

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					<p>any proactive action by the Borough Council, it has been difficult to find any information and no communication has been forthcoming from the BC to householders in the neighbourhood of Hazelwalls farm. We have not been invited to 'help plan' our own neighbourhood.</p> <p>3. Although it is stated that there has been consultation with Health and Education, it appears from the policy that Developers will be responsible for building schools and GP surgeries where necessary. Reassurance is necessary that as well as consultation there is some positive planning to cope with the significant influx of people into the town of Uttoxeter. From this document it is not clear whether we will have to wait for a crisis in accessibility to schools and healthcare to occur perhaps after the building stage is over, at which time the developers are long gone, or is there some positive plan to address this problem before the crisis occurs. Our main hospital in Burton is already in the highest risk band, Band 5 as assessed by the CQC. No detail is given on how this plan will impact on this hospital.</p> <p>4. Strategic Objective 12 is to protect conserve and enhance local countryside and wildlife habitats. I understand that no survey or impact assessment has been carried out in the Hazelwalls Farm area. There are Badgers and Foxes possibly in the small copse at the top of the site, the badgers have visited our gardens. Buzzards are seen in the area, their distinctive cries enhance summer days.</p> <p>5. In wet weather there is a stream down the middle of the field behind Stanway Close, there is a concern about where all this water will go, it does not easily soak away now.</p>		<p>Plan, as discussions and planning are ongoing.</p> <p>The allocation for Hazelwalls is for 350 dwellings and has been appraised through the Sustainability Appraisal. The appraisal, which includes an objective relating to biodiversity, concludes several negative effects in terms of loss of greenfield land and countryside with positive effects in terms of relationship to the town and delivery of housing and uncertain impacts in terms of impact on road network and accessibility. The Sustainability Appraisal where possible took information from the Statement of Community Involvement October 2011.</p> <p>The Water Cycle Study and Flood Risk Assessment have not raised any issues relating to drainage. Policy SP27 will ensure that developments do not lead to an increase in surface water runoff and that sustainable drainage systems are designed into developments.</p> <p>No change proposed</p>		
LP77 – St Modwen (West of Uttoxeter)	Yes	No	SP17 Affordable Housing	b. Justified c. Effective, d. Consistent with national policy	Objection is raised to Strategic Policy 17 and the overall provision of affordable housing. The Plan is proposing that some 25% of the dwellings within any market housing led residential development should be affordable. Whilst it is noted that the percentage required for an individual scheme will be determined following consideration of viability and availability of subsidy, it is submitted that in respect of Sustainable Urban Extensions (SUEs) the amount of affordable housing should be reduced to 15% for affordable housing sites in line with current policy. This	Strategic Policy 17 should therefore be amended by the addition of the following:- "In relation to the proposed Sustainable Urban Extensions, the overall provision for affordable housing will be some 15%."	The policy does not propose that 25% of dwellings should be affordable within market housing-led residential development above the threshold. It states that these developments should provide <u>an average</u> 25% of the dwellings as affordable, and goes on immediately to state that :" The percentage required from an		

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					is considered necessary in order to take into account all of the other infrastructure and community facility requirements that are required in relation to Strategic Policy 7. It must be borne in mind that if a Sustainable Urban Extension is unduly burdened by infrastructure, community facilities and affordable housing provision then this will seriously undermine the deliverability of the scheme and hence achievement of the Council's overall housing targets.		individual scheme will be determined following consideration of viability and availability of subsidy and may be higher or lower than the average" No change proposed		
LP78 – Mrs. K. Arnold	Yes	No	Paras 2.23 2.28, Policy SP2 A strong network of settlements and Policy Map Inset 10 - Marchington	b. Justified	I think that the Parish Council have not discussed this properly with residents of the village and the Parish Council as to how they would like the village to be developed. Marchington is not just the village centre it is Birch Cross, Marchington Woodlands and Forestside. I have lived in the village for over 50 years and have seen development before, not always for the good of the village.	Discuss the proposals with the Parish Council and the residents of the village properly and make sure that all the Parish of Marchington and Marchington Woodlands is included in the 20 houses needed for Marchington. Proper consultation would make it sound.	The justification for settlement boundary amendments is set out in the Settlement Boundary Topic Paper. The sites represent a sustainable option to meeting the needs of the rural area. The scope for sustainable development outside settlements like Marchington is far more limited, but the circumstances where this might be the permitted are set out in Policies SP8, DP3 and DP4. No change proposed		
LP79 –Mr. & Mrs. S. Richardson	Yes	No	Inset Map 1 – Burton upon Trent	b. Justified c. Effective, d. Consistent with national policy	These representations are made on behalf of Mr. and Mrs. S. Richardson who own property at Apple Acres, Knowles Hill, Rolleston on Dove, Burton on Trent as identified in red on the attached drawing 4035.99 (submitted under separate cover). Objection is raised to the Settlement Boundary defined for Rolleston on Dove on Inset No. 1: Burton and District. The application site is identified (Reference 338) in East Staffordshire Borough Council's Strategic Housing Land Availability Assessment SHLAA) as being deliverable, developable, suitable and achievable for development. Furthermore it is identified as being capable of being developed within 0- 5 years. The land edged red on drawing 4035.99 is allocated (Allocation H5A) for residential development in the Emerging Rolleston on Dove Neighbourhood Development Plan. That Plan has been subject to independent examination. The Independent Examiner recognised that the site was	The site is suitable for accommodating a range of housing by type and tenure. There are no technical constraints which would preclude the site coming forward for development. The site should therefore be included within the Settlement Boundary for Rolleston on Dove by amending the Settlement Boundary to include the land edged red on drawing 4035.99 (submitted under separate cover).	Rolleston on Dove Neighbourhood Plan has not yet been adopted, and a date for the referendum has not yet been set. A detailed update will be produced at Submission stage on the status of NPs and whether or not changes to the Local Plan might be required. No change proposed		

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					<p>deliverable, developable, suitable and achievable for development and in the circumstances that the framework encourages boosting the supply of housing saw no justification for retention of a phasing requirement and therefore recommended that the phasing requirement in Policy H5A be removed. In all other respects, the independent examiner found no fault with the proposal to allocate the land at Apple Acres for housing development. The subject site is suitable for a range of housing types. It is considered that the site could accommodate a development of some 11 no. dwellings, comprising a mixture of houses to include one, two and three bedroom properties that would be suitable for occupation by older people; any housing on the site could include a provision for Lifetime Homes. It is Mr. and Mrs. Richardson's own deep wish to retain and remain living in Apple Acres itself. Although the site is located within the recently extended Rolleston on Dove Conservation Area, the Neighbourhood Plan recognises at paragraph 4.55, there are no heritage assets close to the site which will be affected by a residential development of it. Mr. and Mrs. Richardson have commenced design work in terms of demonstrating how a site can be accommodated on this site relative to the existing trees. There are no fundamental constraints that might be identified which would prevent development of up to 11 no. dwellings being constructed on the site. Enquiries undertaken with the Environment Agency have established that there is no risk of flooding of the site and consequently the site is not constrained by flood risk.</p>				
LP80 – Ms K. Arblaster	No	No	SP4 Distribut ion of Housing Growth	<p>a. Positively prepared b. Justified c. Effective, d. Consistent with national policy</p>	<p>I am objecting on all grounds to the proposal to build houses on the Hazelwalls farm area in the western side of Uttoxeter. I understand that there is some discrepancy about how many homes were originally consulted on for the Uttoxeter area, I believe the original consultation was 1500 but has been increased to 2500/3500 without any further consultation. The houses proposed for the A50 site consultation (preferred option 2012) plus other houses that have been granted planning permission would fulfil the original requirement. I question the need to build so many houses in Uttoxeter does a rural market town need to expand into something resembling Burton or Stafford, an expansion would require more infrastructure-roads, schools, doctors etc, etc. From the point of view of building</p>	-	<p>Hazelwalls Farm was allocated at Pre-Submission stage in response to the need to find additional sites to meet the updated housing requirement of 11648 homes within the Plan period. The Pre-Submission stage constitutes the consultation on this allocation, with an opportunity to object.</p> <p>The Infrastructure needs arising from these allocations and other developments in Uttoxeter have</p>		

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					<p>on the Hazelwall farm area the roads would not take the volume of traffic around the Westlands rd area, it is already congested and to put more traffic onto this area would be ridiculous when the train barriers are down the traffic already gets backed right up the Stafford Rd, Westlands Rd itself struggles with access issues as cars don't have drives through much of the road and residents have to park on the road. It is a fallacy to presume that new homes would bring more jobs, Uttoxeter could become a dorm town to those working in Stoke, Derby, Burton etc. One of my principle concerns is the effect this building work would have on the wildlife habitat and the environment in this area. There are numerous wildflowers and fauna in this area which would be lost should the area be developed. due to the relatively small scale of this proposal there has been no environmental impact assessment- strongly object to this as my suspicion is that there has been no such assessment as the developers know this would have a negative bearing on their plans. I believe there is a designated SSSI at Cox Bank Farm near the proposal site I strongly suspect that if further investigation was carried out then similar SSSI would be found in Timber lane and adjoining area. Not only is it of concern from the point of view of habitat destruction but on a purely practical front the amount of drainage it would require to enable building to go ahead in this area would be massive, the proposed balancing ponds would not be able to take the volume of water that would be experienced and with climate change that volume of water is more likely to increase than decrease.</p> <p>The use of brownfield sites should be thoroughly optimised before and encroachment onto Greenfield sites is remotely considered, and that consideration should then include the most practical solutions to the problem not the ones which will best line the developers pockets.</p>		<p>been identified in evidence base documents and the Infrastructure Delivery Plan. The Council is already working with the partners who will be responsible for implementing infrastructure projects to ensure they are in place in time.</p> <p>Similarly, wildlife and drainage issues are looked at carefully at planning application stage to ensure that habitats are not adversely affected, to allow for new habitats on site where this is possible (e.g. creation of ponds or wetlands, etc) and to ensure that drainage does not cause problems off-site.</p> <p>The Council wishes to maximise brownfield land development, (there are 2 major allocations in Uttoxeter) but must demonstrate that these sites are deliverable. There is not a sufficient quantity of deliverable brownfield land to yield the number of homes and facilities required, hence the need to allocate Greenfield sites.</p> <p>No change proposed</p>		
LP81 – Ms M. Miller	No	No	Inset Map 10 - Marchington	d. Consistent with national policy	<p>The plan is unsound with regard to the village of Marchington. The plan indicates proposed extensions of the settlement boundary in Jacks Lane and Yew Tree Farm as shown on Inset Map 10. The procedures for people to make their objections is very complicated. I telephoned ESBC to complain about the difficulty more than once. I also asked if the document could have been produced using half as many words - I received the reply 'I suppose so'. I conclude that it is verbose and difficult so that many</p>	<p>Jacks Lane is a narrow road and Yew Tree Farm is at a very busy (and in my view dangerous) junction of narrow roads. To enlarge the village envelope to accommodate more housing is the wrong thing to do - the roads cannot take the extra traffic. I submit</p>	<p>Policy SP1 provides that any new development should not cause highway safety issues, and any improvements necessary to ensure safety will need to be funded by the developer.</p> <p>No change proposed</p>		

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					<p>people, who may not have the time or the expertise, are put off from making objections because of the complicated manner in which the document is presented. ESBC should be making it easy for individuals to put forward their views not going out of their way to make it difficult. Legal Compliance I do not consider that the plan takes into account the layout of the village, its infrastructure and its residents. Essential Services are not adequate for existing needs and previous plans for development have been rejected on the grounds that only 'infill' building should take place. This is not going to change simply because you propose to make the village envelope bigger! In addition to the areas that suffer from flooding on a regular basis, parts of the village that had never flooded previously have flooded in the last two years. The existing drains cannot cope now: to build more houses, in addition to current infill sites, will only make things worse.</p> <p>Roads in the village are narrow and have no pavements. Pedestrians are already at risk from heavy traffic (cars, HGV's, tractors) that does not slow down - even for the speed humps. Some areas are not well lit - especially in Jacks Lane and Church Road which makes it even more of a risk at night. To increase the number of houses (two cars to one house?) will only add to the problems. The road layout at Yew Tree Farm is especially bad. The right of way was changed many years ago so that the road turned the corner into The Square instead of going straight ahead. Drivers 'giving way' cannot see the situation until they are almost on the main road. To have an additional side road in that situation could cause chaos and an extra hazard for pedestrians - especially when mothers are dropping off or picking up children at the school.</p>	<p>that the ESBC should rethink this plan, taking into account the points raised above and to those of other objectors and remove their proposed boundary extensions from the Pre-Submission Plan.</p>			
LP82 – Royal Mail Group	Yes	Yes		-	<p>Royal Mail has a statutory duty to provide efficient mail sorting and delivery for East Staffordshire District Council's administrative area. Royal Mail's collection and delivery service for East Staffordshire are provided from the following premises which are both owned by Royal Mail freehold:</p> <ul style="list-style-type: none"> • 557 Burton upon Trent Delivery Office, 15 Falcon Close, Burton upon Trent DE14 1BB • 1132 Uttoxeter Delivery Office/Sub Post Office/Garage, 13-15 Carter Street, Uttoxeter ST14 8HE 	-	<p>Comments noted. In particular, the need to liaise on additional postal delivery capacity as a result of housing growth in Burton and Uttoxeter is noted, and early discussion on the location of new facilities would be welcomed by ESBC.</p> <p>No change proposed</p>		

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					<p>Royal Mail wish to emphasise the need to protect these sites from development that may adversely affect mail services provided from them and that should any land surrounding Royal Mail's sites be redeveloped, it would be vital that any new uses be designed and managed so that they are both cognisant of and sensitive to Royal Mail's operations. This approach accords with adopted Government guidance set out in the National Planning Policy Statement (NPPF) (March 2012) which advises that local planning authorities should help achieve economic growth by planning proactively to meet the development needs of business and support an economy fit for the 21st century. The NPPF also advises that local planning authorities should support existing business sectors, taking account of whether they are expanding or contracting. It also states that policies should be flexible enough to accommodate needs not anticipated in the plan and to allow a rapid response to changes in economic circumstances (Paragraphs 20-21). Royal Mail wish to emphasise the need to protect these sites from development that may adversely affect mail services provided from them and that should any land surrounding Royal Mail's sites be redeveloped, it would be vital that any new uses be designed and managed so that they are both cognisant of and sensitive to Royal Mail's operations.</p> <p>This approach accords with adopted Government guidance set out in the National Planning Policy Statement (NPPF) (March 2012) which advises that local planning authorities should help achieve economic growth by planning proactively to meet the development needs of business and support an economy fit for the 21st century. The NPPF also advises that local planning authorities should support existing business sectors, taking account of whether they are expanding or contracting. It also states that policies should be flexible enough to accommodate needs not anticipated in the plan and to allow a rapid response to changes in economic circumstances (Paragraphs 20-21).</p> <p>Burton Delivery Office (557) is located within an established industrial area, and within an area identified as falling within Flood Zone 3 on the associated Proposals Map. Uttoxeter Delivery Office (1132) is located within the identified Conservation Area, and as part of the Secondary</p>				

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					Shopping Frontage within the town centre boundary where compatible uses will be supported. RMG support this policy. Burton and Uttoxeter are the larger settlements within East Staffordshire. The Plan sets strategic targets for both housing and employment. The strategy will concentrate most growth in the Outwoods and Stretton areas of Burton, and some development to the South of Uttoxeter and the strategic villages. The suggested split of development will direct 73.5% towards Burton upon Trent and 17.7% to Uttoxeter. The Plan will make provision for 11,648 new dwellings over the plan period to 2031, alongside provision for 40 ha of employment land. This includes just over 2,500 dwellings at Branston Locks, south of Burton upon Trent. Both the Burton Delivery Office and Uttoxeter Delivery Office are operational, and it is important that any proposals that come forward ensure that Royal Mail's operations will not be prejudiced and they can continue to comply with their statutory duty to maintain a 'universal service' for the UK pursuant to the Postal Services Act 2000. Royal Mail has a statutory duty to provide efficient mail sorting and delivery for East Staffordshire District Council's administrative area. As such, they are keen to be informed about plans for strategic levels of growth. The scale of proposed growth may place a significant burden on the existing Delivery Offices and as a consequence, it is possible that Royal Mail may require a new Delivery Office to handle the additional deliveries that will result from the planned growth. As a statutory provider, Royal Mail may require the allocation of a new site for a new Delivery Office or developer contributions through S106 of the Town & Country Planning Act or Community Infrastructure Levy (CIL) as a valid recipient of infrastructure funds. Royal Mail will continue to closely monitor plans for growth in East Staffordshire and would welcome further discussion with the Council on the delivery of new infrastructure as the Core Strategy progresses through examination and a Site Allocation document is evolved.				
LP83 – Bellway Homes (RPS - Mr. Chris O'Hanlon)		No	SP16 Meeting Housing Needs	b. Justified c. Effective, d. Consistent with national policy	Bellway Homes Object to Strategic Policy 16 Meeting Housing Needs, as it is not justified or based upon sound and effective evidence. It is also inconsistent with National Planning Policy Framework paragraph 158. The Council is also inappropriately seeking to use text within the reasoned justification as a basis for making policy decisions through Table 3.1, rather than policy. The Policy is unsound.	Table 3.1 should therefore be removed from the requirements of the Core Strategy in its entirety and Strategic Policy 16 should be amended to read as below. This reflects the need for	Inclusion of this table is not contrary to the Framework since it is clearly introduced with the qualifier "currently" and the Plan can and should be revised over time. The figures in Table 3.1 are derived from economic –led		

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					<p>The Policy as drafted seeks to pre-determine the mix and type of market housing required across the Borough for the plan period. This is not appropriate, deliverable or flexible enough to adjust to changing circumstances as is required by paragraph 153 of the NPPF. At present the Draft Policy states “Residential development in the main towns and Tier 1 settlements shall provide an appropriate mix of market housing based on the mix required in that part of the Borough, including older people. Residential development elsewhere shall provide the mix of market housing required to meet local need based firstly on a housing needs survey carried out in accordance with Housing Choice SPD and secondly on the mix required in that part of the Borough”. Bellway object to this policy and in particular the use of table 3.1 in the supporting text that seeks to determine the required mix of market housing by location in the Borough. This is an over prescriptive requirement and not founded on robust evidence or deliverable. It is also an attempt to use supporting text as the basis for decision making outside of the policy itself.</p> <p>While it is understood that for statutory purposes the development plan should be read as a whole, and this includes supporting text, where texts are used for the purposes of decision making, this should be contained within policy. In this case the policy identifies that residential development will provide an appropriate mix of market housing based upon the mix required in that part of the Borough which in itself is appropriate. However, the supporting text at Table 3.1 then seeks to fix the proportions for a 20 year period. This does not allow the policy to remain flexible to the needs of the Borough over the plan period. It is also pertinent to understand that the figures used in table 3.1 are based upon evidence that is highly sensitive to adjustments in demographic evidence, and local evidence / methodologies that are constantly being refined and will vary over the plan period. Flexibility should therefore be incorporated into the policy to accommodate this.</p> <p>Evidence base for Table 3.1 It is understood that the table 3.1 has been derived from figure 9.11 of the 2013 East Staffordshire Strategic Housing Market Assessment (SHMA) which identifies the proportional splits for Burton, Uttoxeter and “Other Areas”.</p>	<p>policies to be deliverable, positive, flexible and based upon robust evidence. “Residential development in the main towns and Tier 1 settlements shall provide an appropriate mix of market housing reflective of the local housing market in that part of the Borough as evidenced by an up to date Strategic Housing Market Assessment, including Housing for Older People”. The authority should also publish in full the evidence which supports the population profiles associated with the preferred approach to ensure that proper public scrutiny can take place on all the evidence supporting Strategic Policy 16</p>	<p>population and household projections in line with the assessed housing requirement.</p> <p>The policy as drafted was not intended to prescribe housing mix exactly in line with Table 3.1, hence the wording “based on the mix requirement in that part of the Borough” without reference to Table 3.1. However the Council recognises the evident lack of clarity and agrees that the figures in Table 3.1 are highly sensitive to adjustments.</p> <p>The Council therefore proposes the removal of Table 3.1 as a modification.</p> <p>It is not clear what “reflective of the local housing market” would mean, and the Plan may need to address market failure.</p> <p>Proposed modification to SP16. The Council will add the source population and household projections data to the Strategic Housing Market Assessment.</p> <p>Change proposed</p>	<p>SP16 and policy justification</p>	<p>Mod No. 72</p>

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					<p>While the use of this table in the SHMA may present indicative housing need by location for the purposes of a piece of academic research and evidence, it cannot and should not be directly used as the determining requirement in the application of Table 3.1 of the Core Strategy. The reasons are set out below.</p> <p>The Council has undertaken a comprehensive assessment of housing requirements and assessed a number of scenarios in seeking to establish its objectively assessed need for housing. This has been informed appropriately by a recently published SHMA which has considered both demographic and economic factors in accordance with the extant SHMA Guidance. In the scenarios evaluated, the Council has considered both demographic and economic-led scenarios with each resulting in different housing requirements. In identifying its preferred approach to establishing housing need, the authority has chosen an economic-led approach over the demographic led approach as the demographic approach “failed to take any account of economic changes in East Staffordshire over the plan-period, nor the resultant requirements for labour to fill potential job opportunities” (SHMA paragraph 6.90 refers). This approach in principle is supported as it provides for the profile of the population required to meet the economic potential of the area rather than simply providing for the demographic profile. It is noted that this results in a higher population and residential requirement than the demographic requirement. Fundamentally it will also result in a different population profile in 2031. In selecting this methodological approach, the Council has also undertaken sensitivity tests around the use of headship rates in an economic-led approach, which is appropriate to ensure that assumptions on headship rates are robust. It is noted that from the results of this analysis that a mid-point of housing need has been selected between the results from the 2008 based headship rates the results from the fixed headship rates contained within the economic-led evidence. While it appears that this may be a pragmatic approach to establishing a housing requirement figure within an overall economic-led approach, it has to be acknowledged that both with the introduction of economic forecasting as the basis of housing requirements and also differing headship rates, the population profile for the plan period (particularly that</p>				

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					<p>for 2031) is going to be significantly different to a profile associated only with trend based projections based upon the demographic data. In this context, it must be acknowledged that while the levels of housing requirements contained within Figure 6.9 of the SHMA may be similar in quantum, their composition and evolution will be entirely different, resulting in different profiles. The reason for this is that they are sourced from different evidence bases, and as paragraph 6.90 sets out the choice for selecting the economic-led scenario is that the demographic scenario fails to provide the population profile required for the Borough. Therefore the Council adopted the economic-led approach.</p> <p>Economic Forecasts and Demographic Trend Projections In the context of the above, and as has been acknowledged in recent examinations that housing requirements derived from economic “forecasts” are not the same as housing requirements derived from demographic “projections”. Projections project forward observed trends derived from a historical observation period, typically a five year period and are therefore have a fixed relationship with the observed period, although sensitivity tests to those trends may be applied.</p> <p>However, economic forecast are entirely different and are based upon economic assumptions made on the potential for the economy to provide jobs and the need to support those jobs by a workforce.</p> <p>This is derived from judgements being made on the economic performance of the economy across many individual industrial sectors, which will not be trend projections of past performance. Population, and in turn residential housing need, derived from these economic forecasts are therefore themselves influenced by assumptions on economic performance in the future. On this basis economically derived housing requirements are entirely different in structure to the population profile associated with that of demographic projections as the population structure will be one that is derived from job growth forecasts in the local economy. The two approaches are therefore entirely different and the manner in which the results are interpreted and used should be carefully examined. In the case of East Staffordshire, it</p>				

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					<p>appears that while an economic led approach has been adopted by the Council, it has not understood the population profile associated with its preferred choice in determining housing types.</p> <p>Evidence It is understood that the authority have used the POPGROUP tool to establish its housing requirement based upon economic projections from Experian Business Services linked to the Employment Land Review evidence 2013. The results from this evaluation have, however, not been published. The evidence on the expected population profile at 2031 should be made publicly available to demonstrate that the profiles contained in Table 3.1 of the Core Strategy are consistent and compatible with an economic-led approach. Until this is made available and notwithstanding the principle objection to the inclusion of Table 3.1, Bellway Homes believe that the population profile derived from the economic-led derived requirements will be different to that which can be supported by the profile of housing requirements set out in Table 3.1. The reason for inconsistencies to occur is that the housing requirement profile established for Table 9.11 of the SHMA are derived apparently from a different source to that of the economic projections. Furthermore, it is also noted in the footnote to page 103 of the 2013 SHMA, that in selecting the mid-point of the headship rates in the economic scenarios the population profile modelling has not been undertaken retrospectively. Therefore it is unclear as to how the residential requirements set out in Table 9.11 can related to any economic based population profile as it appears that modelling has not been undertaken to establish this.</p> <p>Furthermore it is identified that the proportional splits set out in table 9.11 are derived from an ESBC source, but this is not explained, sourced or identified in detail. On the basis of the above, it appears that the authority has selected an economic-led scenario for establishing housing need and then not modelled the population profile associated with this in relation to its choice in the selection of headship rates. Instead, it has sought to adopt a crude approach of selecting a mid-point on the final housing requirement numbers alone and not modelling the results of this decision. This is despite acknowledging that there</p>				

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					<p>are structural differences between the demographic and economic-led population profiles that are significant enough to warrant the selection of the economic-led approach (paragraphs 6.72 refers).</p> <p>The authority has then sought to apply evidence from an entirely different source, presumably local authority observed evidence on current housing situations, or demographic evidence to the scenario, to determine housing types required. This mixes sources of evidence and makes a fundamental and unjustified assumption that the profile of housing requirements associated with the demographic trend/current observations will match the housing requirements of a population profile of an economic derived forecast. This is not appropriate or sound unless evidence is produced to justify the position. To achieve a realistic assessment of population and residential needs across the plan period, the authority would need to associate housing type and tenure proportions that are derived from the economic led structural base to the forecasts. However, to do so also conflicts with the fundamental component of this objection that it is not possible to articulate or require in a Core Strategy the exact nature and proportional splits for a housing requirement over a 20 year plan period, particularly where methodological and statistical data will vary over the plan period alongside natural and dynamic fluctuations in the housing market. A rigid policy such set out in Table 3.1 is inappropriate. Even if the authority did include a revised version of Table 3.1 based upon an economic-led population profile, the reality is that housing provision will naturally need to be flexible throughout the plan period to accommodate both demographic and economic profiles as the Borough grows. On this basis the table in 3.1 remains over-prescriptive and will hinder the delivery of both the economy and housing delivery.</p> <p>SHMA evidence In considering the above objection reference is also made to the evidence base that allegedly supports Table 3.1. Paragraph 9.7 of the SHMA itself confirms that the approach used in the SHMA is not reality and that in practice many households will seek different to those indicated in the SHMA and used in Table 3.1. It states "households requiring new mainstream market housing in</p>				

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					<p>East Staffordshire will typically seek the following sizes of new home. This is of course just a model, and it is impossible for any model to take individual household circumstance into account; in reality many households may seek different sizes of homes than those indicated". The SHMA would itself indicate that the results are to be used as indicative evidence and not followed rigidly as has been done. This is particularly the case when considering that SHMAs are a purely academic exercise and most often utilised to provide a basis for determining the 'need' for affordable housing instead of being the basis for prescribing the size and format of every house delivered. Importantly, the SHMA is a record of the market at a point in time and cannot predict the aspirations of those in the housing market or similarly peaks in market demand. The rigid assessment of the SHMA ignores the differences between needs of the housing market and what house buyers are actually seeking, so avoids considering the fact that house buyers often choose to buy a larger home than their perceived "need" to allow for future family, guest rooms and providing space for a home office to allow working from home. Furthermore the SHMA makes substantial assumptions that while may be appropriate for academic assumptions and testing they are inappropriate in establishing requirements that are used in a development plan such as Table 3.1. Particular reference is made to paragraph 9.6 that states "in Burton the large amount of terraced housing provides supply which can meet a large proportion of the need for owner-occupied housing by single people and couples in Burton. Allowing for this means that the mix of households requiring newly built housing in Burton will be different". This statement appears to be making statements that the SHMA is assuming that the existing stock has the capacity to provide supply for particular types of housing, and in turn affect the profile of the residential need for new build. This is an unsubstantiated statement and the assumption that a significant amount of the existing stock can meet supply us unjustified. There is no evidence to support this. It also takes no account of displacement, which is therefore likely to significantly increase the need for larger properties at Burton and other locations where the same assumptions are being made as a result.</p> <p>Conclusions</p>				

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					It can be observed that the Council is mixing its evidence and data sources inappropriately to derive housing proportions associated from unsourced and unpublished evidence applied to an economic-led based strategy. In fact it is understood that, the population profile associated with the economic-led strategy has not actually been modelled and the actual profile of the population associated with its final choice in housing requirements (which incorporate assumptions on headship rates) is therefore unknown. On this basis, it is not clear how the authority can justify such specific and detailed housing proportional splits across a 20 year plan period in the absence of equally detailed and substantial modelling. Equally the SMHA document itself acknowledges that the results are not appropriate in reality and therefore are not robust enough to base a detailed policy upon.				
LP84 – Mr. D. Yorke	Yes	No	Para 1.29, Strategic Objective 4	b. Justified c. Effective	<p>Saved Policies are being used in the interim period before its legal implementation may well be ineffective in protecting the urban and rural character of East Staffordshire.</p> <p>Effectiveness - This is dependent on the care taken in ensuring that only sound data is used and whether the plan is accepted by all of the residents of East Staffordshire who are some of the “delivery partners”.</p> <p>A significant point at issue is the undue focus of the new Duty to Co-operate (paragraph 1.29) with seemingly just a few bodies. GBSLEP and the Lichfield and South Derbyshire District Councils are not the only primary bodies that ESBC should co-operate with so it is sincerely hoped that the Council’s “drivers for change” has not precluded and will not preclude co-operation with other authorities adjoining and/or within its geographical area. Seemingly the A38 corridor is of more significance to the Council than that of the A50 yet the total economic reality is that many parts of East Staffordshire relate more to areas outside that of the GBSLEP.</p> <p>It “should be noted that Strategic Objective 4 “Neighbourhood Planning” is “to ensure local communities have opportunities to help plan their own neighbourhoods to positively shape where development is located”. So the “GBSLEP centrality” (paragraph 1.27) to ESBC’s policy-</p>	<p>It is expected that an acceptable Local Plan will be adopted as soon as possible to assist the Borough in protecting the urban and rural character of East Staffordshire and resist any undue pressure from developers to sanction unwarranted development whilst the local Plan is awaiting adoption.</p> <p>The success criteria for establishing its effectiveness must be clearly stated in the Plan.</p>	<p>Progress towards the adoption of the Local Plan is proceeding as quickly and as reasonably possible.</p> <p>The Monitoring Chapter sets out the ways in which the effectiveness of the Policies will be checked.</p> <p>A comprehensive approach to the Duty to Co-operate has been undertaken and is set out in a Duty to Co-operate Statement posted in the Evidence Base section of the Local Plan pages on the Council’s website.</p> <p>Both the A38 and A50 strategic road corridors are critical to the economy of the Borough.</p> <p>With regard to investment in the economy and infrastructure of the Borough, the relationship with LEP is crucial. This does not preclude the Local Plan’s policies seeking to reflect local needs and</p>		

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					<p>making is a particular concern, a view already expressed in previous consultation responses. That body should not become the primary influence on ESBC's future planning policy in disregard to the valid opinions of those who reside and vote within its local authority area.</p> <p>Delivery No comment can be made on how likely the plan is to be deliverable. The Plan does not make it absolutely clear that the sites intended to provide the bulk of the desired housing numbers can be delivered and developed within the required time scales.</p> <p>Flexibility Any good Plan should be flexible enough to take advantage of opportunities that could not have been foreseen at the time of its preparation. However, it is feared that any non-delivery of housing numbers in a timely manner may exert pressures on the Planning Authority to be "ultra-flexible" and approve development on sites that might otherwise have been rejected as unsuitable. In such cases, local community opinion must not be overridden just to meet self-imposed or external targets such as any set by the GBSLEP.</p> <p>Policies : general comment The have been occasions when planning applications have been made and not accepted because of missing documentation, even though the ESBC Validation checklist did not so demand. Consequently, it must be made abundantly clear to Applicants what exactly is required and what must be adhered to and taken into consideration. The current Plan is unclear as to what comprises legal substitutions for abolished planning policy, making it difficult to establish what "must be" and what is advisable. Comments are given on separate sheets relating to the specific Strategic and Detailed Policies.</p> <p>Evidence base Each policy should have been derived from its supporting evidence base and there should be cross-reference to the relevant documents. This evidence should be that used to determine the particular policy and not contain any policy principles.</p>		<p>preferences.</p> <p>Deliverability of sites is set out in evidence base documents, primarily the Strategic Housing Land Availability Assessment.</p> <p>The Local Plan's policies, once adopted, will be the primary material consideration in deciding planning applications. The wording in each Policy makes it clear as to whether its content is mandatory or advisory.</p> <p>Evidence base is set out in para 1.42 and cross-referencing has been made wherever appropriate.</p> <p>No change proposed</p>		

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					Guidance Similarly, each policy should contain a cross-reference to supporting policies and guidance that are applicable but do not appear in the policy's text. Since not all guidance will be mandatory, (the equivalent of the Government' statutory guidance?), the distinction should be made for each document.				
LP85 - Mr. D. Yorke	Yes	No	Principle 1 – Presumption in Favour of Sustainable Development	b. Justified	“Sustainability” needs a full definition here or elsewhere. A cross-reference within the Policy to the Sustainability Appraisal or the definition within the NPPF may suffice. The term “area” in bullet point 2 needs definition and should be the particular settlement to which the development relates rather than the entire Borough. Should the term “Local Plan” (last paragraph) be used rather than “development plan” here for clarity?	See adjacent	The term used is “sustainable development” and this is defined in the Glossary. “Area” refers to the area around a planning application. This will vary in size depending on the nature of the application and its impact on the environment around. The development plan consists of more than the Local Plan – see definition in Glossary. No change proposed		
LP86 - Mr. D. Yorke	Yes	No	SP1 East Staffordshire Approach to Sustainable Development	b. Justified d. Consistent with national policy	Will ESBC’s individual rather than a national interpretation [of sustainable development] be accepted? If not, this statement should be reconsidered. Why specify “goods vehicles” only and not “ALL vehicles” in first bullet point??	See adjacent	The local definition of sustainable development is in line with that found within NPPF. Delete “goods” from before “vehicles”. Change proposed.	SP1	Mod No. 27
LP87 - Mr. D. Yorke	Yes	No	SP2 A Strong Network of Settlements	b. Justified	The Plan itself makes no mention whatsoever as to what facilities Tier 1 and 2 villages must provide, let alone their demonstrable adequacy.	There should be a clear statement in the policy as to what facilities determine the category for a particular settlement and an independent assessment of their adequacy for dealing with future development. A possible list of such expected facilities is given in paragraph in the preamble to SP22, a policy to which there should be a distinct cross-reference. Alternatively, a cross-reference	The classification is based on the Settlement Hierarchy work, part of the evidence base. A cross-reference to this in the preamble to SP2 would be advantageous, to explain where the Tiers mentioned in the Policy have come from. Each village offers a different range of facilities, so it would not be possible to specify what is lacking, and therefore what would be encouraged, in each settlement.		Mod No. 32

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						to the Settlement Hierarchy document may suffice. A cross-reference to SP4 is probably also needed for completeness.	Change proposed.		
LP88 - Mr. D. Yorke	Yes	No	SP3 Provision of Homes and Jobs	b. Justified	Given that a total of 13000 was mentioned in the initial ESBC Core Strategy: Draft Pre-publication Strategic Options paper, later modified to 8935 in the later Local Plan consultation document, there is inevitable suspicion as to how the latest total has been arrived at, what the correct figure might be and whether it can be justified. There is some doubt about the actual new total housing requirement, given that the total in the Strategic Housing Market Area Assessment (referred to in Paragraph 1.51) varies. According to Tables 1.2 and 1.3, the total number of houses required throughout the Borough is now 11408 so which is the correct figure and are the additional 540 dwellings justified? It is also unclear how Household Growth for Single and Couple Households aged 65+ at 66.6% leads to the number of Homes by Household Type for them of 34% (as deduced from Tables 1.2 and 1.3).	See adjacent	<p>Further work has been undertaken on the SHMA between Preferred Option and Pre-Submission stages with a more robust assessment of future housing requirements. This has resulted in a higher requirement.</p> <p>Table 1.2 on page 38 of the Plan shows projected growth in the number of households from 2012 - 2031. The housing requirement incorporates a standard margin of 2.5% additional dwellings to allow for churn (empty dwellings). It also addresses under-delivery in 2011-12. This is explained in paragraphs 6.85 and 6.88 of the SHMA.</p> <p>An additional 7,595 Single and Couple Households aged 65+ (typographical error in Table 1.2), is 66.6% of the total projected increase in households of 11,408. This increases the number of such households from 12,393 to 19,987, and 19,987 is then 34% of the projected 59,126 number of all households.</p> <p>Change proposed</p>	Page 38	Mod No. 15

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LP89 - Mr. D. Yorke	Yes	No	Paras 2.22 & 2.33 Policy SP4 Distribution of Housing Growth	b. Justified	<p>The provision of 90 houses at the Churnet Farm site in Rocester is considered to be undeliverable. Given the uncertainty as to what the correct total number of new dwellings for the Borough should be (see response to SP3), the total intended allocation of 115 dwellings for Rocester can be considered neither validated nor deliverable. It is still believed that the site as defined in Inset 7 Rocester is unsuitable for 90 dwellings. The stated Windfall allowance may be impossible to provide within the revised development boundary intended for the village. Paragraph 2.22 states that “ Tier 1 Strategic Villages will accommodate a strategic housing allocation the purpose of which is to meet need generated in the village, its rural hinterland and also to meet some of the needs of the Borough as a whole “ . It is essential that this is interpreted as meeting just that and not Birmingham overspill which is certainly not a”need of the Borough “ , let alone Rocester. The total number of houses has changed from that in the last Local Plan consultation document in that the higher total of 90 has been chosen rather than the earlier figures of between 75 and 90. My earlier response to paragraph 5.103 of that document was that “Site access and traffic considerations very much suggest that the lower number would have a less detrimental impact”. Indeed, the new dwelling total of 50 as first proposed for the Churnet House Farm site in the Council’s Core Strategy: Draft Pre-publication Strategic Options would be the preferred option for the village. Such an opinion is still held, and all the more so in that it is now supported by the evidence of potential flooding of the site as shown in Plan Inset No 7: Rocester that forms part of the latest consultation document.</p> <p>Windfall allowance The windfall allowance of 25 is to be “ delivered as infill on appropriate and mostly brownfield sites within the settlement boundaries as opportunities arise over the plan period” (paragraph 2.22 and this SP4). Concerning the windfall allowance, paragraph 2.33 states that “The Council will however continue to support the redevelopment of brownfield sites within development boundaries above the windfall allowances set, providing proposals contribute to sustainable development”. But where the potential sites are classified as greenfield, it may be difficult to attain the desired windfall housing numbers.</p>	See adjacent	<p>There is no uncertainty as to the housing requirement stated in the Plan, and our analysis of the site is that it is deliverable. Work is ongoing on what works would be required to tackle the flooding issue.</p> <p>The Infrastructure needs, including highways, arising from these allocations and other developments in Uttoxeter have been identified in evidence base documents and the Infrastructure Delivery Plan. The Council is already working with the partners who will be responsible for implementing infrastructure projects to ensure they are in place in time.</p> <p>This allocation is greenfield, but all other windfall housing would be expected to be accommodated on sites on brownfield in most cases.</p> <p>No change proposed</p>		

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LP90 - Mr. D. Yorke	No	No	SP5 Distribut ion of Employ ment Growth	b. Justified	The Plan is unsound since the employment land allocation does not square with the Council's policy on Sustainability.	<p>For clarity, the three use classes should be stated in full in the text of this Policy, being: B1 (offices, light industry and research & development) B2 (general industrial) B8 (warehousing and distribution)</p> <p>It is surprising that no other employment land seems to have been considered despite the Council's stated objective of maximising Sustainability and minimising car transport for commuting.</p> <p>Rocester seemingly is now to have no allocation whatsoever, even for any expansion of JCB facilities. At least the earlier Core Strategy Consultation Document acknowledged the desirability of some employment development in the village. Absence of new employment development to bring local job opportunities beggars the question as to whether more houses are really needed in this and any other Tier 1 village.</p>	<p>Insert explanations of the three use classes. Policy SP7, bullets 3 and 4, set out the circumstances under which non-B class uses might be allowed on the employment allocations on the Branston Locks and Uttoxeter West Sustainable Urban Extensions. Whilst it is not on an SUE, it is not logical for a different policy stance to be taken on Derby Road, Uttoxeter, and may not be NPPF-compliant. It may be appropriate to transfer bullets 3 and 4 to Policy SP5, and cross-refer to them in SP7.</p> <p>The allocations do not preclude employment development elsewhere for a specific employer.</p> <p>Changes proposed</p>	SP5 and SP7	Mod No. 42 and 47
LP91 - Mr. D. Yorke	Yes	No	SP6 Managi ng the release of Housing and Employ ment	b. Justified	The review methodology is not justified. It is very much doubted if the intended development on the areas of land identified in the Plan will be possible within the timetable, especially as past performance has led to serious underachieving of target numbers.	<p>A cross -reference should be made to the Infrastructure Delivery Plan ".....to bring forward sites through a Development Plan Document." Has this already been prepared? If not, why not? "The Council will review every five years the evidence base which assesses the current and future levels of need and demand for housing to provide an appropriate basis for longer term housing and employment</p>	<p>Deliverability has been discussed with developers of sites, and the Council is confident that the allocations will be achieved within the lifetime of the Plan.</p> <p>The IDP is already referred to in the Policy.</p> <p>The DPD would only need to be prepared if there was evidence of sites not coming forward, or new evidence (e.g. new household forecasts) became available.</p>		

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						provision.” The five-year timescale may be too long. An ongoing / rolling review of evidence base is needed to minimise challenge for Presumption in Favour etc.	The Authority’s Monitoring Reports will be produced annually and feed into a more major review after 5 years. No change proposed		
LP92 - Mr. D. Yorke	Yes	No	SP9 Infrastructure Delivery and Implementation	b. Justified	It is not proven that the required infrastructure will be available to ensure that the housing growth targets can and will be met.	The definition as to what comprises infrastructure should be included within the Policy itself, already being in its preamble paragraphs. The Infrastructure Development Plan is crucial to delivery of the required housing and really needs to be part of the Local Plan, not just “sit alongside it”. If it is to become part of this policy document rather than a review document, it needs to be cross-referenced to. <i>“The Council will safeguard land for future infrastructure provision through a Site Allocations DPD if Necessary”</i> . State the term “Site Allocations DPD” in full. How can land be safeguarded if IDP is not part of the agreed Local Plan?	Definitions are supporting material best placed in the supporting text. It is up to the Local Plan to allocate sites; IPD does not form part of the Local Plan itself, but is an evidence base document setting out what infrastructure will be required for the allocations in the Local Plan, and how it will be provided. Delete “DPD” and replace with “Development Plan Document (DPD)” proposed as a modification. Change proposed.	SP9	Mod No. 54
LP93 - Mr. D. Yorke	Yes	No	SP17 Affordable Housing	b. Justified	Not justified. To achieve the aim of truly “sustainable and inclusive mixed communities?” (SP16), the simple application of the percentages of new dwellings that are to be Affordable Housing should apply to the whole local community and not just a particular development site.	<i>“Affordable housing led residential development will be welcomed but shall not normally provide more than 25 affordable rented dwellings”</i> . Where is it explained how the maximum of figure has been arrived at and for what reason? It is quite possible that some communities are already imbalanced when the percentages are applied to their existing and proposed housing stock. If indeed ESBC wishes to create and preserve	The maximum figure of 25 is to avoid an over-concentration of entirely rented housing on any given site which would endanger the site’s integration into a sustainable mixed community. If that much affordable housing was inappropriate in a particular location then a scheme would not be supported. Overall housing need has been assessed in the Strategic Housing Market Area (SHMA) document, Oct 2013, as part of the evidence base and a local housing needs survey is		

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						<p>“sustainable and inclusive mixed communities” (SP16), a housing needs survey should be completed for all communities, not just “other sites”.</p> <p>“Affordable housing shall be fully integrated by means of dispersal around the site in clusters of no more than eight dwellings.”</p> <p>So are clusters of 8 acceptable, even on sites where they comprise more than the stated percentages of the total? Better explanation of the intention is needed.</p>	<p>only warranted for rural sites. A cluster of 8 affordable units will only occur if 8 or more affordable units are required on site.</p> <p>No change proposed</p>		
LP94 - Mr. D. Yorke	Yes	No	SP20 Town and Local Centres Hierarchy	b. Justified	Another unjustified classification of community has been introduced.	It has already been established that Tutbury, Barton Under Needwood, Rocester and Rolleston on Dove are Strategic / Tier 1 villages so why is the term “Rural Centres” being used? If to be used, it needs a specific definition within this policy. The acronym “OCA” should be stated in full in the policy.	<p>SP20 sets out a different hierarchy, based on retail and service functions, and sets out urban local centres. However, given that “Rural Centres” are the same as the Tier 1 villages, and that part of the assessment of settlement hierarchies involved assessing retail and service facilities in the village, it would be at least appropriate to use the two terms together in SP20, as well as setting “OCA” in full</p> <p>Change proposed</p>	SP20	Mod No. 85
LP95 - Mr. D. Yorke	Yes	No	SP22 Supporting local communities	b. Justified	The policy is not comprehensive enough.	<p>As stated for SP2, the policy itself should contain a list of those facilities (perhaps taken from the preamble) that should be present in each of the settlements in the hierarchy adopted and applied by the Council for its planning purposes. Their adequacies and capacities should also be stated.</p> <p>It may be possible to achieve</p>	All this information is set out in the Settlement Hierarchy evidence base. Each settlement will have different facilities and services present and absent. It is not considered appropriate to replicate all this information here, and the indicative (not exhaustive) list of types of facilities in the Policy preamble is considered sufficient.		

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						what is required by a cross-reference to the Settlement Hierarchy within the policy.	No change proposed		
LP96 - Mr. D. Yorke	Yes	No	SP24 High quality design	b. Justified	The policy is considered unsound because of lack of clarity and poor procedure for securing good design.	<p>Most surprisingly, there is no reference to the Council's own Design SPD within this policy - a most serious omission, considering that it is referred to in SP25.</p> <p><i>"Development proposals must contribute to the area in which they are proposed and provide innovative and contemporary architecture where this is appropriate."</i> In my professional experience, slavish application of the Design Guide has prevented such provision.</p> <p><i>"Developers will be required to demonstrate how they have responded to the above criteria in their applications, and, where appropriate, in master plans, Development Briefs, Concept Statements and Design Codes"</i> Poor wording since this Policy contains no other reference to the full suite of actual documents with which planning applications are to be assessed by the planning authority. This is a serious omission.</p> <p><i>"The Council will consider referring proposals to a design review panel to secure good design..."</i></p> <p>The Council should do more than "consider" such matters. Design Review Panels comprising suitably qualified persons with demonstrable competences should be</p>	<p>The SPD is mentioned several times in the preamble, but a reference in the Policy would also be appropriate. It is not appropriate to list the full list of documents required by the local authority with planning applications because (i) it will vary from application to application depending on the latter's size, type etc; and (ii) the documents required may, from time to time, change. Reference of an application to a Design Review Panel would, therefore, only be appropriate in certain cases.</p> <p>Change proposed</p>	SP24	Mod No. 99

Rep No. & Name	Legally Compliant?	Sound?	Section to which rep relates	Reason for Unsoundness	Summary of Representation	Changes requested	Council Response	Section change	Mod No.
						essential for at least all large scale developments and those in environmentally sensitive areas.			
LP97 - Mr. D. Yorke	Yes	No	SP25 Historic environment	a. Positively prepared	The policy is considered unsound because of omission and lack of clarity.	The meaning of the terms “undesigned” and “designed” assets are not clear in this context. If they are to be Defined Terms, they should be in the glossary or explained in the text of the Policy. Development proposals should be informed by the various information sources and evidence base that are available, perhaps being those given in preceding paragraph of the preambles to this Policy. Some cross-reference to SP25 and vice versa would be useful.	These two terms are defined in the NPPF (Annex 2: Glossary). Non-designated heritage assets are not covered by that definition, but it picks up likely significant heritage assets that are not formally defined by that definition which may be either currently unknown or may have to be subject to further assessment as part of the determination of planning application.. It is accepted that a repetition of this definition would be helpful, and is proposed for inclusion in the Glossary as a modification. Change proposed	Glossary, page 198	Mod No. 148
LP98 - Mr. D. Yorke	Yes	No	SP27 Climate change, water body management and flooding	b. Justified	The policy is considered unsound because of possible omission and lack of clarity	It is surprising that this policy (as suitably amended) does not include drainage since it is an essential part of “Water” if not “Water Body” Management. The Council should consider if it covered adequately elsewhere within the suite of policies. More than just “addressing” of surface water run-off and Sustainable Drainage Systems (SuDS) is needed. It should be a requirement.	The policy and justification are supported by Environment Agency and SCC through duty to cooperate. SCC are the SAB (SUDS Approval Board) and from April 2014 they will be approving Drainage Applications and in some cases adopting, the approved drainage systems No change proposed		

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LP99 - Mr. D. Yorke	Yes	No	SP28 Renewable and Low Carbon Energy Generation	b. Justified	The policy is considered unsound because of omission and lack of clarity.	<p><i>"The Borough Council will prepare a Supplementary Planning Document with advice on the types of renewable energy technology and low carbon design that may be most appropriate in the different types of location in the Borough."</i> Such considerations should be part of this policy now, not in the future.</p> <p><i>"In assessing whether or not adverse impacts are satisfactorily addressed, the Council will also take into account cumulative impacts."</i> It is not at all clear what is intended here. If it is the visual and/or environmental effects of many rooftop solar panels and wind turbines, then it should be said.</p>	<p>The Council will prepare this additional advice on the back of the Local Plan policy, as soon as practicable. The reference to "impacts" corresponds to the reference to "impacts" earlier in the paragraph, before the bullet points. Possible adverse impacts might come from any of the considerations set out in the bullet points.</p> <p>No change proposed</p>		
LP100 - Mr. D. Yorke	Yes	No	SP32 Outdoor Sports and Open space	b. Justified	The policy is unsound because of lack of clarity and method.	The Policy should include a statement as to exactly how will the Council will be "securing community use" when it has no legal responsibilities for education provision.	<p>Opportunities arise when the developer provides a school directly and an s.106 agreement is signed with ESBC and by negotiation with SCC when they are the planning authority for school schemes. Such a statement is proposed to be added to the Reasoned Justification preceding the Policy.</p> <p>Change proposed</p>	Page 150	Mod No. 111

Pre-Submission Local Plan – Summary Schedule of Representations

Rep No. & Name	Legally Compliant ?	Sound?	Section to which rep relates	Reason for Unsoundness	Summary of Representation	Changes requested	Council Response	Section change	Mod No.
LP101 Mr D York		No	SP35 – Accessibility and Sustainable Transport	c. Effective	<p><i>The Council is committed to developing a well integrated community connected by a sustainable transport system which connects people to jobs, services and community facilities. This will be achieved encouraging the use of sustainable modes of transport and by taking the following steps: ...</i></p> <p><i>• Promoting electronic communications allowing businesses to operate throughout the borough reducing the need to travel;'</i></p> <p>Why just 'throughout the borough'? Surely the successful businesses that the Council wishes to retain and attract will communicate outside the East Staffordshire geographical area? Consequently the policy, as written, is flawed.</p>		<p>The Local Plan can only make decisions on applications within the Borough Boundary and the recommendation is not possible.</p> <p>No change proposed.</p>		
LP102 (Mr D Yorke)		No	DP1 – Design of New Development	b. Justified	The policy is unsound because of omission.	<p><i>'Planning permission will normally be granted for development which responds positively to the context of the surrounding area and in itself exhibits a high quality of design and is compliant with the East Staffordshire Design Guide (or any superseding document)'</i>.</p> <p>But the Design Guide is not to be the only applicable document according to the list associated with other policies with design implications. Cross-referencing may suffice but it is sensible to include all of the relevant guidance documents that will be applied as policies in this policy DP1 for absolute clarity.</p>	<p>Consider the East Staffordshire Design Guide and any future revisions would signpost or summarise other relevant design guides.</p> <p>No change proposed.</p>		
LP103 (Mr D Yorke)		No	DP5 – Protecting the Historic Environment: All Heritage Assets, Listed Buildings and Conservation Areas	b. Justified	The policy is unsound because of omission and professional experience.	<p><i>'There may be an opportunity to introduce innovative development which complements the existing historic environment through high quality contemporary architecture and energy efficient technology, where such technology would not cause harm to the character, setting or fabric of the heritage asset.'</i></p> <p>Since professional experience has shown that the current Design SPD as written, interpreted and applied by ESBC's planning officers to other than 'existing historic environment(s)', there is little chance that this will occur. A properly constituted Design Panel as referred to in the comments for SP24 might so permit, however.</p> <p>Some cross-reference to SP25 and vice versa would be useful.</p>	<p>All policies will be applied to planning applications where relevant. The monitoring framework sets out a contingency regarding the design of developments.</p> <p>No change proposed.</p>		
LP104 (Mr D Yorke)		No	DP7 - Pollution	b. Justified	The policy could be unsound because lack of clarity.	<p><i>'Development proposals will only be granted planning permission where they will not give rise</i></p>	<p>Renaming policy to 'Pollution and Contamination' proposed as a</p>		

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						<p><i>to, or be likely to suffer from, land instability and/or unacceptable levels of pollution in respect of noise or light, or contamination of ground, air or water.'</i></p> <p>Within the Waste Management community, Pollution and Contamination are similar but separate issues. For the avoidance of doubt, the Policy's title should therefore be 'Contamination and Pollution'.</p>	<p>modification.</p> <p>Change proposed.</p>	DP7	Mod No. 136
LP 105 (Mr D Yorke)		No	Monitoring Framework		The proposed monitoring arrangements have the potential for being ineffective.	<p>There is perhaps too much reliance on in-house monitoring. Objective, third-party auditing thereof would offer greater public confidence and possibly protect the Planning Authority from unwarranted criticism.</p> <p>This comment is prompted by the document's surprising admission that training of some of its officers is required, suggesting that they might be unqualified or untrained.</p> <p>In such circumstances, the Members of the Planning Committee must themselves make robust scrutiny of those planning decisions delegated to its officers.</p>	<p>Majority of monitoring currently takes place in house. The reference to training is set out in the contingency column.</p> <p>No change proposed.</p>		
LP 106 (Mrs H Davies)	No	No	Strategic Objective 10	a. Positively prepared b. Justified c. Effective	No comments provided	No comments provided	No change proposed.		
LP 107 (Morag Dunion)	No	No	Strategic Policy 4 – Distribution of Housing Growth	c. Effective	<p>I am concerned by the inadequate efforts made by the planning authorities to fully engage the residents of Uttoxeter in the development of the pre-submission local plan and the apparent haste with which they are now seeking to push this plan through the process without gaining a reasonable level of consensus from the local population. The pre-submission local plan contains bold statements such as :</p> <ul style="list-style-type: none"> • The need to deliver development which is sensitive to the landscape • The need to protect and enhance the Boroughs natural environment • Ensuring that new development does not have a detrimental impact on people's quality of life or the quality of the Borough's built and natural environment <p>To protect, conserve and enhance the local countryside, character, distinctiveness and quality of the landscape and the diversity of wildlife and habitats. However, it then includes plans to develop the green field site at Hazelwalls farm which is remote from the town centre and all amenities and which has</p>		<p>Information on consultation methods are set out in the consultation statement.</p> <p>No change proposed.</p>		

Rep No. & Name	Legally Compliant ?	Sound?	Section to which rep relates	Reason for Unsoundness	Summary of Representation	Changes requested	Council Response	Section change	Mod No.
					<p>extremely poor road infrastructure around it. The area is rural and a habitat for a great variety of wildlife and is adjacent to the Staffordshire way. Extremely important is the inclusion of the following as one of the 12 drivers :</p> <ul style="list-style-type: none"> • Public policy and opinion <p>Yet, as a resident of Uttoxeter, I only became aware of this document recently after overhearing a conversation. As such, I do not believe that sufficient importance has been placed on this key element of the process and that it is now being "pushed" with undue haste in order to prevent the opportunity for concerned residents to raise any objections. I would therefore question the validity if the process and the motives of those involved.</p>				
LP108 (Mrs H Davies)	No	No	Strategic Policy 4 – Distribution of Housing Growth, Hazelwalls allocation	<p>a. Positively prepared b. Justified c. Effective</p>	<p>The plan for the development at Hazelwalls is fundamentally flawed in the following ways:-</p> <p>It is not Positively Prepared in that it does not meet infrastructure requirements. The developers plan to use current roads and drainage systems. The current roads within The Hazelwalls Estate are cul-de-sacs and were never designed for and will not be able to cope with the increased traffic both the development itself will bring and the resulting traffic from this. The developers propose that a 'main route' will be via the B5013 Abbots Bromley Road. In practice this will not be the case as it will be much quicker for the residents to use the estate roads as a route to the A50 and to the Town Centre. This will result in these roads having a traffic capacity they cannot cope with and were not designed for. There is the potential for 700 cars (2 per household is not unrealistic) to be using these roads daily - they were designed to be used by 50 cars per day at the most. This is DOES NOT MEET INFRASTRUCTURE REQUIREMENTS. Westlands Road will be another outlet for the vast majority of traffic - this is a quiet backwater and the houses have few driveways, will the council end up putting double yellow lines there to control the traffic? Not in keeping with 'ensuring that the development does not have a detrimental impact on people's quality of life'.</p> <p>The drainage will be a problem as the developers themselves admit by including the balancing pools in their plan, a description of the function of a balancing pool is that 'it is used to contain a surge in flood water and release it in a controlled manner' - A CLEAR ADMISSION THAT THE DRAINAGE SYSTEMS ARE INADEQUATE.</p> <p>The plan is not justified. This option was ruled out as not the preferred option in July 2012. The Plan states that things have changed but does not state what has changed. The development is not justified, reasonable, proportionate or necessary in this area of the town. There are far more suitable sites to utilise with better prospects for infrastructure and local</p>	<p>The Hazelwalls Development should be scrapped from the Local Plan.</p> <p>If it is not then an Environmental Impact Assessment should be carried out and consultation with Highways Agency and an independent body to assess the infrastructure requirements which are woefully inadequate or Consideration for a much smaller development of less than 100 houses, which the site is more suited to and which would considerably reduce the impact on the local community and environment. Remember this is about Uttoxeter people not the developers.</p>	<p>Evidence of infrastructure referred to in the representation is set out in the Infrastructure Delivery Plan and Water Cycle Study which demonstrates that these issues have been considered throughout plan preparation.</p> <p>All sites have been subject to assessment in the Sustainability Appraisal.</p> <p>The site has been allocated due to its sustainable location in relation to Uttoxeter. There are no significant barriers to development.</p> <p>No change proposed.</p>		

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					<p>amenities.</p> <p>The Plan is not effective. It does not account for the increased level of traffic, drain water or local amenities required by all the new people. Therefore it does not account for sound infrastructure delivery planning. There has not been any infrastructure planning.</p> <p>There has been no environment impact assessment for this planned development, how can this be so? This development will have a massive impact on the environment not only due to the points raised above but because of the wildlife in the area, the greenbelt land it would swallow and the preservation of ancient barrows on the site. This plan cannot, therefore, be compliant with regulatory and national planning barriers which must protect the environment from these sorts of threat.</p> <p>Delivery partners are, I'm sure, signed up for it and would stand to make a lot of money out of it.</p> <p>If other towns are using unsuitable roads and drainage and causing detrimental effects on the current residents of the area and wildlife without an Environmental Impact assessment then maybe this plan is coherent with others....</p> <p>National Policy - Cannot be complied with for all the reasons outlined above</p>				
LP109 (Mr Julian Green)	Yes	No	Strategic Policy 4 – Distribution of Housing Growth, Hazelwalls allocation	a. Positively prepared, justified	<p>Positively prepared - lack of adequate infrastructure. The 3 affected schools Oldfields, Picknalls and Alleynes are virtually at full capacity now as are the dental and doctor practices in the town.</p> <p>Justified - Hazelwalls is a beautiful green field site with a variety of wildlife. There are several brown field sites around the town that would not see lovely countryside ruined.</p> <p>Traffic - Westlands Rd is narrow with no off street parking for residents. The increase in traffic before and after development of Hazelwalls would be dangerous for residents a lot of whom have young children.</p> <p>Allotments at Westlands Rd - these would be lost partially or totally. They are fully occupied with a waiting list. Are they not protected against development?</p>		<p>Information related to education, allotments, doctors and dentists are set out in the Infrastructure Delivery Plan.</p> <p>An assessment of brownfield sites and capacity is set out in the Strategic Housing Land Availability Assessment (SHLAA) and Brownfield Sites Topic Paper, both of which set out that there are insufficient sites to address objectively assessed housing need.</p> <p>Traffic impacts have been considered and set out in the East Staffordshire Draft Integrated Transport Strategy</p> <p>No change proposed.</p>		
LP110 (Paul and Linda Hoptruff)	No – Duty to Cooperate not met	No	Strategic Policy 4 – Distribution of Housing Growth, Hazelwalls allocation	b. Justified	<p>This brief analysis has focused upon the proposal in the ESBC Local Plan (Pre-Submission) version for an extension to the settlement boundary of Uttoxeter at Hazelwalls and the allocation of the resultant site for the development of 350 houses as a (small scale) "Sustainable Urban Extension" (Strategic Policies 4 and 7).</p>	<p>If the representations are accepted by ESBC, they may agree to amend the Local Plan and put any such proposals to the Inspector. It is suggested that amendments could cover the following matters:</p> <ul style="list-style-type: none"> - The removal, or substantial reduction of 	<p>Evidence base supporting the plan includes the Infrastructure Delivery Plan and the SHMA.</p> <p>The Uttoxeter Neighbourhood Plan is at an early stage of consultation.</p>		

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					<p>It is noted that this allocation was not included in the previous (Preferred Options) version of the Local Plan in 2012 and that it formed part of a strategy which was rejected in favour of an alternative which focused greenfield development on land to the west of Uttoxeter.</p> <p>The report demonstrates that the latest version of the Local Plan contains little justification for the substantial alterations to the scale and location of growth which have been made, that potentially viable alternatives have not been considered and that there has been inadequate consultation with the local community, adjoining local authorities and other interested parties on the changes.</p> <p>Two separate, but linked, representations on the Local Plan are recommended, covering;</p> <p>1 That the Local Plan is Not legally compliant – because there has been no additional consultation on the radical change from the Preferred Options document in terms of (a) the increase in dwelling numbers from 1050 to 1557 and (b) the introduction of the Hazelwalls site, despite its exclusion under a previous analysis of options.</p> <p>2 That the Local Plan is Not Sound – because it is not - with reference to the tests of soundness – (Justified). Guidance states that the Plan should be the most appropriate strategy, when considered against reasonable alternatives, based on proportionate evidence. However, there is no assessment of alternative locations for development, the implications of the development on the local landscape have not been properly considered, there is a conflict with other Local Plan strategic objectives and policies concerning sustainable development and there is insufficient consideration given to the capacity of local infrastructure to serve the proposed development. Details follow and Section 4 of the report includes suggested wording for the above representations.</p> <p>2 Assumptions and interpretation of the Brief from the Parish Council</p> <p>This report is provided for the use of Paul and Linda Hoptroff, as residents of Uttoxeter, however there is no objection to the principles of the proposed representation(s) being shared with other local residents concerned about the inclusion of the Hazelwalls site in the ESBC Pre-Submission) Local Plan. Whilst it is set in the context of the overall housing allocation for Uttoxeter as set out in the Local Plan, it does not consider in detail the arguments for or against other proposed development sites in the town.</p> <p>The context is that the overall housing allocation for Uttoxeter has increased by 500 + since the Preferred Options version of the Local Plan in 2012. This is due to ESBC using an updated calculation of housing demand, need and supply, to meet national planning guidelines and to maintain a 5 year housing land supply, following pressure to determine planning applications for larger scale residential development (or to face</p>	<p>the allocation for new housing at Hazelwalls and either no, or very limited changes to the settlement boundary, in this location.</p> <ul style="list-style-type: none"> - A reasonable increase in the scale of planned development in the other proposed residential development sites in Uttoxeter, that is, Uttoxeter West and Stone Road, Brookside Industrial Estate, JCB and Pinfold Road. - A greater reliance on the redevelopment and conversion of older industrial areas, for example Brookside and/or other areas that are in economic transition. 	<p>No representations from Stoke on Trent have been received and no issues have been raised through duty to cooperate.</p> <p>No change proposed.</p>		

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					<p>appeals on sites to the west of Burton upon Trent). This has resulted in the granting of planning permission for large sites at Beamhill (Upper Outwoods), Branston South and Stretton in July 2013. It is also linked to an increase in the proposed scale of new housing development at Outwoods (Harehedge Lane/Tutbury Road) and in Uttoxeter – at Hazelwalls.</p> <p>In addition, there appears to be recent concerns over the deliverability of housing sites included in the supply figures and likely rate of development that will be achieved in the early part of the 5 year land supply period and the implementation of the plan. These factors seem to lie behind a recent appeal decision which granted planning permission for 250 house at Redhouse Farm in Outwoods, again just outside Burton.</p> <p>This report is not backed up by sufficient evidence (or expertise on the authors behalf) to be able to challenge the wider housing supply figures and the way in which ESBC have derived their overall figures. That said, it would be reasonable to ask what the justification is for the allocation in Uttoxeter increasing by almost 50% (however this is less than in Burton where the increase is from 3900 to 6473). The Local Plan contains little direct evidence or analysis of the need for more land and the decisions as to where more land should be allocated</p> <p>However, it can be demonstrated that the Local Plan (Pre-Submission) version is flawed in the way that the allocation for Hazelwalls, (with an unsubstantiated dwelling requirement of 350), has been included, despite not being favoured in the Preferred Options document in 2012. It is contended that this is a simply expedient choice by the Borough Council in the face of pressures on housing land supply, but that this means that will be an adverse impact on the stated Local Plan objectives for sustainable development in and around Uttoxeter.</p> <p>With reference to the Representation Form and Guidance Notes, it is argued that the Local Plan Publication Draft is flawed in that it is;</p> <p>(2a) Not legally compliant – because there has been no additional consultation on the radical change from the Preferred Options document in terms of (a) the increase in dwelling numbers from 1050 to 1557 and (b) the introduction of the Hazelwalls site, despite its exclusion under a previous analysis of options.</p> <p>(2b) Not Sound – because it is not -with reference to the tests of soundness – (Test 3b Justified: The Plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence). It is argued that:</p> <ul style="list-style-type: none"> - alternatives to the additional larger scale development at Hazelwalls have not been fully considered; - that the implications of the proposed development on the landscape, environment and character of the (undeveloped) open countryside to the south of Uttoxeter have not been adequately considered; 				

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					<ul style="list-style-type: none"> - that the proposed development, based on the concept of an additional and separate, small scale Sustainable Urban Extension (SUE), is not optimal with reference to achieving the sustainable growth of the town; and - that the capacity of the existing infrastructure (in particular the local road system) is insufficient to serve the planned development of 350 houses. <p>Emerging Neighbourhood Plan It has been suggested that the preparation of the Neighbourhood Plan (NP) for Uttoxeter is a little late in the day. However, it is my opinion that an NP may provide an opportunity for Uttoxeter to have more influence on the location and form of development around the town, even if the scale of development is pre-established. Based on this, it is important to explore if there is a consensus and willingness within the community (including, but not limited to, the Town Council) to consider alternatives and to use the NP process to consider different approaches, for example:</p> <ul style="list-style-type: none"> - Looking at alternative smaller sites, greenfield and brownfield, in other locations; - Considering whether the currently proposed greenfield sites at Uttoxeter West and Stone Road could be enlarged and whether this is more sustainable than a new extension to the south of the town at Hazelwalls; - Considering whether the currently proposed brownfield sites at JCB and (in particular) Brookside could be enlarged and whether this is more sustainable than a new extension to the south of the town at Hazelwalls; - Looking in detail at the boundaries of the amended settlement boundary for the town and how they fit, or not, with the local landscape, services and accessibility; - It may also be worthwhile challenging the planned rate of development which suggests that an unequal proportion will occur in the early years of the Plan Period, whereas, in order to achieve sustainable development, there should arguably be a focus on bringing forward brownfield sites in the first instance. <p>It is appropriate to refer to the production of the NP, as outlined above, which would enable detailed consideration to be given to local issues, such that development is more sensitive to the character of the town. Whilst it is acknowledged that an NP cannot reduce the overall housing allocations from an approved Local Plan, a refreshed commitment to the production of an NP would be an effective way for the community to increase its influence over the location and form of new housing in the town.</p> <p>3 Local Plan – Context and policies affecting Uttoxeter and Hazelwalls</p> <p>The relevant paragraphs and policies from the Local Plan and the associated Evidence Base documents (Settlement Boundary Review Topic Paper 2013) are listed below and selected policies and sections are presented in more detail in Appendix 1.</p> <p>Paras. 1.14 – 1.15 Confirmation of Neighbourhood Plans under</p>				

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					<p>preparation (inc. Uttoxeter) Paras. 1.25 – 1.31 – Key Regional/Sub Regional Influences Para. 1.91 Local Housing market areas (five, including Uttoxeter) Paras. 1.126 – 1.129 Profile of Uttoxeter. Pages 50 to 52 – The Vision (including Uttoxeter) Para. 1.134 – Strategic Objectives (includes SO1 Well Designed Communities, SO3 Accessibility & Transport Infrastructure and SO4 Neighbourhood Plans). Para. 2.9 to 2.12 Interim Sustainability Appraisal (<i>esp. 2.11 – vague on combining 2c 2d</i>) Para. 2.19 – Direction of development to Uttoxeter (<i>focus on economics, not impacts</i>) Para. 2.29 – 2.37 – Spatial strategy – Brownfield and Greenfield Development – esp. 2.36!! Strategic Policy 1 (pages 76 to 78) Approach to Sustainable Development Strategic Policy 2 (pages 78 to 80) – A Strong Network of Settlements Strategic Policy 4 (pages 81 to 84) – Distribution of Housing Growth 2012 – 2031 Strategic Policy 7 (pages 88 to 93) Sustainable Urban Extensions.</p> <p>A review of the above sections and policies has identified the following issues related to the addition of Hazelwalls as a development site.</p> <ul style="list-style-type: none"> - Little reference is made of the potential for the Uttoxeter Neighbourhood Plan to be used to identify sites for development and this runs counter to the intent of Strategic Policy 2. - It is questionable whether sufficient consideration has been given (under the Duty to Co-operate) to the impact of an increased reliance on Greenfield development in Uttoxeter on efforts to maximise brownfield development and regeneration, especially in Stoke on Trent. - The increased number of greenfield sites in Uttoxeter and the designation as Hazelwalls as a (small scale) Sustainable Urban Extension may not be in accordance with or fulfil the purposes of other objectives and policies in the Local Plan (e.g. Strategic Objective 1, Strategic Policy 1 & Strategic Policy 7). - The Local Plan and associated evidence based documents appear to contain little evidence or analysis of the suitability of the Hazelwalls site for development (other than the brief summary in table 53 in the SHLAA) and the focus is upon the availability and the prospects for early development by a single landowner/developer. This would seem to run counter to the Local Plan objectives and policies concerning sustainable development and local involvement through Neighbourhood Plans. <p>4 Proposed Representations on the ESBC Local Plan</p>				

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					<p>The proposed basis of representations, with reference to the guidance provided by ESBC, are set out below.</p> <p>Not legally compliant – The Local Plan does not fulfil this requirement because there has been no additional consultation on the radical change from the Preferred Options document in terms of (a) the increase in dwelling numbers from 1050 to 1557 and (b) the introduction of the Hazelwalls site, despite its exclusion under a previous analysis of options.</p> <p>It is contended, with reference to this test, that there has been inadequate consultation on the significant increase to planned new dwellings in Uttoxeter and the introduction of an additional Sustainable Urban Extension at Hazelwalls. It is considered that the consultation is lacking in two respects:</p> <ul style="list-style-type: none"> - With the local community, especially bearing in mind the commitment which has been made to the production of a Neighbourhood Plan for Uttoxeter; - With adjoining and nearby local authorities, including Staffordshire Moorlands, Stafford Borough and Stoke on Trent on the impact of increased greenfield housing allocations in Uttoxeter which may prejudice the bringing forward of brownfield sites for development in these locations and especially in Stoke on Trent. <p>Not Sound – The Local Plan is not sound (with reference to the tests of soundness – (3b Justified: The Plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence). It is contended that:</p> <ul style="list-style-type: none"> - alternatives to the additional larger scale development at Hazelwalls have not been fully considered; - that the implications of the proposed development on the landscape, environment and character of the (undeveloped) open countryside to the south of Uttoxeter have not been adequately considered; - that the proposed development, based on the concept of an additional and separate, small scale Sustainable Urban Extension, is not optimal with reference to achieving the sustainable growth of the town; and - that the existing infrastructure (in particular the local road system) is insufficient to serve the planned development of 350 houses. <p>It is argued, therefore, that the Local Plan is not justified because it does not reflect the most appropriate strategy in that it has not considered other options for development around Uttoxeter. As such, it has not justified the classification as a “small scale” Sustainable Urban Extension and it is questioned whether this fulfils the objectives of the other Local Plan objectives and policies, in particular; SO1 Well Designed Communities, Strategic Policy 1 - Approach to Sustainable</p>				

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					<p>Development and Strategic Policy 7 - Sustainable Urban Extensions.</p> <p>Issues are also identified with reference to the following paragraphs:</p> <ul style="list-style-type: none"> - Paras.(2.9 to 2.12) outlining the Interim Sustainability Appraisal, are vague on justification for combining the earlier options 2c and 2d into a single strategic choice and on the inclusion of land south of Uttoxeter as part of this. - Para. 2.19 – (Directing development to Uttoxeter), is too focused on an economic justification and does not appear to consider the environmental impacts and lack of overall sustainability of the allocation of land at Hazelwalls. - Para. 2.36 – Contrary to the wording of this paragraph, it is contended that the planned development around Uttoxeter is now piecemeal as a result of the inclusion of Hazelwalls and that the designation of two SUEs does not represent evidence based approach which would optimise sustainable development. This is also contrary to the Vision and Strategic objectives of the Local Plan. 				
LP111 Mr P Hoptroff	No	No	<p>Paragraphs 1.14, 1.134, 2.9 to 2.12 & 2.36 Policies - Strategic 1,2,4, and 7 Policies Map - Insets 3 & 4 Uttoxeter</p>	b. Justified	<p>The Local Plan is not justified - ("<i>The Plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence</i>"), because:</p> <ul style="list-style-type: none"> - alternatives to the additional larger scale development at Hazelwalls have not been fully considered - the implications of the proposed development on the landscape, environment and character of the (undeveloped) open countryside to the south of Uttoxeter have not been adequately considered; - the proposed development, based on the concept of an additional and separate, small scale Sustainable Urban Extension (SUE), is not optimal with reference to achieving the sustainable growth of the town; and - the existing infrastructure (in particular the local road system) is insufficient to serve the planned development of 350 houses. <p>It is therefore argued that the Local Plan does not reflect the most appropriate strategy in that it has not considered other options for development around Uttoxeter. As such, it has not justified the classification as of Hazelwalls as a "small scale" Sustainable Urban Extension and it is questioned whether this fulfils the objectives of the other Local Plan objectives and policies, in particular; SO1 (Well Designed Communities), Strategic Policy 1 - (Approach to Sustainable Development) and</p>	<p>The proposed allocation of 350 dwellings on land south of Uttoxeter (Hazelwalls) should be removed from the Local Plan and a commitment made by ESBC to support the preparation of the Uttoxeter Neighbourhood Plan to identify alternative options, sites and locations for development in the town in order to meet the agreed housing requirement of 1557 dwellings within the plan period, and to phase development at a rate that supports other strategic and sustainable development objectives for new housing in the Borough and in surrounding authorities.</p> <p>The wording of Strategic Policy 2 -paragraphs 3 on page 80 - should be amended to enable alternative sites or approaches to be identified through Neighbourhood Planning. The third paragraph could read; - Where a Neighbourhood Plan has been made, or is to be prepared, then the Neighbourhood Plan takes precedence over this policy.</p> <p>This should be cross referenced with Paragraph 2.19 (Sustainable Development Strategy - directing growth to Uttoxeter) which should be amended to include references to a balance being required between economic and regeneration objectives and the need to take account of the</p>	<p>Evidence base supporting the plan includes the IDP and the SHMA.</p> <p>The Uttoxeter Neighbourhood Plan is at an early stage of consultation.</p> <p>No representations from Stoke on Trent have been received and no issues have been raised through duty to cooperate.</p> <p>No change proposed.</p>		

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					<p>Strategic Policy 7 - (Sustainable Urban Extensions). It is also further noted that:</p> <ul style="list-style-type: none"> - The paragraphs (2.9 to 2.12) outlining the Interim Sustainability Appraisal are vague on the justification for combining the earlier options 2c and 2d into a single strategic choice and on the inclusion of land south of Uttoxeter as part of this. - Para. 2.19 - (Directing development to Uttoxeter), focuses too much on an economic justification and does not appear to consider the environmental impacts and lack of overall sustainability of the allocation of land at Hazelwalls. - Para. 2.36 - Contrary to the wording of this paragraph, it is contended that the planned development around Uttoxeter is now piecemeal as a result of the inclusion of Hazelwalls and that the designation of two SUEs does not represent an evidence based approach which would optimise sustainable development. This is also contrary to the Vision and Strategic objectives of the Local Plan. 	<p>environment and character of the town and wider sustainability objectives.</p> <p>If these amendments cannot be made by ESBC, the authority should produce a report to demonstrate how it considers that adequate consultation has been carried out on the proposed allocation of development on land south of Uttoxeter (Hazelwalls) and to present evidence that the allocation represents the optimal choice in terms of sustainable development when objectively compared with the other options suggested in this representation. Both the report and the evidence should be submitted to the inspector for consideration at the Local Plan inquiry.</p>			
LP 112 (Mr Robert Dodman)	Yes	Yes			<p>Positively Prepared: - Yes Justified: - Yes Effective: - Yes if implemented. Soundness:- Yes but does not prioritise strongly enough "Brownfield" sites in Tier 3 areas where they remain unused from a bygone era and serve no economical, practical or scenic use.</p> <p>Consistent with National Policy: - I think the random allocation of 90 homes spread amongst some 15 Tier 3 settlements does not go far enough to cater for the known demand for housing coming from the influx of managerial, technical and engineering who will be re-locating to the Nestle Plant in Tutbury/Hatton - an expected 20-50 transferees from Hayes to Tutbury/Hatton. The Plan is a 19 year target but I think with increasing affluence there will be increased demand for Tier 3 living and the current target of 90 should be doubled and certainly there is enough "derelict/brownfield" sites to accommodate more homes without disadvantaging others. I would like also to stress the increasing National demand for self build plots with eco/green/sustainable qualities which are best located in Tier 3 settlements.</p>		<p>The development strategy is based on consultation, aspiration to regenerate the urban areas, utilise brownfield land and control development in the open countryside.</p> <p>No change proposed.</p>		
LP113 (Mr Mark Roberts)	No	No	SP 7 and others related to the Hazelwalls site and Uttoxeter in general	<p>a. Positively prepared b. Justified c. Effective</p>	<p>Before commenting directly, I feel it is unreasonable for persons who wish to comment on the proposals even to be asked to "suggest revised wording of policy or text" (as stated below!). The documents are hundreds of pages long, compiled by persons probably with a legal background and other models to draw on. As a lay-person, it is appropriate to make observations, not identify the legal shortcomings of the proposals. However, the Council's consultation does not conform to its statutory obligations under The Neighbourhood Planning (General) Regulations 2012, particularly with reference to groups to be consulted under Schedule 1. The allotment associations have a right to be consulted on the issues related to the proposed Hazelwalls development through the National Allotment</p>	<p>The expectation that lay-persons should 'apply tests' and identify legal compliance and then re-word the policy or text is entirely unreasonable, given the resources available to the compilers compared to those citizens who participate in the consultation process.</p> <p>However, there should be a serious economic appraisal of the employment potential in Uttoxeter an initial step. This has been done vaguely and unspecifically, without any approaches to businesses, service activities, high-tech enterprises, storage or logistics companies,</p>	<p>Evidence base includes the Strategic Housing Market Area Assessment which evaluates the link between housing and employment and an up to date Employment Land Review.</p> <p>The consultation statement sets out how the legal consultation requirements have been addressed.</p> <p>No change proposed</p>		

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					<p>Association.</p> <p>a) Positively Prepared:</p> <p>The plan for the proposed Hazelwalls farm development does not reflect the development needs of Uttoxeter. The plan does not consider the specific infrastructure impact of a development in this part of the town, whereby several hundred more houses would be built, comprising perhaps a thousand people plus in one small area of west Uttoxeter. There are serious issues concerned with the road traffic congestion, railway crossing congestion, pedestrian crossing points and safe school access, amongst others. On these points alone, the Strategic Appraisal Framework states that development should "enhance greenfield sites", "introduce habitat creation and amenity space" and "enhance other transport options than the car". None of these aims is achieved with the proposed development Hazelwalls and the opposite- habitat destruction, reduction of access and enjoyment of amenities, over-reliance on the car for school journeys, shopping and access to facilities such as doctors or dentists- would be the result.</p> <p>b) Justified The Hazelwalls site was not previously identified as a preferred option. The demographic details given in the Pre-submission Local Plan are conjecture and no statistical model to show a correlation between population expansion and housing type is provided. The Pre-submission Local Plan (1.35) undertakes to "reduce the (wealth) gap, reduce carbon emissions and reduce mortality rates from coronary heart disease". It is also suggested that Uttoxeter housing is "relatively affordable" (1.93) (compared with Lichfield, at least), yet the proposed Hazelwalls development will have, primarily, a low-density build strategy (i.e. large detached homes which currently cost £225,000 plus). This directly conflicts with the population growth predictions, housing need type and even the home ownership patterns outlined in the Local Plan and Strategic Appraisal. If the ESBC were serious about reducing the wealth gap, there would be plans to develop the brownfield site on the Pinfold Street JCB site with a range of affordable housing, similar to the Market Place or Maltings Car Park developments and enhance the amenities such as parks, play areas, access to public footpaths, etc. for all. Children from this part of town (Chestnut Avenue, Kingfisher Way etc.) do not use their bicycles to attend schools as there are no cycle paths and the junctions are dangerous, even with pedestrian crossings. The proposed Hazelwalls development threatens the natural habitats for buzzards, kestrels, rooks, amphibians such as frogs and newts and mammals such as badgers. In winter time, there are large flocks of thrushes, redwings and fieldfares which feed on the berries in the hedgerows. I have seen lapwings, curlew and even snipe on these fields in the past few years, all of which would be driven away if the hedgerows were further destroyed for development. Developers see tree planting as a tiresome obligation already and it is impossible to recreate hundreds of years of hedgerow but easy for developers to justify removing!</p> <p>c) Effective There are no criteria assessment available which</p>	<p>support services such as data management or others. Perhaps this is because it is preferable to talk vaguely about bringing jobs in order to build houses rather than investigate thoroughly. The sustainability of jobs is uncertain even in the retail supermarket business as evidenced in Tesco's employment of many part-time, low-wage employees and self check-out facilities and other technological innovations. Housing should be linked to genuine employment assessment not political 'jobs and growth' mantras.</p> <p>No genuine analysis has been made of the job development processes (plus or minus) in the town. This applies just as much to the declining agricultural sector as to the services or production sectors.</p>			

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					<p>illustrate how 'effective' a development might be. The Chestnut Avenue/ De Montfort Way/ Old Knotty Way 'birds, trees and herbs' estate is effective in providing housing but has not promoted community cohesion. It has not reduced reliance on the motor car nor has it provided amenities locally (except for playgrounds) with no school, no clinic, no children's care centres, no playing fields etc. etc. The current ESBC may say "Oh, it's all different now" but there is no evidence for this. The infrastructure issues are not addressed specifically. The Hazelwalls development, if it went ahead, would increase carbon emissions as outlined - more school journeys, more cars waiting at key junctions or pedestrian crossing points. The Pre-Submission Local Plan indicates that emissions in ES are "slightly higher" at 8.6t/cap compared with the 6.8t/cap for Staffordshire as a whole. That doesn't look like a 'slight' difference to me! Moreover, it would extend the role of Uttoxeter as a commuting town. The Borough predicts population growth ('mainly through migration") which suggests that people would come here to live but work elsewhere. Hazelwalls would NOT "...encourage sustainable modes of transport to reduce transportation contribution to Carbon Dioxide emissions (P-S L.P. 1.73)</p> <p>d) Consistent with National Policy.</p> <p>National Policy emphasizes sustainable development but the economic impact of Hazelwalls is not set out coherently. The number of jobs in the Borough has declined (P-S L. P. 1.79). The centre of Uttoxeter has lost so many small shops (with the accompanying jobs) which may be replaced by retail jobs through the Asda development, although it is hard to find evidence for job projections for this site. But the Maltings, Brookside, Business Centre (wine warehouse and dental practice), Trinity Road and Trinity Square no longer provide sustainable jobs. It is my view that a thorough appraisal of the type of economic development which will create sustainable employment should be undertaken rather than the policy of 'build houses and jobs will follow'.</p> <p>The lack of social networking opportunities for the existing Uttoxeter community is sadly evident. Only the church groups seem to take their social role seriously. There are few activities for young people (except sports in school holidays); the Leisure Centre inadequacies have only just started to be addressed. There are few political, local history, literature or environment protection groups as there are no facilities supported by the Council. The Library does its best but clearly its Internet/Job Centre/ Citizen's Advice roles do not make it conducive to being an activities centre. The 'Heritage Centre' has become an entrance-fee paying institution which does not appear to encourage local participation. The National Policy maintains that environmental sustainability should be at the forefront of all development. Clearly, with the proposed Hazelwalls development, there is a real threat to the environment as if it were to go ahead, the next stage would be development up to</p>				

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					Cullimore Lane and beyond.				
LP 114 Rolleston Parish Council	Yes	No	SP1 – East Staffordshire Approach to Sustainable Development	a. Positively prepared b. Justified c. Effective, d. Consistent with national policy	There is no clear definition of what Sustainable Development means for East Staffordshire e.g. protection of fields and agricultural land. Sustainability needs to have a local determination	Local determination of the term "sustainable development is required. It should include villages, maintaining existing services and facilities within villages. A village is only sustainable if facilities are maintained, if not they end up commuter areas.	Following consultation on the Preferred Options and associated responses, a policy setting out the local definition of sustainable development has been produced, as set out in SP1. The policy includes criteria on the proximity to services and facilities. No change proposed.		
LP 115 Mr John Snow (represented by Mr John Wren)	Yes	No	SP4 Distribution of Housing Growth and Inset Map 10 - Marchington	a. Positively prepared b. Justified c. Effective d. Positively prepared	The proposals for Marchington do not meet the guidance in paragraph 28 of The National Planning Policy Framework in that the level of development proposed over the plan period will not assist in the retention of existing services. Further development is needed. Mr Snow owns land fronting Stubby Lane which is bounded by Jacks Lane and Bag Lane. Independent access from Stubby Lane could be provided without adding to existing problems along Jacks Lane. Runoff from the site could be taken under Stubby Lane to drain in fields to the west of that road which Mr Snow owns. Development of this site would not adversely impact on the Conservation Area but would be sufficiently close to the centre of the village to allow access to the existing community facilities on foot. Development here could include both affordable housing and dwellings designed for the ageing population which the emerging Local Plan clearly identifies are needed.	Increase the allocation for Marchington in SP4 to 40 dwellings over the plan period and amend the proposed village boundary shown on Inset 10 by extending it to the north of Jacks Lane to include land for 40 dwellings. Delete the proposed extension to the boundary currently shown on the Inset.	Chapter 2 sets out how settlement numbers have been arrived. The Settlement Boundary Topic Paper sets out how boundaries have been amended. No change proposed.		
LP116 (Mrs Kelly Moore)	Yes	No	Para's: 2.23 & 2.28, Policy SP2 – A Strong Network of Settlements and Inset Map10, Marchington	b. Justified	I wish to express my opposition to the increase to the Marchington Settlement Boundary marked as Yew Tree Farm. This is green field land, not infill and within the designated conservation area. As such the council has a duty to give 'special regard' to the desirability of preserving or enhancing the character or appearance of the area in all planning decisions. Any development on this field will alter the historic layout of the core of the village. It certainly can't enhance it. The validity of a conservation area should be upheld and not changed; there are of course further considerations such as access, traffic, drainage, type of housing. All unknown at the moment. Further consultation necessary.	Further consultation with residents, infill only. A community led decision.	Consultation with the community has taken place, with the outcome set out in the Settlement Boundary Topic Paper. No change proposed.		
LP117 (Mr Peter Speed)	Yes	No	Map Inset 10 (Marchington)	b. Justified	I believe the Local Plan to be unsound because it concentrates on Marchington village which is only part of the Parish. There is land around the village that could accommodate all 20 properties in one area; there is also areas just outside the Settlement Boundary which would have little effect on existing housing as is not the case with the two areas identified in the plan.	The amendments to the Settlement Boundary should be removed enabling alternative sites to be identified through neighbourhood planning.	Consultation with the community has taken place, with the outcome set out in the Settlement Boundary Topic Paper. No change proposed.		
LP118 (Draycott in the Clay Parish Council)	No – Duty to Cooperate	No	Inset Map 11 - Draycott in the Clay	b. Justified c. Effective	The Parish Council feel they have not had adequate opportunity for consultation on the proposed settlement boundary prior to Pre-Submission consultation, with deadlines being amended and Council Officers not accepting invites to attend parish council	Request that the settlement boundary is redrawn to the alternative suggestion provided in the representation (attachment 2a and 2b).	The approach to amending settlement boundaries is set out in the Settlement Boundary Topic paper.		

Rep No. & Name	Legally Compliant ?	Sound?	Section to which rep relates	Reason for Unsoundness	Summary of Representation	Changes requested	Council Response	Section change	Mod No.
	consultation with SCI				meetings. The map is incorrect in that it does not show public footpaths. The infrastructure is not in place to support 20 dwellings and access down narrow roads is not suitable.	Believe the alternative boundary would allow development to be spread across the wider area of the village which includes development on garden land.	No change proposed.		
LP 119 (Mr Walter Stevenson)	No	No	Marchington		Development as proposed is unsound as the area suffers from flooding and increased development would give rise to increased traffic and associated pollution.	Illegible	The approach to amending settlement boundaries is set out in the Settlement Boundary Topic paper. No change proposed.		
LP120 (Rolleston Parish Council)	No	No	SP4 – Distribution of Housing Growth	a. Positively prepared b. Justified c. Effective d. Consistent with national policy	The pre submission local plan has made a strategic allocation of 100 houses for the village. Rolleston on Dove Parish Council do not accept that the village is a "strategic village" and have asked ESBC to revisit this status. There are several inaccuracies with the Settlement Hierarchy status which have not been addressed by ESBC. The Parish Council believes that it has the facilities/services of a Tier 2 and not Tier 1 village. 25 houses have already been granted planning permission in Rolleston since the start of the plan period. This means that the whole windfall allowance has already been taken up. This means that one and a half years into a 19 year plan the village have already received all of their windfall allowance. This takes away Rolleston's right to be able to determine the level of growth and where it takes place which is in conflict with the NPPF and Localism Act 2011.	The settlement hierarchy should be revisited. In accord with the communities rights in the Localism Act and NPPF the village should be able to determine its own growth through the NHD plan process.	The settlement hierarchy topic paper sets out the level of facilities and services in each settlement. Neighbourhood Plans need to be in general conformity with the Strategic Policies of the Local Plan. No proposed change.		
LP121 (Miss Frances Cunningham, Network Rail)	Yes	No	SP4 – Distribution of Housing Growth	c. Effective	The plan is not effective because it does not take into consideration the impacts on station facilities that will be created due to the increase in the population of the town of Uttoxeter and the wider area. In particular the impact of the sites 150 and 257 (JCB and Brookside Industrial Estate) does not appear to include the risk and impact on the level crossing at Pinfold Street, in particular the risk associated with an increased use of the level crossing due to the new development. In addition to this the impact upon the level crossing at Hockley Road had not been assessed and the new development will increase the vehicular traffic using this level crossing.	The changes we consider necessary to make the local plan sound are the total closure of the Pinfold Street level crossing and replacement with a bridge and the undertaking of any measures necessary to upgrade Hockley road level crossing to reduce the risk associated with increased traffic. Reference to these requirements should be made in a specific policy or SP35 if this is not considered necessary. In addition to this we would recommend that a specific policy is included in the Local Plan, if this is not considered necessary then this should be included in policy SP35. Network Rail is the statutory undertaker responsible for maintaining and operating the country's railway infrastructure and associated estate. Network Rail owns, operates, maintains and develops the main rail network. This includes the railway tracks, stations, signalling systems, bridges, tunnels, level crossings and viaducts. The rail network provides a key contribution to the aims and objectives of the East Staffordshire Local Plan Core and Spatial strategies. For objectives of sustainable development;	Additional wording to SP35 in line with requested change proposed as a modification. Change proposed.	SP35	Mod No. 122

Rep No. & Name	Legally Compliant ?	Sound?	Section to which rep relates	Reason for Unsoundness	Summary of Representation	Changes requested	Council Response	Section change	Mod No.
						<p>sustainable modes of transport and improved rail connections to be realised, Network Rail will rely on development plan guidance and policy to assist with increasing the safety of the railway and the protection and enhancement of our infrastructure.</p> <p>To enable Network Rail to help East Staffs Council achieve the vision of the Strategy we strongly request that due consideration is given to the comments provided within this representation.</p> <p>Recommended Level Crossings Policy</p> <p>1.1 There are over 30level crossings in the East Staffordshire area, both of a vehicular and pedestrian type, some being public rights of way and others being private user crossings only. Development proposals affecting the safety of level crossings in the East Midlands are an extremely important consideration for Network Rail and emerging planning policy to address. The impact from development can result in increases, often significant, in the vehicular and/or pedestrian traffic utilising a crossing which in turn can have impacts upon safety and service provision.</p> <p>1.2 As a result of increased patronage over crossings, Network Rail could be forced to reduce train line speed in direct correlation to the increase in vehicular and pedestrian traffic using a crossing. This would have severe consequences for the timetabling of trains and would also effectively frustrate any future train service improvements. This would be in direct conflict with government aims and objectives of this LDP for improving rail service within the Council's administrative area.</p> <p>1.3 In this regard, we request that the potential impacts from development effecting Network Rail's level crossings are specifically addressed through the East Staffordshire local plan. There have been instances whereby Network Rail has not been consulted as statutory undertaker where a proposal has impacted on a level crossing.</p> <p>1.4 As such, we strongly believe that the importance of Level Crossing safety warrants a specific Policy included in the LDP which will provide context to relevant SPD's and development briefs and will help to elevate the importance of Level Crossings within the development management and planning process. We request that the policy confirms that:</p>			

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						<p>1. The Council has a statutory responsibility under planning legislation to consult the statutory rail undertaker where a proposal for development is likely to result in a material increase in the volume or a material change in the character of traffic using a level crossing over a railway;</p> <p>2. As a first principle, Network Rail would seek to close Level Crossings where possible. Network Rail will not allow new level crossings except in exceptional circumstances whereby it may be replacement or relocation.</p> <p>3. Any planning application which may increase the level of pedestrian and/or vehicular usage at a level crossing should be supported by a full Transport Assessment assessing impact and mitigation measures including assessment of closure; and</p> <p>The developer is required to fund any qualitative improvements required to the level crossing identified as a direct result of the development proposed.</p>			
LP 122 (Rolleston Parish Council)	No	No	SP2 – A Strong Network of Settlements	<p>a. Positively prepared b. Justified c. Effective d. Consistent with national policy</p>	<p>This Policy does not accord with the Localism Act 2011 or the National Planning Policy Framework (NPPF) both of which give local communities the right to determine how their community grows in terms of what type of development is permitted and where it should take place.</p> <p>The settlements have been created using the Settlement Hierarchy which is inaccurate and out of date as far as Rolleston on Dove is concerned. Despite several requests from both the Parish Council and Neighbourhood Development Plan Group, ESBC have refused to undertake a revision of the hierarchy. It is believed that a review of the Hierarchy will clearly demonstrate that Rolleston should not be labelled as a Tier 1 Strategic Village.</p> <p>The Village does not meet ESBC's own definition of a Strategic Village in which it states:-"Strategic villages meet rural needs by providing a good range of facilities and services to their own populations and catchment area" Rolleston with no rural hinterland does not meet the stated role of a strategic village i.e. providing services to a wider rural population and is clearly a local service village.</p> <p>No consideration has been given to the existing facilities or their capacity in terms of being able to cope with additional growth. (Please see attached for further explanation)</p> <p>The Settlement Hierarchy awards points to Rolleston on Dove</p>	<p>The Settlement Hierarchy should be updated to take account of any inaccuracies in it and changes that have taken place since it was published. Account should be taken of the rights given to communities through the Localism Act 2011 and the NPPF.</p>	<p>Neighbourhood Plans need to be in general conformity with the Strategic Policies of the Local Plan.</p> <p>The Council will consider refreshing the Settlement Hierarchy prior to examination.</p> <p>No proposed change.</p>		

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					<p>wrongly in the following instances:-</p> <ol style="list-style-type: none"> 1. A Village Hall/Community Centre: The Scout Headquarters has been given this status despite Rolleston Scout Group writing to ESBC pointing out that this is not the case. The Scout HQ is used every night of the week by the Scout Group. The Scout Group are also fully responsible for all aspects of the building and associated running costs. 2. The Methodist Chapel closed earlier in 2013. 3. The local newsagent has been classed as a "General Store" because it sells food stuff. The reality is that the newsagent sells approximately 10 loaves of bread and approximately 10 hot pies/sausage rolls a day. This cannot be sufficient to categorise the shop as a general store. 4. The local golf club went into administration and closed at the beginning of 2013. 5. There is only one public house within the 750 metres of the centre of the village. ESBC have consequently created a "functional centre" to ensure that the second public house is included within their figures. This action is questionable. 6. The Brookhouse Hotel which is the only public restaurant has advised that they are planning to close in 2014 and outline proposals have been sent to the Parish Council which indicates that the intentions for the building and grounds, is for their conversion to residential dwellings. <p>As a result of the above the village is inaccurately categorised as a Tier 1 Village and should receive 125 new dwellings. A revision of the hierarchy would result in Rolleston being reduced to a Tier 2 village and receive 40 new homes.</p>				
LP123 (Mr John Wren on behalf of Mr Arthur Renshaw)	Yes	No	SP4 – Distribution of Housing Growth and Inset Map 10 - Marchington	<ol style="list-style-type: none"> a. Positively prepared b. Justified c. Effective d. Consistent with national policy 	<p>There is no recognition either on the Proposals Map or in Policy SP4 of the role played by existing development along Stubby Lane between Marchington and Draycott in the Clay. The existing housing and employment areas were once part of Marchington Camp which did have a development envelope and appropriate policies in the 1999 Local Plan. There is no such development envelope in the emerging Local Plan although other former military camps do retain their development boundaries. One should be included in the emerging plan covering both the employment areas, existing housing and potential housing sites such as that owned by Mr Renshaw.</p> <p>Paragraph 28 of the National Planning Policy Framework explains that planning policies "should promote the retention and development of local services..." yet there is no recognition in the emerging Local Plan of the role this part of Stubby Lane plays in supporting community facilities in Marchington and</p>	Re-establish an Inset for the area of the former Marchington Camp including the existing housing along Stubby Lane which would therefore include Mr Renshaw's land. Include it as a third tier settlement in SP 4 with a specific allocation of 20 dwellings.	<p>The Local Plan acknowledges that other areas, whilst are not identified on the policies map do provide an important source of employment in the rural area. In this situation SP14 would be applied to any development or redevelopment.</p> <p>No change proposed.</p>		

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					<p>Draycott, both of which have tight development envelopes, and providing jobs in the Borough. Nor is there any provision in Policy SP4 for allowing further residential development of an appropriate scale in this location.</p> <p>Mr Renshaw's site is surrounded on three sides by housing. It is available for development now and has all the necessary infrastructure in place. Stubby Lane has a 40mph limit by his site and is a bus route. There would be good visibility in both directions from the existing access. Paragraph 47 of the National Planning Policy Framework requires the planning system to boost significantly the supply of housing but the strategy in the emerging Local Plan relies too heavily on the allocation of large sites which have significant infrastructure requirements and may take a long while to get developed. It has recently been established on appeal that the Borough is unable to provide a five year supply of available housing sites (APP/B3410/A/13/2197299) yet it continues to ignore the potential of sites such as that owned by Mr Renshaw which already has five properties on the site, most of which are to let with long-standing tenants.</p>				
LP124 (Rolleston Parish Council)	Yes	No	Housing Trajectory, page 85 and Appendix 3	<p>a. Positively prepared b. Justified c. Effective d. Consistent with national policy</p>	<p>ESBC proposed Local plan proposes actual number of dwellings to be delivered in the first 5 years of the plan period to be 3,431. This excludes any buffer to provide choice of sites. The recent Red House Farm appeal states that ESBC should provide 650 new dwellings per year, plus 943 under supply from previous years. This equates to 4,193 dwellings in the first 5 years of the plan. These figures do not include a 5% or 20% buffer requirement. With the figures proposed there will be a shortfall of housing within the first 5 year period of the plan.</p> <p>The Parish Council are very concerned about the inadequate 5 year supply and the detrimental impact that it will have on the whole of the Borough.</p>	The housing trajectory should be revised such that it facilitates sufficient new dwellings to provide an adequate 5 year supply of housing land.	<p>The Red House Farm appeal decision was available after the launch of the Pre-Submission consultation. Therefore a modification to the housing trajectory to include recent housing application appeals is proposed.</p> <p>Change Proposed</p>	Page 85	Mod No. 39
LP 125 (Rolleston Parish Council)	Yes	No	SP3, Provision of Homes and Jobs	<p>a. Positively prepared b. Justified c. Effective d. Consistent with national policy</p>	<p>There appears to be issue with the housing requirement figures identified by ESBC.</p> <p>ESBC engaged GVA Grimley to produce a report on the housing requirement in East Staffordshire between 2012 and 2031. This report concluded that the net projected dwelling requirement was 11,648.</p> <p>ESBC acknowledge that in their 5 year calculations that there has been an under supply of 943 new dwellings since 2006 and when calculating their 5 year supply requirement the 11,648 GVA Grimley requirement is added to the 943 under supply figure.</p> <p>The local plan does not include the 943 shortfall meaning either the 5 year supply figures are inaccurate or these new dwellings have been missed from the plan.</p> <p>The Parish Council believe that the proposed housing figure for</p>	The 5 year supply requirement needs amending to reflect the under supply.	<p>A 5 year land supply document is provided as part of the evidence base and forms part of the examination library.</p> <p>There is confusion between 5 year land supply and housing requirements. The housing requirement figure includes unmet need prior to the Local Plan period therefore there is no need to include shortfall dwellings when measured against the RSS.</p> <p>No change proposed.</p>		

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					East Staffordshire is too high.				
LP 126 (Rolleston Parish Council)	Yes	No	Paragraph 2.27	a. Positively prepared b. Justified c. Effective d. Consistent with national policy	It should be noted that whilst Tier 1 villages have been visited and assessments made, no engagement has been undertaken with the Parish Council or any other Tier 1 village during these visits. Strategic allocations within the village would mean that the village receives all of its development over a three year period of a 19 year plan.	Strategic allocations should be removed. Where there is a NHD plan in place it should be used.	Details of each stage of consultation are set out in the consultation statement. Strategic allocations are integral to the Local Plan Strategy. A forthcoming appeal into proposals in Rolleston on the strategic allocation will inform further how the settlement will grow. No change proposed.		
LP 127 (Rolleston Parish Council)	Yes	No	Paragraph 2.26	a. Positively prepared b. Justified c. Effective d. Consistent with national policy	The paragraph suggests that ESBC have actively worked with the Parish Council through either the neighbourhood planning process or directly. This is not true in case of Rolleston. It is understood that this is also an area of commonality with the other "strategic villages".	Inclusive and proactive engagement with Parish Council's throughout the Borough.	No change proposed.		
LP 128 (Rolleston Parish Council)	Yes	No	SP32, Outdoor Sports and Open Space Policy	a. Positively prepared c. Effective	This policy is fully supported as the Parish Council believe that with the increasing population more sports facilities will be needed. However the strategic allocation of the sports field for development in Rolleston is neither understood nor supported.	The strategic allocation attached to the Sports Field should be removed and the community given the opportunity to locate where growth should take place.	College Fields in Rolleston has no authorised recreational or leisure role and is not formal public open space. No change proposed.		
LP129 (Rolleston Parish Council)	Yes	Yes	SP31, Green Belt and Strategic Green Gaps	a. Positively prepared c. Effective	The Parish Council fully support the principle of this policy, but do not feel that SGG1 provides sufficient protection against coalescence of Rolleston on Dove with Burton upon Trent.	The Parish Council believe that the area of land between Rolleston Road, Knowles Hill, Anslow Lane and Tutbury Road should be given the same full protection of green belt land.	The approach to defining Strategic Green Gaps is set out in the Strategic Green Gaps Topic Paper. No change proposed.		
LP130 (Rolleston Parish Council)	Yes	No	SP20 , Town and Local Centres Hierarchy	a. Positively prepared b. Justified c. Effective d. Consistent with national policy	The policy aims to strengthen rural centres and increase the floor space selling comparison goods in strategic villages, but it is not clear where this additional floor space will be provided. All four of the strategic villages either have permission already granted or live applications which do not have any provision for a retail unit.	The part of the policy relating to rural centres appears undeliverable and should therefore be removed.	The policy is supported by the Retail and Leisure Study 2013. No change proposed.		
LP 131 (Mrs Stevenson)	Yes	No	Policies Map – Inset Map 8, Abbots Bromley	a. Positively prepared b. Justified	RE: ABBOTS BROMLEY – Proposal to extend the village envelope on the south side of the village by including a section of agricultural land as potential future housing land. (Plot 355) I consider the requirement for 40 new properties in this village is unsound because... In recent years there has been a significant increase in new housing and a decrease the opportunity for local employment. Many existing properties remain unsold for long periods. In the last few years we have lost our Post Office, Book-shop, two small shops, Police Station, Car Repair/Garage and petrol	If Abbots Bromley is required to accommodate more housing (irrespective of need) then I feel this should be within the existing village boundary, within walking distance of village amenities, and without encroaching onto agricultural land. Removing Plot 355 from the Plan would avoid the additional need to change the 30 m ph zone - which in turn would require extra street-lighting, pavements and sewage treatment facilities. (And I understand that this particular site is close to a habitat for the protected Great Crested Newt	Chapter 2 explains how settlement numbers have been derived, particularly paragraph 2.23. The justification for amendments to settlement boundaries are set out in the Settlement Boundary Topic Paper. No change proposed.		

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					<p>pump. I have found that young people want to leave the village as soon as possible because of lack of employment and amenities in the area, with the majority of the village residents having to commute to work by car.</p> <p>The suggestion of increasing the village envelope by including a piece of agricultural land gives rise to the question of whether it is being considered because of genuine need for more housing in a village with no employment prospects, or in order to maximise the land value for the owner – an ex-Councillor and ex-member of ESBC Planning Committee who purchased this field at a time when the residents were assured that this was, and would remain, agricultural land. The owner's claim that he was purchasing the land for agricultural use and "to prevent ribbon development" was proved untrue when it appeared as potential development land in the subsequent Draft Local Plan. For this reason I consider the re-designation of agricultural land to be an "unsound" and "unjustified" decision. Abbots Bromley is a farming village with a greater demand for agricultural land than additional residences.</p> <p>The Matrix of Village Scoring also appears to give an incorrect impression of the extent of the village facilities.</p>	<p>which could affect potential development.)</p> <p>I am also told that since 2012 there have been approximately 20 new builds/application approvals. (See additional comments on Page 6) Will these be deducted from the 40 alleged to be required?</p> <p>Suggested corrections to the Matrix of Village Scoring:</p> <ul style="list-style-type: none"> - The bus service (and particularly the claim that there is a service adequate for a daily commute to work taking less than 20 minutes) seems exaggerated. Do you have evidence that an adequate service is used by a significant number of existing residents for employment commute to the four nearest towns? - Who measured the distance to the nearest towns as 6 miles? I would argue that Burton-upon-Trent and Lichfield are around 12 miles, Rugeley about 8 and Uttoxeter at least 7. - I'm not sure what "miles to employment site – 5" means. Does this mean there is a significant employment site within 5 miles of Abbots Bromley?? Continued..... <p>Properties understood to have been built (or have been approved for building) in Abbots Bromley since 2012:</p> <ul style="list-style-type: none"> 1 new house on the Uttoxeter Road; Approval for another house on land just off Uttoxeter Road; At least 2 recent approvals for new dwellings in gardens of existing properties on Lichfield Road; 5 houses built (or in the process of construction) behind the old bookshop; And a significant number (7?) of luxury houses have been granted approval on the site behind the old post office. (I understand that 35 were originally considered for this site.) <p>Your report states that: "Abbots Bromley is an historic settlement with medieval origins".</p> <p>However, recent developments are beginning to outnumber historic ones, to the extent that what</p>			

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						<p>was once one of Staffordshire's most unique villages is now becoming a sprawl of modern homes that don't blend with the original. The proposal to include a ribbon of new housing (which would presumably have to be single storey for aesthetic reasons and because of the slope of the land) on the approach to the village is completely out of character, unnecessary and would provide no opportunity for long-term employment for existing or potential new residents. (The only beneficiary would be the owner of the land which would increase in value substantially if this plan was adopted.)</p> <p>Taking into consideration the new builds and approvals already in the pipeline, I feel it would be more sound to locate any additional building (if actually justified) on the single site at the Uttoxeter end of the village after considering where any single in-fill sites could be accommodated. This would have less impact and would not necessitate the loss of any more agricultural land.</p>			
LP132 Mrs (Brandrick)	No	No	Policies Map – Inset Map 10, Marchington		<p>There has been no consultation with the local houses in the area covered by B/213/01227 plans.</p> <p>The amount of traffic this new housing will generate and will come out on to a steep hill and what there is stop people using back Westlands Road as a short cut to avoid Stafford Road turn into Uttoxeter and onwards to bypass.</p>	That a different way out avoid Westland Road say onto Marchington Road.	<p>The justification for settlement boundary amendments is set out in the Settlement Boundary Topic Paper.</p> <p>No change proposed.</p>		
LP 133 Mr and Mrs Lawrence and Anne Witton	Yes	No	Policies Map – Inset Map 8, Abbots Bromley	<p>a. Positively prepared b. Justified</p>	<p>I consider the Local plan for Abbots Bromley to be unsound, in particular the section of agricultural land on the Lichfield Road approach to the village. (Plot No. 355)</p> <p>I suspect that this field has been included for the sole purpose of enhancing its financial value to the land owner – who (when employed as a local councillor and planning officer) was quick to rouse neighbours into vehemently objecting to the development of this same piece of land when the previous owner applied for permission to convert farm buildings into dwellings. Despite his aggressive objection to the previous owner's development plans, immediately after subsequently purchasing the field himself (ostensibly for agricultural use) he submitted it for inclusion in the Draft Local Plan. (See continuation on page 6 for an expansion of this comment.)</p> <p>The majority of the employment in Abbots Bromley relates to agriculture and more (not less) land is required for that purpose. Those employed in other spheres have to commute to work; therefore more houses would mean more CO2 pollution - at a time when government guidelines encourage the development of brownfield sites in towns to negate this. (I believe there are plenty of brownfield sites currently available in towns and that</p>	<p>Most of the residents in this area feel that this piece of agricultural land, in a prominent position at the entrance to the village, should be excluded from building development. There are insufficient employment opportunities in this village to warrant further housing, and the only beneficiary would be the avaricious owner of the land.</p> <p>Many village facilities (and their associated employment opportunities) have been lost in recent years and unless guaranteed employment can be brought to the village there will be a requirement for less, not more, houses.</p> <p>I believe that there is no justified requirement for the loss of agricultural land or the extension of the village boundary on the Lichfield Road approach to the village. If additional housing (in excess of the developments already taking place) is required, then this should be limited to the suggested site on the Uttoxeter Road approach which would have less impact on the village and should more than satisfy the anticipated additional</p>	<p>The justification for settlement boundary amendments is set out in the Settlement Boundary Topic Paper. The Council received confirmation from Abbots Bromley Parish Council that they agreed in principal with the settlement boundary amendments as set out in Appendix 1 to the Settlement Boundary Topic Paper.</p> <p>No change proposed.</p>		

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					<p>the recycling of derelict land should be considered before permanently losing agricultural land).</p>	<p>housing requirements for a village of this size with limited facilities and virtually non-existent employment opportunities. Plot 355 should be removed from the Plan.</p> <p>With regard to the propriety and integrity of planning applications, it is not unusual for even a farmer to be refused planning permission to build a single dwelling on his own agricultural land. So it is incredulous that an owner of agricultural land can now get approval to include this plot in the Plan for potentially 20 new (and unjustified) dwellings.</p> <p>Indeed, in my own case, as a small cattle farmer (living close to Plot 355) my attempt to obtain planning permission from ESBC to build a modest cattle shed on my land for use as winter housing for a small number of cattle has been severely opposed - by the very person who has apparently successfully submitted his own agricultural land for inclusion as housing development in the local plan.</p> <p>It is no wonder that ESBC Planning Department is gaining a reputation for lack of integrity and "bending over backwards" to smooth the way for "favoured" people. Recent experience in this village has shown that those who have influential contacts - or the knowledge of how to manipulate the planning system - are facilitated with no penalty for making false and misleading statements on their planning applications.</p> <p>In the case of Plot 355 I have no doubt that if this land had belonged to anyone else it would not have been considered for the Local Plan. This owner has a history of getting his own way, whilst using his influence to put obstacles in the way of other resident's plans. Therefore the Plan is unsound.</p> <p>I understand that some years ago an application was submitted for 35 new dwellings on land near the centre of the village (behind the old post office). This application was rejected as being too large a number of extra houses for a village this size and has now been approved for the building of 7 luxury homes. This development will have little visual impact on the village as well as being within walking distance of local facilities. (Whereas I suspect that occupants of any potential houses built on the outskirts of the village would use their cars even to visit the local amenities: village hall, butcher, doctor, etc.)</p>			

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LP 134 (Mr Alan White)	Yes	No	Policies Map – Inset Map 8, Abbots Bromley	a. Positively prepared b. Justified	<p>This submission is made in relation to the Local Plan for Abbots Bromley, and in particular Plot 355.</p> <p>This Plot is agricultural land and, as such, the decision to include it in the plan is unsound. Once lost, agricultural land is unrecoverable.</p> <p>Farming is now the main employment in this village and this tends to be kept in families.</p> <p>Despite losing many of the village amenities in recent years, e.g. Post Office, car-repair garage, petrol station, shops, etc., there has already been a considerable increase in new housing and most residents have to commute to work elsewhere by car (as the so-called commuter bus service is useful to very few residents).</p> <p>Planning should be a creative exercise in finding ways to enhance and improve places in which we live. Yet in recent years planning has tended to exclude, rather than include, people and communities. In part this has been a result of targets being imposed, and decisions taken, by bodies remote from them.</p> <p>For these reasons I consider the plan to be unsound.</p> <p>See separate sheet for my comments on the principles of sustainable development.....</p>	<p>It seems ludicrous to deplete agricultural land (required by local farmers) by building unnecessary houses so that more people can commute to work in towns many miles away.</p> <p>If additional housing is genuinely required, then it should be kept within the village boundary and the Local Plan should include introducing employment opportunities (and better amenities) in villages before blindly looking for spaces where houses could be built without determining whether there is a need.</p> <p>According to Government guidelines.....</p> <p>“Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances. I do not believe there are any “special circumstances” for turning agricultural land into building plots in Abbots Bromley.</p> <p>According to the principles of sustainable development, I quote.....</p> <p>“New development should be located close to services and facilities with good public transport provision. The spatial strategy will help to achieve the government’s overall objective of sustainable communities by locating housing, jobs and services close together in order to reduce the need to travel. Housing growth should be concentrated in those settlements that already have a range of services and employment opportunities and be restricted in those that do not.” (I contend that Abbots Bromley does not meet this criterion and therefore housing growth should be restricted.)</p> <p>“Each local planning authority should ensure that the Local Plan is based on adequate, up-to-date and relevant evidence about the economic, social and environmental characteristics and prospects of the area. Local planning authorities should ensure that their assessment of and strategies for housing, employment and other uses are integrated, and that they take full account of relevant market and economic signals.” (I contend that proper evidence has not been considered relative to the employment opportunities, feasibility of commuter transport and sustainable amenities.)</p> <p>“To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural</p>	<p>The justification for settlement boundary amendments is set out in the Settlement Boundary Topic Paper.</p> <p>No change proposed.</p>		

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						<p>communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. (I contend that additional housing would not enhance the village, which has insufficient services – with the possible exception of public houses which may be considered an attraction to occasional visitors from outside the village.)</p> <p>I therefore do not consider the Local Plan has been “positively prepared, is justified, effective and consistent with national policy”.</p> <p>For an accurate assessment of the need for even more housing in Abbots Bromley a sounder method would have been to invite every household to complete a questionnaire indicating whether they are employed within the village and, if not, how far they have to travel to work and what means of transport is used.</p>			
LP 135 (Mrs Lynn Mills)	Yes	No	Strategic Policy 4 – Distribution of Housing Growth, particularly Land West of Uttoxeter allocation	<p>a. Positively prepared b. Justified c. Effective d. Consistent with national policy</p>	<p>1. Infrastructure not suitable to take an extra 700 vehicles, causing a health and safety issue to pedestrians and children walking to school.</p> <p>Primary and secondary schools not adequate for the extra children in Uttoxeter.</p> <p>Completion of brown field sites, before starting to develop green field. Re-survey all infrastructure after all brown field sites are complete.</p> <p>Install new drainage to take all surface water away, not to overflow ponds, which will cause flooding and health and safety issues to children i.e. drowning. Disruption to wildlife habitat. The city’s are being re-generated i.e. Stoke and Derby. Build houses in the City not Uttoxeter avoiding adding to the carbon footprint i.e. caused by cars commuting to the City’s.</p>		<p>Infrastructure impacts and requirements, including education are set out in the Infrastructure Delivery Plan.</p> <p>Strategic Policy 27 would require surface water drainage as part of new development schemes.</p> <p>No change proposed.</p>		
LP 136 (Mr Geoff Mills)	Yes	No	Strategic Policy 4 – Distribution of Housing Growth, particularly Land West of Uttoxeter allocation	<p>a. Positively prepared b. Justified c. Effective d. Consistent with national policy</p>	<p>1. Infrastructure not suitable to take an extra 700 vehicles, causing a health and safety issue to pedestrians and children walking to school.</p> <p>Primary and secondary schools not adequate for the extra children in Uttoxeter.</p> <p>Completion of brown field sites, before starting to develop green field. Re-survey all infrastructure after all brown field sites are complete.</p> <p>Install new drainage to take all surface water away, not to overflow ponds, which will cause flooding and health and safety issues to children i.e. drowning. Disruption to wildlife habitat. The</p>		<p>Infrastructure impacts and requirements, including education are set out in the Infrastructure Delivery Plan.</p> <p>Strategic Policy 27 would require surface water drainage as part of new development schemes.</p> <p>No change proposed.</p>		

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					city's are being re-generated i.e. Stoke and Derby. Build houses in the City not Uttoxeter avoiding adding to the carbon footprint i.e. caused by cars commuting to the City's.				
LP137 (Rose Freeman, The Theatres Trust)		No	SP15 – Tourism, Culture and Leisure Development	d. Consistent with national policy	<p>As your only theatre in the Borough, we are disappointed that the Brewhouse Arts Centre is not mentioned as a cultural facility in this section of the document. The policy and the accompanying text is based on the tourism industry in the area. Please include the Brewhouse in the text on page 109.</p> <p>Item 70 in the National Planning Policy Framework (NPPF) on page 17 states that to deliver the social, recreational and cultural facilities and services that the community needs, planning policies and decisions should plan for the use of shared space and guard against unnecessary loss of valued facilities. Also to ensure that established facilities and services are retained and able to develop for the benefit of the community.</p> <p>We find the document to be lacking an adequate policy to reflect this guidance from the NPPF which could either be included in policy 15 or Strategic Policy 21. Strategic Policy 21 safeguards retail provision, but no other town centre facility. Theatres and other leisure venues play a vital part in the community and provide a beacon of vitality for your evening economy and unless they are supported your town centres will lose their soul and be just a place for supermarkets, take-aways, bookmakers and banks.</p>	<p>We suggest the following wording or something similar as the opening sentences for either Strategic Policies 15 or 21:</p> <p>The council will protect existing tourism, cultural and leisure (or town and local centre) facilities by resisting their loss or change of use unless replacement facilities are provided on site or within the vicinity which meet the need of the local population; or necessary services can be delivered from other facilities without leading to, or increasing, any shortfall in provision, and it has been demonstrated that there is no demand for another similar use on site.</p>	<p>Change proposed.</p> <p>Proposed modification to add 'Brewhouse Arts Centre to page 109.</p> <p>Whilst in principle the Council wish to protect tourism, cultural and leisure facilities it is not considered appropriate to specify this in all cases as they may be cases where businesses are unviable and will cease use.</p> <p>No change proposed.</p>	Page 109	Mod No. 66
LP138 (Rolleston Parish Council)	Yes	No	SP10 – Education Infrastructure	a. Positively prepared b. Justified c. Effective d. Consistent with national policy	It is acknowledged that a new Senior School is required in the Burton upon Trent area within the next 4 to 5 years, but no site is located within the plan.	The new Senior School should be identified in the plan.	Evidence of infrastructure including education is set out in The Infrastructure Delivery Plan and the Burton upon Trent School Planning Report which demonstrates that these issues have been considered throughout plan preparation. Further work is being undertaken to resolve the education infrastructure issue currently identified and a number of options in and around Burton upon Trent are being investigated.		
LP139 (Mrs Elizabeth Morgan)	Yes	No	Paras: 2.23, 2.28 & 3rd on pg79. Policy SP2 – A Strong Network of Settlements and Inset Map 10, Marchington	b. Justified	The plan is based on accommodating an extra 20 houses entirely within Marchington village and therefore I feel it is unsound because it has not justified why it has done this, rather than included a number of the alternatives, for instance in Birch Cross, next to Dovegate prison or by the industrial estate. I feel these are reasonable alternatives and would be more appropriate for Marchington since the number of houses required in the plan is relatively small. By altering the settlement boundary to include the other side of Jacks Lane, concerns arise because of the narrowness of this access road into the centre of Marchington village. Whilst Jacks Lane is fairly narrow for most of its length, it is extremely narrow, with no footpath, where it goes into the village towards the corner of Bag Lane, next to the houses Tumbledown and James House and I feel that this	The amendments to the settlement boundary as shown in Map no 10 should be removed and the working of the policy be amended so that alternative sites can be identified through Neighbourhood Planning.	<p>There has currently been no indication that Marchington Parish Council will produce a Neighbourhood Plan. Should a Neighbourhood Plan be produced, the settlement boundaries could be amended through the process.</p> <p>The justification for settlement boundary amendments is set out in the Settlement Boundary Topic Paper.</p> <p>No change proposed.</p>		

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					<p>makes it a dangerous road to accommodate a relatively large number of additional houses all on one road.</p> <p>In addition, Jacks Lane suffers from flooding on the road itself as a result of the run off from the field above. This has been extensively documented and work has taken place over the past year to reduce the flooding, but this has not been adequately dealt with.</p> <p>Therefore it would be more suitable for Marchington village if 20 new houses were located in more individually planned locations, including infill development, over time, on brownfield and other appropriate sites that lie around the village and its access roads that are not as narrow as the ones in the village.</p>				
LP140 (Mr John Wren on behalf of The Burton Property Trust)	Yes	No	SP4 – Distribution of Housing Growth	<p>a. Positively prepared b. Justified c. Effective d. Consistent with national policy</p>	<p>The Rangemore Estate has a long history of responsible stewardship in and around the village. It now has a need to provide accommodation for existing tenants who either wish to move to more affordable accommodation or dwellings designed to cater for the needs of the elderly. Whilst there is no intention to "swamp" the village with new development the allocation of 5/6 dwellings in this policy, (if all settlements have an equal distribution of the 90 dwelling allocation), will be inadequate over the Plan period. Ten new dwelling units specifically allocated for Rangemore with a 50/50 split affordable/ market led housing is needed. Otherwise the Plan will not comply with paragraph 47 of The National Planning Policy Framework which requires the planning system to significantly boost the supply of housing and paragraph 50 which requires a wide choice of high quality homes.</p>	<p>Each of the settlements listed as third tier should have a specific housing allocation to avoid ambiguity. That for Rangemore should be 10 of which half should be affordable.</p>	<p>Rangemore is included within the Tatenhill Neighbourhood Area.</p> <p>No change proposed.</p>		
LP141 (Outwoods Parish Council)	No	No	SP35 – Accessibility and Sustainable Transport Supporting Draft Integrated Transport Strategy	<p>a. Positively prepared b. Justified c. Effective</p>	<p>The East Staffordshire transport strategy relies on traffic models produced for the previous preferred option (2d) which provided a much lower housing allocation than that now being proposed. This strategy therefore, seriously underestimates the impact on highways of the pre submission plan and should not be considered sound. It should also be noted that the claimed reduction in traffic generated by the Pre Submission Plan is based on a comparison with the higher housing allocation in the now abolished RSS and not the recent preferred option (2d), which had a much lower allocation.</p> <p>We have read and studied the recently published revised Local Plan (Pre submission) for East Staffordshire, and wish to register our objection to it in its current form. This version of the plan does not facilitate truly sustainable growth, has not been positively prepared, is unsound, and cannot be justified for the following reasons:-</p> <p>1. The impact of development on highways has not been properly assessed. The evidence base relies on assessments provided by developers which seek to conceal the true impact on the road network in order to justify their projects. For example, In the case of Upper Outwoods Farm, this has been achieved by using artificially low trip generation levels, a failure to use the most likely traffic growth figures for the full duration of the Local</p>	<p>ESBC to return to their original preferred option 2d. This presented a far more sustainable plan allowing for both natural population and economic growth. If further growth is needed in future, land directly adjacent to major highways (A38/A50) and commercial centres should be brought forward in order to provide Genuinely Sustainable Urban Extensions .This will avoid the serious detrimental effects of the current proposals and protect the character of our town and its rural periphery that is highly valued by residents.</p>	<p>The Preferred Options were based on a lower level of growth which is not compliant with the NPPF as it does not represent objectively assessed housing needs.</p> <p>The difference in housing figures is due to calculation of objectively assessed need including migration and unmet need which indicated a higher figure.</p> <p>The Sustainability Appraisal assessed all reasonable options. Overall options 2c and 2d had very similar conclusions, with both encompassing some development at Outwoods.</p> <p>No change proposed.</p>		

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					<p>Plan, dependence on a travel plan which cannot be proven to reduce car use and not properly accounting for all other related developments.</p> <p>2. The East Staffordshire transport strategy relies on traffic models produced for the previous preferred option (2d) which provided a much lower housing allocation than that now being proposed. This strategy therefore, seriously underestimates the impact on highways of the pre submission plan and should not be considered sound. It should also be noted that the claimed reduction in traffic generated by the Pre Submission Plan is based on a comparison with the higher housing allocation in the now abolished RSS and not the recent preferred option (2d), which had a much lower allocation.</p> <p>3. The amount of development proposed for Outwoods is not compatible with the concept of Sustainable Urban Extensions. They amount to nothing more than a huge high density housing estate. The proposals provide little in the way of employment provision and are located too far from commercial centres and major highways to reduce the impact of car use. The result will be an unacceptable detrimental effect not only Outwoods, but all adjoining communities for which no effective mitigation can be provided.</p> <p>4. The current plan is not the most appropriate strategy when compared to the original preferred option (2d). This placed development in truly sustainable locations with an emphasis on mixed use Sustainable Urban Extensions. Allocating sites for large housing estates in areas that are distant and poorly connected to centres of employment and major highways is seriously flawed. The impact of this is highlighted in the infrastructure evidence base which implies that full mitigation is not possible.</p> <p>5. By imposing such an overwhelming amount of housing development on Burton, which is far in excess of that needed for natural population growth, ESBC is effectively denying both current and future generations the ability to shape their neighbourhoods. This conflicts with the very definition of sustainability and is not compatible with the Localism Act.2</p> <p>Given the above comments and the overwhelming public opposition to the overdevelopment of Burton, especially Outwoods, we urge ESBC to listen to their electorate and return to their original preferred option, 2d. This presented a far more sustainable plan allowing for both natural population and economic growth. If further growth is needed in future, land directly adjacent to major highways (A38/A50) and commercial centres should be brought forward in order to provide genuinely Sustainable Urban Extensions. This will avoid the serious detrimental effects of the current proposals and protect the character of our town and its rural periphery that is highly valued by residents.</p>				
LP142 (Rolleston Parish Council)	Yes	No	SP9 – Infrastructure	a. Positively prepared	The Parish Council believes that Parish Councils in all parts of the Borough should be consulted on what infrastructure is	A structured plan of highway improvements and	The plan is supported by the East Staffordshire Draft Transport		

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			Delivery and Implementation	b. Justified c. Effective d. Consistent with national policy	required in their areas. They also believe that they should be consulted in the negotiating of Section 106 agreements. It is noted that no highways improvements are indicated within this plan despite proposals for almost 12,000 new homes.	delivery should be included within the plan.	Integrated Strategy which demonstrates where network improvements will be required and delivered. No change proposed.		
LP143 (Rolleston Parish Council)	Yes	No	SP8 – Development Outside Settlement Boundaries	a. Positively prepared b. Justified c. Effective d. Consistent with national policy	Whilst the Parish Council support the not allowing development outside of development boundaries, they do not support the proposed modification to the development boundary of Rolleston on Dove. Evidence that the proposed modification to the development boundary is not acceptable has been obtained through the NHD plan process with a clear desire that the playing field should be returned to sports use. The Parish Council would however support modifications as indicated in the Neighbourhood development plan to include the preferred development sites.	The development boundary for Rolleston on Dove to be modified to accord with the NHD plan and the proposed boundary change that includes the college field not to be modified.	Settlement boundary amendments are necessary to accommodate growth. The approach to settlement boundaries is set out in the Settlement Boundary Topic Paper. No change proposed.		
LP144 (Mr John Wren on behalf of The Burton Property Trust)	Yes	No	SP18 – Residential Development on Exception Sites	a. Positively prepared b. Justified c. Effective d. Consistent with national policy	The requirement that "exception" housing should be predominantly affordable is too onerous. Such schemes frequently need market led housing to make them financially viable and the requirement in the Policy that "a minority of the units provided may deliver a mix of market housing that is appropriate to meet local need based firstly on a housing needs survey and secondly on the mix required in that part of the Borough" is too onerous. So is the requirement in the policy that "permission will be subject to agreement of cascade arrangements to provide priority in perpetuity for local people." That may be just about acceptable if it relates to the affordable housing, provided "local" is defined somewhere. It is not acceptable if it relates to market led housing as that would be contrary to guidance in Section 6 of The National Planning Policy Framework.	Delete reference to the sections beginning "the majority of units..." and "permission will be subject..."	Consider the policy is compliant with NPPF and allows for a limited amount of market housing where appropriate. No change proposed.		
LP145 (Rolleston Parish Council)	Yes	No	SP5 – Distribution of Employment Growth	a. Positively prepared b. Justified c. Effective d. Consistent with national policy	Outline planning permission has been granted for 18 hectares of employment land as part of the application Land South of Branston. There is no mention if this site in the plan.	The employment land south of Branston needs to be included in the plan.	Footnote 16 on page 91 references the employment land at Branston. No change proposed.		
LP146 (Mr Alan Yarwood on behalf of Mr John Clarke)	Yes	No	SP3 Provision of Homes and Jobs, SP4 Distribution	a. Positively prepared b. Justified c. Effective d. Consistent	The plan makes inadequate provision for housing to meet the needs of the town of Burton on Trent, particularly given constraints to housing in Derby and the projected windfall allowance is over-optimistic.	Allocate the site behind Wetmore Road, Burton Upon Trent, shown on the accompanying plan	The site is not of a size to be allocated as a strategic site. The site lies within the settlement Boundary of Burton Upon Trent and as such could be considered windfall development.		

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			of Housing Growth and Inset Map 1 – Burton upon Trent	with national policy	<p>Some of the sites selected for housing are not in sustainable locations. The urban extensions should be reduced in favour of more sustainable sites within the towns.</p> <p>The site shown on the accompanying plan at Wetmore should be allocated. It is more sustainable than many of the sites selected. Flood risk is minimal.</p>		No change proposed.		
LP147 (Hayley Fleming, Natural England)	Yes	Yes	SP1 – East Staffordshire Approach to Sustainable Development		<p>Thank you for your consultation on the above dated 17 October 2013 which was received by Natural England on the same date.</p> <p>Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development.</p> <p>Natural England generally welcomes this Plan and is satisfied that it has been positively prepared, and appears justified, effective and consistent with national policy, and therefore, in our view, sound. The detailed comments which follow are intended to identify parts of the Plan which we particularly support and areas where minor amendments would make a substantial improvement to its compliance with the NPPF.</p> <p>We note that soil and agricultural land quality are not currently covered in any of the Local Plan policies. We strongly recommend inserting a point into this policy (or suitable alternative) to cover the protection of soils and the best and most versatile agricultural land. This would help to translate NPPF paragraphs 109 and 112.</p> <p>Plan policies should take account of the impact on land and soil resources and the wide range of vital functions (ecosystem services) they provide in line with paragraph 17 of the NPPF, for example to:</p> <ul style="list-style-type: none"> • Safeguard the long term capability of best and most versatile agricultural land (Grades 1, 2 and 3a in the Agricultural Land Classification) as a resource for the future. • To avoid development that would disturb or damage other soils of high environmental value (e.g. wetland and other specific soils contributing to ecological connectivity, carbon stores such as peatlands etc) and, where development is proposed, ensure soil resources are conserved and managed in a sustainable way. 		<p>Proposed modifications to SP1 to make reference to safeguard the best and most versatile agricultural land, as set out in the Natural England: Statement of Common Ground.</p> <p>Change proposed.</p>	SP1	Mod No. 30
LP148 (Mr John Wren on behalf of Mr T Campbell)	Yes	No	2.9	a. Positively prepared b. Justified c. Effective	This paragraph sets out the procedure followed in producing the sustainability appraisal and illustrates that the assumptions made have influenced the outcome to the extent that they may not be regarded as an independent appraisal. 2B and 2C, for	I have no suggestions to make about this particular paragraph which merely illustrates that the process of arriving at the suggested development sites in and around Uttoxeter was	Page 158 and 159 of the Sustainability Appraisal Appendices include the appraisal of the Derby Road site for housing development.		

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				d. Consistent with national policy	example, suggest housing development to the south of Uttoxeter while 2A and 2D talk about development to the West of Uttoxeter. The option of using land within the existing development envelope to the North East of the town centre was never considered yet that is better placed in relation to the town centre facilities and would be less intrusive into the countryside than either of the sites south and west of the town. Whilst the 10ha site is currently allocated for employment use paragraph 22 of the National Planning Policy Framework suggests that its potential for a purely housing development or a mixed scheme should have been appraised.	fundamentally flawed from the outset. My only suggestion would be that the Plan should not be submitted to the Secretary of State until a further sustainability appraisal has been carried out involving all the potential housing sites, particularly the 10ha west of Derby Road, and a revised SP4 has been prepared after public consultation.	No change proposed.		
LP149 (Mr Alan Yarwood, National Federation of Gypsy Liaison Group – Derbyshire Gypsy Liaison Group)	Yes	No	Para's: 1.101. Policy 18 Residential Development on Exception Sites & 19 Sites for Gypsies, Travellers and Travelling Showpeople	a. Positively prepared b. Justified c. Effective d. Consistent with national policy	<p>The plan starts from the false presumption that there is no need for pitches for Gypsies in East Staffordshire (para 1.101). This is untrue. The Council has adopted a totally unrealistic assessment which does not stand up to scrutiny. There is a clear need for Gypsy site provision in East Staffordshire.</p> <p>Policy 18 is unreasonable in its approach to dealing with Gypsy site applications. Need is not a pre-requisite. Applications must be considered on merit, irrespective of evidence of need. Thus the opening sentence and the first two criteria and the 6th criterion are unacceptable. Policy 18 is equally unrealistic in adopting a criterion which requires Gypsy sites to be “within or on the edge of a settlement.” Thus the third criterion is unacceptable. Also “within easy reach of local services is too vague and too restrictive and will effectively prevent Gypsy sites being permitted. The fourth criterion should be re-written as “reasonably accessible to local services...” The 7th criterion cannot reasonably be applied to Gypsy sites and the final criterion is unnecessary. Given a specific policy to deal with Gypsy sites (policy 19) it is unnecessary to include Gypsy sites in policy 18’</p> <p>In Policy 19 the second criterion is badly drafted and makes no sense. The 5th criterion is too restrictive. The final criterion is unnecessary. The final sentence of Policy 19 should be replaced with “Where a need is identified through an up-to date assessment, a site or sites to meet the need will be identified and allocated through a Development Plan Document.”</p>		<p>The Council's most recent Gypsy and Traveller Accommodation Needs Assessment found no evidence of need within the Borough, and this was accepted at a recent planning appeal. The Council is having a further GTANA carried out in conjunction with the respondent organisation which will provide updated evidence. The policy sets out how need will be addressed should it be evidenced in the assessment.</p> <p>Policy 18 is the Exception Sites policy and need is the pre-requisite for approval under an Exception Sites policy, in line with Planning Policy for Traveller Sites Policy D which refers to “land to meet local traveller needs” and “to address the needs of the local community”. Guidance on the interpretation of “local” will be provided in a Supplementary Planning Document. Applications where local need is not demonstrated will be considered under other policies. It is not unrealistic to allow Gypsy sites “within or on the edge of a settlement” in order to enhance/maintain the vitality of rural communities and avoid new isolated homes in the countryside in line with NPPF paragraphs 54 and 55, and to facilitate integration between the traveller and static communities in line with Planning Policy for Traveller sites paragraph 11(a). Planning Policy for Traveller Sites paragraph 23 requires Planning Authorities to strictly limit development of sites in open countryside away from existing settlements. The fourth criterion “within easy reach of local services” will not prevent Gypsy sites being</p>		

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							<p>permitted in appropriate sustainable locations and is line with NPPF paragraph 37; the suggested alternative wording is considered no less vague. The seventh criterion "permission will be subject to agreement of cascade arrangements to provide priority in perpetuity for local people" can potentially be applied to Gypsy sites to ensure priority for local families when existing occupiers move on, although it may not always be appropriate; this criterion does not limit occupation to local people. The final criterion is designed to helpfully remind applicants of the need to comply with other relevant policies. Policy 18 permits development outside settlement boundaries which Policy 19 does not do. It is appropriate to have a shared Exception Sites policy covering both traveller sites and housing to ensure equal treatment in line with Planning Policy for Traveller Sites paragraph 3.</p> <p>No change proposed.</p> <p>The second criterion "The site is not at risk of flooding or adjacent to uses likely to endanger the health of occupants..." is in line with Planning Policy for Traveller Sites paragraphs 11(e) and (g). The fifth criterion "The development will provide a high quality frontage onto the street which maintains or enhances the street scene..." is not restrictive since it will be readily achievable, and it is in line with Planning Policy for Traveller Sites paragraph 24(d). It is considered that the suggested alternative wording does not add anything.</p> <p>It is not considered that the proposed modification to last sentence is required.</p> <p>No change proposed</p>		
LP150 (Hayley Fleming, Natural England)			SP23 Green Infrastructure		Natural England supports the inclusion of this strong policy. We recommend the following minor amendments to the policy, intended to improve the clarity of the policy and therefore its usability and effectiveness.	Priorities for the creation or enhancement of green infrastructure are those areas where net gains in the range of functions can be improved, particularly those that: i. improve walking and cycling access to and from the urban core and/or rural service	Proposed modification in line with requested change - set out in the Natural England: Statement of Common Ground. Change proposed.	SP23	Mod No. 93

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					<p>Current wording:</p> <p>Priorities for the creation or enhancement of green infrastructure are those areas where net gains in the range of functions can be improved, particularly those that:</p> <ul style="list-style-type: none"> i. improve walking and cycling access to and from the urban core; or ii. result in the creation, protection and enhancement of biodiversity habitats, or iii. Improve walking and cycling access to rural service centres; and iv. help to remedy local deficiencies in open space provision and quality; or v. support the safeguarding of ecological networks, including the restoration and creation of new habitats through the opportunities provided within the Central Rivers Initiative, or vi. safeguard and enhance heritage assets 	<p>centres and where possible improve the wider network; and/or</p> <ul style="list-style-type: none"> ii. help to remedy local deficiencies in open space provision and quality, and/or iii. result in the creation, protection and enhancement of biodiversity habitats, and/or iv. support the safeguarding of ecological networks, including the restoration and creation of new habitats through the opportunities provided within the Central Rivers Initiative v. vi. safeguard and enhance heritage assets <p>It is our opinion that the recommended changes improve the policy by removing duplication around walking and cycling and by putting the ecological points together and recognising the potential for multifunctioning green infrastructure. This should improve the policies flow and therefore increase its usability.</p> <p>Within the supporting text, the reference to "countryside stewardship" on page 129 is dated and should be changed to "environmental stewardship".</p> <p>We would also welcome it if the LPA were to add green transport and climate change adaptation to its list of potential GI benefits (p128-129). Green infrastructure can be invaluable in aiding climate change adaptation; examples include providing space for natural drainage and the urban cooling associated with both green space in its own right and the evapotranspiration performed by vegetation.</p>			
LP151 (Branston Parish Council)	No	No	Supporting Draft Integrated Transport Strategy	<ul style="list-style-type: none"> a. Positively prepared b. Justified c. Effective 	<p>The transport strategy relies on traffic models produced for the previous preferred option. This strategy seriously underestimates the impact on highways and is therefore out of date.</p> <p>The west side of Burton lacks the appropriate road infrastructure to accommodate the traffic that will result from the proposed housing developments.</p>	<p>County highways to amend their transport strategy in the following ways:-</p> <ul style="list-style-type: none"> Employ up to date traffic counts Use realistic (central traffic growth projections) Ensure all transport assessments cover the full duration of the local plan Ensure all assessments are independent of developers. 	<p>In 2013, the model was updated and a 2031 forecast was produced. The model was refined in terms of completed developments, the Borough Council's pre-submission strategy and network alterations. The traffic growth methodology used was compliant with Department for Transport Guidance. All transport assessments for strategic development sites in Burton-upon-Trent have used the County Council's traffic model and have taken into account forecast traffic growth for the duration of the Local Plan.</p> <p>No change proposed</p>		

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LP152 (Horninglow and Eaton Parish Council)	No	No	Supporting Draft Integrated Transport Strategy	a. Positively prepared b. Justified c. Effective	<p>The traffic models proposed are old and outdated. Junctions at Queens Hospital (Belvedere Road), Calais Road/Field Lane, Hunter Street, Derby Turn are all areas which need assessing further.</p> <p>The travel plan is not proven – public transport is not a viable option for some of the development proposed.</p>	<p>Carry out new traffic surveys at peak times</p> <p>Needs to be reviewed in light of the updated Transport Strategy</p> <p>If further growth is needed in the future, land directly adjacent to major highways and commercial centres should be brought forward in order to provide genuinely sustainable urban extension.</p> <p>Public transport needs to be cost effective to allow residents to utilise it</p>	<p>In 2013, the model was updated and a 2031 forecast was produced. The model was refined in terms of completed developments, the Borough Council's pre-submission strategy and network alterations. The traffic growth methodology used was compliant with Department for Transport Guidance. All transport assessments for strategic development sites in Burton-upon-Trent have used the County Council's traffic model and have taken into account forecast traffic growth for the duration of the Local Plan.</p> <p>No change proposed</p>		
LP153 (Natural England, Hayley Fleming)			SP29 Biodiversity and Geodiversity		<p>Natural England welcomes the inclusion of this policy. We do however recommend some minor amendments. Whilst we do not consider these to be soundness issues, the recommendations are intended to improve compliance with the NPPF and with legislation (which legislation?).</p> <p>Sites hierarchy The NPPF states: 113. ... Distinctions should be made between the hierarchy of international, national and locally designated sites, so that protection is commensurate with their status and gives appropriate weight to their importance and the contribution that they make to wider ecological networks.</p> <p>Natural England is concerned that this site hierarchy has not been clearly established within the Plan. In particular, there is no reference to European or National designated sites in either the policy or its supporting text.</p> <p>We recommend establishing the site hierarchy within the policy and the supporting text.</p> <p>Local and non-statutory sites</p> <p>We advise defining the term "local designated sites" in the supporting text. Presumably the term encompasses Local Sites (Local Wildlife Sites and Local Geological Sites, which were previously called Regionally Important Geological sites) and other designations e.g. Sites of Importance to Nature Conservation (SINCs) or Sites of Local Importance to Nature Conservation (SLINCs). It is not clear what is meant by "non-protected sites". We suggest that perhaps non-statutory sites would be more accurate.</p> <p>Priority habitats and species</p>	<p>Development proposals that would have a direct or indirect adverse effect on local designated sites, non-protected sites and priority protected species that are considered to have geological and biodiversity value, will not be permitted unless:</p> <ul style="list-style-type: none"> • They cannot be located on alternative sites that would cause less or no harm; • The benefits of the development clearly outweigh the impacts on the features of the site and the wider network of wider habitats; and • Prevention, mitigation and compensation measures are provided. Any replacement assets should be of a comparable or enhanced value. <p>Recommended wording:</p> <p>Development proposals that would have a direct or indirect adverse effect on European, national or local designated sites, non-statutory sites or Priority habitats and species will not be permitted unless:</p> <ul style="list-style-type: none"> • They cannot be located on alternative sites that would cause less or no harm; and • The benefits of the development clearly outweigh the impacts on the feature and the wider habitat network; and • Prevention, mitigation and 	<p>Proposed modifications in line with the requested changes, as set out in the Natural England: Statement of Common Ground.</p> <p>Change proposed</p>	SP29	Mod No. 108 and 109

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					<p>We recommend changing the reference to "priority protected species" to Priority habitats and species. This term is used in the Natural Environment and Rural Communities Act 2006, which sets out a duty for all public bodies to conserve biodiversity when carrying out their functions (section 40) (the Biodiversity Duty). Section 41 of the NERC Act lists Priority habitats and species in full. Priority habitats and species is the correct way to describe habitats and species covered in the UK</p> <p>Biodiversity Action Plan. Moving from a net loss to a net gain for biodiversity.</p> <p>The NPPF sets out a desire to move from a net loss to net gains for nature (paragraphs 9 and 109)</p> <p>9. Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life, including (but not limited to):moving from a net loss of bio-diversity to achieving net gains for nature;</p> <p>109. The planning system should contribute to and enhance the natural and local environment by: minimising impacts on biodiversity and providing net gains in biodiversity where possible, contributing to the Government's commitment to halt the overall decline in biodiversity ...</p> <p>To this end, we welcome the requirement that proposals will not be permitted unless:</p> <ul style="list-style-type: none"> • They cannot be located on alternative sites that would cause less or no harm; • The benefits of the development clearly outweigh the impacts on the features of the site and the wider network of wider habitats; and • Prevention, mitigation and compensation measures are provided. Any replacement assets should be of a comparable or enhanced value. <p>We suggest the following wording changes, intended to improve the policy:</p> <p>They cannot be located on alternative sites that would cause less or no harm; and insert the word 'and' to clarify that all three requirements must be met.</p> <p>The benefits of the development clearly outweigh the impacts on the feature and the wider habitat network; and delete the words "of the site" to ensure the point does not only apply to biodiversity losses on designated / non-statutory sites. Delete the repetition of the word "network".</p>	<p>compensation measures of a comparable or enhanced value are provided.</p>			
LP154(Mr John Wren on behalf of Mr T	Yes	No	Paragraph 2.19	a. Positively prepared	This paragraph sets out what it is considered is needed in Uttoxeter but the resulting strategy does not. It says "the Local	Add a penultimate paragraph saying "developing the 10ha west of Derby Road as a mixed	The site referred to in the representation is allocated as an		

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Campbell)				b. Justified c. Effective d. Consistent with national policy	Plan needs to respond to this (relative remoteness) by supporting the town and assisting with its regeneration. The Council is aware that to be successful Uttoxeter's economic base needs to be bolstered and sites regenerated to attract investment. Additional housing will help to provide a sustainable location where new employees can live without the need to commute from other towns..." The Plan then fails to do so by not even considering the 10ha west of Derby Road within the existing development envelope as being suitable as a housing site or a mixed housing/employment site. It is promoting west of Uttoxeter as having the virtue of being such a site so why not a site within the existing development boundary which could be comprehensively developed for both uses, thereby providing stimulation to economic development on the site and housing which could be developed almost immediately using existing infrastructure in close proximity to the town centre, the new employment opportunities and the strategic highway network.	employment/housing site will assist with this aim."	employment site, based on recommendations in the Employment Land Review 2013. No change proposed.		
Rep LP155 (Natural England, Hayley Fleming)			SP30 Locally Significant Landscapes		We recommend including a reference to the European Landscape Convention and its definition of landscape. We also recommend including a reference to the National Character Areas in the supporting text. Within the policy itself, we recommend including stronger references to the emerging Landscape Character Assessment, which we understand from the supporting text is going to be adopted as an SPD.	Current wording: <i>Within the Landscape Character Areas the Council will permit development that accords with the policies in this Local Plan, particularly Strategic Policy 8, and also meets the relevant objective for the type of landscape in which it lies.</i> Recommended wording: <i>Development decisions across the Borough will be informed by the relevant sections of an updated Landscape Character Assessment for Staffordshire, and the Council will expect applicants to demonstrate that they have taken full account of the LCA and its guidelines to produce a scheme which reflects existing landscape character and where possible seeks to enhance landscape quality.</i>	Proposed modification in line with requested change, as set out in the Natural England: Statement of Common Ground. Change proposed.	SP30	Mod No. 110
Rep LP156 (Natural England, Hayley Fleming)			SP32, Outdoor Sports and Open Space Policy		Natural England welcomes the inclusion of this policy. We wish to see the policy placing a higher value on the contribution the open space makes to the local green infrastructure network. We recommend adding multifunctionality and connectivity with the wider GI network to the that the quality and value criteria listed.		Proposed modification to SP32 in line with requested change, as set out in the Natural England: Statement of Common Ground. Change proposed.	SP32	Mod No. 113
Rep LP157 (Natural England, Hayley Fleming)			Detailed Policy 1: Design of New Development		Natural England notes that there is no reference to biodiversity or to green infrastructure within this policy. We would welcome a reference to green infrastructure in particular, as the Plan promotes a green infrastructure led approach to strategic housing growth (Strategic Objective 1: Well designed communities).		Proposed modification, in line with requested change, as set out in the Natural England: Statement of Common Ground. Change proposed.	DP1	Mod No. 124
Rep LP158 (Natural			Detailed		We welcome the requirement for ecological sensitive design and		Proposed modification, in line with		

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England, Hayley Fleming)			Policy 2: Designing in Sustainable Construction		biodiversity features within this otherwise carbon focused policy. We suggest reference to the Town and County Planning Association's "Biodiversity by Design" to support this.		requested change, as set out in the Natural England: Statement of Common Ground. Change proposed.	DP2	Mod No. 127
Rep LP159 (Natural England, Hayley Fleming)			Detailed Policy 11: European Sites		<p>Natural England welcomes the inclusion of this policy. It is our view that the policy is both sound and necessary with regard to the protection of Cannock Chase Special Area of Conservation (SAC) in particular. However, the policy's compliance with current thinking regarding Cannock Chase SAC could be improved, incorporating advice on similar policies in Local Plans which have been subject to Examination. We therefore recommend the following changes.</p> <p>Habitats Regulations Assessment</p> <p>Natural England is satisfied that the conclusion that the East Staffordshire Local Plan would not result in likely significant effects on European sites other than Cannock Chase SAC, alone or in combination with other plans or projects, is reasonable.</p> <p>With regard to Cannock Chase SAC, we are satisfied with the approach taken whereby Detailed Policy 11: European Sites safeguards against adverse effects on Cannock Chase SAC. However, some of the explanation in the conclusion is unclear. Paragraph 6.3 failed to acknowledged that the Plan may have impacts on Cannock Chase SAC in the absence of mitigation. Policy 11 seeks to ensure that appropriate mitigation measures are implemented. The HRA Report also failed to acknowledge the need for further project level HRA for the majority of the housing allocations made in the Local Plan, due to either their location within the 15km Zone of Influence or due to their size.</p>	<p>Paragraph 1 is negatively worded and its meaning is actually repeated in a more positive way in paragraph 2. We therefore recommend deleting paragraph 1, moving paragraph 2 to the beginning of the policy and applying it to all European sites, not just Cannock Chase SAC. We also recommend adding the words 'alone or in combination with other plans or projects' at the end of this sentence, to improve its compliance with the Conservation of Habitats and Species Regulations 2010.</p> <p>Paragraph 3 and 4 should be amended to improve their alignment with the current thinking of the Cannock Chase SAC Partnership.</p> <p>Natural England recommends the following policy wording:</p> <p><i>Development will only be permitted where it can be demonstrated that it will not lead (directly or indirectly) to an adverse effect upon the integrity of a European Site, alone or in combination with other plans or projects.</i></p> <p>Cannock Chase Special Area of Conservation (SAC)</p> <p><i>All development that results in a net increase in dwellings within 15km of Cannock Chase SAC will be required to mitigate any adverse impacts upon the SAC in line with ongoing work by partner authorities to develop a Mitigation and Implementation Strategy SPD. The effective avoidance and/or mitigation of any identified adverse effects must be demonstrated and secured by legal agreement prior to approval of the development.</i></p> <p><i>Development proposals further than 15km may be required to demonstrate that they will have no adverse effect on the integrity of the SAC.</i></p> <p><i>We also recommend that the supporting text clarifies that the following strategic growth allocations in Uttoxeter are within the 15km Zone of Influence:</i></p> <ul style="list-style-type: none"> • JCB, Pinfold Road (257 dwellings) • Uttoxeter West (700 dwellings) 	<p>Proposed modification, in line with the change requested, as set out in the Natural England: Statement of Common Ground.</p> <p>Change proposed</p>	DP11	Mod No.138

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						<ul style="list-style-type: none"> Stone Road (100 dwellings) 			
LP160 (Mrs Olive Neale)	Yes	No	Paragraphs 2.23,2.28 and 3rd on page 79, Policy 2 A Strong Network of Settlements & 25 Historic Environment and Policy Map inset 10, Marchington	b. Justified	<p>With reference to the test of soundness I do not feel it is justified in saying that Marchington agrees with the increase settlement boundary in Jacks Lane and Yew Tree Farm (Bagshaws).</p> <p>There are sufficient places to build houses in Birch Cross, Forestside and Marchington Woodlands without overloading the village centre yet again.</p> <p>Flooding is a big problem in Marchington and this would just make it worse.</p>	Consult with the Parish Council and let them make a proper plan which could include all of Marchington and Marchington Woodlands.	<p>There has currently been no indication that Marchington Parish Council will produce a Neighbourhood Plan.</p> <p>The justification for settlement boundary amendments is set out in the Settlement Boundary Topic Paper.</p> <p>No change proposed.</p>		
LP161(Mr John Wren on behalf of Mr T Campbell)	Yes	No	Paragraphs 2.35, 2.36 and 2.37	<p>a. Positively prepared</p> <p>b. Justified</p> <p>c. Effective</p> <p>d. Consistent with national policy</p>	The enthusiasm with which the Borough Council has embraced Sustainable Urban Extensions as apparently the answer to all major greenfield development is somewhat surprising. Clearly small is no longer beautiful. What it has done, however, for Uttoxeter is allocate housing development in four separate locations only one of which will achieve SUE status. Land to the south of Uttoxeter would be piecemeal greenfield development which intrudes into the countryside and appears to give a significant number of local residents serious concerns. A reasonable alternative, which has been allocated for development since at least 1999, would be the 10ha site to the west of Derby Road but that possibility has not been explored by the Borough Council.	Delete the housing allocations south of Uttoxeter and include housing on west of Derby Road instead.	<p>The site is recommended for retention as an employment site in the 2013 Employment Land Review.</p> <p>No change proposed.</p>		
LP162 (Mono Consultants on behalf of The Mobile Operators Association)			Omission of telecommunications policy		<p>Thank you for your recent consultation on the above. We have considered the proposal relevant to the Mobile Operators Association and would offer the following comment on their behalf.</p> <p>We have no comments to make in respect of any specific policies within the Local Plan however we would take this opportunity to comment that we consider it important that there remains in place a telecommunications policy within the emerging Local Development Framework. It is recognised that telecommunications plays a vital role in both the economic and social fabric of communities. National guidance recognises this through Section 5: "Supporting high quality communications infrastructure" of national Planning Policy Framework (March 2012) which provides clear guidance as to the main issues surrounding telecommunications development.</p> <p>The National Planning Policy Framework (NPPF) at paragraph 42 confirms that "advanced, high quality communications infrastructure is essential for sustainable economic growth and plays a vital role in enhancing the provision of local community facilities and services." Paragraph 43 confirms that "in preparing local plans, local planning authorities should support the expansion of telecommunications networks", but should also "aim to keep the numbers of radio telecommunications masts</p>	<p>As indicated above the formulation of policy does not exist in isolation and there are numerous documents which will affect the formulation of any telecommunications policy, the most important of these being NPPF.</p> <p>On this basis we would suggest that within the Local Development Framework there should be a concise and flexible telecommunications policy contained within one of the statutory Documents. Such a policy should give all stakeholders a clear indication of the issues which development will be assessed against. We would suggest a policy which reads;</p> <p>"Proposals for telecommunications development will be permitted provided that the following criteria are met: -</p> <p>(i) the siting and appearance of the proposed apparatus and associated structures should seek to minimise impact on the visual amenity, character or appearance of the surrounding area;</p> <p>(ii) if on a building, apparatus and associated structures should be sited and designed in</p>	<p>Consider that the planning considerations listed in the representation are contained within other policies within the Local Plan.</p> <p>No change proposed.</p>		

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					<p>and sites for such installations to a minimum consistent with the efficient operation of the network. Existing masts, buildings and other structures should be used, unless the need for a new site has been justified."</p> <p>Further advice on the siting and design of telecommunications and good practice procedural guidance is contained within the Code of Best Practice for Mobile Phone Network Development (July 2013). This builds on the Ten Commitments to ensure that the industry is alive to the concerns of local communities and consultation is built into the development process</p>	<p>order to seek to minimise impact to the external appearance of the host building; (iii) if proposing a new mast, it should be demonstrated that the applicant has explored the possibility of erecting apparatus on existing buildings, masts or other structures. Such evidence should accompany any application made to the (local) planning authority.</p> <p>(iv) If proposing development in a sensitive area, the development should not have an unacceptable effect on areas of ecological interest, areas of landscape importance, archaeological sites, conservation areas or buildings of architectural or historic interest.</p> <p>When considering applications for telecommunications development, the (local) planning authority will have regard to the operational requirements of telecommunications networks and the technical limitations of the technology."</p> <p>We would suggest that this policy be a standalone policy within one of the main LDDs, with any back ground information, such as electromagnetic fields (EMFs) and public health, being contained within a separate Supplementary Planning Document. This could then be read with the guidance in NPPF and the Code of Best Practice to Mobile Phone Network Development to give a comprehensive background to any proposed development. We would consider it appropriate to introduce the policy and we would suggest the following;</p> <p>"Modern telecommunications systems have grown rapidly in recent years with more than two thirds of the population now owning a mobile phone. Mobile communications are now considered an integral part of the success of most business operations and individual lifestyles. With new services such as the advanced third generation (3G) services, demand for new telecommunications infrastructure is continuing to grow. The authority is keen to facilitate this expansion whilst at the same time minimising any environmental impacts. It is our policy to reduce the proliferation of new masts by encouraging mast sharing and siting equipment on existing tall structures and buildings. Further information on telecommunications can be found in Local Development Document....."</p> <p>In summary, we are suggesting that a clear and</p>			

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						flexible telecommunications policy be introduced in one of the main LDDs. This should be introduced by a short paragraph outlining the development pressures and the authority's policy aims. We have suggested text for both above. In keeping with the aims and objectives of the legislation any background information should be contained within a separate non-statutory LDD which would not need to go through the same consultation process. We trust you find the above comments of assistance. Please do not hesitate to contact me should you have any queries relating to the above matters.			
LP163(Mr John Wren on behalf of Mr T Campbell)	Yes	No	Paragraph 2.41	a. Positively prepared b. Justified c. Effective d. Consistent with national policy	This paragraph explains the rationale behind including employment land in the SUE west of Uttoxeter. It says. "Further land is required is top up the land supply for these employment sectors which will require the release of greenfield sites. These sites form part of the two sustainable urban extensions proposed on the western side of both Burton upon Trent and Uttoxeter. Both sites will integrate employment land with a mix of uses including housing to create sustainable development. The intention is for the co-location of housing and employment with an aim of reducing commuting. The sites are also located close to the strategic road network which will facilitate inward investment." The described attributes for the SUE west of Uttoxeter could equally as well be applied to the 10ha site on the eastern side of town immediately to the west of Derby Road which is currently only allocated for employment use. There is no logic to this. Before deciding to allocate a significant greenfield intrusion to the west of the town remote from the town centre, the Borough Council should have investigated the potential of a much better placed site within the development envelope.	The different treatment for these two sites needs to be explained and justified in the supporting text. Better still both sites should be treated equally as mixed developments.	The Derby Road site is recommended for retention as an employment site in the 2013 Employment Land Review. Land West of Uttoxeter is subject to a mixed use planning application. No change proposed.		
LP164 (Mrs Jane Tomlinson)		No	SP4, Distribution of Housing and Rocester Inset Map		I do not think that your Local Plan is sound. There was a survey done before the bungalows were built at Eaton Road and in the survey the permeability of the land was 'Very High', what is the permeability going to be nearer the river? Also the area where you are proposing to build the houses is all on the Zone 2 Floodplain on the Environment Agencies Flood Legend. While the new traffic islands are supposed to make it easier for the Alton Towers traffic, I do not think it will make it easier for any traffic to exit from the High Street on to the B5030. Therefore there will be a back up on the High Street at the busy times especially over the narrow bridge.		The justification for settlement boundary amendments is set out in the Settlement Boundary Topic Paper. No change proposed.		
LP165 (Mr John Wren on behalf of Mr	Yes	No	SP4, Distribution	a. Positively prepared	The housing allocations at Uttoxeter should be reviewed Even if the SUE west of Uttoxeter is justified there are serious	The housing allocations for Uttoxeter should be reviewed and an allocation be made for say 350	The Derby Road site is recommended for retention as an		

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T Campbell)			of Housing	b. Justified c. Effective d. Consistent with national policy	environmental doubts about the suitability of Stone Road and Hazelwalls Farm. All or some of the allocation for those areas would be better directed to the land west of Derby Road where development has already been accepted by the Borough Council.	dwelling west of Derby Road or a lesser number if the site is to be allocated for a mixed use including employment. The crucial facts are that this site is close to the town centre and strategic road network. Development could take place without detriment to existing residential amenities and infrastructure could be easily provided so that development could commence within less than five years. Any loss of employment land should be made up in the SUE west of Uttoxeter.	employment site in the 2013 Employment Land Review. Land West of Uttoxeter is subject to a mixed use planning application. No change proposed.		
LP166 (Mr John Wren on behalf of Mr T Campbell)	Yes	No	SP5 Distribution of Employment Growth	a. Positively prepared b. Justified c. Effective d. Consistent with national policy	In the absence of paragraph numbers in this section of the Plan it is difficult to be precise but in the paragraph immediately before SP5 it is said "the Council received funding through the Greater Birmingham and Solihull LEP for infrastructure work to open up the Derby Rd area from Dove Way." That may well be the case but there is no reason why an access to the 10ha site should not also be taken from Derby Road.	Delete the sentence in quotation marks above.	The sentence sets out the infrastructure funding and associated works in Uttoxeter. No change proposed.		
LP167 (Mr A Gore, on behalf of Mr Frank Thompstone)		No	Page 149, Policy SP31 Green Belt and Strategic Green Gaps	a. Positively prepared b. Justified c. Effective d. Consistent with national policy	<p>The Strategic Green Gap Topic Paper (September 2013) identifies the protection of Anslow's unique sense of place as a role of the Strategic Green Gap allocation. Anslow is a small settlement (Tier 3 within the Settlement Hierarchy) and does not therefore have a development boundary. Strategic Policy 2 (Hierarchy of Settlements) and Strategic Policy 4 (Distribution of Housing Development) would not support new growth within the village, unless it was in accordance with Strategic Policy 18 (Exception Sites). Without a settlement boundary, Strategic Policy 8 (Development Outside of Settlement Boundaries) would apply across the village and any new development that is not essential in an open countryside location would not be supported. As a result, it is considered that the objective of protecting Anslow's unique sense of place could be adequately controlled through other policies within the plan.</p> <p>Paragraph 4.5 of the Strategic Green Gap Topic Paper states that the Strategic Green Gap allocation has, amongst other reasons, been drawn up to prevent further ribbon development along Beamhill Road. Given that the SGG allocation covers land to the south of Beamhill Road only, it would be completely ineffective in preventing ribbon development in this location. In the absence of the Strategic Green Gap allocation, it is considered that ribbon development could be adequately controlled through application of Strategic Policy 8 (Development Outside of Settlement Boundaries) for the reasons identified above.</p> <p>It is noted that great care has been taken to draw the Strategic Green Gap boundary around a number of farmyards, farmhouses, residential curtilages and other areas of built development. However, the SGG allocation washes over the residential curtilages of Anslow Park and Anslow Business Park. There is no adequate justification for this omission. Adoption of the Core Strategy and Strategic Policy 31 in its current form</p>	<p>Option 1 It is considered that the objective of protecting Anslow's unique sense of place could be adequately controlled through other policies within the plan, as could further ribbon development along Beamhill Road. It is therefore suggested that Strategic Policy 31, and indeed the Core Strategy in its entirety, be amended to remove reference to Strategic Green Gaps.</p> <p>Option 2 Should the inspector find that Strategic Policy 31 is sound, the Strategic Green Gap boundary around Anslow should be redraw to omit the residential curtilages of Anslow Park and Anslow Business Park, as there is no adequate justification for SGG washing over these areas, especially considering the clear omission of other farmyards, farmhouses, residential curtilages and areas of built development shown at Appendix 3 of the Topic Paper.</p>	The approach to defining Strategic Green Gaps is set out in the Strategic Green Gaps Topic Paper. No change proposed.		

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					<p>would be extremely detrimental to the future operation of Anslow Business Park. Furthermore, given that the vast majority of Anslow Park and Anslow Business Park are covered by hardstanding and buildings, there would be no benefit in seeking to protect the openness of the landscape in these locations anyway.</p> <p>Anslow's unique sense of space is adequately protected through its identification as a tier 3 settlement with no development boundary and surrounded by open countryside. It is a strongly held belief that Anslow should not merge with Burton, however, it has been observed that Anslow is now a vibrant community due predominantly to a constant level of growth that has been allowed in the village over the years (approximately 40% of the houses in the village have been built since circa 1970). Anslow does have mains gas, a bus service, a school and mains sewer.</p> <p>ESBC have granted permission for 950 houses at Outwoods with more proposed, yet both ESBC and County Highways have failed to make provision for any access to/from the A38 to the south. An access would almost certainly need to come through Anslow and/or the surrounding area to the east of the village, and it is considered that the SGG allocation would significantly hinder this.</p>				
LP168 (Mr John Wren on behalf of Mr T Campbell)	Yes	No	SP3, Provision of Homes and Jobs	a. Positively prepared b. Justified c. Effective d. Consistent with national policy	The policy is too rigid. The allocations should be aspirations given the difficulties of bringing employment land forward in the current economic climate.	Include the words "up to" before "40" in the second sentence.	The 40 hectares employment land requirement set out in the policy is justified in the Employment Land Review. No change proposed.		
LP169 (Mr John Wren on behalf of Mr T Campbell)	Yes	No	SP5, Distribution of Employment Growth	a. Positively prepared b. Justified c. Effective d. Consistent with national policy	Whilst the paragraph following this policy speaks of the need for flexibility this policy is anything but.	Change the wording to "land is allocated up to the requirements for employment provision in Strategic Policy 3 in accordance with the following distribution:"	The 40 hectares employment land requirement set out in the policy is justified in the Employment Land Review. No change proposed.		
LP170 (Mr John Wren on behalf of Mr T Campbell)	Yes	No	SP7, Sustainable Urban Extensions	a. Positively prepared b. Justified c. Effective d. Consistent with national policy	No text added		No change proposed.		
LP171 (Mr John Wren on behalf of Mr T Campbell)	Yes	No	SP7, Sustainable Urban Extensions	a. Positively prepared b. Justified c. Effective d. Consistent with national policy	No text added		No change proposed.		
LP172 (Mr John Wren on behalf of Mr T Campbell)	Yes	No	SP7, Sustainable Urban Extensions	a. Positively prepared	No text added		No change proposed.		

Rep No. & Name	Legally Compliant ?	Sound?	Section to which rep relates	Reason for Unsoundness	Summary of Representation	Changes requested	Council Response	Section change	Mod No.
T Campbell)			Urban Extensions	b. Justified c. Effective d. Consistent with national policy					
LP173 (Mr John Wren on behalf of Mr T Campbell)	Yes	No	SP7, Sustainable Urban Extensions	a. Positively prepared b. Justified c. Effective d. Consistent with national policy	No text added		No change proposed.		
LP174 (Mr John Wren on behalf of Mr T Campbell)	Yes	No	SP7, Sustainable Urban Extensions	a. Positively prepared b. Justified c. Effective d. Consistent with national policy	No text added		No change proposed.		
LP175 (Mr John Wren on behalf of Mr T Campbell)	Yes	No	SP7, Sustainable Urban Extensions	a. Positively prepared b. Justified c. Effective d. Consistent with national policy	No text added		No change proposed.		
LP176 (Mr John Wren on behalf of Mr T Campbell)	Yes	No	SP10, Education Infrastructure	a. Positively prepared b. Justified c. Effective d. Consistent with national policy	Land at Hazelwalls Farm should be deleted for reasons given previously.	Delete reference to Hazelwalls Farm.	The allocation contributes towards meeting objectively assessed housing needs. No change proposed.		
LP177 (Providence Land Limited, Mr Jonathon Harbottle)	Yes	No	SP15, Tourism, culture and leisure development	a. Positively prepared b. Justified	We consider that Strategic Policy 15 has not been positively prepared as it has not fully capitalised on the opportunities inherent at the Barton Marina site. There is much to support in the Local Plan but there are opportunities to improve its contribution. Dealing with the criteria and addressing the Barton Marina complex, we suggest there should be a detailed policy number 13 or a subsidiary policy to detailed policy 10-9. We welcome the blue infrastructure and water based policy analysis but there is an opportunity to define a site at the Barton Marina complex to meet the opportunities and demands of this location. We have soundness objections to other parts of the Plan and are seeking a designation showing the Marina as a mixed use location including recreation, water based facilities, holiday homes and residential. It can appropriately adjoin the extended area for Barton village.	Further wording should be incorporated to cover the regional character of the Barton Marina complex as a destination attracting people from many miles away and certainly elevating the function of the centre to a primary node within the regional economy. It will be supplementary and consistent with the function of Burton town centre as a convenient shopping location. The Barton Marina complex is (and will grow to be more of) a more specialist function drawing people from the whole of the Midlands. To show it in this way will be justified, positive, effective and consistent with National Policy which anticipates mixed use developments in sustainable locations.	Substantial development at Barton Marina has taken place over the last 10 years. Consider any further development would be considered against other policies within the plan, including Tourism and Town Centres policies which aim to locate development in sustainable locations. No change proposed.		
LP178 (Providence Land Limited, Mr Jonathon Harbottle)	Yes	No	Inset Map 5, Barton under Needwood	a. Positively prepared b. Justified c. Effective d. Consistent	There is much to support in the Local Plan but there are opportunities to improve its contribution. Dealing with the criteria and addressing the Barton Marina complex, we suggest there should be a detailed policy number	The Strategic Site Allocation should be extended to include land up to the A38 and canal as a strong sustainable settlement boundary in the long term and to accommodate the mix of uses planned, to include housing, recreation and	Substantial development at Barton Marina has taken place over the last 10 years. Consider any further development would be considered against other policies within the plan,		

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				with national policy	<p>13 or a subsidiary policy to detailed policy 10-9.</p> <p>We welcome the blue infrastructure and water based policy analysis but there is an opportunity to define a site at the Barton Marina complex to meet the opportunities and demands of this location.</p> <p>It should be shown as a mixed use location including recreation, water based facilities, holiday homes and residential. It can appropriately adjoin the extended area for Barton village.</p> <p>It will be supplementary and consistent with the function of Burton town centre as a convenient shopping location. The Barton Marina complex will be a more specialist function drawing people from the whole of the Midlands. To show it in this way will be justified, positive, effective and consistent with National Policy which anticipates mixed use developments in sustainable locations.</p>	<p>leisure.</p> <p>This will ensure that the Plan is positively prepared as it will capitalise on the opportunities inherent at the Marina site.</p> <p>It will also ensure that the Plan is justified, with further wording incorporated to cover the regional character of the Barton Marina complex as a destination attracting people from many miles away and certainly elevating the function of the centre to a primary node within the regional economy.</p>	<p>including Tourism and Town Centres policies which aim to locate development in sustainable locations.</p> <p>No change proposed.</p>		
LP179 (Providence Land Limited, Mr Jonathon Harbottle)	Yes	No	SP4, Distribution of Housing Growth	<p>a. Positively prepared b. Justified</p>	<p>The distribution of housing growth does not give sufficient recognition to the economic role of Barton under Needwood in the Borough. ESBC acknowledges that it is desirable to attract more inward investment and to achieve this it is necessary to provide for the needs of senior management and business owners/entrepreneurs to live close to their places of work and employees.</p> <p>Not all needs will be met in and around Burton and Uttoxeter. There is an established quality housing market in Barton Under Needwood and so additional homes here will assist in meeting this need.</p> <p>The distribution of housing growth also does not take sufficient account of the opportunities at the Barton Marina complex. We are proposing that the Plan identify a mixed use designation for the Marina including recreation, water based facilities, holiday homes and residential. This will be able to draw people from the whole of the Midlands. The text of the Plan refers to the economic importance of the Marina but does not translate this into a positive spatial strategy.</p>	<p>TIER 1: The housing allocation figure for Barton under Needwood in the Tier 1 (Strategic Villages) should be changed from 130 to 240.</p> <p>This will make the policy sound because it will positively respond to the economic opportunities at Barton under Needwood, particularly in respect of the Marina.</p> <p>The Efflinch Lane site can accommodate significantly more homes and indeed plans were originally conceived for up to 190 homes with parkland and open space, adjacent to the open space areas around Barton Marina. In addition, housing for 50 homes adjacent to the marina to introduce more of a mix of uses is appropriate and can be delivered alongside the Marina and retail/leisure complex.</p> <p>These additional 50 homes can be accommodated without reducing the land area available for the recreation/leisure uses. This is a quality location and environment which is well suited to more homes and where people want to live. Therefore the total of 240 homes is appropriate and realistic and can be delivered quickly.</p> <p>TIER 2: The development allowance figure for Yoxall in the Tier 2 villages should be changed from 40 to 50.</p> <p>The site off Sudbury Road has been assessed by local residents as having the least impact and providing the most benefits in the village, being</p>	<p>Chapter 2 sets out the justification for the settlement hierarchy and housing numbers attributed to each tier.</p> <p>No change proposed.</p>		

Rep No. & Name	Legally Compliant ?	Sound?	Section to which rep relates	Reason for Unsoundness	Summary of Representation	Changes requested	Council Response	Section change	Mod No.
						very close to existing shops, facilities and the school.			
LP180 (Providence Land Limited, Mr Jonathon Harbottle)	Yes	No	SP3, Provision of Homes and Jobs	a. Positively prepared	<p>The Plan has not been positively prepared as the level of proposed homes 2012 – 2031 will be inadequate to meet identified need. The overall requirement should be in the region of 12,000 homes to reflect the background housing research commissioned by the Council including the SHMA.</p> <p>The housing trajectory shows unrealistic completion levels running at up to 800/950 per annum in 2016/2017.</p> <p>For example, two key sites will be delayed that have been relied upon. The recent application on Lawns Farm has recently been rejected by the Council. The 'Outwoods' site is now subject to Judicial Review. This will make a big dent in the supply over the coming years. In the recent 'Redhouse Farm' appeal (12th November 2013) the Inspector found a consistent undersupply and felt that the deliverable land supply was around 3 years. This was before the JR on one of the main sites.</p> <p>In the recent 'Redhouse Farm' appeal (12th November 2013) the Inspector found a consistent undersupply and felt that the deliverable land supply was around 3 years. This was before the JR on one of the main sites.</p> <p>Evidence shows that reliance on large sites, dependent on infrastructure, takes a lot longer than anticipated and there is always a tendency to be too optimistic. 5 years to first completions from the grant of permission is quite common on large sites over 800 homes.</p> <p>There is also a qualitative reason to deliver more homes in Barton Under Needwood. ESBC acknowledges that it is desirable to attract more inward investment and to achieve this it is necessary to provide for the needs of senior management and business owners/entrepreneurs to live close to their places of work and employees.</p> <p>Not all needs will be met in and around Burton and Uttoxeter. There is an established quality housing market in Barton Under Needwood and so additional homes here will assist in meeting this need.</p>	<p>The variety of sites across the Borough should be increased and the larger first and second tier settlements should accommodate this additional growth. These settlements have stronger housing markets with a great deal of unmet need and so they will deliver quickly. One example is the Housing site Efflinch Lane in Barton Under Needwood (130 homes) which is being delivered shortly from a permission granted in summer 2013.</p> <p>The Efflinch Lane site can accommodate significantly more homes and indeed plans were originally conceived for up to 190 homes with parkland and open space, adjacent to the open space areas around Barton Marina. In addition, housing for 50 homes adjacent to the marina to introduce more of a mix of uses is appropriate and can be delivered alongside the Marina and retail/leisure complex. These additional 50 homes can be accommodated without reducing the land area available for the recreation/leisure uses. This is a quality location and environment which is well suited to more homes and where people want to live.</p> <p>Therefore the total of 240 homes is appropriate and realistic and can be delivered quickly. Corresponding changes should be made to Appendix 3 (Housing Trajectory).</p>	<p>The development strategy identifies sites to meet the objectively assessed needs of the Borough.</p> <p>No change proposed.</p>		
LP181 (Mr John Wren, JMW Planning Ltd)	Yes	No	Strategic Objective 3	a. Positively prepared b. Justified c. Effective d. Consistent with national policy	<p>This undertakes "to ensure that new development will be supported by effective transport infrastructure and designed in a way that reduces the need and desire to travel by car through encouraging the use of public transport, walking, cycling and rail travel." That is unrealistic in a Borough where the private motor vehicle is often the only means of transport available to residents.</p>	<p>Re-write the policy to say "to ensure that new development will, wherever possible, be supported by effective transport infrastructure and designed in a way that reduces the need and desire to travel by car through encouraging the use of public transport, walking, cycling and rail travel."</p>	<p>Propose modification in line with changes requested.</p> <p>Change proposed.</p>	Strategic Objective 3	Mod No. 20

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LP182 (Mr John Wren, JMW Planning Ltd)	Yes	No	Strategic Objective 8	a. Positively prepared b. Justified c. Effective d. Consistent with national policy	This relates to the rural economy and says the Borough Council will "sustain and enhance employment opportunities in the rural part of the Borough by promoting local distinctiveness and in particular make the most of employment and business opportunities associated with the National Forest and rural diversification." Employment opportunities have nothing to do with local distinctiveness.	Delete the words "by promoting local distinctiveness."	The term relates to local businesses which are distinctive due to their location and associated business. No change proposed.		
LP183 (Mr John Wren, JMW Planning Ltd)	Yes	No	Paragraph 2.12	a. Positively prepared b. Justified c. Effective d. Consistent with national policy	The strategy will not deliver what this paragraph says it will. It is too heavily reliant on the performance of large housing and employment sites. Limiting development in the villages in the way suggested is not going to provide choice for future residents. Those capable of affording larger properties will struggle to find sites where they can be built and that could well affect potential inward migration from managerial staff. Those needing affordable housing will find supply is limited by the overly restrictive policies in the Plan. Moreover the distance between Burton upon Trent and Uttoxeter is rather large to be maintained as a strategic gap.	Delete the paragraph.	The paragraph sets out the overall aims and aspirations of the development strategy. No change proposed.		
LP184 (Mr John Wren on behalf of John Snow)	Yes	No	Paragraph 2.17	a. Positively prepared b. Justified c. Effective d. Consistent with national policy	The distribution of new housing in the table is wrong. There should be less of an allocation to Uttoxeter because there are sufficient sites within the development boundary to accommodate current and projected needs. At least 7% should be deducted from that total and allocated to the tier 2 and 3 settlements. Growth is needed there too to maintain existing community facilities. If they are lost then more travel will have to be undertaken and that will conflict with one of the main aims of the Plan.	Amend the table and allocations as suggested.	Chapter 2 sets out how settlement numbers have been arrived. Four of the allocations in Uttoxeter are subject to planning applications. No change proposed.		
LP185 (Mr John Wren on behalf of John Snow)	Yes	No	Paragraph 2.20	a. Positively prepared b. Justified c. Effective d. Consistent with national policy	The paragraph claims that some growth has to be directed to the rural area to ensure that existing facilities and services and community life are supported. That is true but the allocation is woefully inadequate. The top down approach followed in the Local Plan is not going to maintain facilities in the smaller settlements. Often the village populations are ageing and new young blood is needed to keep the community going. The Local Plan simply fails to address this issue whilst paying lip service to it.	Delete the paragraph. There is no point making claims that you are not going to deliver.	Chapter 2 sets out how settlement numbers have been arrived. <i>SP8: Development Outside Settlement Boundaries</i> would allow additional development in rural settlements where a Neighbourhood Plan is in place. No change proposed.		
LP186 (Mr John Wren on behalf of John Snow)	Yes	No	Paragraph 2.23	a. Positively prepared b. Justified c. Effective d. Consistent with national policy	The housing allocations mentioned in this paragraph are inadequate to achieve the maintenance of community facilities and provide a choice of housing in the larger villages.	As a minimum all six villages should be required to find sites for 40 dwellings over the plan period. Even that equates to less than three dwellings a year which is hardly going to erode their character!	Chapter 2 sets out how settlement numbers have been arrived. <i>SP8: Development Outside Settlement Boundaries</i> would allow additional development in rural settlements where a Neighbourhood Plan is in place. No change proposed.		

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LP187 (Mr John Wren on behalf of John Snow)	Yes	No	Paragraph 2.24	a. Positively prepared b. Justified c. Effective d. Consistent with national policy	A "handful" of new properties will do nothing to maintain facilities or provide a choice of housing in these smaller settlements. Lumping an allocation for them together is also unhelpful because it lacks clarity.	The allocation for third tier villages should be doubled as a minimum and a requirement allocated to each settlement. One new property a year is not going to affect village life adversely or the overall strategy for housing provision in the Borough.	Chapter 2 sets out how settlement numbers have been arrived. No change proposed		
LP188 (Mrs Tessa Clay)	Yes	No	SP7, Sustainable Urban Extensions	a. Positively prepared b. Justified c. Effective	a) Positively Prepared In July 2012 ESBC published their preferred option for Uttoxeter following a lengthy consultation. The results of this consultation were to recommend Option 2d - the land to the west of Uttoxeter, the JCB site and Stone Road development. However the pre submission Local Plan includes the Hazelwalls Farm site which was not recommended as an option in the previous consultation as it was identified as being less well connected to the town centre and employment sites and hence less sustainable. Therefore option 2d was the recommended option and option 2b, which included Hazelwalls Farm, was NOT sustainable. b) Justified The sudden inclusion of 350 additional houses on the Hazelwalls site is not required in the foreseeable future. c) Effective Following Mosaic Estates meeting with Uttoxeter Town Council and their urgency to push through this development it seems that this has suddenly been added to the plan as an afterthought, with no consultation.	Revert back to your preferred option 2d for Uttoxeter and remove the Hazelwalls Farm strategic site allocation. All as described previously.	The increased level of housing in Uttoxeter is based on an increased housing figure from the 2013 SHMA. No change proposed.		
LP189 (Mr John Wren on behalf of John Snow)	Yes	No	Strategic Policy 2: A Strong Network of Settlements	a. Positively prepared b. Justified c. Effective d. Consistent with national policy	The policy claims to create a strong network of settlements. The reverse is true. By adopting this "top down" approach the Plan is in danger of seriously weakening smaller settlements which need limited housing to support existing services and give residents the opportunity to change their type of accommodation without leaving their village. The large allocations made to Burton and Uttoxeter are not going to maintain services in those towns. Indeed it seems in Burton at least the infrastructure is not there at present to accept that level of development. Just a few of the allocations moved from Burton and Uttoxeter to the smaller settlements in the Borough could provide the latter with a lifeline. The whole strategy is flawed and should be rethought. What is being proposed is not sustainable, particularly in a Borough where the predominant settlement pattern is one of dispersed small villages and hamlets.	Delete the paragraph. Re-examine the whole strategy to allocate less housing to Burton and Uttoxeter and more to the smaller settlements in the Borough.	Chapter 2 sets out how settlement numbers have been arrived. Eleven of the allocations to Burton and Uttoxeter are subject to planning applications. No change proposed.		
LP190 (Mr John Wren on behalf of John Snow)	Yes	No	Strategic Policy 4: Distribution of Housing	a. Positively prepared b. Justified c. Effective	The allocation of the housing requirement does not meet the needs of the Borough, particularly the rural area which geographically forms the majority of the area. There is insufficient allocation particularly for tier 2 and 3 villages which	The whole approach to the allocation of housing throughout the Borough needs to be looked at again. The starting point should be an examination of the needs of smaller settlements-	Chapter 2 sets out how settlement numbers have been derived. No change proposed.		

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			Growth 2012 – 2031	d. Consistent with national policy	should also be allowed windfalls within the existing built framework. I also do not see why Tutbury should be allocated one more dwelling than the other three strategic villages.	to support existing services either individually or as a group of settlements and to provide some housing choice so that, for example, residents do not have to leave their village when they want to down size. That would give a base level of housing activity which is not going to be so large as to alter the character of these settlements. Then the same exercise should be done for the larger villages, which actually may not need as much new housing as the smaller settlements because they have a larger housing pool and more variety of dwelling types. Finally the residue should be allocated to Burton and Uttoxeter.			
LP191 (Mr John Wren, JMW Planning Ltd)	Yes	No	Strategic Objective 8	a. Positively prepared b. Justified c. Effective d. Consistent with national policy	<p>In the preamble to this policy it is said "tier 1-3 settlements are given a development allowance which can either be allocated or come forward as windfall. Tier 1 settlements can accommodate a small allowance without the need to amend settlement boundaries. The Borough Council has engaged with Tier 2 local communities to determine which approach to take in delivering their development allowance."</p> <p>The policy itself appears to limit the windfall allowance to the two main towns without explaining how that figure is arrived at or how it is split between the two. There is no urban capacity study mentioned in the preamble so presumably it is the SHLAA that has informed the figures. Again the lack of data presented does not aid transparency.</p> <p>An arbitrary allocation to tier 2 villages has been made without any real explanation of why that figure is the right one for each village or if some of the villages need any development at all to meet the strategic aims of the Plan.</p> <p>The combined requirement of 90 dwellings split somehow between 15 smaller settlements over the plan period is both inadequate and confusing.</p> <p>All in all the policy is not going to produce the housing requirement that the Borough needs. The possibility of planning by appeal continues to loom large.</p>	The whole issue of the housing requirement for the Borough needs re-examining with priority being given to a bottom up rather than a top down approach. This particular policy should be deleted and replaced with a new one once that exercise has been undertaken.	<p>The 2013 SHMA sets out the housing requirement, based on objectively assessed need and employment factors.</p> <p>No change proposed.</p>		
LP192 (Mr John Wren, JMW Planning Ltd)	Yes	No	SP16, Meeting Housing Needs	a. Positively prepared b. Justified c. Effective d. Consistent with national policy	The Policy is too onerous in its requirements, particularly in respect of matters which should be left to market forces. It should be the role of the Borough Council to point out to prospective developers what mix of housing would be appropriate in a particular area but no more than that. The remainder of the policy repeats other policies.	Delete the policy.	<p>The policy is supported by evidence on housing need across the Borough.</p> <p>No change proposed.</p>		
LP193 (Mr John Kirk)	No	No	SP7, Sustainable Urban		The proposal to develop land around Hazelwalls Farm was rejected in favour of developments in other areas of Uttoxeter (adjacent to the A50) in the previous consultation. It was rejected		Infrastructure issues are set out in the IDP and Draft Integrated Transport Plan. Specific details of access and		

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			Extensions		as I understand due to poor infrastructure reasons i.e. furthest from shops, schools and leisure facilities, creates a rat run parallel to Stafford Rd., difficult to include in an existing bus route and access is funnelled through an existing housing estate, none of these issues have been addressed so this development would be ludicrous.		bus routes would be addressed in a detailed planning application. No change proposed.		
LP194 (Mr John Wren, JMW Planning Ltd)	Yes	No	SP17, Affordable Housing	a. Positively prepared b. Justified c. Effective d. Consistent with national policy	The policy is too onerous and not consistent with the requirement in paragraph 50 of the National Planning Policy Framework that local planning authorities should first identify where affordable housing is needed and not adopt a blanket approach as in this policy. The threshold is too low and should be raised to developments of more than nine dwellings or an equivalent area. The 25% requirement is too high and should be reduced to 15% otherwise the viability of schemes will be threatened and, if that happens, no homes will be built. There should be no specific on-site requirement. If a developer prefers to pay the Council to provide affordable housing on another site then that is what should happen. The requirement that affordable housing should be indistinguishable from market housing on the same site is unreasonable because the affordable housing may have to be designed differently to make it affordable.	Amend the Policy in accordance with the comments.	The policy is supported by the 2013 SHMA and 2013 Affordable Housing Viability Study. The policy includes a consideration of individual site viability and subsidy which provides sufficient flexibility. No change proposed.		
LP195 (Mr John Wren, JMW Planning Ltd)	Yes	No	SP18, Residential Development on Exception Sites	a. Positively prepared b. Justified c. Effective d. Consistent with national policy	As written the Policy will exclude exception housing in tier 3 and smaller settlements as they will not have a development boundary. That is just the sort of settlement where exception housing may be needed.	Delete the words "outside a settlement boundary."	The policy states "permission may be granted for a small development to specifically meet that need on a suitable site outside a settlement boundary..."Therefore it is written to apply to Tier 3 and smaller settlements. No change proposed.		
LP196 (Mr John Wren, JMW Planning Ltd)	Yes	No	SP24, High Quality Design	a. Positively prepared b. Justified c. Effective d. Consistent with national policy	All development proposals contribute to the area in which they are built. If the Council wants to use a design panel then it should be the Council and not an applicant who has to pay for that.	Insert the word "positively" after "contribute" and delete the words "the applicant will be expected to meet any associated costs and respond positively to any recommendations."	Modification of wording to "positively contribute" proposed. Change proposed.	SP24	Mod No. 96
LP197 (Mrs S Andrew)		No	Inset Map 10, Marchington	a. Positively prepared b. Justified d. Consistent with national policy	<ul style="list-style-type: none"> The proposed extension to the Settlement Boundary at Yew Tree Farm, Marchington compromises the conservation area and the adjacent listed building. The extent of development should be restricted to the existing or demolished outbuildings plus a maximum of 2 dwellings to make a total of 5. The extension of the settlement boundary should reflect the actual alignment of structures in the vicinity and be limited to a line 40 metres from the southern field boundary of the Yew Tree Farm site (in line with the tennis/bowls club-house). The habitat of protected species on the site needs to be fully 		The approach to identifying and amending settlement boundaries is set out in the Settlement Boundary Topic Paper. No change proposed.		

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					<p>recognised.</p> <ul style="list-style-type: none"> The impact on already problematic flooding, surface water run-off and drainage needs to be fully considered. 				
LP198 (Mr Des Mycock)	No	No	SP1 East Staffordshire Approach to Sustainable Development , SP3 Provision of Homes and Jobs, SP7 Sustainable Urban Extensions, SP10, Education Infrastructure	<p>a. Positively prepared b. Justified c. Effective d. Consistent with national policy</p>	<p>The Hazelwalls development was excluded under previous consultation for preferred options and was taken out of the plan in July 2012 and no additional consultation has taken place to suddenly be back as an option. This seems a very devious way of approaching the development. The Plan states that things have changed but does not state what has changed. The development is not justified, reasonable, proportionate or necessary in this area of the town. There are far more suitable sites to utilise with better prospects for infrastructure and local amenities.</p> <p>The plan for the proposed Hazelwalls farm development does not reflect the development needs of Uttoxeter. The plan does not consider the specific infrastructure impact of a development in this part of the town, whereby several hundred more houses would be built, comprising perhaps a thousand people plus in one small area of west Uttoxeter. There are major issues concerned with the road traffic congestion coming off herb Land estate onto Kingfisher Way to the A518 roundabout where traffic build up is already bad at peak times, and add to this the railway crossing congestion when the barriers come down at least twice per hour and block the roads up now with traffic backlogs on the main roads and roundabout. It is already a dangerous area with limited pedestrian crossing points that are safe particularly for school children.</p> <p>a) It is not Positively Prepared in that it does not meet infrastructure requirements. The developers plan to use current roads and drainage systems. The current roads within The Hazelwalls Estate are cul-de-sacs and were never designed for and will not be able to cope with the increased traffic both the development itself will bring and the resulting traffic from this. The developers propose that a 'main route' will be via the B5013 Abbots Bromley Road. In practice this will not be the case as it will be much quicker for the residents to use the estate roads as a route to the A50 and to the Town Centre. This will result in these roads having a traffic capacity they cannot cope with and were not designed for. There is the potential for 700 cars to be using these roads daily the roads were not designed for this weight of traffic. This does not meet infrastructure requirements. Westlands Road will be another outlet for the vast majority of traffic, the houses have few driveways and the road is congested with parked cars.</p> <p>The drainage will be a problem the balancing pools in their plan could never hold the amount of water experienced this year when the flood water reached houses in Fennal Close. The area already floods badly and the drainage system cannot cope.</p>	<p>The proposed allocation of 350 dwellings on land south of Uttoxeter (Hazelwalls) should be removed from the Local Plan and a commitment made by ESBC to support the preparation of the Uttoxeter Neighbourhood Plan to identify alternative options, sites and locations for development in the town in order to meet the agreed housing requirement of 1557 dwellings within the plan period, and to phase development at a rate that supports other strategic and sustainable development objectives for new housing in the Borough and in surrounding authorities.</p> <p>The authority should produce a report to demonstrate how it considers that adequate consultation has been carried out on the proposed allocation of development on land south of Uttoxeter (Hazelwalls), including evidence that the allocation represents the optimal choice in terms of sustainable development when objectively compared with the other options suggested in this representation.</p>	<p>The 2013 SHMA sets out the housing requirement, based on objectively assessed need and employment factors providing a higher figure than that set out in the Preferred Options consultation document. The Sustainability Appraisal demonstrates which alternative options have been considered.</p> <p>No change proposed.</p>		

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					<p>There has not been any infrastructure planning.</p> <p>There has been no environment impact assessment for this planned development, how can this be so? This development will have a massive impact on the environment. This plan cannot, therefore, be compliant with regulatory and national planning barriers which must protect the environment from these sorts of threat. The Strategic Appraisal Framework states that development should "enhance greenfield sites", "introduce habitat creation and amenity space" and "enhance other transport options than the car". This is completely the opposite with the Hazelwalls development plan it would result in major habitat destruction, reduction of access and enjoyment of amenities, and green space especially along the Staffordshire Way and the current Allotments. It threatens the natural habitats for buzzards, kestrels, rooks, amphibians such as frogs and newts and mammals such as badgers. In winter time, there are large flocks of thrushes, redwings etc, all of which would be driven away if the hedgerows were further destroyed for development. These hedgerow and habitat are well established and have been around for many years.</p> <p>b) Justified The Hazelwalls site was not previously identified as a preferred option. The demographic details given in the Pre-submission Local Plan are conjecture and no statistical model to show a correlation between population expansion and housing type is provided. The Pre-submission Local Plan (1.35) undertakes to "reduce the (wealth) gap, reduce carbon emissions and reduce mortality rates from coronary heart disease". It is also suggested that Uttoxeter housing is "relatively affordable" (1.93), yet the proposed Hazelwalls development will have, primarily, a low-density build strategy. This directly conflicts with the population growth predictions, housing need type and even the home ownership patterns outlined in the Local Plan and Strategic Appraisal. If the ESBC were serious about reducing the wealth gap, there would be plans to develop the brownfield site on the Pinfold Street JCB site with a range of affordable housing, similar to the Market Place or Maltings Car Park developments and enhance the amenities such as parks, play areas, access to public footpaths, for all. Children from this area of town(Sorrel Close, Kingfisher Way etc.) do not use their bicycles to attend schools as there are no cycle paths and the junctions are dangerous, even with pedestrian crossings.</p> <p>c) Effective The current Bird/herb/Demontfort estate has not provided any amenities locally with no school, no health services, no playing fields etc. It also relies heavily on car journeys for school/leisure activities. The Hazelwalls development, if it went ahead, would increase carbon emissions as outlined, more school journeys, more cars waiting at key junctions or pedestrian crossing points. The Pre-Submission Local Plan indicates that emissions in ES are "slightly higher" at 8.6t/cap compared with the 6.8t/cap for Staffordshire as a whole. It would extend the role of Uttoxeter as a commuting town. The Borough predicts mainly Migration population growth which</p>				

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					<p>suggests that people would come here to live but work elsewhere. Hazelwalls would NOT "...encourage sustainable modes of transport to reduce transportation contribution to Carbon Dioxide emissions (P-S L.P. 1.73).</p> <p>d) National Policy emphasizes sustainable development but the economic impact of Hazelwalls is not set out coherently. The number of jobs in the Borough has declined (P-S L. P. 1.79). The centre of Uttoxeter has lost so many small shops and jobs along with them which may be replaced by retail jobs through the Asda development, although it is hard to find evidence for job projections for this site. But the Maltings, Brookside, Business Centre (wine warehouse and dental practice), Trinity Road and Trinity Square no longer provide sustainable jobs. It is my view that a thorough appraisal of the type of economic development which will create sustainable employment should be undertaken rather than the policy of 'build houses and jobs will follow'.</p> <p>National Policy - Cannot be complied with for all the reasons outlined above</p>				
LP199 (Mr John Wren, JMW Planning Ltd)	Yes	No	SP26, National Forest	a. Positively prepared b. Justified c. Effective d. Consistent with national policy	The requirement that "developments shall contribute towards the creation of the Forest by providing on-site or nearby landscaping that meets the National Forest development planting guidelines as set out in the National Forest Company's Guide for Developers and Planners and contained within Appendix 1" is too onerous because the guidelines require too much land to be given from development sites.	Make the wording relating to the planting guidelines aspirational rather than obligatory.	The National Forest is an important designation in the Borough and the Council is committed to contributing towards its coverage through the planning system. No change proposed.		
LP200 (Mr John Wren, JMW Planning Ltd)	Yes	No	SP28, Renewable and Low Carbon Energy Generation	a. Positively prepared b. Justified c. Effective d. Consistent with national policy	If wind turbines are proposed then the Policy needs to make it clear that the protection of existing residential amenities is also a factor that will be taken into account in the determination of the application.	Include that in the Policy.	Additional wording to make reference to residential amenity proposed as a modification. Proposed change.	SP28	Mod No. 106
LP201 (Mr John Wren, JMW Planning Ltd)	Yes	No	SP31, Green Belt and Strategic Green Gaps	a. Positively prepared b. Justified c. Effective d. Consistent with national policy	The phrase "development within Strategic Green Gaps will only be permitted where it would not have a negative impact on the openness of the landscape." is an attempt to introduce Green Belt principles by other means.	Delete the phrase.	The justification for strategic green gaps is set out in the Strategic Green Gap Topic paper. No change proposed.		
LP202 (Mr John Wren, JMW Planning Ltd)	Yes	No	SP34, Health and Wellbeing	a. Positively prepared b. Justified c. Effective d. Consistent with national policy	This would be better included as aspirational text rather than a specific policy which could be used to reject otherwise acceptable development.	Delete the policy	As set out in the spatial portrait, health is an important item on the Council's agenda. The policy recognises the positive impact planning can have on health. No change proposed.		
LP203 (Mr John Kirk)	No	No	Hazelwalls strategic site allocation		The transport links from Uttoxeter are currently inadequate for the population who live here so will be even more of a problem if the population increases. Poor bus routes and train links,	1. Housing should be built in locations closer to main roads (closer to the A50) and correct procedures with regard to environmental	Infrastructure issues are set out in the IDP and Draft Integrated Transport Plan. Specific details of access and		

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					<p>insufficient cycle paths etc</p> <p>Access to health care facilities is already inadequate with limited access to GP's in a timely manner, no ambulance service located in the area either.</p> <p>Schools are filled to capacity, additional schools would be required, and this does not feature in the plans.</p> <p>Traffic congestion will certainly be a problem should the development go ahead as it is already an issue at rush hour. The roads around the development are inadequate to take the extra volume of traffic the development would bring.</p> <p>The Government proposals indicated that brown field sites would be developed rather than green sites, why use up more green space when there is plenty of opportunity to develop brown sites. Affordable housing would be better where there are employment opportunities, there a very few employment opportunities in Uttoxeter and to travel would have an impact on the carbon footprint, especially a problem due to infrequent, inadequate public transport opportunities. Shops are closing down, the precinct is in need of a complete rebuild it would be better to knock this down and develop this area. Full environmental impact audit should be carried out, the proposals are to take away a most beautiful view of Uttoxeter by filling in the green fields with brick and concrete. The area is full of wildlife that will be destroyed! Buzzards are present in the area, this needs to be redressed before any proceeding building work is permitted.</p> <p>Houses which back onto this development will be de-valued, will we see a reduction in rates, I presume not! The displacement of water run off with the concrete fill in will result in flooding at the bottom of Timber Lane /Stafford Road. Flooding often occurs on Foxglove Avenue and the Hazelwalls playing area and more building will surely lead to more flooding because the balancing ponds will need to take excess water.</p> <p>I am one of many who want Uttoxeter to remain as a market town and not become a commuter based town and one of many who want our surrounding areas to remain green. This extension to the Settlement Boundary has been added to accommodate developers, plans for a housing estate on Hazelwalls Farm, the local plan should be biased towards the needs of the Town and local people, not a Developer.</p>	<p>consultations should be included in the process and on brown sites rather than green sites.</p> <p>2. Any existing infrastructure should be up-graded prior to the developments proceeding, to ensure that an increased risk of road deaths is not likely.</p> <p>3. Any area prone to flooding should not be developed, for obvious reasons.</p> <p>4. Job opportunities should be increased prior to any new houses, in order for any development to be sustainable. Without these job opportunities the development does not conform to the councils sustainability claim.</p>	<p>bus routes would be addressed in the planning application.</p> <p>The plan identifies areas of employment at Uttoxeter and allocates land away from the floodplain.</p> <p>No change proposed.</p>		
LP204 Inadmissible as no context added									
LP205 Mrs Pauline Mellor	No	No	1.14,1.134. 2.9 to 2.12 & 2.36 Policies - Strategic 1 East Staffordshire approach to	b. Justified	<p>The Local Plan is not justified - ("The Plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence"), because:</p> <p>- alternatives to the additional larger scale development at</p>	<p>The proposed allocation of 350 dwellings on land south of Uttoxeter (Hazelwalls) should be removed from the Local Plan and a commitment made by ESBC to support the preparation of the Uttoxeter Neighbourhood Plan to identify alternative options, sites and locations for development in the town in order to meet the</p>	<p>The Sustainability Appraisal sets out which alternative sites have been appraised.</p> <p>The consultation statement sets out who was consulted at each stage.</p>		

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			Sustainable Development ,2 A Strong Network of Settlements, 4 Distribution of Housing Growth, and 7 Sustainable Urban Extensions. Uttoxeter Policies Map - Insets 3 & 4		<p>Hazelwalls have not been fully considered</p> <ul style="list-style-type: none"> - the implications of the proposed development on the landscape, environment and character of the (undeveloped) open countryside to the south of Uttoxeter have not been adequately considered; - the proposed development, based on the concept of an additional and separate, small scale Sustainable Urban Extension (SUE), is not optimal with reference to achieving the sustainable growth of the town; and - the existing infrastructure (in particular the local road system) is insufficient to serve the planned development of 350 houses. <p>It is therefore argued that the Local Plan does not reflect the most appropriate strategy in that it has not considered other options for development around Uttoxeter. As such, it has not justified the classification as of Hazelwalls as a "small scale" Sustainable Urban Extension and it is questioned whether this fulfils the objectives of the other Local Plan objectives and policies, in particular; SO1 (Well Designed Communities), Strategic Policy 1 - (Approach to Sustainable Development) and Strategic Policy 7 - (Sustainable Urban Extensions). It is also further noted that:</p> <ul style="list-style-type: none"> - The paragraphs (2.9 to 2.12) outlining the Interim Sustainability Appraisal are vague on the justification for combining the earlier options 2c and 2d into a single strategic choice and on the inclusion of land south of Uttoxeter as part of this. - Para. 2.19 - (Directing development to Uttoxeter), focuses too much on an economic justification and does not appear to consider the environmental impacts and lack of overall sustainability of the allocation of land at Hazelwalls. - Para. 2.36 - Contrary to the wording of this paragraph, it is contended that the planned development around Uttoxeter is now piecemeal as a result of the inclusion of Hazelwalls and that the designation of two SUE's does not represent an evidence based approach which would optimise sustainable development. This is also contrary to the Vision and Strategic objectives of the local plan. 	<p>agreed housing requirement of 1557 dwellings within the plan period, and to phase development at a rate that supports other strategic and sustainable development objectives for new housing in the Borough and in surrounding authorities.</p> <p>The wording of Strategic Policy 2 -paragraphs 3 on page 80 - should be amended to enable alternative sites or approaches to be identified through Neighbourhood Planning. The third paragraph could read; - Where a Neighbourhood Plan has been made, or is to be prepared, then the Neighbourhood Plan takes precedence over this policy.</p> <p>This should be cross referenced with Paragraph 2.19 (Sustainable Development Strategy - directing growth to Uttoxeter) which should be amended to include references to a balance being required between economic and regeneration objectives and the need to take account of the environment and character of the town and wider sustainability objectives.</p> <p>If these amendments cannot be made by ESBC, the authority should produce a report to demonstrate how it considers that adequate consultation has been carried out on the proposed allocation of development on land south of Uttoxeter (Hazelwalls) and to present evidence that the allocation represents the optimal choice in terms of sustainable development when objectively compared with the other options suggested in this representation. Both the report and the evidence should be submitted to the inspector for consideration at the Local Plan inquiry.</p>	<p>As at January 2014, there is no mechanism in the Neighbourhood Planning Regulations or other legislation to halt development until a neighbourhood plan is drafted.</p> <p>Neighbourhood plans cannot conflict with strategic policies in the Local Plan.</p> <p>No change proposed.</p>		
LP206 (Mr R Green)	No	No	Strategic Policy 7, Sustainable Urban Extensions	<p>a. Positively prepared b. Justified c. Effective</p>	<p>Following the large increase in the number of properties proposed in Uttoxeter, there has been no further consultation on this increase. Specifically, Hazelwalls is a large site that has been consulted on fully and did had originally appeared to have Ben dismissed.</p> <p>i am not aware of any consultation or any consideration given to surrounding authorities who will be impacted by this large development.</p>	<p>Full consultation on the proposals.</p> <p>Removal of the Hazelwalls site as there is no need or demand for this site.</p> <p>Preparation of local neighbourhood plan having removed Hazelwalls in favour of available brownfield sites and more logical sites from the point of view of access and services.</p>	<p>The Sustainability Appraisal sets out which alternative sites have been appraised.</p> <p>The consultation statement sets out who was consulted at each stage.</p> <p>As at January 2014 there is no mechanism in the Neighbourhood</p>		

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					<p>There is no safe access to the Hazelwalls site. The Abbots Bromley road is a dangerous road travelled too fast by many people. There is no easy access to Stoke and Derby where many people will need to work as there are no jobs in Uttoxeter.</p> <p>There are no services available for all these houses such as schools. The catchment area first school is full.</p> <p>There is no need to use greenfield sites as there are plenty of brownfield sites available in the town.</p> <p>No environmental impact survey carried out.</p> <p>It is believed that there is an historically significant site on the property.</p> <p>The fields flood at times and the flow of water to the bottom of the site would be large.</p> <p>The access from bird land is through roads too narrow to cope with another 500? Cars.</p>	<p>Carry out environmental survey on impact of site.</p> <p>Check for protected plants and wild life.</p>	<p>Planning Regulations or other legislation to halt development until a neighbourhood plan is drafted. Neighbourhood plans cannot conflict with strategic policies in the Local Plan.</p> <p>The 2013 SHMA sets out the objectively assessed housing need for the Borough, with Uttoxeter receiving just under 18% of housing development and 50% of strategic employment allocations.</p> <p>No change proposed.</p>		
LP207(Mrs S McCoy)	Yes	No	Inset Map 10 Marchington	<p>a. Positively prepared b. Justified c. Effective d. Consistent with national policy</p>	<p>Marchington Village has been recommended for no further housing developments from the Environment Agency due to the flooding issues.</p> <p>This Village has been under review and inspections from all agencies, the Environment Agency, South Staffs Water and ESBC regarding the flooding problems, and it has been established that our drains and sewers are in need of major repair and renewal works for them to cope with our existing housing in the village without any extra new developments.</p> <p>Mainly Jacks Lane and Church Lane have serious flooding problems when we have heavy rainfalls and so the village could not sustain any new additional housing which would cause even more flooding problems on our already overstretched drainage system.</p> <p>We have recently had new housing approved by ESBC for barn conversions on the High Street and new builds on Moisty Lane, these should not have been granted when our services are unable to cope with the existing village housing.</p> <p>Yew Tree Farm is an old and historic building and should not be overshadowed by new houses, this is the centre part of our village and so should be preserved under a conservation order and not be spoilt by new builds.</p> <p>Our Lanes are built for a village, more housing will add more vehicles using them and cause more problems, they can not cope with any more extra traffic, we already have many vehicles from the Dovegate Prison using our small lanes cutting through</p>	<p>There are alternative sites close by the village suitable for housing, namely the old Blacksmiths Arms site at Birches Cross, which would be suitable for a small housing development which would have no impact on our village lanes and drainage services.</p>	<p>The justification for amendments to settlement boundaries is set out in the Settlement Boundary Topic Paper. Environment Agency has not stated that no further housing developments should take place in the settlement due to the flooding issues.</p> <p>No change proposed.</p>		

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					<p>the village as a short cut, most of the lanes do not have footpaths, so increased traffic would mean increased risks for pedestrians.</p> <p>There are alternative sites close by the village suitable for housing, namely the old Blacksmiths Arms site at Birches Cross, which would be suitable for a small housing development and which would have no impact on our village lanes and drainage services.</p>				
LP208 (Miss Andrea Penniket)	Yes	No	Inset Map 10 - Marchington	b. Justified	<p>The development plan has not produced any alternatives, making the proposal not justified.</p> <p>Alternatives or possible areas for development = Birch Cross, Dovegate Prison, old army barracks</p> <p>Problems if the proposal should be passed - Further congestion on the main route through Marchington, Jacks lane is a narrow road, further dwellings would increase traffic, access and egress from existing and further properties would become a safety issue, lighting is limited in this area and no footpath is available.</p> <p>Flooding within the area is also a huge problem for existing residents, further development without significant investment into the drainage system would only weaken an already fragile infrastructure within Jacks lane.</p>	<p>Over recent months properties have been re-developed in Marchington (Yew Tree Farm) does this not contribute to the ESBC requirements and recommendations for housing within the settlement area???</p> <p>Further consultation on alternative sites</p>	<p>The justification for amendments to settlement boundaries are set out in the Settlement Boundaries Topic Paper.</p> <p>Housing completions from April 2012 form part of the overall development strategy.</p> <p>No change proposed.</p>		
LP209 (Mr John Wren, JMW Planning Ltd)	Yes	No	SO1	a. Positively prepared b. Justified c. Effective d. Consistent with national policy	<p>The crucial need for the Borough now is to approve more housing applications, particularly those relating to smaller sites. These do not have to be "green infrastructure-led" (whatever that means) or "strategic."</p>	<p>Re-word the policy to say "to support housing growth providing..."</p>	<p>The objective reflects the Councils aspirations for a green infrastructure led agenda.</p> <p>No change proposed.</p>		
LP210 (Mr A Gore, Pegasus Group on behalf of Anslow Business Park)		No	SP31, Green Belt and Strategic Green Gaps	a. Positively prepared b. Justified c. Effective d. Consistent with national policy	<p>Strategic Policy 31 of the Pre-Submission Local Plan proposes the use of Strategic Green Gaps (SGG) within which development will only be permitted where it would not have a negative impact on the openness of the landscape. The preamble to the policy refers to the SGG Topic Paper which it says sets out their justification.</p> <p>The preamble notes that the purpose of SGG is also to prevent the coalescence of settlements, and whilst not all development is precluded within them, only development that does not have a negative effect on the openness of the landscape will normally be permitted.</p> <p>The SGG Topic Paper September 2013 forms part of the evidence base for the Pre-Submission Local Plan. Section 3 of the Topic Paper sets out the purpose of the SGG; it states the Pre-Submission Local Plan will be tasked with the delivery of sustainable development as set out in the NPPF and that the allocation of SGG will allow the delivery of sites in the most</p>	<p>It is considered that the objectives of the Strategic Green Gap Policy could be adequately achieved through other policies within the plan. It is also considered that the policy conflicts with national policy. It is therefore suggested that Strategic Policy 31, and indeed the Core Strategy in its entirety, be amended to remove reference to Strategic Green Gaps.</p>	<p>The policy and identification of Strategic Green Gaps is a direct response to consultation responses from the local community to the Preferred Options consultation. The Council place great importance on the character of the surrounding rural area, particularly in relation to Sustainable Urban Extensions. The justification for Strategic Green Gaps is set out in the Strategic Green Gaps Topic Paper.</p> <p>No change proposed.</p>		

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					<p>sustainable and least harmful locations. It goes on to state that SGG will prevent coalescence of existing settlements, as well as safeguarding the separate identity, cultural value and local distinctiveness of communities within and around Burton upon Trent that face growth.</p> <p>Section 3 also states that SGG are not afforded the same statutory protection or weight as Green Belts. They will serve to identify locations at a smaller scale worthy of designation and guide Burton upon Trent's growth in the most sustainable locations. As SGG are locally defined, they are therefore locally distinctive.</p> <p>The use of SGG is not supported by the NPPF. The NPPF recognises new Green Belt designations, which it states should only be established in exceptional circumstances (paragraph 82). The NPPF also advocates the use of Local Green Space to enable local communities to identify green areas for special protection where they are of particular importance to them. By designating land as Local Green Space local communities will be able to rule out new development other than in very special circumstances (paragraph 76).</p> <p>Paragraph 77 of the NPPF goes on to state that Local Green Space designations will not be appropriate for most green areas or open space and that designation should only be used:</p> <ul style="list-style-type: none"> - where the green space is in reasonably close proximity to the community it serves; - where the green area is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value (including as a playing field), tranquillity or richness of its wildlife; and - where the green area concerned is local in character and is not an extensive tract of land. <p>Finally, paragraph 78 states that local policy for managing development within a Local Green Space should be consistent with policy for Green Belts. In assessing the policy basis and policy context for SGG, Section 2 of the Topic Paper makes a number of points of clarification. It acknowledges that the Council's approach is to create an allocation which fits between the role of Green Belts and Local Green Spaces, a role which the NPPF does not provide.</p> <p>Section 2 also notes that whilst SGG are local designations, the role is strategic in what they are trying to achieve in policy terms. Green Belt designations should have a degree of permanence and Strategic Green Gaps won't have that level of permanence, due to it being a strategic designation and [due to] the flexibility that is required in terms of delivering the required growth beyond the plan period.</p>				

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					<p>Section 2 also states that the NPPF does not make any specific reference to the use of local designations such as Strategic Green Gaps or the use of a designation that would act as a constraint. Section 2 paraphrases the NPPF and reiterates where areas of Local Green Space designations would be considered appropriate (i.e. protection of areas of local significance, including landscape character and biodiversity matters). Section 2 goes on to state that in contrast, Strategic Green Gaps are a strategic designation, and so they should not conflict with Local Green Space designation as they have two distinctly different roles.</p> <p>For further clarification, Section 2 also notes that the Strategic Green Gap is an 'extensive tract of land' in comparison to what would be considered as 'Local Green Space' as defined in paragraph 77 of the NPPF where SGG serve a more Strategic role and [are] consequently of a larger scale.</p> <p>In respect of Green Belt issues, Section 2 also reiterates that Local Green Space designations should be consistent with the Green Belt five purposes (NPPF paragraph 78) and that SGG have the aim of preserving the setting, character and distinctiveness that is present within the borough, thus a Green Belt designation would not appropriate for delivering this aim.</p> <p>The role of SGGs is confusing and is not made clear within the Topic Paper or Strategic Policy 31 of the Pre-Submission Local Plan. The numerous purposes of SGGs appear to be:</p> <ul style="list-style-type: none"> - Preservation of the openness of the landscape (SP31 page 149 of the PSLP); - As a tool for preventing the coalescence of settlements (para 3.1 of SGGTP and preamble to SP31 page 149 of the PSLP); - A mechanism for safeguarding the separate identity, cultural value and local distinctiveness of communities within and around Burton upon Trent that face growth (para 3.1 of the SGGTP); - To facilitate the delivery of sites in the most sustainable and least harmful locations (para 3.1 of the SGGTP); - To provide the level of flexibility that is required in terms of delivering the required growth beyond the plan period, thus avoid providing any level of permanence (para <p>Finally, the SGG allocation areas cover large areas of agricultural land. Policy SP31 and the SGG Topic Paper make no allowance for development associated with agricultural businesses, with forestry the SGG Topic Paper stating that uses such as intensive forestry whilst it may prevent the coalescence of settlements may be resisted as this may affect the openness of a Strategic Green Gap. Such an allocation would be detrimental to the growth of the rural economy, thus the plan could not be said to be positively prepared under the terms of paragraph 182 of the NPPF.</p>				
LP211 (Mr John Wren, JMW Planning Ltd)	Yes		DP2, Designing in Sustainable Construction	a. Positively prepared b. Justified c. Effective	The policy goes beyond the guidance in paragraph 96 of The Planning Policy Framework and puts community responsibilities outlined in paragraph 97 on to developers.	Re-write the policy restricting the expectations to those in paragraph 96.	The policy aims to ensure developments reduce carbon emissions and are energy efficient.		

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				d. Consistent with national policy			No change proposed.		
LP212 (Mr John Wren, JMW Planning Ltd)	Yes		DP3, Design of New Residential Development , Extensions and Curtilage Buildings	a. Positively prepared b. Justified c. Effective d. Consistent with national policy	The requirement for extensions outside settlements to be modest is too onerous as well as being subject to subjective judgements as to what is "modest." The crucial matters are the design of the extension and how it relates to the original dwelling.	Accepting that this too involves subjective judgements, amend this part of the policy to read "they are subordinate in relation to the original dwelling and retain its important design characteristics."	Do not consider that the requested change would make the policy less subjective. There could be important design characteristics which are not important or special. No change proposed.		
LP213 (Mr John Wren, JMW Planning Ltd)	Yes		SP30, Locally Significant Landscape	a. Positively prepared b. Justified c. Effective d. Consistent with national policy	The sentence about locally significant landscape areas is unreasonable and could lead to otherwise acceptable development being rejected through subjective judgements being made about the impact of development on areas which are not well defined in the Plan.	Delete the first sentence.	The Landscape Character Area and associated supplementary planning document will identify locally significant landscape areas. No change proposed.		
LP214 (Tatenhill Parish Council)	No	No	Whole document	b. Justified	<p>OBSERVATIONS EAST STAFFORDSHIRE PRE SUBMISSION LOCAL PLAN</p> <p>Tatenhill Parish Council is of the opinion that the whole of the current consultation is not legally compliant and unsound. The stipulation to "use this form" coupled with the phrase "legally compliant set a definite barrier to full and open consultation. The phrase "legally compliant" will not be understood by the vast majority of the residents who will wish to reply in the manner in which they are comfortable. It also puts a time constraint on the consultation. The following is the whole of the report agreed by Council this week. After consultation with Glenn Jones, ESBC, the comments are not being submitted on separate forms. The time to do so is unrealistic for part time Clerks. I will endeavour to adequately highlight specific references but the document is to be read in its entirety.</p> <p>Emma Coleman - Clerk Tatenhill Parish Council</p> <p>(The whole of this process has taken me half an hour and the main document was a cut and paste 10 second exercise - not conducive to making comments. - Emma)</p> <p>Introduction</p> <p>Observations were expressed jointly by Tatenhill Parish Council (TPC) and Tatenhill Parish Community Group (TPCG) on the Revised Preferred Option Local Plan in September 2012.</p> <p>Unfortunately, because so many major housing and some employment sites have already been granted planning permission, by the Borough Council or on appeal, the Pre Submission Local Plan is no longer a true strategic allocation document. The pattern of development around Burton is poorer because of this.</p>	Please read the entire document in 4.	<p>An updated 5 year land supply paper is provided as part of the examination document library.</p> <p>The justification for Strategic Green Gaps is set out in the Strategic Green Gaps Topic Paper.</p> <p>Strategic Policy 8 would apply to the retention of community facilities.</p> <p>Housing policies are supported by the SHMA and Affordable Housing Viability Study. The policy allows for Neighbourhood Plans to set alternative rates.</p> <p>No change proposed.</p>		

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					<p>It is appreciated that the lack of a 5 year housing land supply, and an increased number of houses since the last consultation, have to some extent taken decisions out of East Staffordshire Borough Council's (ESBC's) hands.</p> <p>Overall, TPC believe this is a <u>good strategic</u> plan, based on sound evidence and some innovative thinking, but it can <u>be improved</u>.</p> <p>Neighbourhood Plans.</p> <p>Since the previous consultation, national guidance has developed and both ESBC and TPC have gained experience. It is very encouraging to see much more recognition of the benefits and opportunities available through the Neighbourhood Plan process. TPC is grateful to the Planning Authorities Authority for their support not only in the production of the Tatenhill Neighbourhood Plan itself, but also for the development of the Tatenhill Parish Design Guide and review of both the Tatenhill and Rangemore conservation areas.</p> <p>Sustainability Appraisal</p> <p>Support this document.</p> <p>Strategic Objectives</p> <p>Support all strategic objectives.</p> <p>The Sustainable Development Strategy</p> <p>Tatenhill support the majority of the arguments within this section but believe that <u>too much emphasis has been put on development to the South of Burton</u>. The Lawns Farm site is just too large and encroaches too far into the rural areas. We have accepted the sustainability argument for this site, and our detailed views have already been made in respect of the specific planning application, which has been determined before the close of the Pre Submission consultation period (see introduction).</p> <p>We particularly welcome the inclusion of strategic green gaps to help retain the identity of villages and rural areas close to Burton but believe these can usefully be extended around Tatenhill.</p> <ol style="list-style-type: none"> 1. Include the green buffer zone to be provided as part of Branston Locks development along Tatenhill Lane/Branston Road. 2. Include field between Lawns Cottage and Tatenhill Village. 3. Include new community woodland, Princes Wood off Dunstall Road, Tatenhill. 				

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					<p>We also welcome the recognition that the Neighbourhood Plan process may allow some development in the small villages in addition to the overall development allowance for all Tier 3 villages. This will enable villages to cater for local choice e.g. the elderly or young people who wish to remain, despite the lack of amenities.</p> <p>Strategic Policies</p> <p>Support Principle 1, Presumption in favour of Sustainable Development.</p> <p>Support Strategic Policies 1 & 2</p> <p>Oppose Strategic Policies 3 and 4 – We oppose allocation of the land at Branston Locks for up to 2580 dwellings. (It is acknowledged that, at the time of writing, the outline application for the construction of 2500 dwelling at Branston Locks has been approved (25/11/13) We consider a more sustainable approach would have been to deliver is should be reduced to fewer than 2000 dwellings. This approach would have provided an opportunity to, to accommodate larger green buffers areas between the proposed development and Tatenhill and would have had the additional benefit of reducing the impact of development traffic and lessen impact on the surrounding highways network.</p> <p>Support Strategic Policy 5 and 6.</p> <p>Oppose Strategic Policy 7. See previous comments on Branston Lock.</p> <p>Support Strategic policies 8 & 9.</p> <p>Support Strategic Policy 10 -However, but this should also reflect the need to protect village schools, such as Rangemore, which are an integral part of their local community.</p> <p>Support Strategic Policies 11-15</p> <p>Strategic Policy 16, meeting Housing Needs: General support but it should reflect “choice” as well as “need”.</p> <p>Strategic Policy 17, Affordable Housing: The Policy needs to recognise that affordable housing in small villages may need to be on individual plots or plots of 1 or 2 dwellings **Policy 18 acknowledges permission may be granted for small scale affordable housing (including 1 or 2 units) in areas where new development would otherwise not be permitted**.</p> <p>Support Strategic Policies 18 – 35.</p> <p>Detailed Policies</p>				

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					<p>Detailed Policy 1 & 3: Should also refer to any local (village or parish) Design Guide which is part of a</p> <p>Neighbourhood Plan or which has been recognised by the Planning Authority. ** The detailed factors outlined in Policy 1 and 3 have been written purposefully generic, enabling all relevant development to be assessed against the policy criteria. Design guidance delivered through either of the aforementioned documents would, in all probability, be more tailored to specific geographical locations and less relevant to a Local Plan which provides policy guidance on a borough wide scale. Nevertheless, such documents would, in all likelihood, be considered a material consideration in the determination of applications.</p> <p>Support Detailed Policies 2 & 4– 11.</p> <p>Detailed Policy 12, St Georges Park at Byrkley: Support generally. Feel strongly that by negotiation, alternative development should be allowed to replace the 28 houses which were given planning permission as enabling development. They clearly are not required to enable development of the facility and are contrary to all sustainability principles within the Local Plan.</p> <p>Monitoring Framework</p> <p>The Monitory Framework is supported.</p> <p>East Staffordshire Borough Council does not have a good, consistent record of ensuring policies are turned in to reality once planning permission has been granted.</p> <p>As examples, traffic mitigation measures often do not get fully developed or prove inadequate, and green travel plans which do not get completed or enforced. The required allocation of affordable housing does not get built.</p>				
LP215 (Mr C Burton on behalf of West Midlands HARP Planning Consort)	No	No	SP6 Managing the Release of Housing and Employment, SP9 Infrastructure Delivery and Implementati on, SP16 Meeting Housing Needs, SP17 Affordable Housing and SP18	b. Justified d. Consistent with national policy	<p>Strategic Policy 6</p> <p>The Policy will see the release of land, dependent on the timely provision of infrastructure, necessary to deliver growth. On large sites such as the Strategic Urban Extensions, this is a commonsense approach that will mean development is not disjointed and is supplied with the correct infrastructure to function. We question how the Council intends to implement this policy on smaller sites - if there is provision of just one or two dwellings on a brownfield site will the Council withhold permission if it perceives there to be inadequate infrastructure in place?</p> <p>In the Policy we would encourage the Council to consider the wording and inclusion of paragraph 22 of the NPPF which asserts that: 'Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable</p>		<p>Policy 16</p> <p>The cost of building to the Lifetime Homes Standard has been taken into account in the assessment of plan viability and does not make the plan undeliverable. The Council is entitled to adopt this as a local requirement to provide homes that are flexible and able to meet the changing needs of households over time. In respect of affordable housing the requirement is in line with the Design and quality standards document which encourages providers to utilise the additional Code points available for Lifetime Homes provision.</p>		

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			Residential Development on Exception Sites		<p>prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.'</p> <p>Employment land has not been designated in perpetuity so if suitable and more practical uses are available we suggest that the Council takes this into consideration, via a more flexible policy.</p> <p>Strategic Policy 9 We would question the perceived usefulness of Strategic Policy 9. There is nothing erroneous with the Policy and we would agree with points made in it; however Policy 6 already makes us aware that the Council will ensure sufficient infrastructure is in place to allow for development, and it is common practice that planning obligations will continue to be the basis to secure developer contributions until a CIL Charging Schedule is brought in. Local Plans are substantial documents that guide development over time; we feel that this policy adds nothing to our understanding of the objectives of the Council and so could be considered for removal to make the Local Plan more succinct.</p> <p>Strategic Policy 16 We consider the expectation that all new homes are built to comply with the Lifetime Homes Standard to be unnecessary and another burden to housing delivery. The Council should recognise that the Government has indicated its intention to withdraw from its future aspirations for achieving higher levels of the Code for Sustainable Homes across all types of residential development and replace them with enhanced building regulations instead. It would be worth taking this into consideration when reviewing this policy as the Plan progresses. The Council has also denied to inform us on how an appropriate housing mix in Tier 1 settlements will be assessed. We would also ask the Council to view our opinion in Strategic Policy 17 on using a Housing Choice SPD to inform housing mix in the rest of the Borough.</p> <p>Strategic Policy 17 The wording of Strategic Policy 17 is confusing and unnecessary. We have not yet come across a Council that uses averages for their affordable housing target and are of the strong opinion that this will lead to confusion and under delivery of affordable housing. The Borough's assessed need indicates 25% so policy should require 25% unless viability can be proven otherwise by the developer.</p> <p>We question why on site provision of affordable housing is not being promoted as the norm. Affordable housing should be provided on site as part of a mixed and balanced community, fully integrated and indistinguishable from market housing. Requesting commuted</p>		<p>Policy 16 clearly states that the appropriate mix of housing in Tier 1 settlements shall be based on the mix required in that part of the Borough, referring back to Table 3.1. However the Council agrees with the suggestion that a new Housing Choice SPD be provided to provide additional guidance and additional wording is proposed as a modification.</p> <p>Change proposed</p> <p>Policy 17</p> <p>The Pre-submission version was prepared before the final outcome of the plan viability assessment was known, which is why it referred to an average requirement. The Council proposes to modify Policy 17 to specify the amounts of affordable housing expected in line with the most up to date viability assessment.</p> <p>The Council's SHMA identifies in paragraph 8.66 that some housing need can be met off-site to achieve wider objectives. The intended off-site uses of commuted sums do not involve focussing affordable housing provision in certain areas which would indeed be contrary to wider objectives. The SHMA demonstrates that this policy provision is robustly justified by the evidence and that it will contribute to creating mixed and balanced communities.</p> <p>"Market Housing for Rent" is defined in the Glossary at Appendix 4 including a requirement that homes need to be rented for at least 10 years. This will be achieved via a Section 106 agreement. This policy is in line with the Montague review (Review of the barriers to institutional investment in private rented homes) and provides an opportunity for Registered Providers of Social Housing to diversify into provision of market rented homes for which there is also need.</p>	SP16	Mod No. 72

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					<p>sums instead of on site provision would suggest that the Council is planning to focus off-site provision in a certain area. This is contradictory to the Council's own policy of integrated affordable housing. Affordable housing should be provided for on site and consideration can be given to commuted sums only in special circumstances. This is per paragraph 50 of the NPPF which states:</p> <p>"Where they have identified that affordable housing is needed, set polices for meeting this need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified (for example to improve or make more effective use of the existing housing stock) and the agreed approach contributes to the objective of creating mixed and balanced communities, Such polices should be sufficiently flexible to take account of changing market conditions over time."</p> <p>The Council has decided that no affordable housing is required from housing which is being built for market rent. This is short sighted as there is no caveat on how long the housing needs to stay as market rent, therefore opening an easy loophole for developers to exploit. The only way the Council could control this policy is by ensuring said dwellings remain for rent in perpetuity via a Section 106 Agreement. Even if this mechanism were being proposed, it would not attract our support on the basis that it fails to provide proper affordable housing that meets local need.</p> <p>As per our previous representation to the Council we would still recommend that it seeks to include specific targets for housing mix, tenure and type to guide development across the Borough. We would again like to highlight paragraph 50 of the NPPF which states that Local Planning Authorities should:</p> <p>'Identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand'. We believe it is not appropriate to leave such an important decision to the Housing Choice SPD, which has less strategic weight than the Development Plan Documents.</p> <p>This policy raises further concern in respect to the fact that affordable housing led residential development will provide no more than 25 affordable dwellings. If our clients have identified a viable site that can deliver large numbers of affordable homes then they should be encouraged to pursue that development. If the Council's reasoning behind such a policy is to encourage social cohesion and to make sure affordable housing is integrated seamlessly with market housing then the Council should not be encouraging commuted sums instead of on site provision.</p> <p>Strategic Policy 18 We are pleased that the Council has taken our previous comments into consideration when developing its Rural Exceptions Policy. We acknowledge the important role that cross</p>		<p>As recognised the Council intends to identify the range of housing required in particular locations in a new Housing Choice SPD. Reference to the SPD in the Plan policy gives that SPD additional and sufficient weight.</p> <p>The policy states that affordable housing led residential development shall not <i>normally</i> provide more than 25 <i>affordable rented</i> dwellings (italics added for clarity). Hence it does not prevent developments of more than 25 affordable housing units since there is no maximum number of intermediate housing units and there is allowance for exceptional schemes. This policy provision is designed to avoid concentrations of rented housing, in the interests of creating of sustainable and inclusive mixed communities. This is fully consistent with the policy on commuted sums as explained above.</p> <p>No change proposed</p> <p>Policy 18</p> <p>The problem with a policy allowing market housing only to make a scheme viable, as suggested, is determining what price a landowner should receive for Exception Site development and hence how much market housing is in fact required to make the scheme viable; the landowner could expect a price requiring more than 50% market housing. The policy avoids this difficulty by limiting the proportion of market housing. The policy only permits Exception Site development which will meet identified need for affordable housing or Traveller pitches, ensuring that this is the primary objective.</p> <p>No change proposed.</p> <p>Housing and care for the elderly</p> <p>The representation does not specify in what ways policy provisions to secure housing for older people are</p>		

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					<p>subsidy rural exception sites have in allowing affordable housing schemes in rural communities and are pleased that the Council have incorporated such a policy. We would however urge the Council to consider the wording of their cross subsidy policy as currently it does not specify that market housing is only available to make the scheme viable, rather policy only stipulates that a majority of dwellings on the site should be affordable. We would be concerned that such a policy may be misinterpreted and allow rural exception sites to be used for purposes other than their primary objective, which is to deliver much needed affordable housing to rural communities.</p> <p>Housing and Care for the Elderly As per our previous representations, we are of the opinion that a separate policy is needed to full represent the needs of housing and care for older people. The projections set out in Figure 7.2 of the October 2013 SHMA suggest that single and couple households aged 65+ will account for 66.6% of total household growth. This is by far the biggest growth sector in households and deserves its own policy to help steer growth in the Borough. The SHMA makes overtures to the fact that older people tend not to leave their housing; this is short-sighted and ignores the benefits of supplying suitable accommodation for elderly people who will then release much-needed family sized homes. We acknowledge that there is mention of Housing for Older People in Tier 1 settlements in Strategic Policy 16 but feel this is insufficient in acknowledging the actual assessed need of older peoples' housing. We suggest that the Council examines Bromsgrove's Older People Housing Policy (which we have attached).</p> <p>Glossary The definition for 'Housing for Older People' is oversimplified and does not begin to cover the complexities or range of housing required by older people.</p>		<p>lacking. The SHMA does not ignore the benefits of supplying suitable accommodation for elderly people, it quantifies how much new housing will be needed for older people based on available evidence which suggests that the majority of older people will continue to live in their current housing despite the availability of alternatives. The identified need is directly addressed in Policy 16 which indicates a requirement for developments to include mainstream housing suitable for older people and which welcomes proposals for Extra-Care Housing and Retirement Housing. Further detail will be provided in the new Housing Choice SPD, including a requirement to make land on Sustainable Urban Extensions available for Extra-care housing. The Bromsgrove policy referred to fails to secure mainstream housing suitable for older people.</p> <p>No change proposed.</p> <p>Glossary "Housing for Older People" defines a specific type of provision, namely mainstream housing that is specifically designed to meet the needs of older people; Extra-care Housing and Retirement Housing are also defined.</p> <p>No change proposed.</p>		
LP216 (Mr John Wren on behalf of Mr T Campbell)	Yes	No	SP7 Sustainable Urban Extensions	a. Positively prepared b. Justified c. Effective d. Consistent with national policy	It is inappropriate to include Hazelwalls Farm in Uttoxeter in a policy dealing with Sustainable Urban Extensions. It is far too small to be regarded as such and disguises the fact that this is essential an unjustified greenfield housing estate outside the built up area of Uttoxeter.	Delete reference to Hazelwalls Farm, and Harehedge Lane, in the policy which should only relate to "major SUEs"	<p>The policy aims to ensure all allocations address key sustainability criteria.</p> <p>No change proposed.</p>		
LP217 (Phil Metcalfe, The National Forest Company)	Yes	Yes	1.133 The Vision		<p>The National Forest Company supports the proposed Vision for East Staffordshire. In particular, the paragraph which states that 'Burton upon Trent will be recognised nationally as the "Capital" of the National Forest, with a high quality and diverse green infrastructure network providing environmental, biodiversity, health, and sustainable transport opportunities.'</p> <p>The references to regeneration through well managed, sustainable tourism and the enhancement of the rural</p>	N/A	<p>Supported noted.</p> <p>No change proposed.</p>		

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					environment and the employment opportunities created by The National Forest are also supported.				
LP218 (Phil Metcalfe, The National Forest Company)	Yes	No	SP1, East Staffordshire Approach to Sustainable Development	b. Justified	<p>The National Forest Company supports the principles within this policy relating to increasing tree cover and the use of locally sourced, sustainable construction materials including wood products from The National Forest.</p> <p>However, the Policy should contain reference to the need to protect and enhance green infrastructure networks reflecting the importance given to green infrastructure in Strategic Objective 1.</p>	<p>A further bullet added which states:</p> <p>- retains, enhances, expands and connects existing green infrastructure assets into networks within the site and within the wider landscape.</p>	<p>Propose the requested change to SP1 as a modification.</p> <p>Change proposed.</p>	SP1	Mod No. 29
LP219 (Phil Metcalfe, The National Forest Company)	Yes	No	SP8, Development Outside Settlement Boundaries	b. Justified	<p>The National Forest Company (NFC) considers that Strategic Policy 8 - Development Outside Settlement Boundaries should specifically support the development of the woodland economy within The National Forest. The NFC encourages the development of the woodland economy which will improve the viability of bringing woodlands into management and encourage further woodland creation.</p> <p>The creation of the Forest is expected to create a need for development in rural areas relating to the woodland economy, such as timber processing businesses. This Policy should be specifically supportive of this form of development which will help deliver the Vision on page 51 of the plan that states 'in rural areas The National Forest will continue to be a major driver in ... creating employment opportunities. As currently written this policy would restrict these employment opportunities.</p> <p>The NFC therefore considers that this policy should specifically refer to woodland economy-related development being acceptable outside of settlement boundaries within The National Forest.</p>	<p>Add a further bullet point to the first part of the policy which states:</p> <p>Development outside settlement boundaries will not be permitted unless it is:</p> <p>Development related to the woodland economy and located within The National Forest.</p>	<p>Such development would be considered under the first bullet point.</p> <p>No change proposed.</p>		
LP220 (Phil Metcalfe, The National Forest Company)	Yes	No	SP12 – Derby Road	b. Justified	<p>The National Forest Company supports the principle of this policy but seeks a minor amendment to ensure it successfully delivers the regeneration expected.</p> <p>The policy states that development along the regeneration corridor should 'create a quality public realm, including appropriate tree planting in line with the National Forest planting standards.'</p> <p>The need for development to create a quality public realm is supported, especially along the Derby Road which acts as a gateway to The National Forest from the north. However, the National Forest Company considers that the need to create quality public realm should not be linked to the planting standards set out in Policy 26.</p> <p>The planting standards may not apply to many development parcels along the route as a minimum site area threshold applies</p>	<p>The bullet point should be amended to read:</p> <p>Create a quality public realm, incorporating appropriate tree planting reflecting Burton upon Trent's position as the capital of The National Forest.</p> <p>An additional bullet point to read:</p> <p>Larger sites should incorporate tree planting and landscaping as required by Strategic Policy 26. This shall include improvements to the public realm and tree planting to the site's frontage reflecting the Derby Road's position as a gateway to The National Forest.</p>	<p>Propose the requested changes to SP12 as a modification.</p> <p>Change proposed.</p>	SP12	Mod No. 62

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					<p>of 0.5ha for residential and 1ha for commercial development. The National Forest Company considers that all development along the regeneration corridor should contribute towards an improved public realm through incorporating tree planting in their developments not just the larger development parcels.</p> <p>For smaller sites this may mean simply planting individual trees to the site frontage or within a car park, whereas for larger sites, this may form part of the expected National Forest planting. As currently expressed there is a danger that trees will only be incorporated in public realm improvements where development sites are large enough to trigger the planting guidelines of Policy 26.</p>				
LP221 (Mr Phil Metcalfe, The National Forest Company)	Yes	No	Strategic Policy 14 - Rural Economy	b. Justified	<p>The National Forest Company (NFC) considers that the policy is overly restrictive on development within rural areas as it would not support the development of the woodland economy within The National Forest. The NFC encourages the development of the woodland economy which will improve the viability of bringing woodlands into management and encourage further woodland creation.</p> <p>The NFC expects that the development of wood processing businesses, saw mills and buildings for wood fuel storage will need to be developed within The National Forest close to woodlands during the plan period. The Rural Economy Policy should therefore be specifically supportive of this reflecting the Vision on page 51 of the plan which states that 'in rural areas the National Forest will continue to be a major driver in enhancing the rural environment and creating employment opportunities'. As currently written this Policy would restrict these employment opportunities.</p> <p>Such an alteration would also make the Policy more locally specific.</p>	<p>Further paragraph added:</p> <p>Within The National Forest as shown on the Proposals Map, development directly related to the woodland economy will be supported where it is of a scale and environmental impact that is compatible with the character of its rural location.</p>	<p>Requested change to SP14 proposed as a modification.</p> <p>Change proposed</p>	SP14	Mod No. 65
LP222 (Mr Phil Metcalfe, The National Forest Company)	Yes	No	Strategic Policy 15 - Tourism, Culture and Development	c. Effective d. Consistent with national policy	<p>The National Forest Company (NFC) welcomes Strategic Policy 15 and the support it gives to tourism and leisure development. However, the NFC considers that the Policy should be more locally specific and refer to the potential for further tourism development in the Borough related to the creation of The National Forest and offer specific support for this subject to the criteria listed.</p> <p>The penultimate paragraph refers to tourist accommodation. No differentiation is made within the Policy for scale. While hotels may be best located within existing settlements, small scale bed and breakfast or log cabin development should be supported outside of settlement boundaries. There should be no expectation that small scale tourist accommodation development should demonstrate that it cannot be accommodated within an urban area or existing building.</p> <p>The National Planning Policy Framework states at paragraph 28 that to promote a strong rural economy, local plans should support the sustainable growth and expansion of all types of</p>	<p>Amend third bullet point to - make positive use of the natural assets of the Borough, <i>such as The National Forest</i>, without harming their intrinsic qualities...</p> <p>Penultimate paragraph amended to include:</p> <p>Small-scale tourist accommodation, such as bed and breakfast or log cabin developments, will be specifically encouraged to support a strong local economy. These may be accommodated through conversion of existing buildings and in well-designed new buildings and should demonstrate that they will not have an adverse impact on the character and appearance of the countryside, features of historic or landscape value, biodiversity, or the amenities of nearby residents.</p>	<p>Proposed modification to SP15.</p> <p>Change proposed.</p>	SP15	Mod No. 67 and 68

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					<p>business and enterprise in rural areas, both through conversion of existing buildings and well-designed new buildings. The NFC considers that the penultimate paragraph of this Policy, relating to tourist accommodation, is not as supportive as the NPPF and the Policy does not specifically refer to well-designed new buildings being acceptable.</p> <p>The NFC requests that the Policy is amended to be supportive of small scale tourist accommodation development outside of settlement boundaries, in The National Forest, including both converted and new-build properties.</p>	<p>Final paragraph amended to read:</p> <p>Leisure, cultural and tourism development which supports the development of The National Forest and the existing canal and rail network will be specifically encouraged.</p>			
LP223 (Mr Phil Metcalfe, The National Forest Company)	Yes	No	Strategic Policy 24 - High Quality Design	c. Effective	<p>The National Forest Company (NFC) supports the principle of Policy 24. However, to achieve the vision of Burton upon Trent being known as the Capital of The National Forest this needs to be reflected in the design of new developments. The policy should refer to the need for development to demonstrate a National Forest-inspired design especially where the local vernacular does not provide inspiration. Reference should be made to the guidance provided by our Design Charter (http://www.nationalforest.org/document/information/design_charter.pdf).</p> <p>The current policy lacks any local references and is not locally distinctive. Adding reference to the creation of a National Forest character, especially for new development in Burton upon Trent as part of the greening of the town to be seen as the Capital of The National Forest would address this.</p> <p>This expectation is already incorporated within Strategic Policy 26 - The National Forest which states that 'developments will be expected to reflect their Forest setting through their design, character and sustainability. This will include integrating existing green infrastructure into the development, making connections with on-site or adjacent woodland and other habitats, showcasing timber in building design and incorporating renewable energy, especially wood fuel heating systems.' The NFC considers that this should be reiterated in Policy 24 or at least cross-referenced for consistency.</p> <p>This comment was raised at the Preferred Option Stage and accepted within the Consultation Schedule which notes an action to 'add reference to The National Forest being part of the local distinctiveness, and a design reference point, especially where there is no other strong local identity'. The NFC requests that this amendment is made through the next modifications.</p> <p>The NFC also considers that the 6th bullet point should expect more than just consideration of opportunities for green infrastructure and specify that the incorporation and expansion of green infrastructure through new development is required.</p>	<p>Add further bullet point:</p> <p>Within The National Forest, reflect the character of the Forest in their design, through street tree planting, showcasing timber in building construction, incorporating wood fuel systems and specifying green roofs, especially in Burton upon Trent, where this will contribute to the town being considered as the Capital of The National Forest.</p> <p>Amend 6th bullet point to state:</p> <p>Retain, enhance and expand green infrastructure assets within the development as the basis of the green infrastructure-led design.</p>	<p>Requested changes to SP24 proposed as modifications.</p> <p>Changes proposed.</p>	SP24	Mod No. 97
LP224 (Mr Phil Metcalfe, The	Yes	Yes	Strategic Policy 26 -		The National Forest Company welcomes and strongly supports		Requested change to SP26 proposed as a modification.		Mod

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National Forest Company)			The National Forest		<p>the inclusion of this Policy.</p> <p>The NFC notes that many of the changes requested at the Preferred Options stage have been incorporated which is welcomed.</p> <p>The text within the first bullet point needs to be corrected as it currently includes what should form the preceding paragraph.</p>		Change proposed.	SP26	No. 102
LP225 (Mr Phil Metcalfe, The National Forest Company)	Yes	No	Strategic Policy 28 – Renewable and Low Carbon Energy Generation	c. Effective	<p>The National Forest Company (NFC) considers that Strategic Policy 28 - Renewable and Low Carbon Energy Generation should be specifically supportive of wood fuel systems given the local abundance of woodland thinnings. Developing the local wood fuel industry would encourage management of existing woodlands and further woodland planting to the benefit of the Forest. This would also make the policy more locally specific.</p> <p>The Policy should specify that wood fuel systems will be encouraged and that applications will be expected to demonstrate that fuel is being sourced from as close to the installation as possible, with an expectation that fuel is sourced from The National Forest.</p> <p>This comment was raised at the Preferred Option Stage and accepted within the Consultation Schedule which stated 'insert reference in Policy to support of wood fuel systems given the local abundance of woodland thinnings. Developing the local wood fuel industry would encourage further woodland planting and management of existing woodlands'. The NFC requests that these amendments are incorporated in the next modification of this plan.</p>	<p>Add a further paragraph:</p> <p>To encourage the development of local wood fuel markets, which will, in turn, make it more viable for the woodlands of The National Forest to be brought into management, the Council will support the development of wood fuel systems which take advantage of the abundance of local woodland thinnings.</p> <p>Applicants will be expected to demonstrate that fuel is being sourced as locally as possible to the installation with an expectation that fuel is to be sourced from within The National Forest.</p>	<p>Requested change to SP28 proposed as a modification.</p> <p>Change proposed.</p>	SP28	Mod No. 105
LP226 (Mr Ian Haywood)	Yes	Yes	Policies Map Inset 8 – Abbots Bromley		The representation suggests an additional area of land to be added to the settlement boundary amendment to the south of Abbots Bromley.		<p>The justification for amendments to the settlement boundaries is set out in the Settlement Boundary Topic Paper.</p> <p>No change proposed.</p>		
LP227 (Mr Phil Metcalfe, The National Forest Company)	Yes	No	Appendix 1 – National Forest Standards	b. Justified	<p>The National Forest Planting Guidelines contained within Appendix 1 do not reflect those within our Guide for Developers and Planners.</p> <p>The Guide sets out that any development over 10ha is expected to incorporate 30% of the development area as woodland planting and landscaping. The Appendix currently states that only Sustainable Urban Extensions over 10ha should incorporate 30% woodland planting and landscaping.</p> <p>The 30% requirement should apply to any development over 10ha whether or not it forms part of a Sustainable Urban Extension.</p> <p>The National Forest Company is not aware of any reason why</p>	<p>Part 1 c and part 2 iv to be amended to state 'Sites over 10ha and Sustainable Urban Extensions: 30% of the development area to be woodland planting and landscaping.</p> <p>The numbering within the appendix should also be uniform for clarity, currently both letters and roman numerals are used.</p>	<p>Requested change to Appendix 1 proposed as a modification.</p> <p>Change proposed.</p>	Appendix 1	Mod No. 144

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					developments over 10ha outside of Sustainable Urban Extensions should not be expected to incorporate 30% woodland planting and landscaping.				
LP228 (Mr Phil Metcalfe, The National Forest Company)	Yes	Yes	SP23 Green Infrastructure		The National Forest Company supports the inclusion of this policy and welcome the amendments that have been made since the preferred option consultation.		Support noted. No change proposed.		
LP229 (Stephen Stoney, Wardell Armstrong on behalf of BDW Trading Ltd)	No	No	Paragraph 1.53-1.57	a. Positively prepared b. Justified c. Effective d. Consistent with national policy	<p>Brookhay Villages and Twin Rivers Park (BV & TRP) - certainty and strategic fit</p> <p>The BV & TRP sustainable development concept has already had good exposure through the Lichfield District Plan Examination in Public, and the Inspector's initial findings give some informative directions.</p> <p>The project being comprehensive and cross-boundary is accepted as having procedural difficulties of promoting the scheme without clear evidence of cross boundary agreement between local authorities. Matters are being put in place to achieve this under the guise of a formal joint pre-planning application process.</p> <p>It is important to note the Inspector's opinion that 'if it were to progress it would need to be included in the Plan for each area', even if this requires Plan review.</p> <p>The ESBC Pre-Submission Plan has not fully considered the proposed sports facility at Twin Rivers Park.</p> <p>For information purposes, attachment D gives a non-technical summary of the first stage work undertaken by Nortoft consultancy, which considers the need for the facility.</p> <p>Stage II and stage III reports (viability and governance) will be made available to the council as soon as they are available following full ratification by Sport England and the four primary Governing Bodies involved.</p>	<p>On the above basis, BDW Trading Ltd promotes the inclusion and recognition of the TRP as part of its Plan, on the basis of it comprising a sustainable proposal and there is no evidence to suggest that it would face insurmountable technical or environmental objections.</p> <p>The TRP passes the test of the presumption in favour of sustainable development, which correctly aligns the Plan, as Principle 1 and Strategic Policy 1, with National Planning legislation.</p> <p>It is recommended that the most appropriate means of appropriately incorporating the project is to introduce a detailed policy 13 of a similar nature and form to detailed policy 12 dealing with the complimentary St. Georges Park where the principle of shared facilities and appropriate economic growth have been agreed in that both are strong catalysts to further inward investment to the Borough.</p> <p>The BV&TRP proposal as a comprehensive strategic development when read in a cross-boundary sense as promoted by the Lichfield EiP Inspector, is supported by the following East Staffordshire Plan Detailed Policies and Strategic Policies:</p> <p>Details Policy 10 (referenced as 10-9 in the ESBC Document): Blue Infrastructure and water based recreation - including the deliverables to support the Central Rivers Initiative.</p> <p>Detailed Policy 11: European sites - the delivery of a strategic Site of Alternative Natural Greenspace (of the order of 175 hectares) to provide mitigation measures and positive habitat management.</p> <p>Detailed Policy 6: The proposal safeguards and enhances the setting of three nationally significant Scheduled Ancient Monuments under principles agreed with Staffordshire County Council and</p>	<p>Paragraphs 1.53 – 1.57 represent the most up to date position on the need for the development and relationship to Lichfield District.</p> <p>A modification is proposed to include an additional paragraph to update the position regarding Lichfield District Local Plan.</p> <p>Change proposed.</p>	Page 25	Mod No. 8

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						<p>English Heritage.</p> <p>Detailed Policies 1 and 2: The proposed development will meet the highest appropriate standards of design and sustainable construction.</p> <p>The following Specific Policies and positively supported by demonstrable deliverable benefits:</p> <p>SP5 - Distribution of Employment Growth</p> <p>The proposal is recognised in the 2013 Employment Land Review Update 2013</p> <p>SP9 - Infrastructure delivery</p> <p>The proposal is accepted as infrastructure led regeneration which will delivery rail provision and highway improvements in accordance with a strategy agreed with the Highways Agency.</p> <p>SP15 - Tourism, Culture & Leisure</p> <p>The Sport activity will add another component to the strong leisure offer in East Staffordshire</p> <p>SP23 - Green Infrastructure</p> <p>Delivery of planned strategic network of connected high quality multi functional open spaces, corridors and links to provide multiple benefits for people and wildlife.</p> <p>SP25 - Historic Environment</p> <p>As detailed Policy 6 above</p> <p>Conclusions:</p> <p>The Plan at Paras 1.53 to 1.57 references the BV & TRP project but in essence states the need to 'better understand the proposal, its need and acceptability in terms of delivering sustainable development'</p> <p>The opportunity does however exist to take matters forward now in context of the GB&S Local Enterprise Partnership's 'Path to Local Growth' March 2013. The plan should recognise its need to plan for the future (to 2031) and not just current circumstances. Proposals do have greater certainty then as depicted in the Plan's commentary at 1.54 to 1.57.</p>			

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						<p>This representation promotes that this strategic cross-boundary scheme is sustainable, developable, viable and deliverable.</p> <p>Inclusion of the BV&TRP project within the Plan, is warranted in delivering a sustainable and strategic mixed-use development.</p>			
LP230 (Mr Clive Keble on behalf of Anslow Parish Council)		No	Paragraph 1.4		<p>Representation 1 - Change to the scale of development and lack of consultation</p> <p>That the Local Plan is Not legally compliant -For the Local Plan to be legally compliant it has to be prepared in accordance with the Duty to Cooperate and the following legal and procedural requirements, including:</p> <ul style="list-style-type: none"> - Consultation has been carried out in accordance with the Council's Statement of Community Involvement (SCI) - <i>This is because there has been no additional consultation on the radical change from the Preferred Options document in terms of (a) the increase in dwelling numbers for Burton from 3900 to 6473 (6723) and (b) the inclusion of Beamhill (950 units) as a commitment and the increase on Harehedge Lane from 350 to 500 units, both despite the more limited development option that was previously favoured</i> 	<p>That fresh consultation is carried out, either with Parish Councils and/or through specific public meetings to explore the practicality of the increased in dwelling numbers and sites and to identify support for any alternative approaches.</p>	<p>The increase in housing numbers is due to an update on objectively assessed housing need. All site options were considered as part of the strategic options and preferred options consultation.</p> <p>No change proposed.</p>		
LP231 (Mr Clive Keble on behalf of Anslow Parish Council)		No	1.50 - 52, 1.132, Pages 50 - 52 2.11, 2.36, SO1, SP1 East Staffordshire Approach to Sustainable Development , SP2 A Strong Network of Settlements, SP4 Distribution of Housing Growth, SP6 Managing the release of Housing and Employment Land, SP7 Strategic Urban Extensions & SP35 Accessibility and	a. Positively prepared	<p>That the Local Plan is Not Sound because it is not (with reference to Test A) Positively Prepared: For the Local Plan to be sound, it should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements.</p> <p><i>The reliance on a series of separate sites, some as a result of commitments made out with the Local Plan process, means that there is insufficient consideration given to cumulative impact and the capacity of local infrastructure to serve the proposed developments. In addition, despite an emerging over-provision of housing as a result of recent appeal decisions, the option to remove or to reduce the scale one or more of the development sites has not been considered.</i></p> <p><i>The Local Plan also fails with reference to the Test of Soundness -C - (Effective) in that it should be deliverable over its plan period and based on effective joint working on cross-boundary strategic priorities, and that it should demonstrate, inter alia, - Sound infrastructure delivery planning ...</i></p>	<p>That the allocation of land at Harehedge Lane/Tutbury Road for development is removed or at least reduced by 200 to the 300 dwellings proposed in the July 2012 (Preferred Option) Local Plan. (However, in making this suggestion, the Parish Council would wish to place on record the fact that its original preferred level of development at Outwoods of 300 has been greatly exceeded by the commitments made at Beamhill (950) and Red House Farm (250).</p>	<p>The increase in housing numbers is due to an update on objectively assessed housing need. All site options were considered as part of the strategic options and preferred options consultation. The Harehedge Lane / Tutbury Road allocation is subject to a planning application.</p> <p>No change proposed.</p>		

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			Sustainable Transport and Inset Map 1, Burton Upon Trent						
No REP LP232									
LP233 (Mr Clive Keble on behalf of Anslow Parish Council)		No	1.73, 1.132, 2.18, SO1, SO3, SP1 East Staffordshire Approach to Sustainable Development, SP9 Infrastructure Delivery and Implementation, SP35 Accessibility and Sustainable Transport and IDP Section. 8 and Inset Map 1, Burton upon Trent	a. Positively prepared	<p>That the Local Plan is Not Sound because it is not (with reference to Test A) Positively Prepared: For the Local plan to be sound, it should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements.</p> <p>The reliance on a series of separate sites, some as a result of commitments made outside the Local Plan process and the increase in the scale of development by 66% to 72% means that insufficient consideration is given to cumulative impact and the capacity of local transport infrastructure to serve the proposed developments. There is a clear need to study and commit to a linked solution to traffic generation and management, including a commitment to new road building to remove the reliance on outdated and overused radial routes which do not provide effective links to Burton town centre, employment areas and the A38.</p> <p>In addition, the Local Plan fails with reference to the Test of Soundness -C - (Effective) in that it should be deliverable over its plan period and based on effective joint working on cross-boundary strategic priorities and that it should demonstrate, inter alia; Sound infrastructure delivery planning.</p> <p>Furthermore, the Infrastructure Development Plan (Section 8) does not include any fresh analysis of the traffic impacts of the increased scale of development west and south of Burton, it lacks a strategic view of the cumulative impact of the developments on the separate sites at Branston, Outwoods and Stretton and the approach seems to be over-optimistic about and unduly reliant upon the use of public transport (buses) to serve these developments.</p>	That a new policy (or additions to SP 7 - Sustainable Urban Extensions and SP35 - Accessibility & Sustainable Transport) is included in the Local Plan outlining the need for a new spine or access road to be created to run from Branston Locks (connecting through the planned development to the A38), to Red House Farm (with a junction on the B5017), through or adjacent to Beamhill/Upper Outwoods (with a junction on Beamhill Road) and connecting (on existing roads) to the Harehedge Lane site. The line of this road should be shown on the Proposal Map. References should be made to the means and timing of implementation of the link road, drawing upon existing and future Section 106 Agreements (or the Community Infrastructure Levy if appropriate), additional developer contributions and stating the need for the route to be included in the SCC East Staffs. Transport Strategy and the wider Local Transport Plan. (An alternative approach would be to identify a route for a new western loop road).	The Pre-Submission Local Plan is supported by the Draft Integrated Transport Plan which considers cumulative impacts as a result of the strategic site allocations on the road network. The plan does not propose or recommend the need for a new spine/access road.		
LP234 (Mr Clive Keble on behalf of Anslow Parish Council)		No	2.14, Pages 50/52 SO1 & SO3, Policies SP1 East Staffordshire Approach to Sustainable Development, SP9 Infrastructure Delivery and Implementation, SP35 Accessibility and	b. Justified	<p>That the Local Plan is Not Sound - because it is not - with reference to the tests of soundness - (Justified). (The Plan should be the most appropriate strategy, when considered against reasonable alternatives, based on proportionate evidence).</p> <p><i>Whilst the introduction of Strategic Green Gaps is welcomed in principle, it is considered that the Local Plan does not contain sufficient detail on the selection of the areas of land to be covered by the policy and the relationship of this with the long established protection of locally important landscapes, including the Trent escarpment. In addition, it is felt that the area of land identified between Anslow and Outwoods does not reflect the strategic need to address the impact of committed, planned and possible future development between Anslow, Outwoods,</i></p>	<p>That the coverage of the proposed Strategic Green Gap on land between Anslow and Beamhill is extended to include;</p> <p>a) land north of Beamhill, up to Newgatefield Road/Lount Lane/Longhedge Lane,</p> <p>b) land south of Beamhill, beyond Field Lane running down to Forest Road, west of the committed development at Red House Farm and extending to Henhurst Field and Henhurst Wood.</p> <p>This measure will extend the protection of land to maintain the separation of distinctive settlements</p>	The justification for Strategic Green Gaps is set out in the Strategic Green Gaps Topic Paper. As stated in Strategic Policy 30 – Landscape, important and sensitive landscapes will be identified in forthcoming Landscape Supplementary Planning Document.		

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			Sustainable Transport and Inset map 1, Burton Upon Trent		<p><i>Tatenhill and Branston. It is suggested that a wider, more integrated designation could be made linking through to the proposed Tatenhill SGG. In addition, this designation could possibly complement the identification of a line for a spine or link road from Branston to Outwoods, as outlined in a separate representation on transport and infrastructure needs.</i></p> <p>(In addition, the Parish Council recognises that the detailed boundary of the SGG could be reconsidered where (as currently drawn) it includes established groups of contiguous residential or commercial buildings where extension or intensification may be reasonable, subject to detailed Local and Neighbourhood Plan Policies).</p>	and prevent infill between existing ribbon development.			
LP235 (Mr David Burns)	No	No	Hazelwalls allocation	<p>a. Positively prepared b. Justified d. Consistent with national policy</p>	<p>WE WISH TO OBJECT TO THE INCLUSION OF THE HAZELWALLS FARM SITE, UTTOXETER AS A STRATEGIC HOUSING ALLOCATION SITE IN THE 2012-2031 EAST STAFFORDHIRE BC PRE-SUBMISSION LOCAL PLAN FOR THE FOLLOWING REASON:</p> <p>Community consultation has not been carried out in accordance with the Council's Statement of Community Involvement.</p> <p>Following consultation on the strategic options for Uttoxeter in 2011, of the three put forward, the option which included Hazelwalls Farm received the lowest level of support and by far the highest level of objection. The only support came from the developer, with a clear commercial vested interest and the Uttoxeter Town Council who clearly did not represent the views of the community itself. Subsequently, the 2012 Preferred Options proposal took account of this evidence base of strong local objection and opposition and excluded the Hazelwalls Farm site from the Plan. Consequently, little or no objection was raised by the community on this aspect of the Preferred Option proposal because as far as they were concerned, Hazelwalls Farm had been removed.</p> <p>However, three submissions of support for the inclusion of Hazelwalls Farm as a preferred option were made during the 2012 consultation exercise, one from the Developer, one from the Town Council and one from a Mr Alan Noyes who, as he is also a Town Councillor, should be considered to be only reiterating the views of the Town Council and not be seen as a third, independent supporter. The Borough Council's response to this in its Pre Submission Consultation October 2013 - Statement of Consultation was that following requests to add in individual sites by different site promoters, including Hazelwalls Farm, these sites were put through the sustainability appraisal process. Consequently, Hazelwalls Farm has now been reintroduced into the Pre-Submission Plan with no further opportunity or, more importantly, prompt for the community to comment and give its views on this proposal since 2011 and with a complete disregard for the objections made in 2011. This is in contradiction with the statements made within the SCI regarding</p>	<p>There should have been fair, open, transparent, honest and consistent consultation on all potential options at all stages of the process until such time as any specific options were finally and definitely excluded from the Plan. To lead the community of Uttoxeter to believe that Hazelwalls Farm was an option that was no longer being considered by virtue of its exclusion from the Preferred Option report of 2012, ESBC has denied it the opportunity to proactively make its views outrightly known on this option. Even though the representation procedure at this stage of the process is now very restrictive and only formally considers challenges to legal compliance and soundness, all representations including objections, however made to the Council should be given full, fair and substantive consideration before the Plan is finalised.</p>	<p>The increase in housing numbers is due to an update on objectively assessed need. This has led to a 131% increase in housing need across the Borough, equating to a 48% increase for Uttoxeter from the Preferred Options. All site options were considered as part of the strategic options and preferred options consultation.</p> <p>No change proposed.</p>		

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					<p>the Council's engagement with the community and listening to and acting on the feedback received. The only feedback on the 2012 consultation was that the developer and the Town Council requested the inclusion of Hazelwalls Farm and the Council acted on that feedback by including it as a strategic housing site in the Pre-Submission Plan.</p> <p>Had any clear indication been given by ESBC during the 2012 consultation that Hazelwalls Farm was still an option which could be taken forward, I believe that the representation from the local community would have demonstrated overwhelming objection and lack of support. Equally, had other sites such as the land south of Bramshall Road or Blount's Green Farm been suggested as still viable options, the balance of support would have been in favour of these other sites rather than Hazelwalls, a community view that was clear from the 2011 consultation exercise. By adopting the "stealth-like" approach that it has to including Hazelwalls Farm in its Pre-Submission Plan, East Staffordshire Borough Council have denied the community the opportunity to represent its views and to be listened to on this specific aspect at a critical stage of the development of the Local Plan i.e. at the 2012 consultation on the Preferred Option</p>				
LP236 (Mr David Burns)	No	No	Hazelwalls allocation	<p>a. Positively prepared b. Justified c. Effective d. Consistent with national policy</p>	<p>WE WISH TO OBJECT TO THE INCLUSION OF THE HAZELWALLS FARM SITE, UTTOXETER AS A STRATEGIC HOUSING ALLOCATION SITE IN THE 2012-2031 EAST STAFFORDSHIRE BC PRE-SUBMISSION LOCAL PLAN FOR THE FOLLOWING REASON:</p> <p>An adequate Sustainability Appraisal Report has not been published to accompany the Plan.</p> <p>Instead the Sustainability Appraisal Report October 2013 makes an assessment of the Hazelwalls Farm site which actually demonstrates why this site is not sustainable for a number of reasons which are summarised in Table 6.5 page 120 of the SAP, viz:</p> <p>Transportation: "option likely to have a negative impact on potential sustainability issues". Page 104 paragraph 5.124 of the SAP also states "... There are concerns over the capacity of the local road network in accommodating proposals."</p> <p>There are clear issues here with adequate and safe access to the site. The prospect of accessing the Hazelwalls Farm site from Westlands Road is, as anyone who knows the road i.e. the local community, not viable due the narrow width and alignment of Westlands Road itself and due to the number of properties and associated parked vehicles on the street. Similarly, access through Timber Lane, Sorrell Close or Fennel Close, the latter two of which were designed and built as small residential cul-de-sacs, is clearly not viable again due to constricted widths and the presence of parked vehicles and the pure unsuitability of these streets to be used as through route access to a 350 house residential estate. Access is also proposed off B5013 which is</p>	<p>The Borough Council's own Local Plan Pre-Submission Sustainability Appraisal Report 2013 actually demonstrates why the Hazelwalls Farm site is not a sustainable option based on a whole range of its own assessment criteria and it does not, therefore, meet the definition of "adequate" in terms of supporting the inclusion of Hazelwalls Farm in the Local Plan. This site should therefore be removed from the list of strategic housing allocation sites in the final Local Plan as it cannot be demonstrated that the development of this site would be capable of meeting the required sustainability criteria</p>	<p>The sustainability appraisal also involves consideration of mitigation measures as part of any negative impacts.</p> <p>The Sustainability Appraisal has used most up to date evidence when considering impacts and where possible used information set out in any detailed proposals and planning applications.</p> <p>Sustainability Appraisal is one consideration in the decision making process.</p> <p>Infrastructure considerations are set out in the infrastructure Delivery Plan and Draft Transport Integrated Strategy.</p> <p>No proposed change.</p>		

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					<p>also presents serious problems. If the access was to run through the proposed Hazelwalls development from B5013 to Foxglove Avenue and out onto Kingfisher Way, this would inevitably become a rat run for vehicles travelling from Abbots Bromley/Cannock/Rugeley and wanting to avoid the poor access onto the A518 at its junction with B5013 at Blount's Green effectively becoming yet another unofficial town bypass (as happened when Kingfisher Way was opened up as a through route) and adding significantly to the traffic using this access, increasing traffic noise and disruption and adversely affecting air quality for both the existing communities adjacent to the proposed site and those that will ultimately be residing there. Equally, if the only access into and out of the site was via B5013, this would significantly add to the traffic levels and consequent adverse effects for those living closer to the B5013 on existing and proposed developments and also significantly increase the volume of traffic on the B5013 and more particularly, its junction with A518 which is notoriously difficult and hazardous to negotiate. In other words, there is no suitable, safe, sustainable or direct access for the Hazelwalls Farm site onto or from the strategic road network.</p> <p>Flood Risk: <i>although Table 6.5 shows this as having no significant effect, those that live in the area know that the lower fields are prone to substantial areas of standing water during and after heavy rain or snow fall.</i></p> <p>Use of Land: <i>"option likely to have a negative impact on potential sustainability issues."</i></p> <p>Countryside and Landscape Quality: <i>"option likely to have a negative impact on potential sustainability issues." So, although already acknowledged as negative by ESBC's own appraisal, this is clearly understating the impact of the Hazelwalls Farm development and should have been assessed as having a very negative impact on known sustainability issues as it is removing a significant swathe of existing countryside. Paragraph 5.134 page 104 of the October 2013 SAP also states: "There is an impact on the countryside due to the large size of the site and the way in which it extends into the countryside. The prominent position that the site occupies is likely to detract from the sense of place in this part of Uttoxeter."</i></p> <p>Biodiversity and Geodiversity: <i>"option likely to have a negative impact on potential sustainability issues." Again, although acknowledged as negative by the ESBC appraisal, the impact of the Hazelwalls development on the ecology and natural habitat of the area will clearly be very negative. Paragraph 5.134 page 104 of the October 2013 SAP also states: "There is a significant impact on biodiversity due to a number of habitats and species on the site." Allowing this development also directly contradicts ESBC's own statement made in the Pre-Submission Plan under the heading of Safeguarding the Natural and Built Environment on page 68: "The Borough Council will look to protect, manage and actively enhance the biodiversity, Geodiversity, landscape character and Green Infrastructure of</i></p>				

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					<p><i>the Borough."</i></p> <p>Accessibility to Services: "no significant effect/neutral" This directly contradicts the statement made by ESBC in its 2012 Preferred Option Report paragraph 5.84 page 62 when referring to the Hazelwalls site it said: " <i>This area is again less well connected to the town centre and employment sites and hence is less sustainable .</i> "</p> <p>Local Distinctiveness: "option likely to have a negative impact on potential sustainability issues."</p> <p>In summary, for Hazelwalls Farm, of the 11 criteria which make up the Strategic Site Allocations Appraisal, 5 are acknowledged by ESBC as having a negative impact on sustainability issues, with one, Historic, Environment and Heritage Assets being assessed as uncertain. By its own appraisal process, this is by far the worst assessment of any of the Strategic Site Allocations put forward for inclusion in the Local Plan across the whole of the Borough.</p> <p>It could also be argued that following ESBC's own statement in its Preferred Option Report, Accessibility to Services should also be assessed as having a negative impact. Furthermore, at least two of the criteria, i.e. those relating to Countryside and Landscape Quality and Biodiversity and Geodiversity should have been assessed as having a very negative impact on sustainability issues.</p>				
LP237 (Mr David Burns)	No	No	Hazelwalls Strategic Allocation	<p>a. Positively prepared b. Justified c. Effective d. Consistent with national policy</p>	<p>WE WISH TO OBJECT TO THE INCLUSION OF THE HAZELWALLS FARM SITE, UTTOXETER AS A STRATEGIC HOUSING ALLOCATION SITE IN THE 2012-2031 EAST STAFFORDHIRE BC PRE-SUBMISSION LOCAL PLAN FOR THE FOLLOWING REASON:</p> <p>SECTION 4: Details of why the Local Plan is not legally compliant or is unsound:</p> <p>The Pre-Submission Plan is not necessarily the most appropriate strategy as it has not been adequately considered against reasonable alternatives.</p> <p>In our Representation No 2 we made the point that the Hazelwalls Farm site produced the worst Sustainability Appraisal outcome of all of the strategic allocation sites now being put forward by the Plan across the Borough. Going back through the various consultations since 2007, a number of sites have been discussed as potential alternatives within Uttoxeter but have not been included within the final Pre-Submission Plan. These include the land south of Bramshall Road (including Ryecroft Farm) yielding some 459 dwellings, which during the 2011 Strategic Options consultation received more support and far fewer objections than the Hazelwalls Farm proposal; Blount's Green Farm, Stafford Road yielding 435 dwellings and Derby</p>	<p>Unless full, fair, open, honest and objective assessments are made of all potential alternative development sites in Uttoxeter, accompanied by full and open consultation on the outcome of these assessments, the inclusion of Hazelwalls Farm in the Local Plan and the exclusion of many of these alternative sites does not have the evidence base to support or justify this decision and therefore the Plan cannot be deemed to be demonstrating the most appropriate strategy.</p>	<p>All reasonable options, in line with the development strategy have been considered through the sustainability appraisal and public consultation.</p> <p>Sustainability Appraisal is one consideration in the decision making process.</p> <p>No change proposed.</p>		

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					<p>Road yielding 150, which although it showed almost no negative impact on sustainability issues within the Sustainability Appraisal Report, has been discounted for residential development - this at the expense of the countryside which makes up the majority of the Hazelwalls site. These sites have not been subject to an appropriate level of assessment or appraisal in order to consider them as reasonable alternatives to Hazelwalls Farm. The evidence base has not been produced, therefore, to adequately demonstrate that Hazelwalls Farm is a more viable and sustainable site for proposed development than these and other sites identified as having development potential within the town and listed on pages 17 and 18 of the Strategic Housing Land Availability Assessment 2013.</p> <p>We believe that if a full, open and honest appraisal and assessment was undertaken of all of these alternative sites, it would be demonstrated that some would prove to be more viable and sustainable options than Hazelwalls Farm. Instead, it appears that Hazelwalls Farm has been dropped into the Plan at the very end of this six year consultation process without being adequately assessed against alternatives as a quick win purely to meet early housing provision targets in the Borough, all to the financial benefit and gain of the current landowner and developer but to the detriment of and with wholesale disagreement of anyone else with an interest in what happens in the town of Uttoxeter.</p>				
LP238 (Mr David Burns)	No	No	Hazelwalls Strategic Allocation	<p>a. Positively prepared b. Justified d. Consistent with national policy</p>	<p>WE WISH TO OBJECT TO THE INCLUSION OF THE HAZELWALLS FARM SITE, UTTOXETER AS A STRATEGIC HOUSING ALLOCATION SITE IN THE 2012-2031 EAST STAFFORDHIRE BC PRE-SUBMISSION LOCAL PLAN FOR THE FOLLOWING REASON:</p> <p>The Plan is unsound because it has not been adequately demonstrated how the significant increase in housing allocation across the Borough has been derived, that it is consistent with national policy and that it is justified on two counts one being the overall Borough increase the second being the disproportionate increase for Uttoxeter.</p> <p>The increase in required 2012-2031 housing within the Borough from 8935 in the 2012 Preferred Option document to 11648 in the Pre-Submission document has not been fully explained, substantiated, justified or documented and instead appears to have been based on an arbitrary, one-off assessment made by a consultant on behalf of the Borough Council whose independence, objectiveness and lack of vested interest cannot be verified. After 7 years of Plan development by ESBC, even allowing for recent changes in Government guidelines and national policy, for the housing requirement to jump by 30.3% in the final year of development and after most of the consultation on the Plan has taken place is not justified or proportionate and has not been adequately explained or consulted on.</p> <p>Also, the increase in housing allocation to Uttoxeter itself has</p>	<p>Further work is required to fully explain to the residents of the Borough how and why ESBC got its calculation so wrong and why the housing allocation for the Borough as a whole has increased by 30.3% and by 48.3% in Uttoxeter in just a twelve month period and without any consultation. The Plan should then be adjusted with strategic sites reassessed and reallocated to ensure that the impact on Uttoxeter is not disproportionate to the overall increase across the Borough.</p>	<p>The justification for increased housing numbers is set out in the Strategic Housing Market Assessment 2013.</p> <p>No change proposed.</p>		

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					increased from 1050 in 2012 to 1557 in 2013, an increase of 48.3% which is a disproportionate and unjustified impact on the town when the increase for the Borough as a whole is 30.3%. To impose a huge step increase in the allocation to Uttoxeter of almost 50% cannot be seen as contributing to a Plan which has been positively prepared and developed over a 7 year period based on objective assessment.				
LP239 (Mr David Burns)	No	No	Hazelwalls Strategic Allocation	a. Positively prepared b. Justified d. Consistent with national policy	<p>WE WISH TO OBJECT TO THE INCLUSION OF THE HAZELWALLS FARM SITE, UTTOXETER AS A STRATEGIC HOUSING ALLOCATION SITE IN THE 2012-2031 EAST STAFFORDHIRE BC PRE-SUBMISSION LOCAL PLAN FOR THE FOLLOWING REASON:</p> <p>The Plan is unsound because it has not been adequately demonstrated how the significant increase in housing allocation across the Borough has been derived, that is consistent with national policy and that it is justified on two counts one being the overall Borough increase the second being the disproportionate increase for Uttoxeter.</p> <p>The increase in required 2012-2031 housing within the Borough from 8935 in the 2012 Preferred Option document to 11648 in the Pre-Submission document has not been fully explained, substantiated, justified or documented and instead appears to have been based on an arbitrary, one-off assessment made by a consultant on behalf of the Borough Council whose independence, objectiveness and lack of vested interest cannot be verified. After 7 years of Plan development by ESBC, even allowing for recent changes in Government guidelines and national policy, for the housing requirement to jump by 30.3% in the final year of development and after most of the consultation on the Plan has taken place is not justified or proportionate and has not been adequately explained or consulted on.</p> <p>Also, the increase in housing allocation to Uttoxeter itself has increased from 1050 in 2012 to 1557 in 2013, an increase of 48.3% which is a disproportionate and unjustified impact on the town when the increase for the Borough as a whole is 30.3%. To impose a huge step increase in the allocation to Uttoxeter of almost 50% cannot be seen as contributing to a Plan which has been positively prepared and developed over a 7 year period based on objective assessment.</p>	Further work is required to fully explain to the residents of the Borough how and why ESBC got its calculation so wrong and why the housing allocation for the Borough as a whole has increased by 30.3% and by 48.3% in Uttoxeter in just a twelve month period and without any consultation. The Plan should then be adjusted with strategic sites reassessed and reallocated to ensure that the impact on Uttoxeter is not disproportionate to the overall increase across the Borough.	<p>The justification for increased housing numbers is set out in the Strategic Housing Market Assessment 2013.</p> <p>No change proposed.</p>		
LP 240 (Hanbury Parish Council)	Yes	Yes			<p>On behalf of the Chairman of Hanbury Parish Council write to advise that Hanbury parish Council does not wish to object to, or substantially comment upon, the Local Plan, but this does not mean we have no interest in the future of Hanbury. We ask that we are notified of progress on the Plan (and) its implementation including any substantial developments in the adjoining villages, also including St. George's Park and Tatenhill airfield.</p> <p>We do, of course, wish to continue to work with ESBC and SCC on other programmes where there is benefit to the people and</p>		<p>Support noted.</p> <p>No change proposed.</p>		

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					environment of Hanbury				
LP241 (Mr Stephen Stoney, Wardell Armstrong on behalf of BDW Trading Ltd)	No	No	1.44	a. Positively prepared b. Justified c. Effective d. Consistent with national policy	<p>The review of the SA has shown that ESBC's approach cannot be considered to be the most appropriate given the reasonable alternatives as the SA process has failed to comply with guidance and regulations at each stage. The review of the Sustainability Appraisal has shown the following key failings:</p> <ul style="list-style-type: none"> • An inadequate audit trail • The failure to demonstrate the use of credible and robust evidence in carrying out the assessments. • Failure to issue documents for consultation at each state of the plan development. • Failure to show how the findings of the consultations have influenced the plan's development. • Inadequate explanation of the selection and rejection of options/alternatives (both strategic options and sites) • A flawed SA framework and inconsistent approach to assessment (different SA framework used for the strategic sites) • A lack of transparency • An attempt to retrofit the SA to the plan making process. • A failure to integrate the SA into the development plan. The two processes appear divorced from one another. • A failure to show the Duty to Cooperate. The assessment has not demonstrated how trans-boundary issues have been addressed. <p>The review of the SA process has revealed a thoroughly flawed and partial approach to the assessment. This lack of objectivity and justification in the assessment would appear to show a desire to provide the results for predetermined decisions. The findings cannot be considered credible, justified or robust and can only lead to the conclusion that the SA is not fit for purpose, is not legally compliant and that the Local Plan cannot be considered sound.</p>	<p>The SA process has failed to comply with the regulations and guidance at each state of the Local Plan preparation and does not provide an adequate assessment of the social, economic and environmental effects of the plan.</p> <p>In order for the Local Plan to be considered legally compliant or sound, a full revision of the SA will be required, which re-tests all the Strategic Options and Sites in accordance with the SA/SEA regulations and guidance.</p> <p>The process should be transparent, provided and appropriate audit trail, from an integrated part of the Local Plan development, and be backed up by facts through the use of suitable evidence.</p> <p>The selection and rejection of alternatives must be clearly set out and a consistent approach to the assessment taken.</p> <p>The result of the revised SA will then need to be considered against the draft Local Plan and the plan will need to be redrafted to take account of the findings of the SA and to demonstrate an integrated process.</p>	<p>A separate note on the Sustainability Appraisal has been produced and is available as part of the examination library.</p> <p>No change proposed.</p>		
LP242 (Mr Robert Jays, William Davis Ltd)	Yes	No	SP3, Provision of Homes and Jobs	b. Justified	<p>William Davis Ltd considers that increased flexibility on the housing target identified in Strategic Policy 3 is needed. Currently the policy proposes a rigid housing target figure of 11,648 dwellings over the plan period. Such an approach will constrain housing delivery and places an unnecessarily precise limit of housing development in the Borough. We do not consider such an approach to be the most appropriate strategy for the housing target and as a consequence do not consider Strategic Policy 3 to be sound.</p> <p>A more appropriate and therefore sound approach would be to add flexibility to the housing numbers to allow for an increase in housing delivery. This could be achieved by firstly rounding the 11,648 figure up to 12,000 dwellings and then setting the 12,000 dwelling figure as a minimum target for the Borough over the plan period. Not only would this increase flexibility for housing</p>	<p>William Davis consider that flexibility of the housing target is needed to prevent an overly specific limit on housing delivery in the Borough. Such flexibility can be achieved by rounding up the 11,648 dwelling housing target to 12,000 dwellings and then making this target a minimum within Strategic Policy 3. The text of the policy should be amended as follows.</p> <p>"The Borough Council will provide a minimum of 12,000 dwellings over the plan period of 2012-2031".</p>	<p>The Council consider the housing target to be flexible and based on objectively assessed need.</p> <p>No change proposed</p>		

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					<p>delivery, it would also enable increased housing delivery in the Borough and aid the economy as noted as necessary in the supporting text of Strategic Policy 3.</p> <p>Such an approach would also help the housing target in terms of it being positively planned by seeking to significantly boost the supply of housing, which in turn is consistent with paragraph 47 of the NPPF.</p>				
LP243 (Mr Robert Jays, William Davis Ltd)	Yes	No	SP4, Distribution of Housing Growth	<p>a. Positively prepared b. Justified d. Consistent with national policy</p>	<p>William Davis Ltd support the inclusion of land at Tutbury Road/Harehedge Lane in Burton upon Trent as a housing allocation for 500 dwellings. We consider the site to be a highly sustainable and suitable location for housing development and consider its allocation to be consistent with the national policy commitment to sustainable development contained in the NPPF.</p> <p>As highlighted in our representations on Strategic Policy 3, we consider that housing targets contained within the plan should be regarded as a minimum to allow for flexibility in housing delivery. This approach should be continued in Strategic Policy 4, specifically with regards to Windfall/Settlement development allowances. As indicated we consider such an approach would remove an unnecessary limit on allocated housing development and would remove a constraint on housing delivery. Such an approach would be a more appropriate approach and therefore a more justified and sound approach. This is already an approach taken by the Council when considering the Windfall allowance for the main towns, with the 1359 dwelling figure noted as a minimum. This approach should be continued throughout Strategic Policy 4.</p> <p>Making the windfall/settlement development allowances in Strategic Policy 4 a minimum would also aid the policy in terms of it being positively prepared. Minimum figures would help to significantly boost housing supply in the Borough, in line with paragraph 47 of the NPPF, and would be a positive step in tackling housing supply in East Staffordshire.</p> <p>William Davis also consider the 20 unit development allowance for Marchington to be insufficient given the settlements location in relation to excellent employment opportunities. We acknowledge the Settlement Hierarchy Topic Paper contained in the evidence base for the Local Plan, but have concerns with the robustness of the Paper and specifically its failure to consider links to employment within the methodology and settlement criteria. Links to and availability of employment opportunities are a significant element of what makes a settlement sustainable and should have been considered within the topic paper and contributed to the scoring of the settlements considered. Marchington is located in close proximity to two significant employment opportunities in the form of Marchington Industrial Estate and Dovegate Prison. We consider that this clear plus point in terms of the sustainability of Marchington should have been recognised in the evidence base and that an improved score in the settlement hierarchy topic paper should have been</p>	<p>William Davis Ltd consider that two changes are needed to Strategic Policy 4 to make it sound.</p> <p>Firstly all of the Windfall/Development Allowances assigned to settlements contained in the plan should be considered as a minimum allowance to allow flexibility in housing delivery. Such an approach is a more appropriate strategy for housing delivery in these areas, making the policy Justified and Sound. This change would also help to significantly boost the supply of housing In East Staffordshire in line with paragraph 47 of the NPPF and increase the level at which the policy could be considered to have been positively prepared.</p> <p>Secondly the Development Allowance for Marchington should be increased from 20 dwellings to a minimum of 40 dwellings to allow for further development in a sustainable location. This change should be supported by amendments to the Settlement Hierarchy Topic Paper which recognise the significance of access to employment opportunities in the role of a settlement. Such an amendment would recognise the significant employment opportunities in close proximity to Marchington. It would also make the evidence base more robust, adequate and relevant and bring it in line with paragraph 158 of the NPPF.</p>	<p>The strategy aims to ensure the majority of development takes place in Burton upon Trent or Uttoxeter.</p> <p>No change proposed</p>		

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					<p>reached. We consider that the failure of the Settlement Hierarchy Topic Paper to consider employment opportunities is contrary to paragraph 158 of the NPPF which requires Local Plan Policy to be based on adequate, up-to-date and relevant evidence.</p> <p>We support Marchington being considered a Local Service Village and we consider that it should be considered at the same level as Abbots Bromley and Yoxall in terms of development allowance in Strategic Policy 4. Such an approach would be justified and appropriate by providing increased housing development in a sustainable location in close proximity to employment opportunities.</p>				
LP244 (Mr Robert Jays, William Davis Ltd)	Yes	Yes	SP7, Sustainable Urban Extensions	<p>a. Positively prepared b. Justified d. Consistent with national policy</p>	<p>William Davis Ltd support the allocation of the smaller Sustainable Urban Extension at Harehedge Lane/Tutbury Road, Burton upon Trent. The site is in a highly sustainable location in close proximity to a significant number of local services and facilities, all within walking distance of the allocation site. These services include a secondary school, several primary schools, a range of shopping facilities, a health centre and the hospital. All of these important facilities are within 1km of the proposed allocation and can therefore be accessed by pedestrians, reducing the need for private car journeys and enhancing the sustainable nature of the location.</p> <p>The location of the proposed urban extension at Harehedge Lane/Tutbury Road also benefits from excellent public transport links in the form of local bus services. The site is also situated within 200 metres of 3 bus stops including the bus interchange on the corner of Harehedge Lane/Tutbury Road. The interchange is on the route of Service 1, run by Arriva Midlands which links Burton Town Centre to Uttoxeter Town Centre. The service would provide future residents of the allocation site with a half hourly service to Burton town centre and its large range of facilities further supporting the sustainable nature of the allocation site.</p> <p>William Davis also support the acknowledgement in Strategic Policy 7 that the Council will be flexible in terms of land use requirements on the smaller urban extensions like Harehedge Lane. We support the observation that elements of the requirements in Policy 7 would not be suitable on the smaller extensions due to size constraints.</p>	We do not consider that any changes are necessary to Strategic Policy 7.	<p>Support noted.</p> <p>No change proposed.</p>		
LP245 (Mr Robert Jays, William Davis Ltd)	Yes	No	SP16, Meeting Housing Needs	<p>b. Justified d. Consistent with national policy</p>	<p>William Davis Ltd object to the overly prescriptive and constraining housing mix requirements included in Strategic Policy 16. We do not consider such an approach to be justified as it is not the most appropriate strategy when considering policy requirements in terms of housing mix. A more appropriate strategy is one that includes flexibility in the policy and refrains from placing a prescriptive policy on housing mix that would constrain housing delivery. This is particularly relevant when considering private market housing for which it is important to consider market demand. Private market housing demand does not directly relate to household size and household need with</p>	To make Strategic Policy 16 sound, we consider it important to remove the prescriptive housing mix requirement from the policy and replace it with a more flexible approach in terms of housing mix requirements for new residential development. Such an approach needs to acknowledge the importance of Private Market Housing Trends when setting housing mix requirements and should be considered on an individual site basis. William Davis also believe the requirement for all new residential development to be built to Lifetime	The policy is supported by up to date evidence on objectively assessed housing needs regarding the mix of properties over the plan period. The policy is justified in housing needs for the elderly population which supports the requirement for lifetime homes. The policy is considered flexible to allow different mixes to be provided, contributing towards need whilst also considering the viability of different		

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					<p>smaller households not necessarily wanting to buy smaller house types. Without increased flexibility the prescriptive mix proposed in Strategic Policy 16 could result in a housing mix being delivered in the Borough which does not match market housing purchaser requirements. We also consider this element of Policy 16 to be inconsistent with National Planning Policy in the form of the NPPF. Paragraph 50 of the NPPF makes it clear that LPA's should "Plan for a mix of housing based on current and future demographic trends, market trends, and the needs of different groups in the community". Currently Policy 16 appears to make no allowance for consideration of market trends.</p> <p>We also object to the requirement for all new housing to meet the Lifetime Homes standard, a requirement which we do not consider to be consistent with the NPPF. Paragraph 173 of the NPPF considers viability and deliverability when plan making and states that "The sites and scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened". The requirement of Lifetime Homes in Policy 16 is a clear example of an unnecessary policy burden that would constrain development, with the cost of building new homes to Lifetime Homes standards likely to influence the viability of housing schemes. In addition to this there is no established planning requirement for Lifetime Homes standards in national policy. The revised 'Code for Sustainable Homes: Technical Guidance' (2010) indicates that Lifetime Homes are not a mandatory element of the code until level 6, targeted for 2016 and the code itself also remains non-mandatory. Accessibility and Mobility standards are included in the building regulations, making any Lifetime</p> <p>Homes policy requirement unnecessary.</p>	<p>Homes standards should be deleted from Policy 16.</p> <p>These two changes should help to make the Policy more justified and consistent with national planning policy and therefore sound.</p>	<p>sites.</p> <p>No change proposed.</p>		
LP246 (Mr Robert Jays, William Davis Ltd)	Yes	No	SP27, Climate Change, Water Body Management and Flooding	b. Justified	<p>Bullet Point 3 of the Water Quality and Quantity section of Policy 27 requires that development proposals demonstrate that measures to reduce demand are incorporated into development schemes. The bullet point refers specifically to Grey Water Recycling and Rainwater Harvesting. William Davis Ltd do not consider that enough flexibility has been built into this element of the policy and that such requirements could constrain residential development where such measures are neither viable or practical. As a consequence we do not consider that this section of Policy 27 is justified as it is not considered to be the most appropriate strategy when considered against reasonable alternatives. A more appropriate strategy would be to include flexibility into the policy to allow for recognition that these specific water demand reduction measures may not always be viable and practical and to allow for development to proceed when this is not the case. Such an approach is likely to be much less constraining on housing delivery in the Borough.</p>	<p>William Davis Ltd consider that increased flexibility can be included in bullet point 3 of policy 27 through the following change in text:</p> <p>"Measures to reduce demand will where viable and practical be incorporated into development".</p> <p>We consider that such a change will help for this section of the policy to be sound as it is more justified that the currently proposed approach</p>	<p>The policy is supported by the Environment Agency and has been written specifically to address duty to cooperate.</p> <p>No change proposed.</p>		
LP247 (Mr Robert Jays, William Davis Ltd)	Yes	No	Inset Map 1, Burton upon Trent	b. Justified c. Effective	<p>William Davis Ltd object to Inset Map 1, specifically the area proposed to be allocated as an SUE north of Harehedge Lane in Burton upon Trent. We currently have a land interest in the</p>	<p>The boundaries of the Strategic Site Allocation to the north of Harehedge Lane on Inset Plan 1 should be amended to delete the land shown</p>	<p>The strategic site as a whole is allocated as a strategic urban extension and the council, through</p>		

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					<p>South Western field of the strategic allocation which we believe should be considered separately from the larger allocated strategic site (see land hatched on plan).</p> <p>William Davis Ltd have an agreement with its landowners such that it is obliged to bring the site forward for development as soon as possible. A planning application has recently been refused by the Local Planning Authority and an appeal is currently progressing. In contrast Staffordshire County Council who own the balance of the SUE do not currently appear to be seeking to bring the SUE forward for development immediately.</p> <p>William Davis Ltd consider the site it is promoting to be suitable as an individual development opportunity that would in no way constrain the development and planning of the wider strategic site. Our land interests are clearly defined by strong field boundaries with a separate access point from Harehedge Lane designed and agreed with the County Highways Authority. The Development proposed allows for connectivity into the larger scheme and would not prejudice the design or delivery of the larger scheme.</p> <p>Without this change we do not consider that Inset Map 1 is the most appropriate strategy and cannot be considered to be justified.</p>	<p>hatched, as shown on the plan below. This amendment would leave the William Davis land as 'white land' within the development boundary of Burton where subject to other policies of the plan there would effectively be a presumption in favour of residential development as a future 'windfall' site.</p>	<p>Strategic Policy 8 wish to see sites developed as one scheme, rather than piecemeal development.</p> <p>No change proposed.</p>		
LP248 (Tutbury Parish Council)		No	Part 5 – Monitoring Framework	c. Effective	<p>In a market based housing and employment model monitoring of individual decisions is ineffective without the means to change multiple decision notices.</p> <p>Monitoring the Local plan is important but the weakness is a lack of ability to do anything about 'out of order' progress and failure to recognise that economic change will be the driver, not council reports.</p> <p>Monitoring at ESBC has been particularly poor and is a key factor in successful appeals against refusal. The whole process is muddled and will not produce the profile of housing provision stated in the policies.</p>	<p>In order to correct policy deficiencies the following amendment is required:</p> <p>The monitoring of proposals needs to be revisited if it is to produce a clear and effective reporting system. Many indicators and targets are unquantifiable and therefore difficult measure. As such, the outcomes of monitoring reports will be worthless.</p>	<p>Amendments to the monitoring framework as a proposed modification.</p> <p>Proposed change.</p>	Part 5 – Monitoring Framework	Mod No. 141, 142 and 143
LP249 (Mr Robert Jays, William Davis Ltd)	Yes	No	Inset Map 10 - Marchington	b. Justified d. Consistent with national policy	<p>William Davis have concerns regarding the process which the Local Planning Authority has followed in promoting the proposed settlement boundary extensions. Whilst the Settlement Boundary Review Topic Paper outlines how the Borough Council has consulted with Parish Council's with regards to the boundary extensions no wider consultation was carried out, effectively excluding land owners, developers and other interested parties from the process. This has resulted in the pre-submission consultation being the first opportunity for respondents outside the Parish Council to comment on the most appropriate extension to the settlement boundaries in the Borough. We do not consider this to be a justified approach to setting the Settlement Boundaries in East Staffordshire and specifically</p>	<p>William Davis consider that the changes to the development boundary proposed on Inset Map 4 should be increased in relation to the land North of Jack's Lane as shown by the red line on the plan below and in line with the Stephen George Masterplan attached to this representation.</p>	<p>The justification for amendments to settlement boundaries are set out in the Settlement Boundary Topic Paper.</p> <p>No change proposed.</p>		

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					<p>Marchington and consider that a wider consultation process on the issue should have taken place.</p> <p>Without such a consultation we do not consider that the current proposals can be considered to be based on credible and robust evidence or satisfy the requirement of paragraph 155 of the NPPF for 'meaningful engagement with neighbourhoods, local organisations and businesses'.</p> <p>Our specific concerns relate to current proposals relating to the land north of Jack's Lane. We do not consider the proposed change in the settlement boundary in this location to be the most appropriate approach in terms of form and character of the village. The current proposals provide for linear development only in this location which fails to realise the opportunity for more comprehensive and balanced development of the land available (SHLAA site 64) and would also result in a significant area of back land space being divided from the village without prospect of reasonable beneficial use.</p> <p>William Davis have a land interest in this area and consider that a development that encompasses a wider area north of Jack's Lane would be more appropriate. Attached to this representation is a Preliminary Masterplan for the site produced by Stephen George and Partners which shows more comprehensive housing development for circa 20 dwellings up to a defined and prominent field boundary on site, with accessible open space provided beyond the development to the north. Such an approach would represent a more logical extension to the settlement boundary incorporating comprehensive development of the site along with opening up a current back land area as useable open space for the benefit of not only future residents of the proposed development, but also for current residents of the village.</p> <p>Such a change would not only represent more appropriate use of this land but would also help increase housing supply in a sustainable settlement in line with the representations of William Davis Ltd on Strategic Policy 4. We consider this approach to be more appropriate than the current strategy for boundary extension in Marchington and is therefore a more justified approach.</p>				
LP250 (Mr Jonathon Harbottle, Providence Land Limited)	Yes	No	SP16, Meeting Housing Needs	b. Justified c. Effective d. Consistent with national policy	<p>The proposed policy is too prescriptive in relation to the mix of market dwellings. It refers to a mix being 'required', when the Government policy is for flexibility in this area and for housing development to be a driver of growth for the wider economy as set out in the Written Ministerial Statement: Planning for Growth (23 March 2011).</p> <p>The supporting text in the form of Table 3.1 refers to a 'Required mix of mainstream market housing' which has a different mix for three spatial areas. The text states that 'new housing development will need to provide this mix of types and sizes'. The combination of the policy and the supporting text does not provide the level of flexibility and responsiveness that is needed for the markets sector. It represents a crude attempt to balance</p>	<p>The policy should be re-written to be more flexible and to refer to the latest evidence on housing need. For example:</p> <p>"Residential development in the main towns and Tier 1 settlements shall provide an appropriate mix of market housing based on the latest evidence of housing need for that location."</p> <p>And consequent changes including deletion of Table 3.1 or its re-titling as the current indicative mix that is sought. This will ensure that the</p>	<p>The policy is supported by up to date evidence on objectively assessed housing needs regarding the mix of properties over the plan period. The policy is considered flexible to allow different mixes to be provided whilst contributing towards need.</p> <p>No change proposed.</p>		

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					<p>the existing supply with new build houses based on partial evidence. The market is dynamic and the SHMA evidence is not the complete picture and will become increasingly out of date throughout the plan period. The SHMA does not provide a robust basis for this approach.</p> <p>The approach is flawed as paragraphs 50 and 159 of the NPPF require local planning authorities to plan for a mix of housing but it does not require the precise mix to be prescribed in advance for every site. In particular locations there may be a requirement for a more prescriptive approach, but there are many factors to take account of for each individual site, including economic viability and character/context issues.</p> <p>As such the policy is not justified, not consistent with national policy and will not be effective in terms of delivery.</p>	<p>proposed policy is justified, accords with national policy and will be effective.</p>			

Pre-Submission Local Plan – Summary Schedule of Representations

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LP251 -BDW Trading/Wardell Armstrong	No	No	Paragraph 1.44 and Sustainability Appraisal	a. Positively prepared b. Justified c. Effective Consistent with National Policy	The sustainability appraisal (reference 1.44) ESBC Local Plan, does not satisfy any of the tests of soundness set out in the legislation. The full reasons have been set out (in other objections).	A fully compliant Sustainability Appraisal has been prepared as a comparator, dealing with the issues more comprehensively and objectively based on the full project evidence base, first submitted in September 2012. This provides a totally robust outcome to support sustainability appropriateness for inclusion in the Plan. Please see attached Table (Attachment C - SA of BVTRP vs. ESBC Scores Final 28-11-13) that demonstrates our concerns regarding the ESBC assessment of BV&TRP, and shows the more objective assessment we believe to be valid for the proposal.	A separate note on the Sustainability Appraisal representations has been produced and is available as part of the document library. No change to the Local Plan proposed.		
LP252 – Dr. D. Staniforth	Yes	No	SP4 Distribution of Housing Growth	b. Justified c. Effective d. Consistent with National Policy	<p>1 The plan has not justified the number of new houses required for the borough.</p> <p>2 Specifically, the plan has not justified the number of new houses required for Uttoxeter.</p> <p>3 The plan does not consider the resultant increase in traffic flow in short journeys in Uttoxeter and commute to places of work outside of Uttoxeter.</p> <p>4 The result of the plan will substantially increase the carbon footprint of Uttoxeter as result of increasing traffic flow, both short journey and work commute.</p> <p>5 The plan makes no provision for the increase in industry and jobs which are required to support the growth in population in Uttoxeter which will result from the significant increase in housing stock.</p> <p>6 The plan makes no provision for the increase in demand of education, health, policing and leisure facilities which are required to support the growth in population which will arise in Uttoxeter as a result of the significant increase in housing stock.</p> <p>7 The plan does not consider the increased traffic flow within the centre of Uttoxeter, and associated demand for car parking, that will result from the increase in new housing stock.</p> <p>8 The plan does not consider the increased in the Uttoxeter area. Currently at peak flow queuing into Uttoxeter and increase in new</p>	<p>1. Justify the housing build requirement. This has not been demonstrated.</p> <p>2. Carry out proper consult with the local population viz: identification of areas for new build. This has not been done.</p> <p>3. Provide proper facility for sustainable growth by considering provision for new industry and jobs. In particular. identifying areas for industry and preparing and implementing a policy for job recreation</p> <p>4. Investigate and report of the impact of population growth will have on requirements for jobs, industry, education, policing, leisure and traffic flow.</p> <p>5. Carry out a full and proper investigation for the impact of these changes on the carbon footprint of the area. This has not been adequately done.</p> <p>6. Prepare a socio-economic impact report on the current and future needs of Uttoxeter and examine how the proposed plan would deliver benefits towards identified aims.</p>	The Strategic Housing Market Area Assessment sets out the evidence base on total housing requirement. The Plan's strategy is to apportion homes mainly to Burton and Uttoxeter, with more modest allocations in the strategic villages. The Pre-Submission stage is the fourth consultation the Council has undertaken, and the views of Uttoxeter people have been fully considered. The proposals also include some 20ha of employment land on 2 sites, and the Council is also mindful of the growth plans of local industry. The evidence base contains studies on all the consequential infrastructure needs of the allocations, including transportation, or these are in hand. They are set out in the Infrastructure Delivery Plan, part of the evidence base for the Local Plan. Given the need for these new homes, the most sustainable option is the allocation of brownfield sites		

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					<p>housing stock begin from the A50 Derby Road.</p> <p>9 The plan has not consulted the local population on the siting of new housing stock.</p> <p>10 The plan has no provision for additional parking which will be required to support growth in train commutes from Uttoxeter.</p> <p>11 The plan does not support a green infrastructure and has not provision for cycling.</p> <p>12 The inclusion in the plan of Hazelwalls and Picknalls Brooks areas is for housing stock will significantly reduce biodiversity and severely impact wildlife and their habitat. The former of these is considered the most significant habitat on the boundary of Uttoxeter as it is home to protected species, e.g. bats, badger, barn owls, frogs and significant flora.</p> <p>13 The plan has not considered or made adequate provision for the impact of increased surface water that will result from any build on Hazelwalls .This area contains a flood plain holding water which otherwise would flow excessively to the Hazelwalls Community Area on Foxglove Drive. The latter repeatedly floods in winter and the loss of the higher flood plain would have a significant and severe impact on Hazelwalls Community Area and properties surrounding.</p> <p>14 The inclusion of new build for Hazelwalls has not considered the negative impact resulting from increased traffic this development would generate. In particular, it has not considered the restrictions on traffic flow at the roundabout at the junction of Stafford Road, Kingfisher Drive and Knotty Way, Uttoxeter imposed by the operation of the Hockley Road level crossing. Currently at peak times traffic is held stationary on all southern accesses to the roundabout (Stafford & Kingfisher Drive) when the level crossing is in operation and no access to can be gained to Kingfisher Drive from both Westlands Road, Back Westlands Road and Foxglove Drive. The building of new housing on Hazelwalls will significant and negatively impact this situation.</p> <p>15 The building of housing on Hazelwalls will increase reliance on the cars a means of</p>		<p>where these are deliverable, and greenfield urban extensions to make up the shortfall. See Sustainability Appraisal in evidence base, which supports the inclusion of various Uttoxeter sites in the local plan</p> <p>No change proposed.</p>		

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					transport for short journeys and commute as the area is not well connect by public transport and by the council's own figures the population will not sustain a bus route will considerable public monies.				
LP253 – Lichfield DC –Mr. N. Cox	-	-	SP6 Managing the Release of Housing and Employment Land and paragraphs 1.53 – 1.57 and page 87	-	<p>The Introduction and Plan Context section identifies the engagement between East Staffs Borough Council and Lichfield District Council, in particular, that relating to the large strategic site referred to as Brookhay Villages and Twin Rivers Park.</p> <p>Reference is made to our Inspector's initial findings which reflect the agreed position between Lichfield District Council and East Staffordshire Borough Council. You will note that our Inspector, within his initial findings, has identified that the Lichfield District Local Plan Strategy, as submitted, does not identify sufficient homes to meet our objectively assessed need. The District Council is currently in the process of assessing a number of options to deliver a further 900 to 1,330 homes with the intention of identifying a new site or sites as main modifications to our Plan.</p> <p>The 'main modification' consultation is scheduled to commence at the end of January 2014. As yet, Lichfield District Council has not reached any conclusions to the site(s) that will be identified, but I can confirm that Brookhay Villages is being considered as one of a number of options.</p> <p>LDC and ESBC have both a Memorandum of Understanding and a Statement of Common Ground. The MoU establishes an approach to dealing with Brookhay Villages and Twin Rivers Park and, in relation to housing, that this is an option that is jointly explored to accommodate housing required to meet Birmingham's needs, if this issue arises. You will be aware that the GBSLEP has commissioned a housing study to consider this issue and this will be complete in Spring 2014.</p>	<p>Suggest the deletion of paragraphs 1.54 to 1.56 from the plan.</p> <p>Include reference to cross boundary requirements in the supporting text for Strategic Policy 6.</p>	<p>Proposed modification at paragraphs 1.54 to 1.56 to include text reflecting up-to – date situation as at Submission, particularly in relation to Lichfield DC Local Plan proposed modifications.</p> <p>Change proposed</p>	Page 25	Mod No. 8

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					I would urge a continued dialogue between the two authorities on this matter. Inclusion of text at paras 1.54 to 1.56 should be removed as the District Council is currently in the process of assessing the proposal as an 'addition to' rather than as an 'alternative to' our submitted Plan. As written, paras 1.54 to 1.56 do not reflect the most up to date position and any paragraphs worded so specifically are not likely to do so given the situation is one currently being assessed/considered.				
LP 254 – County Cllr Shelagh McKiernan	Yes	No		b. Justified c. Effective d. Consistent with National Policy	I have concerns for future traffic movements flowing from all the new developments in Tutbury Rd/Outwoods/ Red Hill Farm and Stretton (Guinevere Avenue)/Pirelli moving towards to A38. Likewise, there will be increased traffic from the Redhill Farm development down towards the hospital and towards Shobnall and again out to the A38. I do not believe that the ESBC local plan or the SCC transport Strategy as they currently stand will deliver the appropriate level of road infrastructure which will be needed over the next 10 years. I do not believe that busy people, especially working mothers, will be converted to using public transport. There is a disconnect between the green aspirations of the both councils and the actual reality on the ground of the pace of people's lives increasing. I also want ESBC to take full notice and abide by the neighbourhood plans currently being developed by the parish councils in the spirit of the government localism plans. I do not believe that the neighbourhood plans being drawn up at significant effort and expense by parish councils, are being fully taken into account by the local plan. Indeed, it seems as the cart is being put before the horse. Neighbourhood plans have co-operated fully with ESBC in putting forward sites for development, but already other sites have been granted permission to go ahead. In addition, other sites have been identified by ESCB in Stretton without any reference to the parish council. ESBC does not recognise Stretton as a separate village, but as part of	<p>SCC and ESBC need to acknowledge that people need roads for cars, not public transport, that Stretton is a unique village worth preserving and that they need to work together to ensure the appropriate level of infrastructure roads are built to support the developments on the edges of Stretton and Horninglow. I would like to see a coherent, detailed plan drawn up jointly between SCC and ESBC for transport infrastructure on the North West side of Burton which recognises the increase in car journeys likely to take place in the next 5-10 years. This would encompass roads from Claymills, Stretton, Tutbury and Outwoods, Tatenhill, Horninglow & Eton and Shobnall as we discussed on November 14th with the Highways representatives Annabelle Chell and John Jarvis.</p> <p>I would like some of the monies being secured from the above developments to contribute to improvements to areas in Stretton and Horninglow which will be affected by the housing developments in the wider traffic flow: 1) Horninglow Rd/Field Lane/Calais Rd junction to mitigate increase traffic flow into Burton and to the hospital from Tutbury Rd/College Rd/Beamhill developments and schools.</p> <p>2) Belvedere Road for the above reasons from red House Farm. Traffic issues around the hospital are already acute and have been discussed at the ESBC/SCC Joint parking</p>	<p>ESBC and SCC are working together to ensure that the transportation infrastructure required to support new developments is identified and funding sources are available. The cumulative impact of development on highway capacity throughout Burton is taken into account in SCC's modelling work.</p> <p>The Council is already liaising with the partners responsible for delivering infrastructure, including funding highway improvements necessary to accommodate the extra traffic from developments. Even small diversions of car users to other uses or cycles (encouraged by more convenient/safer routes) can ease congestion and improve safety for those who have to use their cars.</p> <p>The Council encourages the preparation of Neighbourhood Plans, but ESBC has a statutory responsibility to ensure that sufficient land is allocated for housing, employment and other uses to</p>		

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					Burton town. Stretton villagers themselves feel strongly that they are a village and ought to be treated as such. The development site identified in the 5 year housing plan mean that Stretton will merge further with Burton, Tutbury and Rolleston, and we will all lose our unique identities	committee. Further traffic arising from the Red House farm development will exacerbate the situation. 3) The Harehedge Lane/Bitham Lane/Church Rd(including outflow from Guinevere development)/Claymills Rd/Hillfield Lane corridor to the A38 and beyond to Derby and Burton caused by the increased traffic from the Beamhill/Tutbury Road developments and schools. 4) I understand that some monies have been secured from the Pirelli development for improvements to the roads around Pirelli, but these MUST be linked to the proposed safety improvements to the Claymills A38 interchange and take account of the future likely development of Stretton/Outwoods including Craythorne, Beech Lane, Dovecliff Rd, St Mary's Drive, and the massive sites identified at Beamhill/Field Lane identified in the Strategic Land Availability Assessment going forward.	meet objectively-assessed need, in accordance with a coherent spatial strategy. The objector's requests regarding junction improvements are noted. No change proposed.		
LP255 – Mr. M. Thacker	Yes	No	Paragraphs 1.14, 1.134, 2.9 to 2.12 & 2.36	b. Justified	The Local Plan is not justified - (" The Plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence"), because:- alternatives to the additional larger scale development at Hazelwalls have not been fully considered- the implications of the proposed development on the landscape, environment and character of the(undeveloped) open countryside to the south of Uttoxeter have not been adequately considered;- the proposed development, based on the concept of an additional and separate, small scale Sustainable Urban Extension (SUE),is not optimal with reference to achieving the sustainable growth of the town; and- the existing infrastructure (in particular the local road system) is insufficient to serve the planned development of 350 houses. It is therefore argued that the Local Plan does not reflect the most appropriate strategy in that it has not considered other options for development around Uttoxeter. As such, it has not justified the classification as of Hazelwalls as	The proposed allocation of 350 dwellings on land south of Uttoxeter (Hazelwalls) should be removed from the Local Plan and a commitment made by ESBC to support the preparation of the Uttoxeter Neighbourhood Plan to identify alternative options, sites and locations for development in the town in order to meet the agreed housing requirement of 1557 dwellings within the plan period, and to phase development at a rate that supports other strategic and sustainable development objectives for new housing in the Borough and in surrounding authorities. The wording of Strategic Policy 2 -paragraphs 3 on page 80 - should be amended to enable alternative sites or approaches to be identified through Neighbourhood Planning. The third paragraph could read; - Where a Neighbourhood Plan has been made, or is to be prepared, then the Neighbourhood Plan takes precedence over this policy. This should be cross referenced with Paragraph 2.19 (Sustainable Development Strategy – directing growth	Alternative sites were assessed in the Sustainability Appraisal. Small, brownfield sites coming forward are already accounted for under the “windfall” total. Infrastructure will need to be in place before housing and employment sites are occupied. It is the responsibility of the Borough Council to ensure that the housing requirement for the Borough can be met by making allocations and monitoring supply from windfalls. This will mean that strategic housing allocations will need to be made and planned for. Only “made” Neighbourhood Plans can take precedence		

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					a "small scale" Sustainable Urban Extension and it is questioned whether this fulfils the objectives of the other Local Plan objectives and policies, in particular; SO1 (Well Designed Communities), Strategic Policy 1 - (Approach to Sustainable Development) and Strategic Policy 7 - (Sustainable Urban Extensions). It is also further noted that:- The paragraphs (2.9 to 2.12) outlining the Interim Sustainability Appraisal are vague on the justification for combining the earlier options 2c and 2d into a single strategic choice and on the inclusion of land south of Uttoxeter as part of this.- Para. 2.19 - (Directing development to Uttoxeter), focuses too much on an economic justification and does not appear to consider the environmental impacts and lack of overall sustainability of the allocation of land at Hazelwalls. - Para. 2.36 - Contrary to the wording of this paragraph, it is contended that the planned development around Uttoxeter is now piecemeal as a result of the inclusion of Hazelwalls and that the designation of two SUEs does not represent an evidence based approach which would optimise sustainable development. This is also contrary to the Vision and Strategic objectives of the Local Plan.	to Uttoxeter) which should be amended to include references to a balance being required between economic and regeneration objectives and the need to take account of the environment and character of the town and wider sustainability objectives. If these amendments cannot be made by ESBC, the authority should produce a report to demonstrate how it considers that adequate consultation has been carried out on the proposed allocation of development on land south of Uttoxeter (Hazelwalls) and to present evidence that the allocation represents the optimal choice in terms of sustainable development when objectively compared with the other options suggested in this representation. Both the report and the evidence should be submitted to the inspector for consideration at the Local Plan inquiry.	over the Local Plan – an NP in preparation , or where there is an intention to prepare, has no weight or status until it has been through examination. This Pre-Submission consultation provided the opportunity to comment on the Hazelwalls allocation, and it is considered that adequate consultation has taken place. No change proposed.		
LP 256 - BDW Trading/ Wardell Armstrong	No	No	Paragraphs 1.54-1.57	a. Positively prepared b. Justified c. Effective d. Consistent with National Policy	The ESBC Pre-Submission Plan has not fully considered the proposed sports facility at Twin Rivers Park. For information purposes, attachment D gives a non-technical summary of the first stage work undertaken by Nortoft consultancy, which considers the need for the facility. Stage II and stage III reports (viability and governance) will be made available to the council as soon as they are available following full ratification by Sport England and the four primary Governing Bodies involved.	Inclusion of the BV&TRP project within the Plan, is warranted in delivering a sustainable and strategic mixed-use development. See Attachment D - Nortoft Watersports Centre Report Stage One Interim report as at 281113	The site has been assessed as part of the Sustainability Appraisal. As part of the proposed modification to the Lichfield Local Plan additional sites have been identified. The Brookhay Twin Rivers site is not identified as an additional site. No change proposed.		
LP257 – Mrs. S. Walker	Yes	No	Inset Map 3 - Uttoxeter	a. Positively prepared b. Justified c. Effective d. Consistent with National	Positively Prepared Having been removed as a recommended option following the July 2012 consultation the Hazelwalls Farm site has now been put back into the Pre Submission Local Plan with no substantiated reasoning or further public	The extension to the Uttoxeter settlement boundary by way of the Hazelwalls Farm site should be removed from the Pre Submission Local Plan and all references to the Hazelwalls Farm Site should be removed from the text.	Hazelwalls Farm was allocated at Pre-Submission stage in response to the need to find additional sites to meet the updated housing requirement of 11648 homes within the		

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				Policy	<p>consultation. The site was originally discounted because of poor infrastructure and access issues which do not fit with the Boroughs ideals for Sustainable Urban Extensions (SUEs) which should not "sites are unable to contribute in full to the infrastructure required by new and existing communities" (SP6) Other development sites such as the Uttoxeter West site were chosen over Hazelwalls Farm because they made better provisions for sustainable growth and will be better connected to the town. It is for these reasons I do not believe the Pre Submission Local Plan has been positively prepared</p> <p>B - Justified The type of housing proposed for the Hazelwalls Farm site it will be mainly made up of low density housing, which seems to go against the Borough's Sustainable Community Strategy (SCS) which identifies the following as a priority "Reduce the gap: focus on the areas of most need" (1.35). Building on a Greenfield site, what appears to be large luxury homes, does not correlate this or the statement "the income of many local households means they are still unable to access suitable housing" (1.93). Based on this surely the focus should be placed on developing Brownfield Sites such as JCB, Pinfold Road first, to include suitable housing to fulfil the towns actual needs. The borough needs to explore further the possibility of more Brownfield sites becoming available in the future and utilize these fully before encroaching onto irreplaceable Greenfield land. The proposed 700 homes on the Uttoxeter West site alone will have a huge impact to the town's current infrastructure, increasing demand for employment and on public services such as schools, doctor's surgeries and roads. A further 350 more homes on the greenfield Hazelwalls site should not even be considered until the town's current infrastructure upgraded to cope with the extra needs. A full environmental impact audit must be carried out as the area is a great natural habitat and provides homes to a great</p>		<p>Plan period. The Pre-Submission stage constitutes the consultation on this allocation, with an opportunity to make representations. Those mentioned by the objector as suitable sites will not be sufficient by themselves to meet the housing requirement identified for the Borough.</p> <p>A mix of housing suitable for the site, in line with SP16, will be required on the site.</p> <p>The Council wishes to maximise brownfield land development, (there are 2 brownfield allocations in Uttoxeter) but must demonstrate that these sites are deliverable. There is not a sufficient quantity of deliverable brownfield land to yield the number of homes and facilities required, hence the need to allocate Greenfield sites.</p> <p>The Sustainability Appraisal assessed the wildlife importance of each site and contributed to the decision son which sites to put forward. It would be expected that improvement of biodiversity would take place as part of the development.</p> <p>The Infrastructure needs arising from these allocations and other developments in Uttoxeter have been identified in evidence base documents and the Infrastructure Delivery</p>		

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					<p>many species, without fully exploring the area the development is not justified.</p> <p>C - Effective I call into question the soundness of infrastructure delivery. In its current state it is not apparent how the new development strategy on the Hazelwalls Farm site will facilitate the increased volume of traffic and the numerous negative effects it will have on the area - congestion, air quality, noise, safety to name a few. The Hazelwalls site is earmarked for 350 new homes, and when you consider that the proportion of households with two or more cars is rising this will potentially increase the number of cars in the area by approximately 700 Residents in Uttoxeter tend to work in other parts of East Staffordshire and as the proposed development is purely residential it would be safe to say a high percentage of its new residents would be commuters who travel to work outside of the town increasing the volume of traffic on already congested main routes, access to the A50 for example. The proposed access routes along Fennel Close, Sorrel Close, Westlands Road, the B5013 – Abbots Bromley Road, and the very narrow Timber Lane are not suitable to accommodate this volume of traffic. Not only does this have some serious road safety concerns but also directly contradicts the Boroughs Sustainable Community Strategy (SCS) which identifies reducing carbon emissions as a priority In the plan there is not mention of who will be funding and supplying the resources required to deliver infrastructure. Schools are a very big concern, primary education is mentioned briefly but no provision is made for secondary and high school education. As the development is supposed to be aimed at attracting families this needs addressing prior to any further house building is agreed. Building the wrong mix of new housing will reduce demand for existing housing in the town, particular on the existing estates know as Bird and Plant Land having a negative effect on their values.</p>		<p>Plan. The Council is already working with the partners who will be responsible for implementing infrastructure projects to ensure they are in place in time.</p> <p>Employment land has been identified, too, with local jobs set to grow.</p> <p>In Uttoxeter town centre, the new Carter Square development is underway and the Local Plan Policies SP20 and 21 will help to manage future change in the Town Centre in a positive way.</p> <p>No change proposed.</p>		

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					D - Consistent with National Policy The government is keen for local communities to be the best judges of what is important in their area. What is important for Uttoxeter is to redevelop the ailing town centre, many shop are closed the high street is fully of empty premises and employment is limited - We need to invigorate the town from the centre out before turning it into an empty commuter belt.				
LP258 - BDW Trading/Wardell Armstrong	No	No	Paragraph 1.57	a. Positively prepared b. Justified c. Effective d. Consistent with National Policy	The Borough Council states that it would want to consider in some detail, the proposal and its impact on the Trent Valley landscape and its environmental assets. In particular the issue of coalescence of Burton upon Trent, Lichfield and the rural settlements in the A38 corridor between the two towns needs further consideration. A report on this matter is included as an Attachment H.	Inclusion of the BV&TRP project within the Plan is warranted, as this report concludes that the principle of a new settlement within the wider Fradley/Alrewas/Curborough area has been considered and broadly been accepted by the Lichfield District Council. The principle of a strategic development location north of Lichfield has already been assessed and found satisfactory in landscape terms. The BV&TRP development will contribute significantly to the improvement of the character of the Trent Valley landscape and its environmental assets. It would also provide strong and positive contributions in achieving significant landscape and environmental benefits. There is no proof of any demonstrable harm to the landscape or separation. To the contrary, there are clear and transparent landscape and environmental benefits.	Modification to paras 1.54 to 1.56 and additional text to reflect up-to-date situation regarding Lichfield proposed modifications – which does not identify the site as an additional allocation. Change proposed	Page 25	Mod No. 8
LP259 –St Modwen (Land South of Branston)	Yes	Yes	Vision	-	Barton Willmore is instructed by St. Modwen to submit representations to East Staffordshire Borough Council in response to the Pre-Submission Local Plan consultation (November 2013). As you will be aware St. Modwen recently secured outline planning permission for mixed use development, principally comprising residential and employment uses, on Land South of Branston and is committed to the successful delivery of economic development in this location. These representations reflect this objective and are also made in relation to land located immediately adjacent to the southern boundary of Land South of Branston (the Site). The Site measures approximately 6 hectares and a Site Plan is included for your information. The site could be developed as an extension to	-	Support noted. No change proposed.		

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					<p>the committed employment element of Land South of Branston, making use of the new left-in / left-out access off the A38, to provide additional economic development for the Borough over the plan period. We note that the Site falls within the Neighbourhood Plan area for Branston. St. Modwen would welcome the opportunity to engage with this process as it moves forwards as a key stakeholder in the area. We have reviewed the emerging draft Local Plan and respond to individual policies contained within the document below:</p> <p>The Vision We support in general the vision as set out on page 50, particularly the section stating that the Council will “enhance the quality and extent of the commercial, business and housing offer that is currently available’. In addition, and in specific relation to Burton-on-Trent, we support the Council in looking to continue to develop Burton-on-Trent’s status as a sub-regional economic centre in order to generate prosperity across communities in East Staffordshire Borough. The development of the promoted Site for economic development would assist the Council in achieving key aspects of the stated Vision for the Borough and the town of Burton-on-Trent.</p>				
LP260 - St Modwen (Land South of Branston)	Yes	Yes	Strategic Objectives	-	We specifically support draft Policy SO7 which seeks to foster and diversify the employment base of Burton upon Trent in order to support higher growth and higher quality jobs. The allocation of the Site would clearly improve the Council's ability to meet draft Policy SO7 over the Plan period by increasing the flexibility and choice for developers, employers and residents.	-	Support noted. No change proposed.		
LP261 - St Modwen (Land South of Branston)	Yes	Yes	Key Diagram	-	We support the identification of Land South of Branston as being an appropriate location for “mixed growth’ over the Plan period and confirm St. Modwen's commitment to the achievement of this objective consistent with the outline planning permission granted recently.	-	Support noted. No change proposed.		
LP262- St Modwen (Land South of Branston)	Yes	Yes	SP5 Distribution of Employment	-	We welcome that the supporting text for draft Policy SP5 acknowledges that Burton upon Trent is the ‘economic heart’ of the Borough and is a key location within the West Midlands	-	Support noted. No change proposed.		

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			ent Growth		<p>Region. This is influenced by its enviable transportation links provided via both the A38 and A50.</p> <p>Given the sustainability of the Site and its location adjacent to an approved mixed development growth area, we consider that an additional allocation for economic development should be included on the Site. We note that the employment element of the committed Land South of Branston development is not included as an Employment Allocation due to it already being accounted for in the Employment Land Review 2013. It is entirely consistent with the aspirations of the NPPF to seek to identify all sustainable growth opportunities and it would also serve to provide additional choice for developers and employers looking to locate within the Borough.</p> <p>Conclusion</p> <p>In summary, we are generally supportive of the strategy adopted by the Council we consider that an additional economic allocation on the Site would provide for a more flexible, effective and deliverable Local Plan. The Site is in an inherently sustainable location, and will be developed as an extension to the already committed employment development to the north which forms part of a larger development with numerous environmental benefits.</p>				
LP263 - St Modwen (Land South of Branston)	Yes	Yes	SP1 East Staffords hire Approach to Sustainable Development	-	<p>Policy SP1 sets out the Council's approach to achieving sustainable development at the local level. The Site is ideally located for the allocation of an additional economic development site and would assist in achieving the requirements Policy SP1. The Site is located immediately adjacent to the existing urban area of Burton-on-Trent and is in an inherently sustainable location for development. In terms of the specific elements of Policy SP1, the development of a new left-in / left-out access on to the A38 as part of the aforementioned planning permission will ensure that there is excellent connectivity to the strategic road network and the delivery of residential development and associated facilities near to</p>	-	<p>Support noted.</p> <p>No change proposed.</p>		

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					the Site will reduce the need for people to travel. In addition an extended bus route will be provided as part of the adjacent development and this has the potential to reduce the need for car borne travel to and from the Site. In summary, a well-designed economic development scheme on the Site, as an extension of the already committed development to the north, would assist the Council in meeting their aspiration to achieve sustainable development over the Plan period.				
LP264 - St Modwen (Land South of Branston)	Yes	Yes	SP2 A Strong Network of settlements	-	The Site is located adjacent to the settlement boundary of Burton-on-Trent as set out on Inset Plan 1 of the Pre-Submission Local Plan. We support the acknowledgement in the draft Plan that growth in this direction would be sustainable. As a result of the eastern boundary of the Borough tightly constraining any growth to the east of Burton-on-Trent it is entirely appropriate to look for sustainable opportunities to grow to the south of the town.	-	Support noted. No change proposed.		
LP265 - St Modwen (Land South of Branston)	Yes	No	SP3 Provision of Homes and Jobs	-	This is particularly relevant given that a quarter of the total employment land provision over the plan period comprises an allocation from the 2006 Local Plan which has not yet been taken. This amendment would ensure that the Local Plan complies with the Government's aspirations as set out in the NPPF to achieve sustainable growth and significantly boost the level of development in order to support the economy. The Site provides an opportunity to increase the provision of economic development in a sustainable location to the south of Branston.	Policy SP3 should be amended to make it clear that the amount of economic development set out (40 hectares of employment land which consists of 30 hectares of new provision B1, B2 and B8 employment land and a continuation of 10 hectares of B1, B2 and B8 employment land) is a minimum level of development over the Plan period, and that new opportunities for employment development, such as those presented by the Site, would be supported by the Council.	Only uncommitted sites which have yet to be granted planning permission are included in the list in Policy SP5, that make up the 40ha mentioned in Policy SP3. The Land South of Branston site has already been granted permission, and so is considered committed development. No change proposed.		
LP266 – Mr. A. Mann	Yes	No	SP2 A Strong Network of Settlements, Inset Map 10 Marchington, paragraphs 2.23, 2.28 & 3	b. Justified	It can be argued that the plan is not justified because it does not reflect the most appropriate strategy for Marchington Parish. No account is taken of Birch Cross, Forest Side (adjacent industrial site) and Marchington Woodlands, all lying within the parish of Marchington and capable of taking limited, small-scale, sustainable development. Instead the plan focuses on central Marchington and extends the settlement boundary. The proposals will but further strain on the severe sewerage infrastructure issues and	The amendments to the settlement boundary as shown on the inset map No10 should be removed. The Strategic Policy 2, paragraphs 1 to 3 on pg 80 should be amended to enable alternative sites or approaches to be identified through Neighbourhood Planning. This could be amended and worded “Where a Neighbourhood Plan has been made, or is to be prepared, then the Neighbourhood Plan takes precedence over this policy”.	The scope for sustainable development outside settlements is far more limited, and the circumstances where this might be the permitted are set out in Policies SP8, DP3 and DP4. Policy SP14 specifically supports the re-use of redundant agricultural buildings, and cross-refers to the more detailed Supplementary Planning		

Rep No. & Name	Legally Compliant ?	Sound?	Section to which rep relates	Reason for Unsoundness	Summary of Representation	Changes requested	Council Response	Section change	Mod No.
			rd paragraph on page 79		flood drainage in the lower part of the village. One resident in Church Lane, Marchington, has been unable to flush their toilet on 6 days in 2013 due to back up of sewerage. The most recent date being 21 st October 2013. Based on the past history development (windfalls) it is not necessary to stipulate sites for multiple house development or make specific provision for new housing.		<p>Document the Council has adopted on this subject.</p> <p>The Council is aware of the drainage problems from new development, through evidence base work undertaken in partnership with EA and Severn Trent Water. The Council consults these bodies as appropriate when considering individual sites, so that suitable measures are incorporated into the scheme. See Policy SP27.</p> <p>The amendment to Policy SP2 would not be consistent with government guidance that an NP has material weight only when it has been through examination and it can only override a Local Plan when it has been "made". However, if, in the future the parish council produced an NP and the community was in agreement that certain sites outside the development boundary should be allocated, and this was in general conformity with the Local Plan's strategic policies, then, once the NP was 'made', the NP's policies would take precedence.</p> <p>No change proposed.</p>		
LP267 – Mr. N.J. Andrew	Yes	No	SP2 A Strong Network of Settlements and Inset Map 10 Marchingt		I wish to comment on the proposed extension to the settlement boundary at Yew Tree Farm, Marchington.	Restriction of Development. The extension should be restricted to 5 dwellings (2 conversion of existing outbuildings, 1 replacement of a demolished building and 2 additional buildings). The building line should not exceed a point 40metres from the southern field boundary (in line with the tennis/bowls clubhouse). The development needs to consider bio-diversity	Any proposal for development at Yew Tree farm would need to meet the provisions of SP25, DP5 and NPPF paras 126-141 on the historic environment, SP27 on flooding and drainage , SP29 on Biodiversity and Detailed Policies DP1,2and 3 on		

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			on			and protection of the habitat for the current population of protected species. Reason 1. The character of the conservation area and listed buildings need to be protected when viewed from the road or the popular public footpaths in the field to the rear. 2, Further development will exacerbate the flooding and drainage problems of the area. 3. Vehicle movements need to be limited due the restricted access. 4. Recorded observations of protected species.	design.. No change proposed.		
LP268 – HBF	Yes	No	SP1 East Staffords hire Approach to Sustainable Development, SP7 Sustainable Urban Extensions, SP16 Meeting Housing Needs, SP17 Affordable Housing, SP27 Climate Change Water Body Management and Flooding and DP2 Designin g in	a. Positively prepared b. Justified c. Effective d. Consistent with National Policy	1).There is no evidence of the discussions between the authorities and whether or not probing questions were asked about objective assessments of housing needs in each of the respective authorities. Indeed the lack of a joint Strategic Housing Market Area Assessment (SHMAA) illustrates a lack of joint working under the Duty to Co-operate. East Staffordshire is part of Greater Birmingham & Solihull Local Enterprise Partnership (GBSLEP) together with Birmingham City Council... Of greatest concern is Birmingham City Council’s most recent objective assessment of housing need, which indicates a requirement for between 80,000 to 105,000 new homes over its revised plan period 2011-2031 with only sufficient land (including windfalls) within in its own administrative area to accommodate 43,000 new homes. Birmingham City Council is concerned that the emerging issue of its unmet housing needs is recognised and dealt with by plans well advanced in the plan making process but without stalling progress of such plans. The East Staffordshire Local Plan refers to this issue but without giving any firm commitment as to whether or not any unmet need from Birmingham will be accommodated in East Staffordshire. At this time it is important that the Council does not assume that just because its neighbouring authorities have not drawn attention to any matters of a strategic nature, such strategic pressures do not exist. As well as a decline	In response to these criticisms the Council should review the following policies :- <ul style="list-style-type: none"> • Policy SP1 ; • Policy SP7 – Sustainable Urban Extensions ; • Policy SP16 – Meeting Housing Needs ; • Policy SP27 – Climate Change, Water Body Management & Flooding ; • Detailed Policy 2 - Designing in Sustainable Construction. 	1).The Duty to Co-operate Statement sets out the comprehensive co-operation that has taken place. In undertaking a SHMA, the Council worked closely with those Districts with which ESBC shares a housing market. The Council also employed the consultant who prepared the Derby/South Derbyshire /Amber Valley SHMA to review the East Staffordshire Housing Requirement work. ESBC is working with GB&SLEP, but the housing capacity work being undertaken is too embryonic to justify more of a response than that set out in para 1.55. Similarly, ESBC works closely with its neighbours on their updates of housing need. But it is premature to respond before any results are published. All neighbouring authorities have confirmed their intention to accommodate housing requirements within their own boundaries.		

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			Sustainable Construction		<p>in housing numbers compared to the revoked WMRSS, there is also emerging an under provision of housing supply when measured against objectively assessed housing needs identified in SHMAAs. If neighbouring authorities are not adequately assessing housing needs, these housing pressures could impinge upon East Staffordshire.</p> <p>The East Staffordshire SHMA dated October 2013 considered four models based on demographically and economically driven housing demand. However it is questionable whether this SHMA is an appropriate assessment of housing needs. It is based on East Staffordshire only yet East Staffordshire is not its own self-contained HMA. This is illustrated by Figure 3.6 of the SHMA, which shows that only 67% / 64% of residents live and work in the Borough. The NPPG indicates that an area can only be considered self-contained if 70% of household migration and search patterns are within the same area (ID 2a-011-130729). So the East Staffordshire SHMA is not a NPPF compliant SHMA.</p> <p>2). Paragraph 2.12 of the Local Plan prioritises economically viable brownfield land, which is contrary to the NPPF. Paragraph 17 of the NPPF encourages the re-use of brown-field land it does not advocate a brown-field before green-field policy. The dictionary definition of priority is to place first in time, place or rank whilst the definition of the word encourage does not involve any such ranking mechanism. By inclusion in the Local Plan all sites are deemed sustainable and therefore should be granted planning permission as and when planning applications are submitted under the presumption in favour of sustainable development (Paragraphs 6-14 of the NPPF).</p> <p>3). The Council does not have a five year land supply irrespective of the calculation in the report "Note on 5 year Land Supply</p>		<p>It is the responsibility of each authority to objectively assess its housing need. When each authority does this and then plans to meet that need, all the need will be met.</p> <p>The objector refers to the NPPG advice that a Borough may regard itself as self-contained for the purposes of a housing market area if 70% or more of household migrations and search patterns take place within the Borough. It then quotes the 67/64% living and working in the Borough figures, which are not the same thing. In fact, NPPG, which at the time of writing is not yet finalised and adopted, sets out 3 different sources of information for identifying the HMA: migration/search patterns and commuting flow/contextual information are 2 of them (the third is house prices/rate of change of house prices). No percentage minimum figure is quoted in NPPG for the living and working in the Borough figure.</p> <p>No change proposed.</p> <p>2). NPPF para 17 actually encourages the effective use of land (by reusing brownfield). The principles of effectively using land (a basic purpose of town planning) and presuming in favour of sustainable development are locally interpreted in the Local Plan as bringing forward <i>economically viable</i> brownfield sites as well</p>	Page 60	Mod No. 23

Rep No. & Name	Legally Compliant ?	Sound?	Section to which rep relates	Reason for Unsoundness	Summary of Representation	Changes requested	Council Response	Section change	Mod No.
					<p>Methodology” dated July 2013 prepared by the Planning Policy Team. There is disagreement concerning the method of calculation used in the Council’s report, for example, any under delivery of housing from previous plan periods should be included in full in the 5 year land supply calculation under the Sedgefield method. The Council has applied the alternative Liverpool method, which spreads the shortfall throughout all of the remaining plan period. The application of the Sedgefield method remedies the previous shortfalls as quickly as possible. This approach is advocated in the recently published NPPG on the Planning Portal website (ID 3-031-130729).</p> <p>The ignoring of past shortfalls will progressively depress the housing requirement, creating a self-fulfilling justification for less housing growth to be planned than is required.</p> <p>4). The Council has not provided evidence for the 450 dwellings allowance for windfall sites contained within the 5 year land supply. There is also concern over the 1,359 dwellings windfall allowance in Policy SP4 Distribution of Housing Growth. The NPPF does not permit the inclusion of windfall allowances other than in the 5 year land supply. This is re-emphasised in the NPPG (ID 3-23-130729), which states that no windfall sites should be included in the 6 – 15 year land supply.</p> <p>5). The trajectory illustrated in Figure 3.1 is very steep increasing from 200 dwellings per annum to 950 dwellings per annum over the period 2014/15 –2016/17. This may be overly ambitious.</p> <p>6). The most recent viability assessment is contained within the report “Local Plan and Community Infrastructure Levy (CIL) Viability Testing” dated November 2013 by HDH Planning & Development Ltd. There is a concern that this report post-dates the publication of the Pre submission version of the</p>		<p>as greenfield expansion. To be NPPF-compliant however, change “prioritise” to “encourage”</p> <p>Change proposed.</p> <p>3 The housing allocations in the Local Plan in addition to the stock of permissions that the Council already has and coupled with a modest windfall allowance delivers against an objectively assessed housing requirement. The Council has been proactively approving sites for housing over the last 12 months and will continue to respond to applications as they are submitted.</p> <p>No change proposed.</p> <p>4) A paper setting out the methodology of determining historic windfall rates is set out in the evidence base. The Brownfield sites paper also demonstrates to some degree that windfall development will continue to come forward</p> <p>No change proposed.</p> <p>5). The comment regarding the ambitious trajectory highlights the intrinsic contradiction between claims that the housing requirement has been under-estimated and the actual ability of the house building industry to deliver that requirement within the Plan period. The trajectory has been based on developers’</p>		

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					<p>East Staffordshire Local Plan so this viability assessment could not have informed or influenced the plan-making process. Policy SP17 - Affordable Housing proposes an average of 25% provision of affordable housing on sites of more than 4 units subject to viability. Whilst the opportunity to negotiate on a site by site basis is accepted, it should be the exception rather than the norm, if policy requirements are set too high every site will be individually negotiated causing added costs and time delay which will hamper housing delivery. The original 2010 Viability Study showed that only 7 out of 19 sites viability tested were deliverable with 20% affordable housing provision. It is also not obvious whether or not other policies with cost implications contained within the Local Plan have been viability tested. These include :-</p> <ul style="list-style-type: none"> • Policy SP9 – Infrastructure Delivery & Implementation (implementation of CIL) ; • Policy SP16 – Meeting Housing Needs (all new dwellings built to Lifetime Homes standards) ; • Policy SP24 – High Quality Design ; • Policy SP27 – Climate Change, Water Body Management & Flooding (Sustainable Urban Drainage (SUDs), grey water recycling & rainwater harvesting) ; • Policy SP32 – Outdoor Sports and Open Space Policy ; • Policy SP34 – Health & Well-being (Health Impact Assessments) ; • Policy SP35 – Accessibility & Sustainable Transport (financial contributions to costs) ; • Detailed Policy 1 – Design of New Development ; • Detailed Policy 2 – Designing in Sustainable Construction. <p>Policies SP27 and SP32 also have implications for gross to net development land</p>		<p>estimates on their ability to bring forward sites -including some towards the end of the first 5 years - and is therefore the most informed and reasonable forecast that can currently be made.</p> <p>No change proposed</p> <p>6). The CIL/Plan Viability Study, available to view as part of the evidence base, informed the Local Plan. All relevant Plan policies were considered by the consultant as to whether the “burden” of policy requirements was sufficient to render development unviable – the conclusion was that they were not. Whilst the final version was issued just before Pre-Submission consultation began, its interim results were available to the Council sufficiently early for any necessary changes to be made to policies before Members approved the Plan for consultation. The Viability Assessment took full account of the available advice on how to determine viability, and in particular follows closely the advice set out in the Harman Report. The Affordable Housing requirement has been fully tested - with alternative AH requirement values- in the Viability Study. All the Policies listed as “not being clear as to whether they have been taken into account” are clearly dealt with in the Viability Study together with a view as to how much, if at all, they impose a</p>		

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					<p>ratios. The Harman Report explains that “one error that has a very large impact on the outcome of viability testing is overlooking the distinction between the gross site area and the net developable area (i.e. the revenue-earning proportion of the site that is developed with housing). The net area can account for less than half of the site to be acquired (that is, the size of the site with planning permission) once you take into account on-site requirements such as formal and informal open space, sustainable urban drainage systems, community facilities and strategic on site infrastructure etc. On larger sites, sometimes the net area can be as little as 30%”.</p> <p>In conclusion the East Staffordshire Local Plan is unsound because of an inadequate whole plan viability assessment as required by the NPPF.</p> <p>7). Since the preparation of the East Staffordshire Local Plan, there has been a Written Ministerial Statement on changes to requirements under Part L of the Building Regulations (conservation of fuel and power) issued on 30th July 2013. In August 2013, the DCLG launched two consultations on “Housing Standards Review” and “Next Steps to Zero Carbon Homes – Allowable Solutions”. These documents provide an insight into the direction of current Government thinking on streamlining the planning system. The Government is critical of locally imposed standards, Paragraph 1 of the “Housing Standards Review” states “the house building process is difficult in itself, but it is not assisted by the large and complex range of local and National standards, rules and Codes that any developer has to wade through before they can start building”. The document continues in Paragraph 5 “it is often unclear which part of an authority is responsible for checking whether standards have been met, and what it is they are checking. The overall effect is that standards can add considerably to development costs, project delay,</p>		<p>financial burden on the developer. The exception is SP9 which simply sets out the intention to implement a CIL Charging Schedule in due course, and the role of s.106 contributions.</p> <p>Net developable area has been used throughout the Viability Study where this is appropriate, and the net /gross relationship is fully explained.</p> <p>No change proposed</p> <p>7). SUEs afford the opportunity to consider low carbon or renewable energy supply in a co-ordinated way over a much larger development, with potentially lowered costs of providing energy per housing unit, which are not feasible on smaller sites. The policy is subject to the caveats of viability, amenity and environmental impact. It does not impose unreasonable burdens on the developer.</p> <p>No change proposed</p> <p>8). The strategic allocations and policies the Council intend to make are clearly set out in the Local Plan. This gives Parish Councils preparing Neighbourhood Plans a clear steer on what is regarded as strategic, and the LPA’s responsibility for planning. Also clear are where the Parish Councils have opportunities to vary the Plan’s policies if this does not undermine the overall spatial strategy. This includes</p>		

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					<p>Local bureaucracy, and put a brake on growth". Allowable solutions arise from the obligation for house builders to mitigate the carbon emissions arising from regulated energy. Under Paragraphs 2.4 (a) and (b) of the consultation document, the Government proposes a set of basic design principles for allowable solutions stating that "it is right that house builders decide how they meet that obligation and should not have this dictated to them. Flowing from this, the Government wishes to develop a framework which gives house builders choice and flexibility". Policy SP7 appears to dictate the solution to developers rather letting developers decide on the most appropriate solution.</p> <p>8). It is questionable whether the references to Neighbourhood Plans contained in Policy SP2 – A Strong Network of Settlements "where a Neighbourhood Plan has been made then the Neighbourhood Plan takes precedence over this policy" and Policy SP17 – Affordable Housing "residential development on a site which is outside a settlement boundary but permitted in accordance with a made Neighbourhood Plan shall provide an amount of Affordable Housing determined as above or the amount required by a Neighbourhood Plan if greater" are over-ruling the strategic policies of the Local Plan.</p>		<p>allocating sites for new housing over and above those in the Local Plan.</p> <p>No change proposed</p>		
LP269 – R, J and K Bush	No	No	SP4 Distribution of Housing Growth	-	<p>Judging by the responses received, the consultation lacks evidence of widespread community involvement or endorsement - not surprising considering the technical jargon and lack of access to printed copies. It is therefore not all inclusive and on this basis alone is fundamentally flawed. Strategic Objective SO4 purports to ensure communities have the right to positively shape where development takes place in their community using Neighbourhood Plans. What choice does Rolleston have if it is in effect told it must have 100 houses on one site. The Local Plan cannot be justified if it ignores the wishes of a community that has clearly</p>	<p>Now that ESBC Councillors at the recent planning applications committee meeting turned down this development on the grounds that it was in direct conflict with the wishes of the community as laid out in the Neighbourhood Development Plan then it can no longer be justified to include the site in the Local Plan and it therefore should be removed.</p>	<p>It is the responsibility of the Council to ensure there is adequate land allocated to meet the objectively determined housing requirement of the Borough, according to a clear, agreed spatial strategy. This strategy includes allocating to the villages the level of housing growth that the village can support, in line with the principles of sustainable development.</p>		

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					<p>demonstrated an overwhelming objection to the development of the college playing field in Rolleston and provides reasonable alternative sites in a truly democratic Neighbourhood Development Plan. During the Preferred Option Consultation we questioned how Rolleston was deemed to be a 'Strategic Village' when Abbots Bromley was not. With the recent/imminent closure of several amenities in the village such a decision, particularly when questions have been raised about the thoroughness of the original assessment, must be investigated. Was the decision taken for the right reasons? Why not at least share the allocation between the two villages. Better still the Strategic Allocation attached to this field should be removed and the local community should be allowed to locate any planned new housing in Rolleston.</p>		<p>The wide range of facilities and services assessed in each village (the Settlement Hierarchy study) is up to date. The Council will consider updating this prior to submission.</p> <p>No change proposed.</p>		
<p>LP270 – Jones Lang Lasalle for Nurton Developments (Quintus) Ltd.</p>					<p>Overall, NDQL supports the main thrust of the draft Local Plan. Specifically, but not exclusively, NDQL endorses the following:-</p> <ul style="list-style-type: none"> • The overall ambition and vision for Burton to be a positive and ambitious town, that has high value added employment and housing to attract managers, senior officials and professionals to live in Burton. • The overall strategy of responsible and sustainable growth, based on objectively assessed needs for both housing and employment. • The focus of development on Burton and Uttoxeter. • The expansion of these two settlements by the release of Greenfield land in order to accommodate identified growth. • The use of sustainable urban extensions as the most effective and sustainable means of Greenfield land release to deliver the growth agenda. • The presumption in favour of sustainable development enshrined by Principle 1 and the Borough Council's approach to it as outlined in Policy SP1. 	<p>SP7 - It would be clearer if the words “for each phase of the development” was added after the words “the necessary infrastructure” and the words “in that phase” was added after the words “before occupation of buildings”.</p> <p>To provide greater certainty, the wording of SP17 should make it clear that this approach (i.e. taking a threshold for developer contributions will be a specific factor in determining the percentage of overall provision. The actual threshold (i.e. £5,000 per house) could be set out in the revised Housing Choice SPD. However, this assumes the Housing Choices SPD will remain a relevant planning policy document. If it does, the actual wording should refer directly to this development plan document and its scope and the relevance of the Council's Plan Viability Study. If it does not, then SP17 should refer directly to the relevance, workings and level of developer contribution's threshold and, again, refer to the relevance of the Council's Plan Viability Study.</p>	<p>Support for Plan noted.</p> <p>SP7 – The infrastructure needed for each phase is likely to be set out in an infrastructure phasing schedule agreed with the developer, and it is unnecessary to add further wording on phasing of infrastructure provision.</p> <p>No change proposed.</p> <p>SP17 – The approach referred to will not be necessary or appropriate in future because it was specifically designed to respond to higher average levels of developer contributions than allowed for in the Affordable Housing Viability Study. That study has now been superseded by the Plan Viability Study referred to which has taken higher average levels of developer</p>		

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					<ul style="list-style-type: none"> • The allocation of Branston Locks as a specific Strategic Site Allocation on the proposals map. • The extension of the settlement boundary to include Branston Locks. • The identification by Policy SP4 of Branston Locks to accommodate 2,580 houses. • The identification by Policy SP5 of Branston Locks to accommodate 20 hectares of new employment land, particularly given its excellent communications. • The identification by Policy SP7 of Branston Locks as a sustainable urban extension. • The overall approach of Policy SP7 in setting out what sustainable urban extensions should make provision for in terms of infrastructure, the balance of uses and design. <p>Strategy Policy 7 – Sustainable Urban Extensions</p> <p>This policy sets out clearly what sustainable urban extensions should provide for and forms a useful checklist. Certainly, NDQL considers that Branston Locks meets positively all the requirements set out.</p> <p>However the final paragraph, that refers to necessary infrastructure, could be clearer. Specifically, reference is made to: “The construction of all greenfield sustainable urban extensions will be built in line with an agreed infrastructure phasing schedule to ensure that the necessary infrastructure is operational before occupation of buildings.” Large developments are brought forward in phases. As such, necessary infrastructure will be provided in phases. It would be clearer if the words “for each phase of the development” was added after the words “the necessary infrastructure” and the words “in that phase” was added after the words “before occupation of</p>		<p>contributions into account. The Housing Choice SPD has been revised accordingly.</p> <p>The Council proposes to modify the Plan using the findings of the Plan Viability Study to specify the proportion of affordable housing required unless that is shown to be unviable.</p> <p>Change proposed</p>	<p>SP17</p>	<p>Mod No. 78</p>

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					<p>buildings”.</p> <p>Strategy Policy 17 – Affordable Housing This policy requires an average of 25% provision for all developments greater than four houses or on a site more than 0.14 hectares. Previously, policy through the 2010 adopted Housing Choices SPD required 30% provision made on all sites that yield 25 houses or more. However, it provided a mechanism by which the negotiated level depended also on the provision of other planning contributions. These contributions referred to most Section 106 contributions such as off-site local highways, public transport/green travel plan measures, education, off-site sport and recreation, and the maintenance and management of on-site public open space. The threshold level of contributions was set by the 2010 Housing Choice SPD at £3,000 per house. The SPD also provided a graduated approach on overall provision depending on the nature of the particular sites.</p> <p>For example, for sustainable urban extensions, the SPD assessed a 15% provision to be currently viable. Factoring developer contributions into the overall negotiation of affordable housing helps to ensure that a viable and balanced approach is taken with the overall planning package for each and every site. This approach has been used by the Borough Council and NDQL in negotiating the provision of affordable housing for the first two phases of Branston Locks. The remainder of the scheme will be worked out subsequently, at Reserved Matters stage, for each phase, based on future planning policy and any updated guidance on viability.</p> <p>SP17 does advise (in the first bullet point to the text to the Policy) that there will be some flexibility in the percentage applied depending on viability and availability of subsidy. However, this does not provide guidance on the criteria or certainty of the circumstances or scope for</p>				

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					<p>negotiation. Reference is made in explanatory text to SP17 (2nd bullet point to 4th paragraph) of taking into account the financial viability of the scheme given other obligations and/or CIL payment required for the Council. This is important. In addition, reference is drawn to the Council's Plan Viability Study. This study has appraised various sites at 25% affordable housing provision (and provided some sensitivity analysis at 0% and 13%). It assesses development contributions will be in the order of £5,000 per house. We have assumed that developer contributions include both Section 106 planning contributions and CIL payments although this is not made clear by the Plan Viability Study. To provide greater certainty, the wording of SP17 should make it clear that this approach (i.e. taking a threshold for developer contributions will be a specific factor in determining the percentage of overall provision. The actual threshold (i.e. £5,000 per house) could be set out in the revised Housing Choice SPD. However, this assumes the Housing Choices SPD will remain a relevant planning policy document. If it does, the actual wording should refer directly to this development plan document and its scope and the relevance of the Council's Plan Viability Study. If it does not, then SP17 should refer directly to the relevance, workings and level of developer contribution's threshold and, again, refer to the relevance of the Council's Plan Viability Study. No guidance is provided by the wording to SP17 or explanatory text as to what scope there is for negotiation for the overall percentage for different types of sites. There should be recognition in the text of the policy that the overall level of affordable housing provision may be appropriately relaxed for sustainable urban extensions or other sites with substantial infrastructure needs. 15% is currently used by the Housing Choice SPD for sustainable urban extensions given the upfront infrastructure costs. A similar approach, including reference to other sites where there are greater abnormal costs – i.e. urban Brownfield sites, would provide</p>				

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					<p>greater clarity in terms of implementation In any event, reference should be made to the Plan Viability Study that does assess the viability of different types of site at different overall percentages. The 13% of all dwellings to be affordable and provided on-site in Burton, Uttoxeter and strategic village sites would appear to be overly prescriptive. The level of off-site provision would better relate to the negotiated overall provision of affordable housing rather than be a function of the total number of dwellings, particularly for sites that have larger infrastructure requirements and the overall negotiated percentage of affordable housing, for reasons of viability, is less than 25%. In such circumstances, it may be more beneficial (e.g. to subsidise regeneration of inner Burton housing stock) to commute a larger part of the affordable housing provision. This is only to be inferred from this part of the policy as currently worded. The addition of wording in SP17 that explicitly allows for an element of whatever is accepted as the appropriate level of affordable housing for an individual site to be promoted in the form of a commuted payment, to assist in the regeneration of inner Burton housing stock, would provide greater flexibility in terms of implementation and acknowledge the benefit that commuted payments can bring to other housing needs. Finally, SP17 provides no guidance on the mix of affordable housing. Instead, reference is made in the last paragraph of explanatory text to details being provided in the Housing Choice SPD. As per out comments above, this assumes the SPD will remain a relevant planning policy document.</p>				
LP271 – Birmingham City Council	-	Yes	SP6 Managing the Release of Housing and Employment Land		<p>While both authorities are part of the GBSLEP, Birmingham's links with East Staffordshire are not as strong as they are with the districts in southern Staffordshire. Nevertheless, since East Staffordshire is a key participant in the preparation of the GBSLEP Plan for Growth and Recovery and associated technical work including the Strategic Housing Needs Study, it seems appropriate to comment. In short, the City Council notes and supports the thrust of Pre</p>	<p>(Insertion of text similar to following) extract from Inspector's Letter to Lichfield DC, 3rd September 2013:</p> <p>“Following discussions falling under the Duty to Cooperate (Lichfield District Council) recognises that evidence is emerging to indicate that Birmingham will not be able to accommodate the whole of its new housing requirement for 2011 - 31 within its</p>	<p>Proposed modification to insert text after para 1.57 explaining the work currently being undertaken by GBSLEP. The position of the Council will be the subject of a Memorandum of Understanding with Birmingham City Council, as part of the Council's Duty to Co-operate.</p>	Page 25	Mod

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					<p>Submission Plan. The accompanying Strategic Housing Market Assessment suggests that the proposed level of provision exceeds what is driven by demographic factors in order to reflect local economic growth aspirations. This is supported in that it is consistent with wider GBSLEP aspirations to deliver economic prosperity. Following regular liaison and meetings in relation to the GBSLEP and duty to co-operate and specifically In relation to housing growth you will be aware Birmingham has capacity issues and cannot meet all of its own housing requirements and the GBSLEP Strategic Housing Needs Study has been commissioned recently to shed more light on this as well as long term growth across the wider LEP area. As this is an emerging issue, the City Council has requested that other local planning authorities, including all those within the GBSLEP make reference to this matter in their emerging local plans. This pragmatic approach has been supported by both the Solihull and Lichfield Inspectors. In the case of the latter, the Inspector agreed a specific Main Modification 1 to the Plan as part of his Initial Findings (attached). As East Staffordshire directly adjoins Lichfield and is linked by the A38 corridor, it is considered appropriate that it includes a similar reference for consistency. The City Council would welcome further discussions with East Staffordshire Borough Council to achieve to best effect within the plan. One possible location for such a modification is in Strategic Policy 6 and its associated reasoned justification. The specific reference to a five year cycle of review in the policy might not be appropriate subject to the outcome of the ongoing technical work in the GBSLEP.</p>	<p>administrative boundary and that some provision will need to be made in adjoining areas to help meet Birmingham's needs. (Lichfield District Council) will work collaboratively with Birmingham and other authorities and with GBSLEP to establish, objectively, the long term growth through a joint commissioning of a further housing assessment and work to establish the scale and distribution of any emerging housing shortfall. In the event that the work identifies that further provision is needed in (Lichfield District), an early review of the (Lichfield district) Local Plan will be brought forward to address this."</p>	<p>Change proposed</p>		<p>No. 9</p>
<p>LP272 – Chris Leedham</p>	<p>Yes</p>	<p>No</p>	<p>Paras 2.23, 2.28 3rd on page 79 Policy SP2 A Strong</p>	<p>b. Justified</p>	<p>The plan is not justified because it does not reflect the most appropriate strategy. It does not take into account the nature or position of the Marchington Parish. It focuses on accommodating anew development in the village its self and does not take into account the potential for other limited developments that would be sustainable and located in other parts</p>	<p>The amendments to the settlement boundary, as shown on the inset map 10 should be removed.</p> <p>The wording of Strategic Policy 2 – paragraphs 1 to 3 on page 80 – should be amended to enable alternative sites to be considered through Neighbourhood Planning</p>	<p>The scope for sustainable development outside settlements is far more limited, but the circumstances where this might be permitted are set out in Policies SP8, DP3 and DP4. Policy SP14 specifically supports the re-use of</p>		

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			Network of Settlements, Inset Map 10 Marchington		of the parish for example, Marchington Woodlands, Birch Cross, Land adjoin the industrial estate and the Prison as well as the conversion of underused agricultural buildings around the area. It can also be argued that it is not necessary to allocate sites in the Parish or make provision for new housing as it can be shown that on past rates of development housing will be available for the next twenty years. This also applies to many of the other tier 2 villages that have not had their settlement boundaries changed for many years yet have had infill developments such that there is little capacity for more development. Each of these settlements has been treated separately as there is not a one size fits all solution to this issue.	The 3 rd paragraph should read; - Where a Neighbourhood Plan has been made then the Neighbourhood Plan should take precedence over this policy. The delivery of this plan would then be community led. Communities can then decide how the allowance will be delivered over the plan period. There are two ways this can then be carried out firstly to rely on infill development which will be appropriately allowed on brown filed sites and secondly is the allocation of small sites, this has the potential to allow for affordable housing in the parish.	redundant agricultural buildings, and cross-refers to the more detailed Supplementary Planning Document the Council has adopted on this subject. Policy SP8 already allows for NPs to allocate sites outside development boundaries (unless the proposal is so major - is strategic - as to be contrary to the basic strategy of the Local Plan). No change proposed		
LP273 – Mrs. H. Carline	Yes	No	(SP4 Distribution of Housing Growth, Inset Map 3 – Uttoxeter)	b. Justified	The Plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence. The decision of many of the sites to be developed in Uttoxeter increases the town boundary and does not utilise all of the open spaces / brown field sites within the current town footprint. I would therefore argue that many of these sites are not justifiable. As an example the Hazelwall development has a significant impact on the town boundary line towards Willslock and uses existing farmed agricultural land as the main space to be developed. This directly impacts on the continuation of the farming culture / heritage of the town. I do understand that the use of green belt land could be seen as acceptable / justified if housing and employment opportunities were to be increased and transport could be linked to major roads (as in the proposed site west of Uttoxeter). It would make therefore more sense to look at maximising green belt land and brown field sites close to the new leisure facilities at Picknalls and recreational park planned by the council at Bramshall Road (or within the current town footprint). Therefore I suggest that the current preferred sites are not the most appropriate when considered against others.	I would suggest / argue based upon the above criteria that the land identified at Blounts Green Farm is given greater consideration as it provides the possibility of making a significant contribution towards Uttoxeter's Housing needs. The development is closer to the centre of town and it is within the existing town boundary therefore not increasing the town footprint. Furthermore the site would be within walking distance of the new sporting development, local schools via the park. The site could be linked directly to Stafford road (A518) which is a major road for commuters. This access could be achieved through using existing access points combined with the acquisition of a residential property. The land is currently not farmed and would not impact on employment within the area and therefore have less impact on the farming heritage of Uttoxeter. Even though planning is not at an advanced stage the development would offer as much local provision as others listed / currently preferred. The overall impact on the existing residents is significant lower compared to other sites due to the number of residential properties which would be affected. Overall the site could be considered as more valid and of greater strategic value to the community	The site has been assessed as part of the SHLAA process, which recognises that in theory the site could be developed, subject to improvements to the access from Stafford Road. However, the following comment is also made in the SHLAA: "This part of Uttoxeter is attractive and part of a former special landscape area. The site is also not well connected to the built up area and as such would create a significant protrusion into the countryside." The Sustainability Appraisal also notes that there would be many negative impacts from developing this site in terms of landscape, historic environment and access. The area is of high landscape quality with evidence of high archaeological value. A further study of landscape quality is		

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						when considering its proximity to town and health related facilities combined with its reduced impact on residents.	awaited from SCC and may provide evidence for giving additional protection for the Picknall Brook Valley over and above the open countryside policy (SP8). No change proposed		
LP274 – Mr. S.J. Anderson	No	No	SP4 Distribution of Housing Growth, SP7 Sustainable Urban Extensions	d. Positively prepared e. Justified f. Effective Consistent with National Policy	<p>Para 2.3 The strategy is said to take account of high quality landscape features but there is no notation on the proposals map that deal with landscape character and no evidence that this has been properly considered or assessed. This should be done and the strategy should be modified accordingly.</p> <p>SP4. The proposed allocation of the Beamhill Outwoods Site for 950 dwellings is inappropriate for the following reasons: 1. It would involve the loss of a quality landscape/ It will change the character of the area (for the worse) 2. There are major highway objections to this location 3. There are better locations available for the release of land for housing 4. There were 1800 plus objections to it at consultation. 5. There is little or no employment near the site.</p> <p>SP7/Inset Plan 1. The identification of the Beamhill Outwoods Site as a sustainable urban extension is inappropriate for the following reasons: 1. It is an unsatisfactory use of a valuable landscape resource 2. There is no need for it to be so used as there are better locations which do not involve the loss of a quality landscape which are better related to the urban area 3. There is no easily accessed employment.</p> <p>Five Year Land Supply. I would question the methodology of the calculation of the land supply.</p>	1. Remove the allocation of the Beamhill Outwoods Site from SP4; SP7 and Inset Plan No 1. 2. Alter the Proposals Map to exclude the Beamhill Outwoods Site. 3. Allocate alternative sites to meet the housing requirements.	A further study of landscape quality is awaited from SCC and may provide evidence for giving additional protection to certain parts of the Borough. The previous Study (2001, adopted as Supplementary Planning Guidance by both SCC and ESBC – see evidence base) identified the Beamhill area as of only moderate landscape quality, needing 'landscape enhancement'. This, it suggested, presented a need to encourage relatively small-scale landscape conservation schemes such as hedgerow maintenance habitat creation and woodland planting. Schemes of this nature can be incorporated relatively easily into the development – enhancing biodiversity – although the character of the landscape would be changed with more built form. Beamhill was allocated at Pre-Submission stage in response to the need to find additional sites to meet the updated housing requirement of 11648 homes within the Plan period. The Pre-Submission stage constitutes the consultation on this allocation, with an opportunity to object.		

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					<p>Localism Act. The objection to many local developments should carry more weight under the Act.</p> <p>Previous Consultations. The feedback from these, esp. last years Preferred Options have been disregarded. GBSLEP. No public consultation has been held. I object to it.</p>		<p>Alternative sites were assessed in the Sustainability Appraisal but there were none that were better suited or located to accommodate the extra quantum of development identified as being necessary by the updated study into the housing requirement.</p> <p>Improvements to the highway network identified as being necessary to accommodate the additional traffic generated by the scheme will need to be financed by the developer. The Beamhill development, whilst not containing any industrial or office space, will contain a school, local retail, health and community facilities, all of which will generate new jobs.</p> <p>The 5 year land supply calculation methodology used accords with central government and local authority practice. As members of the GBSLEP, ESBC needs to be mindful of any policy documents produced by them, but the LEP's policy directions as currently expressed are broadly in accord with those of the Local Plan.</p> <p>No change proposed</p>		
LP275 – Tutbury Parish Council	No	No	Paragraphs 2.16, 2.21, 2.22, 2.28	a. Positively prepared b. Justified	The title 'Strategic Village' results from a flawed survey that takes no account of the form and layout of settlements, the sufficiency of provision to meet existing needs or of the role of each village in relation to surrounding villages/hamlets. In the case of Tutbury the doctors and health care services are at capacity and cater for another nearby 'Strategic Village', Rolleston on Dove, which has no such facilities.	<p>In order to correct policy deficiencies the following action is required</p> <p>To re-examine the classification of Strategic Villages with the Borough Council and to take into account services/facilities, capacity issues and needs resulting from additional development. This fresh approach will produce a more realistic policy with appropriate</p>	The housing requirement for the Borough has been calculated taking into account in and out migration from the Borough to and from its effective housing market, which includes surrounding districts such as South Derbyshire.		

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					<p>Tutbury also acts as a service centre for Hanbury, Anslow, Draycott-in-the-Clay; and (in South Derbyshire) Hatton, Sudbury, Foston, Scropton and parts of Hilton. The designation 'Strategic Village', takes no account of Tutbury's ability to cater for growth from all those places while at the same time having to absorb a large number of new households of its own.</p> <p>The Conservation Area, based on a medieval street pattern and the absence of any highway improvements or car parking in the village centre means that traffic problems will increase and carbon dioxide levels will rise.</p> <p>The survey that resulted in the creation of 'Strategic Villages' also ignored provision for the elderly; care home provision; a history of drains flooding into people's houses; no police presence and an uncertain future for the youth club or pre-school group. The survey collected only positive information that satisfies a decision already made that larger villages should have big estates added to help ESBC meet their over inflated housing target. (See comment on SP 3).</p> <p>The 'Strategic Villages' are now a target for speculation against the Borough Council's inability to meet its 5 year land requirement.</p> <p>Unlike Tier 2 parishes (see paragraph 2.28 page 64) Tier 1 Parish Councils were not visited or actively engaged on their tier classification and dispute the criteria used to define them. The classification of Strategic Village is a flaw in the Local Plan strategy. The plan is not legally compliant with the Council's Scheme of Community Involvement.</p>	<p>outcomes.</p>	<p>The fact that Tutbury acts as a service centre for a substantial hinterland of surrounding villages, as described by the objector, further reinforces its designation as a Strategic Village as it meets precisely the definition in paragraphs 2.21 and 2.22 of the Plan.</p> <p>The Settlement Hierarchy looks at the same comprehensive range of facilities, covering all relevant themes such as accessibility, community facilities, amenities, health, education etc, in all villages rather than focussing on one or two. The absence of some of the facilities mentioned by the objector is likely to be true of many other villages – of all Tiers – too, does not undermine the analysis in the Study.</p> <p>No change proposed</p>		

Pre-Submission Local Plan – Summary Schedule of Representations

Rep No. & Name	Legally Compliant?	Sound?	Section to which rep relates	Reason for Unsoundness	Summary of Representation	Changes requested	Council Response	Section change	Mod No.
Rep LP276 – Freya Anderson	No	No	Policy SP8 – Development Outside Settlement Boundaries	a. Positively prepared b. Justified c. Effective d. Consistent with National Policy	Your maps show the sports field (College fields) as part of where people can build. This is wrong as the fields should not be built on but turned back into sports pitches. Our village plan tells you that this field should not be built on.	Your map needs changing and you should understand our village plan is what the people of Rolleston want. You should stop trying to do the opposite of what we want in the village. The government gave us permission to make these decisions and a lot of hard work has happened to make our plan. Young people and old people worked very hard to do this plan.	The development strategy identifies sites to meet the objectively assessed needs of the Borough which have also been robustly assessed through the SA and considered sustainable. No change proposed.		
Rep LP277 - Freya Anderson	No	No	Policy SP9 – Infrastructure Delivery and Implementation	a. Positively prepared b. Justified c. Effective d. Consistent with National Policy	You need to know where the roads are going to be built and how the roads are going to be made better so that the houses can be built. Your plan does not show a map of the new roads or talk about the roads. Where I live in Rolleston the roads are terrible. You need to work out what changes are needed.	You should tell us what you are going to do with the roads and not build houses till they are all sorted.	Evidence of infrastructure is set out in The Infrastructure Delivery Plan and Draft Integrated Transport Strategy which demonstrates that these issues have been considered throughout the plan preparation. No change proposed.		
Rep LP278	No representation – duplicate of Rep LP276								
Rep LP279 – Freya Anderson	No	No	Policy SP10 – Education Infrastructure	a. Positively prepared b. Justified c. Effective d. Consistent with National Policy	Where is the school going to be put? I have tried to find a slot using Google maps. You should tell people where the school will go as it will make a difference to where they live. Noise, rubbish, cars.		Evidence of infrastructure is set out in The Infrastructure Delivery Plan and the Burton upon Trent School Planning study which demonstrates that these issues have been considered throughout the plan preparation. Work is ongoing with Staffordshire County Council to identify further sites. No change proposed.		
Rep LP280 – RPS	Yes	No	Paragra	b. Justified	The Vision for Uttoxeter should refer also to	The Vision for Uttoxeter should refer	The pre-amble to Policy SP7		

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Planning and Development for David Wilson Mercia			ph (page 51) & Policy (The Vision)		the potential for sustainable urban extensions to bring specific economic and social improvements as well as environmental benefits, including additional facilities in the south of the town where there is very limited social infrastructure currently.	also to the potential for sustainable urban extensions to bring specific economic and social improvements as well as environmental benefits, including additional facilities in the south of the town where there is very limited social infrastructure currently.	explains the provision of social infrastructure which is expected to come forward as part of the implementation of SUEs. This is informed by relevant evidence for infrastructure provision which is set out in The Infrastructure Delivery Plan which demonstrates that these issues have been considered throughout plan preparation. No change proposed		
Rep LP281 – Freya Anderson	Yes	Yes		a. Positively prepared b. Justified c. Effective d. Consistent with National Policy	Sport is very important for people. It keeps you fit and healthy. Rolleston has a great field (College Field) that I have used for a lot of years for sports. I have played rounders and hockey on the field. It is not right to allow houses to be built on this field. The field should be given back for people to use for sport. I believe you are right to have sports and fitness but do not build houses on such a great sports field. You say you do not have enough fields for football. Why take another great field away? Our village plan protects this field for lots of people to use.	Please remove the houses from this field in your plan. Our village plan tells you we do not want houses here. We were given permission to do the plan by the government. It is a great plan that is what the people who live in the village want.	Evidence contained within the Outdoor Sports and Infrastructure Delivery Plan does not support the retention of College fields for sport or recreational purposes. College Fields in Rolleston on Dove has no authorised recreational or leisure role and is not public open space. No change proposed.		
Rep LP282 - Freya Anderson		No	Paragraph 2.26	a. Positively prepared b. Justified c. Effective d. Consistent with National Policy	You do not engage with the people who live in the village. I wrote to you about your last plan and yet you have still tried to say yes to the houses on the college fields. I have asked a number of people about how you ask their views and it is not happening.	You do not engage with the people who live in the village. I wrote to you about your last plan and yet you have still tried to say yes to the houses on the college fields. I have asked a number of people about how you ask their views and it is not happening.	The Council has engaged with Rolleston on Dove Parish Council throughout the Local plan preparation period through the requirements set out the Statement of Community Involvement (SCI). Results of each stage of consultation are summarised in the Statement of Consultation.		

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							No change proposed		
Rep LP283 - RPS Planning and Development for David Wilson Mercia	Yes	Yes	Paragraph (page 52) and Policy (Strategic Objective)	N/A	The objective SO5 on Educational infrastructure is supported. However, there is considered to be merit in recognising the ability of planned urban extensions to Uttoxeter to deliver land and funding for a new First School in the south of Uttoxeter where no such facility currently exists for a substantial residential population.	There is merit in SO5 also referring to the potential for specific enhanced school provision in the south of Uttoxeter.	Work is ongoing with Staffordshire County Council over education provision in Uttoxeter. Provision for a First school may be delivered through expansion of existing schools and/or at either Hazelwalls Farm site or the land west of Uttoxeter site. Proposed modification to SP10. Change proposed	SP10	Mod No. 55
Rep LP284 – Freya Anderson	No	No	Policy SP2 – A Strong Network of Settlements	a. Positively prepared b. Justified c. Effective d. Consistent with National Policy	We have a village plan and this should be used to say what is built. We only have a small number of shops and no doctors, chemist, vets, fast food shops, village centre, supermarket. You should read our plan and do what is in it. We all worked hard to put this plan together. Rolleston does not have lots of employment. Tutbury and Rochester have Nestles and JCB. Barton has Argos and a large marina where people can work. Rolleston is like Abbots Bromley and Mayfield. I know these two places.	We have a village plan and as you say in your words it should be used instead of yours!!!	The Council will consider revising settlement hierarchy Topic Paper prior to the Local Plan Submission. Provision for Rural employment is stated in Strategic Policy 14. It is also intended that employment provision for Burton upon Trent will serve some the needs of areas beyond Burton upon Trent. No change proposed.		
Rep LP285 – Tutbury Parish Council	No		Policies Map – Inset 6 - Tutbury		The red hatched area on Inset 6 is in error as it includes a small plot of land which does not form part of the Burton Road development. The land in question faces onto Burton Road to the north of the main entrance into the new estate (b) The Cornmill Lane playing field annotation is not shown on the playing field but on private land behind terraced cottages.		Propose modification to modify amended settlement boundary for Tutbury. Change proposed	Policies Map Inset Map 6 - Tutbury	Mod No. 156
Rep LP-286 –	No	No	Policy	a. Positively prepared	Our village plan tells you where we want	We only have a little number of shops	The development strategy		

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Freya Anderson			SP4 – Distribution of Housing Growth 2012-2031	b. Justified c. Effective d. Consistent with National Policy	homes to be put. The college field is not where we want them.	in the village. We can't have lots more houses. The houses should not be built on the sports pitches.	identifies sites to meet the objectively assessed needs of the Borough which have also been robustly assessed through the SA and considered sustainable. No change proposed.		
Rep LP287 - RPS Planning and Development for David Wilson Mercia	Yes	Yes	Paragraph (pp57-66) & SP3 Provision of Homes and Jobs)	N/A	<p>Notwithstanding that DWH supports the overall spatial strategy, objection is made to the description of the strategy and its presentation in paragraphs 2.11-12 in particular. There should be greater stress on the need for housing growth at a greater scale than was considered through the Interim Sustainability Appraisal process and this has had significant implications for the selection of sustainable urban extensions to Burton and Uttoxeter. There should also be recognition that greater weight needed to be attached to the ability of housing led development to bring wider sustainability benefits to existing neighbourhoods such as at South Uttoxeter and that mixed use urban extensions comprising employment and housing do not have a monopoly of sustainability advantage.</p> <p>The broad distribution of housing growth at paragraph 2.17 is supported. This level at Uttoxeter (17.7%) is considered appropriate and achievable on the basis of an objectively assessed overall housing need of some 11,650 dwellings.</p> <p>The objectives set out in paragraph 2.36 are broadly supported.</p> <p>David Wilson Mercia is preparing a planning application for Hazelwalls Farm which will facilitate its development early in the plan period as broadly indicated in paragraph</p>	There should also be recognition that greater weight needed to be attached to the ability of housing led development to bring wider sustainability benefits to existing neighbourhoods such as at South Uttoxeter and that mixed use urban extensions comprising employment and housing do not have a monopoly of sustainability advantage.	Chapter 2 explains how settlement numbers have been derived, particularly paragraph 2.23. Four different levels of housing development have been through the sustainability appraisal process. No change proposed.		

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					2.37 of the Plan.				
Rep LP288 - Tutbury Parish Council		No	Policy SP1 – East Staffordshire Approach to Sustainable Development	b. Justified d. Consistent with National Policy	<p>The policy does not protect Tutbury, or other villages, from a more intensive use of former camps or from the conversion of redundant farm buildings which bring heavy vehicles and increased personal traffic to the site through village centres on roads not designed, built or maintained for such traffic flows.</p> <p>Carbon dioxide levels will rise in villages such as Tutbury, the countryside will be disfigured by prominent industrial buildings and ancient places such as Tutbury Castle will have their setting destroyed.</p> <p>The protection of road users in the centre of villages such as Tutbury, with its steep hills and medieval street layout, and the setting of such an historic place in the countryside is of borough, county and national importance. The stark appearance of large industrial buildings close to fragile environments is unsound planning and will result in an unsustainable loss of amenity for future generations set against the short term desire of developers.</p>	<p>In order to correct policy deficiencies the following amendments are required Remove first bullet point and replace with:</p> <ul style="list-style-type: none"> Located on, or with good links to the highway network and should not cause a significant increase in vehicular traffic through village centres; cause highway safety issues; result in a harmful increase in carbon dioxide levels; detract from the character of open countryside or the setting of historic land marks. <p>Justification: - to protect the countryside and village centres from unsustainable increase of traffic flows.</p> <p>Remove bullet point 4 and replace with:-</p> <ul style="list-style-type: none"> Integrated with the character of the landscape and townscape by the use of low profile single storey buildings of suitable design and pastel coloured materials to blend with their surroundings. Such buildings must be screened by tree planting. Proposals must also provide for an archaeological investigation where this is appropriate and it enhances buildings of heritage importance and their setting. <p>Justification: - to be more consistent with national policy and to meet local requirements.</p>	<p>The development strategy identifies sites to meet the objectively assessed needs of the Borough which have also been robustly assessed through the SA and considered sustainable.</p> <p>Other policies in the Local Plan cover areas of design and the historic environment which seek the use of high quality design and the protection of heritage assets. These policies have been informed by relevant evidence base such as the Tutbury Extensive Urban Survey (EUS) and the draft Tutbury Conservation Area Appraisal.</p> <p>No change proposed.</p>		
Rep LP289 – Uttoxeter Labour	Yes	No	Policy SP9 –	a. Positively prepared	We believe that there is insufficient account taken of the impact of the increased traffic	The Uttoxeter Labour Party believes that Strategic Policy 9 should be	Evidence of infrastructure is set out in The Infrastructure		

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Party			Infrastructure Delivery and Implementation	b. Justified	<p>which will be generated by over 1,500 new homes in Uttoxeter. If the Town is to grow by 30% the cumulative effect of the increased traffic should be considered.</p> <p>Whilst we are not against most of the proposed development the analyses of the different sites do not reflect the need to look at the impact of the increased traffic on Uttoxeter of all the developments taken together.</p> <p>The Uttoxeter Labour Party has already commented on the Planning application P/2013/00882 for Land West of Uttoxeter and continue to believe that an improved junction on to the A50 (T) should be constructed.</p> <p>That, together with a suitable distributor road through the proposed development would allow weight restriction orders to be placed on Stone Road, Smithfield Road, Bramshall Road and Holly Road thus providing some relief for residents and users of those roads which will have increased traffic because of the development.</p> <p>We need that considerable improvements to the local highways will be needed to allow the development proposed at Hazelwalls and in particular a safe junction will need to be constructed at the junction with Stafford Road.</p> <p>We welcome the exclusion of the Roycroft Farm site from the draft plan but the description of the site (Ref 95) does not acknowledge that this site was refused in 1989 with the dangers of access on to Bramshall Road being given as a reason.</p> <p>Any development of the Stone Road site would also add to the dangers which already exist on this road which is heavily used by</p>	<p>amended to reflect the need to consider the cumulative impact of increased traffic generated by developing several sites.</p> <p>We also believe that the analyses and description of individual sites should better reflect the highway implications of the proposed development. For example the previous refusal on Highway grounds should be reflected in the description of the Roycroft Farm site.</p>	<p>Delivery Plan and the Integrated Transport Strategy which demonstrates that these issues have been considered throughout plan preparation.</p> <p>The National Infrastructure Plan 2013 produced by HM Treasury has committed to funding for improvements for the A50 around Uttoxeter, to be delivered by Staffordshire County Council.</p> <p>No change proposed.</p>		

Rep No. & Name	Legally Compliant?	Sound?	Section to which rep relates	Reason for Unsoundness	Summary of Representation	Changes requested	Council Response	Section change	Mod No.
					children attending 5 of Uttoxeter's schools.				
Rep LP290 – Tutbury Parish Council		No	Policy SP2 – A Strong Network of Settlements	b. Justified c. Effective	<p>Former camps such as Fauld have no footpath, cycle lane or bus service to access them from nearby communities. There have been accidents and road deaths on the C91 Fauld Road, a similar situation can be seen on the Draycott-in-the-Clay/Marchington Road.</p> <p>Other rural enterprises bring similar increases in road usage on to roads not designed, built or maintained for such traffic.</p> <p>Employees of countryside enterprises are at risk if they walk or cycle and are disadvantaged when seeking employment if they cannot drive.</p>	<p>In order to correct policy deficiencies the following amendment are required</p> <p>Insert the following paragraph before the penultimate paragraph in the policy</p> <ul style="list-style-type: none"> Development at former camps and other rural enterprises must be shown to be sustainable. They should be safely accessible from communities on foot, by cycle or public transport, by the provision of footpaths, cycle lanes and/or bus services. 	<p>Policy SP2 should be read in conjunction with Policy SP14 'Rural Economy'. The paragraph preceding Policy SP14 mentions the role of former military camps. Other relevant policy for assessing such sites and their suitability and viability is given in the Re-use of Redundant Buildings SPD.</p> <p>No change proposed.</p>		
Rep LP291 - RPS Planning and Development for David Wilson Mercia	Yes	Yes	Page 69 & Key Diagram	N/A	The Key Diagram is supported including the Direction of Housing Growth to the south of Uttoxeter.		<p>Support noted.</p> <p>No change proposed.</p>		
Rep LP292 - Tutbury Parish Council		No	Policy SP3 – Provision of Homes and Jobs 2012-2031	a. Positively prepared b. Justified c. Effective d. Consistent with National Policy	<p>The ESBC proposal to allow 11,648 dwellings during the plan period is not justified and will prove to be ineffective.</p> <ol style="list-style-type: none"> It takes no account of the history of house build rates in the borough. It derives from former Growth Point status and from policies prepared against the revoked Structure Plan and the Regional Spatial Strategy. The ESBC figure of 613 dwellings each year is not valid. Its use in an economic downturn as part of a market led model for housing provision may result in ongoing non-compliance with the 5 year rule, and cause further land speculation. The council will be powerless to refuse such applications (see Red House Farm appeal) and it brings no certainty that such 	<p>In order to correct policy deficiencies the following amendment is required.</p> <p>Remove the first sentence of Policy No. 3 and replace with 'The Borough Council will provide for 9,500 dwellings over the plan period 2012 – 2031, an average build rate of 500 per year.</p>	<p>The development strategy identifies sites to meet the objectively assessed needs of the Borough which have also been robustly assessed through the SA and considered sustainable.</p> <p>Evidence of the housing requirement for East Staffordshire Borough is set out in the SHMA which demonstrates that that the Borough's housing requirement has been objectively assessed. The SHMA states that the annual housing completion target is 613 dwellings. The Council is</p>		

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					<p>approvals will produce households that meet the stated profile of need.</p> <p>3. The number of houses proposed (11,648 at 613 a year) is unsustainable within the Bruntland definition; 'it does not meet the needs of the present without compromising the ability of future generations to meet their own needs'.</p> <p>4. Tutbury Parish Council assumes that the Growth Point rate of 500 houses each year is a legal commitment which ESBC must continue. On that basis the 613 per year should be reduced to this lower figure which still includes an element of growth. Should the assumption of the Growth Point legal commitment be incorrect the proposed figure for the 19 years could be reduced further to reflect historic levels plus a percentage increase to meet population predictions.</p>		<p>no longer legally bound by the housing requirement that was required through Growth Point status or the former Staffordshire Structure Plan. Whilst still a consideration, the West Midlands Regional Spatial Strategy has now been revoked.</p> <p>No change proposed.</p>		
Rep LP293 - RPS Planning and Development for David Wilson Mercia	Yes	Yes	Pages 7-9 & Policy SP2 A Strong Network of Settlements	N/A	Uttoxeter is appropriately included as a main town in the settlement hierarchy. The proposed settlement boundary extension to Uttoxeter is supported.		<p>Support noted.</p> <p>No change proposed.</p>		
Rep LP294 – Mr T Tams	Yes	No	Policy SP2 – A Strong Network of Settlements and Inset Map 10 - Marchin	Justified	<p>I am opposing the increase in settlement boundary in Marchington on the area marked on Jacks Lane. I consider the following points relevant for consideration before this boundary movement is pushed through.</p> <p>The area in question is higher than the road and the houses in front. The area already suffers with water runoff affecting all the houses in front of the area. The Environment Agency must be involved in</p>	Further consultation with residents, infill only.	Policy SP27 'Climate Change, Water Body Management and Flooding' provides criteria for the mitigation of flooding by requiring new development to include sustainable drainage systems that reduce run off. The Environment Agency and Staffordshire County Council as Local Lead Flood Authority are statutory consultees in relation to planning		

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			gton		<p>future consultation to ensure run off from a development is catered for as flooding in the village and particularly in this area is a major problem.</p> <p>There is already a congestion of cars in the village and any development will introduce more cars to a small infrastructure which already cannot cope.</p> <p>Consideration must be given to the type of development from a height restriction on an already elevated piece of a land. Any height on a new development would overlook and overshadow existing properties.</p>		<p>applications.</p> <p>Policy DP3 deals with appropriate design including ensuring no overlooking.</p> <p>No change proposed.</p>		
Rep LP295 – Tutbury Parish Council		No	Policy SP5 – Distribution of Employment Growth 2012-2031 (allocations)	Justified	The chart is incomplete as it does not show some employment provision already approved at sites such as Branston and Tutbury.	<p>In order to correct policy deficiencies the following amendments are required:</p> <p>- Complete the chart to show all new employment provision.</p>	<p>The Local Plan only identifies and allocates strategic employment sites for the towns of Burton upon Trent and Uttoxeter. The Annual (Authorities) Monitoring Report reports employment completions Borough wide for all sites greater than 0.1 square hectares. The employment land review lists employment sites which should be retained for employment uses.</p> <p>No change proposed.</p>		
Rep LP296 - RPS Planning and Development for David Wilson Mercia	Yes	No	Pages 79-80 & Policy SP2 – A Strong Network of Settlements	d. Consistent with National Policy	<p>Not sound (test d) in part.</p> <p>The last sentence should refer to an <u>adopted</u> Neighbourhood Plan.</p>	Delete 'made' and insert 'adopted'.	<p>The terminology as stipulated in Section 20(b) of the Neighbourhood Planning (General) Regulations 2012 refers to adopted Neighbourhood Plans as 'been made'.</p> <p>No change proposed.</p>		
Rep LP297 –	Yes	No	Policies	a. Positively	The Uttoxeter Labour Party does not believe	Uttoxeter Labour Party believes that on	The approach to defining		

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Uttoxeter Labour Party			Map – Inset 3 - Uttoxeter	prepared b. Justified	<p>that the plan is sound because of the lack of protection it gives to the historic Bramshall Road Park and the beautiful environment of the Picknall Valley.</p> <p>Whilst we welcome the exclusion from the proposed plan of the Roycroft Farm site and the recognition that the site is contrary to current Policy NE1 we regret that the Green Gap does not cover this land.</p> <p>We are totally opposed to the proposal to develop the Land at Stone Road (Mount Pleasant) because we believe that such development would completely change the character of the area and would destroy the rural environment of the park and the two neighbouring schools.</p> <p>Because of this we do not believe the Plan meets its test of soundness in relation to the need to protect the environment of the Bramshall Road Park and the Picknall Valley.</p> <p>In particular we would refer to the following statement and policies which should afford protection:-</p> <p>(1) Page 11 of the proposed plan, in the description of "What is a local plan" describes that a local plan is to protect the natural environment to ensure that assets which are valuable to the Borough are protected, conserved and enhance d.</p> <p>(2) Strategic Policy 23(a), Page 130.</p> <p>(3) Strategic Policy 25 - Historic Environment - Page 137.</p> <p>(4) Detailed Policy 6, Page 172, regarding Registered Parks and Gardens and other significant landscapes.</p>	<p>the Uttoxeter Map (Inset No.3) the Green Gap should be extended to the boundary of the Bramshall Road Park and if possible should cover other green area of the Picknall Valley.</p> <p>This amendment would help to avoid some of the conflict with SP23 (a), SP25, Detailed Policy 6 and SP8.</p>	<p>Strategic Green Gaps is set out in the Strategic Green Gaps Topic Paper. This designation is to direct housing growth accordingly and is not a landscape protection designation.</p> <p>Relevant evidence base including the Staffordshire County Council's Staffordshire Landscape SPG (which is currently being revised) will inform the implementation of Detailed Policy 6 where appropriate.</p> <p>No change proposed.</p>		

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					(5) Strategic Policy 8 which will supersede Policy NE1.				
Rep LP298 – Tutbury Parish Council		No	Policy SP9 – Infrastructure Delivery and Implementation	b. Justified	There will be inequality and accusations of unfairness if the proportion of developer contributions varies widely or there is no promise of the money being spent at or nearby the site.	In order to correct policy deficiencies the following amendment is required Delete 'The level of contributions will be determined on a case by case basis.....' in the penultimate paragraph of the policy (P99)	Planning obligations have to be determined on a site by site basis and relevant statutory tests. Planning Obligations are being replaced with the Community Infrastructure Levy (CIL) which will pool contributions for specific projects/improvements. Following completion of viability work a draft charging schedule for CIL will be prepared and consulted upon in due course. No change proposed.		
Rep LP299 - Uttoxeter Labour Party	Yes	No	Policies Map – Inset 3 - Uttoxeter	a. Positively prepared b. Justified	Uttoxeter Labour Party opposes the inclusion of the Stone Road (Mount Pleasant) site in the draft plan for several reasons. (1) The Statement of Consultation says that there was considerable opposition to this site but that it was retained because of housing need and yet land West of Dove Way which provides for 121 houses (Ref 79) is not included. The land West of Dove Way has already been the subject of two Planning Applications for a total of 105 houses. (2) The description of the Stone Road site (Ref334) is erroneous in that no mention is made of it being adjacent to the historic Bramshall Road Park. The Uttoxeter Labour Party has made it clear in Submission B that the inclusion of the Stone Road site conflicts with several of the Strategic Policies of the proposed plan which are meant to protect areas like the Bramshall Road Park and the	The Uttoxeter Labour Party believes the Stone Road site should no longer be shown as a housing allocation site on the Uttoxeter Map (Inset No.3). This amendment would help to avoid some of the conflict with the policies such as SP23 (a), SP25, Detailed Policy 6 and SP8 which aim to protect the environment of areas such as the Bramshall Road Park. We also believe that the description of the Stone Road Site (Ref334) should be corrected to reflect that it is adjacent to the Bramshall Road Park.	The development strategy identifies sites to meet the objectively assessed needs of the Borough. The text on page 150 highlights the fact that the most acute current and potential shortfall for football pitches is in the Burton area. A new Hub site is proposed in Uttoxeter which will assist in addressing this issue for Uttoxeter and its location is identified on the Uttoxeter Inset Map. No change proposed.		

Rep No. & Name	Legally Compliant?	Sound?	Section to which rep relates	Reason for Unsoundness	Summary of Representation	Changes requested	Council Response	Section change	Mod No.
					Picknall valley. (3) Page 150 of the plan does not recognise the need for more sports pitches in Uttoxeter. A request has already been made by Oldfields Sports and Social Club to the County Council for the use of the Stone Road land for more pitches. There is already a shortage of football pitches and more will be needed with the growth of the town. The Stone Road land is ideally placed to enable the sports hub at Oldfields Sports and Social Club to expand and develop.				
Rep LP300 - RPS Planning and Development for David Wilson Mercia	Yes	Yes	Pages 83-84 & Policy SP4 – Distribution of Housing Growth	N/A	The inclusion of 'Hazelwalls' for 350 units is supported.		Support noted. No change proposed.		
Rep LP301 - RPS Planning and Development for David Wilson Mercia	Yes	No	Page 85 3rd paragraph	b. Justified	The build rate of 40 dw/year is considered too low for the period 2015 onwards. David Wilson Mercia contends that 50 dwellings per year will be achievable on the Hazelwalls Farm site at Uttoxeter on average from 2015/16.	Delete 'major' in line 4 of 3rd paragraph on page 85 as a tailored approach is appropriate for all of the SUEs.	The housing trajectory is based on current planning applications and information provided by applicants / agents. A modification to update the trajectory in line with recent appeal decisions is proposed. Change proposed.	Page 85	Mod No. 39
Rep LP302 - Uttoxeter Labour Party	Yes	No	Policy SP4 – Distribution of Housing Growth 2012-2031	a. Positively prepared b. Justified	Uttoxeter Labour Party opposes the inclusion of the Stone Road (Mount Pleasant) site in the draft plan for several reasons. (1) The Statement of Consultation says that there was considerable opposition to this site but that it was retained because of housing need and yet land West of Dove Way which provides for 121 houses (Ref 79) is not included. The land West of Dove Way has already been the subject of two	The Uttoxeter Labour Party proposes that in Strategic Policy 4 the Stone Road site (100 houses) is removed and is replaced by Land West of Dove Way (105 houses), giving a net increase of 5 in the total. This will ensure that the conflict with policies designed to protect the environment is mitigated and the proposed numbers of dwellings is maintained and indeed increased. It will	The development strategy identifies sites to meet the objectively assessed needs of the Borough. The SHLAA assessment states that the land west of Dove Way, Uttoxeter has a capacity of less than 100 units. As the capacity is less than 100 units it is not therefore considered as a strategic site allocation.		

Rep No. & Name	Legally Compliant?	Sound?	Section to which rep relates	Reason for Unsoundness	Summary of Representation	Changes requested	Council Response	Section change	Mod No.
					<p>Planning Applications for a total of 105 houses.</p> <p>(2) The description of the Stone Road site (Ret334) is erroneous in that no mention is made of it being adjacent to the historic Bramshall Road Park. The Uttoxeter Labour Party has made it clear in Submission B that the inclusion of the Stone Road site conflicts with several of the Strategic Policies of the proposed plan which are meant to protect areas like the Bramshall Road Park and the Picknall valley.</p> <p>(3) Page 150 of the plan does not recognise the need for more sports pitches in Uttoxeter. A request has already been made by Oldfields Sports and Social Club to the County Council for the use of the Stone Road land for more pitches. There is already a shortage of football pitches and more will be needed with the growth of the town. The Stone Road land is ideally placed to enable the sports hub at Oldfields Sports and Social Club to expand and develop.</p>	also leave the Stone Road land available for community uses such as sports fields.	<p>There are currently two separate planning applications on the site, both of which are below the strategic site threshold. Developments, if and when they come forward will contribute to the windfall/development allowance for Uttoxeter.</p> <p>A proposed modification is to remove the Stone Road allocation.</p> <p>Change proposed.</p>	SP4	Mod No. 37
Rep LP303 – Tutbury Parish Council		No	Policies SP12 – Derby Road, Burton upon Trent and SP34 – Health and Wellbeing	b. Justified c. Effective	1. 'Increasing levels of traffic congestion impacting on the local economy and consequent threat of poor air quality' are recognised as a threat (page 49). The need for improved air quality is also recognised in SP12 as is the monitoring of same (page 105). There is no reference in SP34 or in the monitoring section (part 4) as to how the impact of development or measures to ameliorate problems in air quality management areas and the A38 corridor will be judged or improved.	<p>In order to correct policy deficiencies the following amendments are required:</p> <p>After 'water' insert 'air' on the second line of the first bullet point in SP34.</p> <p>Include a measurable air quality indicator and target in the monitoring section of the plan for air quality management areas and other areas known to have higher than average poor air quality. (See also comment on SP28)</p>	<p>Propose Modification to Policy SP34 to include air pollution</p> <p>Change proposed.</p>	SP34	Mod No. 119
Rep LP304					No representation for LP304				
Rep LP305 -	Yes	No	Policy	a. Positively prepared	Uttoxeter Labour Party opposes the	Uttoxeter Labour Party believes that	The development strategy		

Rep No. & Name	Legally Compliant?	Sound?	Section to which rep relates	Reason for Unsoundness	Summary of Representation	Changes requested	Council Response	Section change	Mod No.
Uttoxeter Labour Party			SP32 – Outdoor Sports and Open Space Policy	b. Justified	<p>inclusion of the Stone Road (Mount Pleasant) site in the draft plan for several reasons.</p> <p>(1) The Statement of Consultation says that there was considerable opposition to this site but that it was retained because of housing need and yet land West of Dove Way which provides for 121 houses (Ref 79) is not included. The land West of Dove Way has already been the subject of two Planning Applications for a total of 105 houses.</p> <p>(2) The description of the Stone Road site (Ref334) is erroneous in that no mention is made of it being adjacent to the historic Bramshall Road Park. The Uttoxeter Labour Party has made it clear in Submission B that the inclusion of the Stone Road site conflicts with several of the Strategic Policies of the proposed plan which are meant to protect areas like the Bramshall Road Park and the Picknall valley.</p> <p>(3) Page 150 of the plan does not recognise the need for more sports pitches in Uttoxeter. A request has already been made by Oldfields Sports and Social Club to the County Council for the use of the Stone Road land for more pitches. There is already a shortage of football pitches and more will be needed with the growth of the town. The Stone Road land is ideally placed to enable the sports hub at Oldfields Sports and Social Club to expand and develop.</p>	<p>Pages 150 and 151 of the draft plan should be amended to reflect the need to increase sports facilities in the town of Uttoxeter.</p> <p>On page 150, the wording should be amended in the final paragraph so that it reads “..... shortfall being for junior football pitches in Burton and Uttoxeter.” We also believe that Strategic Policy 32 on page 151 should be amended so that the ratio of hectares per 1,000 population is fairer to Uttoxeter residents.</p>	<p>identifies sites to meet the objectively assessed needs of the Borough which have also been robustly assessed through the SA and considered sustainable.</p> <p>The SHLAA assessment states that the land west of Dove Way, Uttoxeter has a capacity of less than 100 units. As the capacity is less than 100 units it is not therefore considered as a strategic site allocation. There are currently two separate planning applications on the site, both of which are below the strategic site threshold. Developments, if and when they come forward will contribute to the windfall/development allowance for Uttoxeter.</p> <p>The text on page 150 highlights the fact that the most acute current and potential shortfall for football pitches is in the Burton area. A new Hub site is proposed in Uttoxeter which will assist in addressing this issue for Uttoxeter and its location is identified on the Uttoxeter Inset Map.</p> <p>No change proposed.</p>		
Rep LP306 - RPS Planning and Development for David Wilson Mercia	Yes	No	Page 88 & Policy SP6 – Managing the Release	c. effective	RPS and David Wilson Mercia considers Strategic Policy 6 on Managing the Release of Housing and employment Land should include a direct reference to maintaining a minimum 5 year supply of housing land applying a 20% buffer. The support for this approach is provided clearly in the Decision	Strategic Policy 6 should refer directly to maintaining a minimum 5 year supply of housing land applying 20% buffer due to persistent under-delivery. The Sedgefield method for dealing with under provision should be identified as	The development strategy identifies sites to meet the objectively assessed needs of the Borough which have also been robustly assessed through the SA and considered sustainable.		

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			of Housing and Employment Land		Letter and Inspector's Report relating to planning appeal APP/B3410/A/13/2197299 in respect of land at Red House Farm, Lower Outwoods Road, Burton-upon-Trent dated 12 November 2013.	applying in East Staffordshire.	Strategic Policy 6 is supported by relevant evidence base regarding the housing requirement for East Staffordshire Borough which is the SHMA and the Housing 5 year land supply document. No change proposed.		
Rep LP307 – Tutbury Parish Council		No	Policy SP14 – Rural Economy	a. Positively prepared b. Justified	Paragraph 2.3 The Sustainable Development Strategy claims to take account of known and anticipated constraints. This includes careful consideration of development land close to the best and most versatile agricultural land. Such land is defined in Appendix 4 as land when judged as the most versatile by its topography and productivity is graded 1, 2 & 3a. In the section of the Local Plan which refers to Development Outside Settlement Boundaries (page 93) it states that one of the key elements in determining whether or not a development is acceptable in the countryside is to recognise the need to maintain land of high agricultural value for food production. This need, to consider the quality of the land however, has not been included in strategic policy 14 Rural Economy.	In order to correct policy deficiencies the following amendments are required: Insert the following as sub paragraph (iii): No development will be permitted on grade 1. 2. Or 3a agricultural land.	As with other relevant planning policies, Policy SP14 should be read in conjunction with other relevant policies, including Policy SP8. An amendment to Policy SP1 to include reference to the best and most versatile agricultural is proposed. Change proposed.	SP1	Mod No. 30
Rep LP308 - RPS Planning and Development for David Wilson Mercia	Yes	Yes	Page 88 & Policy SP7 - SUEs, 1 st paragraph	N/A	Although not a matter of soundness, the first paragraph lacks clarity by referring to development 'scattered around the town' without naming the town or identifying other areas where this is not intended to apply.	It would be more appropriate to refer to "scattered around the Borough".	Consider the policy is clear in terms of the development strategy directing growth for SUEs adjacent the existing towns of Burton upon Trent and Uttoxeter. For other areas, such as rural settlements and open countryside other relevant policies such as SP8 apply. No proposed change.		
Rep LP309 – Tutbury Parish		No	Policy SP23 –	a. Positively prepared b. Justified	In Policy SP23 paragraph (h), the proposals make no mention of the reuse of rainwater	In order to correct policy deficiencies	Rainwater recycling is referred to in Policy SP27 'Climate		

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Council			Green Infrastructure		for domestic purposes or for gardening watering. Water retained at premises minimises the need for whole site percolation and reduces the damage of 'run off' floods on to nearby land.	the following amendments are required Add to paragraph (h) Reclaimed rainwater systems for toilet flushing and watering needs should be employed in all new dwellings.	Change, Water Body Management and Flooding' (greywater recycling). No change proposed.		
Rep LP310 – Tutbury Parish Council		No	Policy SP24 – High Quality Design	a. Positively prepared c. Effective	Policy No.24 makes no mention of safe routes to school.	In order to correct policy deficiencies the following amendments are required Add to second 'bullet point' :- new sentence 'a safe route to school should be provided for all housing development.	Strategic Policy SP35 'Accessibility and Sustainable Transport' refers to ensuring that development proposals mitigate against potential safety impacts as well as promoting increased safety provision. No change proposed.		
Rep LP311 – Tutbury Parish Council		No	Policy SP27 – Climate Change , Water Body Management and Flooding	b. Justified	1) The policy is not robust enough to safe guard housing in flood risk areas Sustainable Drainage 2) The policy makes no mention of retention of rainwater at each property to flush toilets or other general purposes, as an alternative to the use of drinking water (see also proposed change to policy No.23) 3) Responsibility for maintenance of sustainable drainage infrastructure is not catered for.	In order to correct policy deficiencies the following amendments are required Policy wording change: - Replace 1st paragraph (page 142) with 'Proposals in high flood risk areas will not be permitted and will only be permitted in other areas where they will not cause unacceptable harm to the following interests:' Sustainable Drainage (page 143) After bullet point No.1 – Add to the following. All new buildings should wherever possible gather rainwater for re-use. Drainage systems should include the use of rainwater retention at each household/employment premises. After last bullet point:	The developer cannot necessarily be held responsible for the maintenance of a SUDS drainage system post completion, but a SUDS system may be subject to a formal maintenance arrangement/agreement in a similar way to that of open space. No change proposed.		

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						Where all new Suds drainage systems that require maintenance, the developer must remain responsible for run offs created by the development.			
Rep LP312 - RPS Planning and Development for David Wilson Mercia	Yes	Yes	Pages 88-91 & Policy SP7 SUEs, 2nd paragraph onwards)	N/A	RPS and David Wilson Mercia support the recognition of the role SUEs in the East Staffordshire spatial strategy as being sustainable and appropriately justified. The delivery framework is helpful and appropriate. A Masterplan led approach to the SUEs is appropriate and has been followed in the case of land at Hazelwalls Farm, Uttoxeter.		Support noted. No change proposed.		
Rep LP313 – Tutbury Parish Council		No	Policy SP28 – Renewable and Low Carbon Energy Generation	a. Positively prepared b. Justified	The policy fails to require specific information from developers about CO2 emissions arising from a development and thus impairs the Council’s ability to make objective judgements on its impact.	In order to correct policy deficiencies the following amendments are required New paragraph after the third bullet point: Proposals for new development which create extra traffic should estimate the likely increase in the level of carbon dioxide. The Council will monitor carbon dioxide levels in Burton, Uttoxeter and Strategic Villages. It will aim to achieve levels that are no higher than the County average.	Strategic Policy SP35 ‘Accessibility and Sustainable Transport’ refers to ensuring that development proposals reduce the need to travel and therefore aims to reduce contributions towards carbon dioxide emissions. The Monitoring Framework contained in Part 5 of the Local Plan demonstrates how this policy will be monitored. No change proposed.		
Rep LP314 – Stubby Lane LLP	Yes	No	Policy SP4 – Distribution of Housing Growth 2012-2031	a. Positively prepared b. Justified c. Effective d. Consistent with National Policy	<ul style="list-style-type: none"> The Local Plan fails to provide for sufficient housing to meet the needs of the Borough; There is too great an emphasis upon large Greenfield sites to meet housing needs in the early phases of the Plan period. Such sites will be difficult to bring forward and meet needs thereby exacerbating the undersupply of housing delivery; 	<ul style="list-style-type: none"> That the Stubby Lane depot be identified as a mixed use development site making and early contribution of 150 houses to the villages of Marchington/Draycott-in-the-Clay. 	The development strategy identifies sites to meet the objectively assessed needs of the Borough. It is recognised that Greenfield sites are required in order to deliver the development strategy in addition to brownfield sites.		

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					<ul style="list-style-type: none"> The Plan fails to make full use of available brownfield sites and places too great an emphasis upon Greenfield locations; The Plan accepts that both Marchington and Draycott-in-the-Clay are villages with a good range of local services and excellent local employment opportunities. The Council has also been advised that the large Kuhne and Nagel depot, owned by Stubby Lane LLP, would, if it became vacant, be unlikely to find another tenant and would become vacant. It was not considered to be critical to the Council's employment resource having regard to other facilities locally so it's redevelopment is clearly an opportunity that the Plan should acknowledge and address. 		<p>No change proposed.</p> <p>The justification for settlement boundary amendments for Marchington and Draycott in the Clay, where the settlement boundary is being reinstated is set out in the Settlement Boundary Topic Paper.</p> <p>No proposed change.</p> <p>Development proposals for the redevelopment of the site will be assessed through relevant policies such as Strategic Policy 8 (Development Outside Settlement Boundaries) and Strategic Policy 14 (Rural Economy).</p> <p>An assessment of brownfield sites is set out in the Brownfield Sites Topic Paper which is also in turn informed by the SHLAA and ELR evidence base.</p> <p>No change proposed.</p>		
Rep LP315 - RPS Planning and Development for David Wilson Mercia	Yes	Yes	Pages 91-93 & Policy SP7 – Sustainable Urban Extensions	N/A	<p>RPS and David Wilson Mercia strongly supports the inclusion of land at Hazelwalls Farm, Uttoxeter as one of the smaller SUE allocations in Strategic Policy 7. Bullets 3 and 4 do not apply to the site, being a smaller SUE allocation which does not include Class B employment as one of the mixed uses in the scheme.</p> <p>The Inspector may consider minor rewording is needed to clarify intentions and make the policy more effective.</p>	<p>Bullets 3 and 4 should include a statement that these do not apply to Hazelwalls Farm, Uttoxeter (where no employment land allocation is proposed).</p> <p>Alternatively, the first line of the Policy after the lists of sites should be modified to state that "The Major SUEs will ..." and rely on the first paragraph of the policy on page 93 to address requirements relating to the two smaller SUEs, i.e. referring back to the preceding paragraphs where relevant.</p>	<p>Whilst the Council wishes to see the principles of SUEs apply to all sites, it acknowledges that not all criteria will be appropriate for smaller SUEs. This acknowledgment is already contained within SP7.</p> <p>No change proposed</p>		

Rep No. & Name	Legally Compliant?	Sound?	Section to which rep relates	Reason for Unsoundness	Summary of Representation	Changes requested	Council Response	Section change	Mod No.
Rep LP316 – Branston Parish Council	No	No	Policy SP10 – Education Infrastructure	a. Positively prepared b. Justified c. Effective	The parish council have concerns regarding the education needs within the Parish.	A full assessment of education needs in the parish is required.	Evidence of infrastructure including education is set out in the Burton upon Trent Education (School) Planning evidence base which demonstrates that these issues have been considered throughout plan preparation. Work is ongoing with Staffordshire County Council to consider the need for further education provision for Burton upon Trent.		
Rep LP317 - RPS Planning and Development for David Wilson Mercia	Yes	Yes	Pages 98-99 & SP9 – Infrastructure Delivery and Implementation	N/A	The Infrastructure Delivery Plan (IDP) published October 2013 indicates that primary provision may be included instead of or alongside provision at the West of Uttoxeter, and that a contribution towards education provision is required where this is not provided. The IDP indicates a deficit of nearly 2FE in the town which will be met in part through the provision of a 1FE First School as part of West of Uttoxeter of Hazelwalls Farm planning applications. RPS supports the requirement for a 1FE First School and considers that Hazelwalls Farm would provide a suitable location for the school enhancing education provision to the south of Uttoxeter where it is evident that facilities are lacking.		Strategic Policy SP10 which is supported by evidence contained within the Infrastructure Delivery Plan (IDP) allocates new primary school provision in Uttoxeter. As stated in the policy, partnership working and further discussions shall be undertaken with Staffordshire County Council Education to determine the location of the school site on either land west of Uttoxeter or Hazelwalls Farm. A modification is proposed to make reference to provision through expansion of existing schools.	SP10	Mod No. 55
Rep LP318 - RPS Planning and Development for David Wilson Mercia	Yes	No	Page 101 & Policy SP10 – Education Infrastructure	b. Justified c. Effective	Strategic Policy 10 refers to the need for a new primary school in Uttoxeter at "Land West of Uttoxeter and/or Hazelwalls Farm, Uttoxeter". However, Uttoxeter operates a First, Middle and High School three tier system and accordingly the Policy should be modified to refer to a one form of entry First School linked to either of the identified sites.	Strategic Policy 10 should be modified to refer to a one form of entry First School linked to either of the identified sites at West of Uttoxeter or Hazelwalls farm. As there is a lack of First School provision in the south of Uttoxeter	The requirements for first, middle and secondary school provision in Uttoxeter are different so it is therefore important that the policy contains clarity as to these differing requirements.		

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					RPS has identified there is a lack of First School provision in the south of Uttoxeter currently and there may be advantages in spatial planning to locate the new First School at Hazelwalls Farm and secure proportionate contributions towards the required site and building construction from the development of Land West Of Uttoxeter. This should be included in additional supporting text to the policy.	currently, the advantages in spatial planning of locating the new First School for Uttoxeter at Hazelwalls Farm and securing proportionate contributions towards the value of the required site and building construction from the development of Land West Of Uttoxeter should be set out in the reasoned justification to the policy. The fourth paragraph of Strategic Policy 10 should refer to 'schools' and the words "primary and secondary" should be deleted to recognised there are also First, Middle and High schools in the Borough.	No change proposed.		
Rep LP319 - RPS Planning and Development for David Wilson Mercia	Yes	Yes	Para (pp 111-112) & SP16 – Meeting Housing Needs	N/A	The purpose of Strategic Policy 16 is noted and recognised. RPS and David Wilson Mercia see merit in the reasoned justification encouraging a discussion between housing developers and the Local Planning Authority in respect of appropriate housing mix for specific proposals as there may be locations where a departure from the Table 3.1 mix proportions will be agreed to be appropriate.	Consideration should be given to a reference in the supporting reasoned justification of Strategic Policy 16 to pre-application discussions addressing appropriate housing mix for specific proposals.	Amendments to the justification proposed, in particular the removal of table 3.1 It is considered this proposed modification would allow the policy to be flexible in terms of providing a mix of housing. Change proposed.	Page 112	Mod No. 72
Rep LP320 – Davies and Co.	Yes	No	Policies SP3 – Provision of Homes and Jobs 2012-2031, SP4 – Distribution of housing Growth 2012-2031,	a. Positively prepared b. Justified	We submit herewith our formal response to the East Staffordshire Pre-Submission Local Plan on behalf of the Land Consortium, Messrs Robinson, Hill, and Newstead, the representations specific to the land area on the plan - 54.38 Ha. 1. Introduction 1.1 The land comprises approximately 54 Ha on the south side of Henhurst Hill, as more fully described below. 1.2 For the reasons set out below, it is considered to be a deliverable housing site i.e. it is available now; it is in a suitable location for housing development; and is achievable (and, specifically, is viable).		The development strategy identifies sites to meet the objectively assessed needs of the Borough which have also been robustly assessed through the SA and considered sustainable. The site identified has been appraised as an alternative through the sustainability appraisal but does not form part of the development strategy. No change proposed.		

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			Policies map		<p>2. Site location and description</p> <p>2.1 The site is shown on the attached plans. It lies south of Henhurst Hill and east of Postern Road and has a frontage to those roads at various points.</p> <p>2.2 The site comprises a mix of agricultural (mainly pasture) land and the site of the National Forest Adventure Farm and associated buildings, including Postern House farmhouse, which is a Grade II listed building. The agricultural land is broken down into a number of fields of varying size, defined by hedgerows, with sporadic hedgerow trees. There is a general fall north to south and the site includes a limited number of water features.</p> <p>2.3 The National Forest Adventure Farm incorporates a range of buildings, structures and car parking areas, together with a (seasonal) maize maze. The Adventure Farm lies within the southern part of the overall site and serves to visually contain part of the site. Certain trees on the western and northern edges of the site are protected by TPO's.</p> <p>2.4 There is existing, largely linear ("ribbon") residential development along the northern site boundary and the northern sections of the western and eastern boundaries. The existing development is very visible from within the site and is prominent in the wider landscape.</p> <p>3. Ownership situation</p> <p>3.1 The overall site is divided into three separate ownerships. The three landowners are willing to see their land developed and are collaborating fully to bring that about. To that end, they have entered into detailed discussions with prospective residential developers and there have been expressions of interest.</p> <p>3.2 Given the ownership situation, the land is, therefore, available now.</p>				

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					<p>4. Background</p> <p>4.1 The site is part of a larger site (that included land to the east of the present site) that has been promoted in the past as a housing-led sustainable urban extension. The Council will have in its possession, copies of documents and representations that were previously submitted for that larger site, both in relation to the (now revoked) Regional Spatial Strategy and previous stages of the Local Plan (Core Strategy, as was), including the various SHLAA exercises, the latter concluding (in summary) that the site was suitable for development and was available and achievable.</p> <p>4.2 Part of the present site was identified in 2012 as being within the indicative area for the preferred direction of expansion for Burton (Option 2 d.) within the Council's Preferred Options consultation document.</p> <p>4.3 The recent appeal decision relating to land at Red House Farm, Lower Outwoods Road, Burton-upon-Trent has identified a deficiency in the Council's calculation of its housing requirement over the plan period, leading to an urgent need to identify one or more new housing sites. In accordance with the Council's preferred development strategy and settlement hierarchy, as identified in the Pre-Submission Local Plan, a further site (or sites) should be allocated in/around Burton-upon-Trent.</p> <p>5. A suitable location</p> <p>5.1 The site has good road access to the town centre, railway station and major employment areas. It is also accessible to the principal road network, including the A38.</p> <p>5.2 There is good accessibility by public transport, with regular services running on Henhurst Hill and less frequent services on</p>				

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					<p>Postern Road.</p> <p>5.3 The existing residential development directly to the north, west and east of the site provides an established, strong context and framework for new residential development on the site. Such development would enable a well-planned neighbourhood to be created, that built-on, and enhanced, the existing pattern of ribbon development and provided community benefits for existing residents.</p> <p>6. An achievable development</p> <p>6.1 Previous technical studies (submitted to the Council) show no overriding constraints. The site is not at risk of flooding, nor does it comprise "best and most versatile" agricultural land. Previous landscape and visual impact assessment work (May 2009) concluded that a suitable residential development could be accommodated satisfactorily within the landscape.</p> <p>6.2 A previous highway and transport study (December 2008) concluded that the site was capable of being accessed satisfactorily; could be developed without significant detriment to the operation of the highway network; and was capable of being served by sustainable modes of transport (the latter being in accordance with the Pre-Submission Local Plan strategic policy SP35). An improvement to existing bus services, as a consequence of the proposed development, would also be to the benefit of existing residents.</p> <p>7. The scheme</p> <p>7.1 As noted above, the site was previously promoted as part of a larger site that included land to the east of the present site. As part of that work, an indicative concept plan was developed for the entire site and submitted to the Council. The structure of the layout shown in that plan was such that (with some minor adaptation) the present site</p>				

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					<p>could be divorced from the remaining land to the east, and developed as a logical and self-contained free-standing neighbourhood. Alternatively, if it also came forward, it could be developed in conjunction with the land to the east, as originally envisaged. A plan showing an indicative highway layout for the present site is attached.</p> <p>7.2 As well as residential development, the site would include substantial structural landscaping and green infrastructure, in accordance with the objectives of the National Forest designation and Pre-Submission Local Plan strategic policies SP23 and SP26 (particularly criteria (iii) and (vi)). The benefits of this would include ensuring that there was no harm to the setting of Pastern Farm farmhouse, a designated heritage asset.</p> <p>7.3 The National Forest Adventure Farm is recognised in the Pre-Submission Local Plan (paragraph 1.61) as an important visitor attraction for the District. The previous concept plan included the site of the Adventure Farm in the development area and this remains the intention of the landowners. However, recognising the value of the attraction, and depending upon the housing numbers required, the attraction, in the alternative, could be retained (in whole or in part) and linked into the remainder of the site through green infrastructure, thereby enhancing its accessibility and attractiveness.</p> <p>7.4 A very small part of the site, on its south-western edge, is within a larger area that is identified as a Strategic Green Gap in the Pre-Submission Local Plan. That part of the site is on the edge of the potential main development area and could easily be excluded from the area proposed for housing, or other built development, and its role reinforced through the positioning of landscaping and green infrastructure on adjacent land within the site.</p>				

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					<p>7.5 At this stage, it is considered that the total site would be capable of accommodating up to about 1,200 homes. However, the actual number could be less than that, dependent upon the Council's housing requirements and the preferred form of development area/layout, including the retention, or otherwise, of the Adventure Farm.</p> <p>7.6 The proposed development would have full regard to Pre-Submission Local Plan strategic policies in relation to meeting housing need, including affordable housing (policies SP16 and SP17 respectively) and design (SP24), together with relevant Pre-Submission Local Plan detailed policies (including DP1, DP2, DP3 and DP8).</p> <p>8. Infrastructure and viability 8.1 It is accepted by the landowners that the proposed development would need to mitigate its impact, having regard to the statutory tests. Currently, this would need to be achieved wholly by way of planning obligations, through a Section 106 agreement, but, in due course, it is acknowledged that it is proposed that a CIL contribution would be required. (This would be in addition to any site-specific matters, not covered by CIL, which needed still to be the subject of a Section 106 agreement). 8.2 There are no known abnormal costs that would be associated with the development of the site. It is noted that independent consultants, acting on behalf of the Council, have recently considered (report dated November 2013) the viability of development generally in the District, in the context of the Local Plan and CIL work and concluded that greenfield development can be viable in the District. Against that general background, there is presently no reason to expect that the specific site considered here would not be viable; it would, therefore, be</p>				

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					<p>deliverable.</p> <p>9. Conclusion</p> <p>9.1 Against the background of a need to identify one or more additional housing sites, the site presented here offers a clear opportunity for a deliverable and sustainable development, in accordance with Pre-Submission Local Plan strategic policies SP1 and SP2. The Plan recognises that greenfield sites need to be released to meet the housing needs of the District but that there can be delay in delivering the major SUE's, as a consequence of which, smaller greenfield sites have a role to play in delivering housing that is readily available (paragraph 2.37). This is one such site.</p> <p>9.2 There is a strong willingness on the part of the landowners to engage with the Council and the local community, to design and develop a scheme of quality, with significant benefits for the local and wider community.</p> <p>9.3 The Council is therefore requested to consider the allocation of the site, as described above.</p>				
Rep LP321 - RPS Planning and Development for David Wilson Mercia	Yes	No	Pages 113-115 & SP17 – Affordable Housing	<p>b. Justified</p> <p>c. Effective</p>	<p>RPS and David Wilson Mercia object to the current policy approach to delivery of affordable housing as greater clarity is needed of the level of provision to ensure it is policy compliant.</p> <p>Paragraph 50 of the NPPF indicates that affordable housing should be provided on-site unless an off-site or financial contribution is justified. Policies should be flexible to take account of changing market conditions over time.</p> <p>Paragraph 173 of the NPPF indicates that sustainable development requires careful consideration of costs and viability. Sites and developments identified in plans should not be subject to a scale of obligations and policy burdens which would threaten their</p>	<p>Reference to developments of four or more dwellings providing affordable housing should be amended to say 'only where viable'.</p> <p>Regarding reference that the amount of affordable housing to be determined will take into account viability, the Local Plan should include references to a reduction of affordable housing less than the 25% requirement where it would be not possible to deliver the development at the higher threshold.</p> <p>The Plan needs to be clearer about the levels of affordable housing required.</p>	<p>The Council proposes to modify the plan to specify the maximum amount of affordable housing and to clarify consideration of viability.</p> <p>Change proposed.</p> <p>Reductions are already mandated in the Growth and Infrastructure Act.</p> <p>It is agreed that reassessment is only necessary where less than the target level is agreed.</p> <p>No change proposed.</p>	SP17	Mod No. 78

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					<p>development. This implies that viability is important and that affordable housing requirements should be reduced to enable development where higher affordable housing provision would cause a development to be unviable.</p> <p>As currently framed, the implication is that every housing scheme will need to undergo a viability assessment (bullet 1 on page 114).</p> <p>The second bullet on page 114 only allows for increase rather than reductions based on viability. Such viability reassessment should only be covered where less than the target level is secured rather than when a policy compliant level is agreed.</p> <p>Market housing for rent is not a use class and therefore it is not clear how it can be treated differently from general market housing in respect of affordable housing provision. It would be open to potential abuse by home-owners renting to other family members.</p> <p>The use of on and off site contributions at Burton, Uttoxeter and Strategic Villages is supported at 13% on site. However, the off-site component should be capped at an assessed level rather than left to be assessed by viability appraisal, As the evidence supports 25%, it is suggested that the off-site component be based on 12% provision. The use of clusters of no more than 8 dwellings on larger schemes may be too restrictive and the slightly higher level of 10 may be more appropriate.</p>		<p>Market housing for rent is defined in the Glossary. The S106 agreement for a scheme will prohibit occupation until such time as the housing is owned by an Institutional Investor or Registered Provider. Institutional Investor to be defined in the Housing Choice SPD.</p> <p>No change proposed</p> <p>The off-site element will be the balance of the total affordable housing requirement and the on-site amount. 25% is only the average amount, not the maximum amount.</p> <p>No change proposed</p>		
Rep LP322 - RPS Planning and Development for David Wilson	Yes	No	Chapter s 3-5	c. Effective	The use of paragraph numbers in Sections 1 and 2 is welcome and supported; their omission from Sections 3 to 5 is inconsistent and unhelpful making referral to the	The use of paragraph numbers in Sections 3 to 5.	Proposed modification to include paragraph numbers for these chapters.	Chapter s 3 - 5	Mod No. 26

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Mercia					document difficult.		Change proposed		
Rep LP323 - RPS Planning and Development for David Wilson Mercia	Yes	No	Page 149 & SP30 – Locally Significant Landscape	b. Justified	There are no defined 'locally significant landscape' areas identified on the Key Diagram. It is not clear how this policy is intended to operate and how the locally significant landscapes will be identified and how any designation will be appropriately scrutinised.	Policy 30 should be deleted or modified to exclude reference to Locally Significant Landscape areas and rely only on the second part of the policy which appropriately requires development to respect the character of the local landscape (and all other relevant policies of the Plan).	The Landscape Character Area work by Staffordshire County Council and associated supplementary planning document will identify locally significant landscape areas. A designation that may not appear on the Policies map does not necessarily mean that it wouldn't be relevant as a material consideration. No change proposed.		
Rep LP324 - RPS Planning and Development for David Wilson Mercia	Yes	No	Page 196 & Appendix 3 - Housing Trajectory	b. Justified	The Housing Trajectory entry for Hazelwalls should be modified to reflect a higher delivery rate of 50 homes per year from 2015/16 whereby the site is completed by 2021/22. This is considered more realistic than applying a lower rate of 40/year and then the rate jumping to 70/year for the final year.	The Housing Trajectory entry for Hazelwalls should be modified to reflect a higher delivery rate of 50 homes per year from 2015/16 whereby the site is completed by 2021/22.	The housing trajectory is based on recent housing planning applications and information on delivery provided by the applicant / agent on SUEs. Proposed modification to update the housing trajectory to include recent appeal decisions. Change proposed	Page 85	Mod No. 39
Rep LP325 – Mr S Anderson	Yes	No	Paragraph 2.26	a. Positively prepared b. Justified c. Effective d. Consistent with National Policy	Having been involved in the neighbourhood planning process I do not agree that ESBC have actively worked with the Parish Council or its representatives working on the plan. Positive and effective engagement is vital and never so important than with communities.	ESBC should more positively engage with the formal groups within the village of Rolleston and of course the many other areas of the borough.	Information on consultation methods are set out in the consultation statement. No change proposed.		
Rep LP326 – Mr S Anderson	Yes	No	2.27	a. Positively prepared b. Justified b. Effective d. Consistent with National Policy	I am disappointed that the assessments made of the villages were completed without the engagement with the communities. The Parish Council and other resident groups should have participated and discussed the challenges faced by facilities and the needs	Strategic allocations within villages and particularly as the housing allocations are not suitable to be classed as strategic should be removed. If ESBC insists on having a figure this is exactly what it should be a figure that the communities then plan for as part of	Chapter 2 of the Local Plan sets out how settlement numbers have been arrived as part of the sustainable development strategy. The settlement boundary assessment sets out how		

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					of the community.	neighbourhood plans. You are taking the rights away from people as given under the Localism Act 2011 and within the NPPF.	boundaries have been amended. Consultation with the community has taken place, as set out in the settlement boundary topic paper. No change proposed.		
Rep LP327 – Mr S Anderson	Yes	No	Policy SP1 – East Staffordshire Approach to Sustainable Development	a. Positively prepared b. Justified c. Effective d. Consistent with National Policy	The document does not make it clear what sustainable development means. It is really important that ESBC define sustainability providing clear parameters that can be used within the planning decision process. The definition needs to be provided in such a way that both planning experts and members of the public can easily understand.	The definition should be included and take into account how a community provides services and how these services changing can impact the ability to deliver homes. This is even more important within the villages of East Staffordshire where small changes can have a large impact	Sustainable Development is defined within the Local Plan Policy SP1 ‘East Staffordshire Approach to Sustainable Development’ and in appendix 4 in addition to the NPPF definition. The Council’s Statement of Community Involvement (SCI) aims to make sure that planning policy documents are undertaken using plain English where possible. No change proposed.		
Rep LP328 – Sport England	Yes	No	Paragraph 1.333 (Vision)	b. Justified c. Effective d. Consistent with National Policy	The vision for Burton on Trent fails to identify the town as a key provider of outdoor and indoor sport and recreation facilities or to protect and grow the provision of such facilities in the town – shortfalls of which have been identified in the assessments undertaken in accordance with NPPF73, the Facilities Planning Modelling work 2013 and in the Outdoor Sport Investment and Delivery Plan 2013. In line with NPPF Par 74 the existing sport and recreation facilities in the town should therefore be protected. This would ensure better linkages to SO1 and 6 and to SP32 and 33.	First Paragraph: “Burton upon Trent: will be retail, leisure and cultural centre.”. Third Paragraph (to help deliver the health agenda): “The town will embrace.... Increase the number of people living in the town, improve the retail experience and protect, improve and provide open space, sport and recreation facilities. ”	Propose addition of ‘leisure’ as a modification to The Vision for Burton upon Trent. Change proposed The vision cannot spell out in detail all individual requirements therefore it is not considered necessary to include specific reference as set out in the second suggested change in this representation. No proposed Change	Page 50, The Vision	Mod No. 19
Rep LP329 – Mr S Anderson	No	No	Policy SP2 – A Strong Network	a. Positively prepared b. Justified c. Effective d. Consistent with	The Government introduced the Localism Act in 2011 and the National Planning Policy Framework (NPPF). The Act and the Framework explicitly give communities the	The settlement hierarchy should be reviewed and both updated to reflect the true status of communities but importantly designed to take into	The Council will consider revising the settlement hierarchy topic paper prior to the Local Plan examination.		

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			of Settlements	National Policy	right to say how their communities are developed. This includes what is developed and where it is developed. This policy must take into account accurately the facilities available within a community. It is not simply down to what a community has but the capacity and capability of the facilities. Rolleston on Dove has a small number of services which deliver to the current scale of community. Increasing the population would have a negative impact on many of these services as they simply are unable to expand. An example is the co-op that has 3 very small rows of goods, no scope to increase and at times already impacted by products selling out quickly.	account capacity and capability. The policy should be updated to reflect the rights of communities under the Localism Act and also the NPPF. This should be at the heart of this policy.	No proposed change.		
Rep LP330 – Mr S Anderson	No	No	Policy SP4 – Distribution of Housing Growth 2012-2031	a. Positively prepared b. Justified c. Effective d. Consistent with National Policy	<p>Rolleston on Dove is not a strategic village and even if it were allocating 100 homes and stating where these homes are to be developed really is not appropriate. A community has the rights under the Localism Act to decide where homes are developed. 100 homes really should not be seen as strategic when you consider the extensive figure required throughout the Borough.</p> <p>Strategic sites are ones that include both residential and commercial, schools, medical centres and other facilities. Housing developments on isolated plots of land are not in any way strategic.</p> <p>The settlement hierarchy is not appropriate for the village of Rolleston and should be examined more carefully. The principles of this hierarchy do not take into account the capacity and capability of facilities to accommodate further growth within the areas they serve. Stating that a community like Rolleston should have its full allocation in the first couple of years of the plan period is not appropriate. This is a 19 year plan not</p>	<p>The settlement hierarchy should be reviewed and both updated to reflect the true status of communities but importantly designed to take into account capacity and capability. The policy should be updated to reflect the rights of communities under the Localism Act and also the NPPF. This should be at the heart of this policy.</p> <p>A more suitable definition needs to be provided to determine when a strategic site should be dictated by the council as opposed to allowing the community to decide where the homes are placed. There is nothing at all strategic about the college fields.</p>	<p>Chapter 2 of the Local Plan sets out how settlement numbers have been arrived as part of the sustainable development strategy which has been informed by the evidence base including the Settlement Hierarchy Topic Paper.</p> <p>No proposed change.</p>		

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					a 5 year plan. Acting in this way will remove the community's right to decide where homes are built particularly when a cap is placed on housing developments. This is in total conflict with the Localism Act 2011 and the NPPF.				
Rep LP331 – Mr S Anderson	No	No	Policy SP5 – Distribution of employment Growth 2012-2031	a. Positively prepared b. Justified c. Effective d. Consistent with National Policy	Outline planning permission has been given for the development of 18 hectares of employment land. This is within the Branston South development. The plan makes no reference to this existing.	The plan should be updated to reflect the employment land south of Branston.	Land South of Branston is identified as a Strategic allocation in the Local Plan and accompanying Policies Map. The position regarding the employment element is set out in footnote 16 on page 91. No change proposed.		
Rep LP332 – Sport England	Yes	No	Paragraph 2.4	a. Positively prepared b. Justified	The list of infrastructure is missing Social and Community and is not consistent with the Council's list of required infrastructure on Page 97.	Add "Social and Community Infrastructure".	Proposed modification to include 'social and community infrastructure' to the list in paragraph 2.4. Change proposed	Page 57	Mod No. 22
Rep LP333 – Mr S Anderson	No	No	Policy SP8 – Development Outside Settlement Boundaries	a. Positively prepared b. Justified c. Effective d. Consistent with National Policy	I do not support the change to the development boundary of Rolleston on Dove. Our neighbourhood plan makes it very clear that we wish to protect the College Fields in Rolleston from development and return this to sports use. Where appropriate consultation as part of the NDP has taken place I would accept the boundary changes to allow developments of the correct type in the correct places.	The boundary should be that required to deliver the NDP and include the removal of the college fields from our boundary.	The approach to amending settlement boundaries is set out in the Settlement Boundary Topic paper. No change proposed.		
Rep LP334 – Sport England	Yes	No	Policy SP7 – Sustainable Urban Extensions	c. Effective d. Consistent with National Policy	Masterplanning is supported along with sub par's 8 and 9 re community facilities and green infrastructure BUT given the general nature of the statements and current record of not securing outdoor and indoor sports facilities to meet new demand from housing applications and the requirement of NPPF Par 73 for needs and evidence base to inform policies I think specific ref. to sport should be made in the text, particularly	"All sustainable Urban Extensions will make provision for: <ul style="list-style-type: none"> • "An appropriate level (in line with local standards where they are set out in the Local Plan or SPDs) of retail, leisure, social, cultural, sport, community and health facilities 	It is agreed that some clarification to include a specific reference to sport should be included in this paragraph but it is not considered necessary to reference the local standards when these are referenced in SP32 and page 151 and appendix 2.	SP7	Mod No. 48

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					<p>given the shortfalls of both as demonstrated by the PPS and Outdoor Sport Delivery and Investment Plan and the FPM modelling results.</p> <p>Given there are local standards for sport I would also consider any provision should be required to accord with those standards as opposed to just being 'appropriate'.</p>	that meet local needs”	Change proposed		
Rep LP335 – Mr S Anderson	No	No	Policy SP9 – Infrastructure Delivery and Implementation	<p>a. Positively prepared b. Justified c. Effective d. Consistent with National Policy</p>	<p>All changes taking place within the village of Rolleston at a minimum should be discussed in the first instance with the Parish Council. It may also be very appropriate to involve the wider community. I believe any S106 agreements should be negotiated in partnership with the Parish Council. This should be true of all developments throughout the Borough.</p> <p>This plan has a major failing in that it has no coverage at all of the required changes to the highways throughout the borough to accommodate many thousands of homes. Highways have a considerable impact on the people who live within the area and it is vital that coincidence is available that the places we live and work will not turn into stationary car parks throughout the day!</p>	<p>A detailed plan of the proposed changes and impacts on the highway network should be produced and made available next to all developments proposed within this plan. This should include details of when changes would take place to accommodate the additional housing.</p> <p>It is important that the roads are not sorted after the homes as this simply impacts on people’s lives.</p>	<p>The plan is supported by the East Staffordshire Draft Integrated Transport Strategy which demonstrates where network improvements will be required and delivered over the plan period.</p> <p>In 2013, the traffic modelling was updated and a 2031 forecast was produced. The model was refined in terms of completed developments, the Borough Council’s pre-submission strategy and network alterations. The traffic growth methodology used was compliant with Department for Transport Guidance. All transport assessments for strategic development sites in Burton-upon-Trent have used the County Council’s traffic model and have taken into account forecast traffic growth for the duration of the Local Plan.</p> <p>No change proposed.</p>		
Rep LP336 – BDW Trading Ltd	No	No	Various	<p>a. Positively prepared b. Justified c. Effective d. Consistent with</p>	The Borough Council has expressed their concerns over the financial viability and deliverability of the BV & TRP project as a	The Borough Council should not exclude the BV&TRP project on any grounds of concerns over the financial	The site has been considered following the representation made to the Preferred Options consultation and appraised in		

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				National Policy	<p>comprehensive scheme.</p> <p>A detailed financial budget has been prepared for the development is association with consultancy practice DTZ, which is of course commercially sensitive, and cannot be released into the public domain. However, the detailed financial position for the project has been worked on at great length for over two years now, as the starting point for any project of this scale is whether it is financially viable.</p> <p>With the assistance of DTZ (an international company with considerable track record in this type of work), robust financial modelling has been carried out using industry standard tools such as Argus Circle Appraisals and Harman Report principles. The Primary off-site infrastructure costs have been estimated and checked by major national specialist contractors, and thus the budget and viability assessment for the project is robust and supported by the Barratt Group at the highest possible level.</p> <p>Below is a high level summary of this budget and viability check:</p> <p>Based upon industry-standard revenue and cost elements, together with site specific abnormal costs including rail, offsite highways, utility supplies to site, floodplain compensation works , and the basic heavy infrastructure works to create the watersports centre at the developer's cost, an allowance for CIL/Section 106 and other contributions, together with developer costs, finance charges and profit, it can be demonstrated that the residual value to landowners is an appropriate benchmarked accepted industry level, accepted in financial appraisals by PINS.</p>	<p>viability of the proposals.</p> <p>Attachments E, F & G show the current masterplans for the project.</p>	<p>the Sustainability Appraisal Report.</p> <p>No change proposed.</p>		

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					<p>Revenue – circa £1610m</p> <ul style="list-style-type: none"> • Average rate per sq ft price for residential units on phased disposal • Value of shared equity and social rented affordable housing • Sale value of southern commercial property • Sale value placed on service plots for development mix on the northern commercial/employment site <p>Costs – Circa £1330m</p> <ul style="list-style-type: none"> • Realistic benchmarked residential build and site-specific costs • Commercial build costs on southern site • Northern commercial/employment site-specific costs • Financing Costs • Developer margin based on industry-standard levels <p>Site specific abnormal costs – circa £150m</p> <ul style="list-style-type: none"> • Rail improvements • Highways improvements • Utility supplies to site • Floodplain compensation works • Foul and surface water disposal network costs • Basic site preparation for the Watersports Centre • Section 106 obligation costs inc. <p>Infrastructure</p> <p>Education</p> <p>Sports and play areas</p> <p>Structural landscape</p>				

Rep No. & Name	Legally Compliant?	Sound?	Section to which rep relates	Reason for Unsoundness	Summary of Representation	Changes requested	Council Response	Section change	Mod No.
					<p>Public transport contribution</p> <p>Community contribution</p> <p>Reasonable Realistic Landowners Residual Land Value: - Circa £135m</p> <p>On this basis of robust financial appraisal, BDW Trading Ltd is fully committed to delivery and appropriate release of the full financial model under appropriate Confidentiality Agreements with LPA's.</p>				
Rep LP337 – Sport England	Yes	No	Policy SP9 - Infrastructure Delivery and Implementation	c. Effective	<p>Sport England support the proposed safeguarding of land for future infrastructure provision through a Site Allocations DPD. I note it states if necessary and to some extent accept that but key community facilities such as schools and sports hubs can find it difficult to compete with land values for housing development etc. there it will help protect and reduce speculative land values for sites required to develop the proposed secondary school and sports hubs if they can be clearly defined in an allocations DPD. I appreciate the sports hubs are symbolically identified on the inset maps which is welcome and a step in the right direction and would strongly encourage their clear delineation following the masterplanning exercise. This will provide more certainty about delivery and land uses and help to attract investment from developers and other agencies (such as Sport England and National Governing Bodies etc.)</p>	<p>“The Council will safeguard land for future infrastructure provision through a Site Allocations DPD if necessary which shall include the new sports hubs in Burton/Tatenhill and Uttoxeter and a new secondary school (with community sports provision) in Burton on Trent.”</p>	<p>The Policies Map includes the location of sports hubs and as such they are already identified. The policy states that a Site Allocations Policies DPD will be produced if necessary.</p> <p>It is considered that the approach taken to identify the broad location of the sports hubs and the ongoing work with Sport England and other partners to prepare Masterplans for each site provides sufficient certainty of provision. The location for the new school is yet to be identified and there is ongoing work with Staffordshire County Council to identify further education provision.</p> <p>No change proposed</p>		
Rep LP338 – Mr S Anderson	No	No	Policy SP10 –	<p>a. Positively prepared</p> <p>b. Justified</p>	<p>With so many new homes it is clear that a new secondary school will be required. I</p>	<p>The plan should show where the</p>	<p>Strategic Policy SP10 which is supported by evidence</p>		

Rep No. & Name	Legally Compliant?	Sound?	Section to which rep relates	Reason for Unsoundness	Summary of Representation	Changes requested	Council Response	Section change	Mod No.
			Education Infrastructure	c. Effective d. Consistent with National Policy	strongly believe that the council should state where this would be located. A school is a significant and strategic development and the plan should be transparent as to where this would be located.	secondary school will be located.	contained within the Infrastructure Delivery Plan (IDP) sets out how education provision is expected to be delivered over the plan period. The Council are continuing to work with Staffordshire County Council Education to determine the location of the school site. No change proposed.		
Rep LP339 – Sport England	Yes	No	Policy SP12 – Derby Road, Burton upon Trent, Regeneration Corridor	a. Positively prepared c. Effective	The principle of the policy is supported but the wording of the second bullet re provision of local facilities is vague and does not reflect the evidence base that has been prepared to underpin the local plan in the context of sport. There is a shortfall of outdoor sport in the Burton area therefore it is clearly appropriate for development to provide onsite or contributions towards meeting outdoor sport demands arising from the development in accordance with the standards set out in SP32 and the PPS and supporting Outdoor Sport Investment and Delivery Plan. Sport England also consider that there is a case for the proposed new secondary school, to help meet some of the needs of the community for outdoor and indoor sport to which contributions from this development could justifiably support. The policy could therefore be more locally specific and clear so as to be more effective in delivery and reflective of the local plan evidence base.	“Provide employment and on-site or in S106 contributions ... for local social and community infrastructure in accordance with policy and local standards within the plan and others where appropriate. This should include outdoor sport and contributions to the new secondary school for outdoor and indoor sport. ”	Strategic Policy 12 is a location specific policy. Other policies are subject specific and therefore not all policies need to be specifically cross-referenced to be relevant. Bullet point two refers to ‘employment and local facilities’. A modification is proposed to include ‘ community ’ to the bullet point. Change proposed The Council are currently working with Staffordshire County Council on education provision which will also include a consideration of joint use of facilities where possible. No change proposed.	SP12	Mod No. 59
Rep LP340 – Sport England	Yes	No	Policy SP24 – High Quality Design	c. Effective	Sport England support the proposed policy in the main but would encourage any design policy to adopt a philosophy of delivering ‘active design’ in any schemes – to provide an environment that encourages (rather than discourages) outdoor active play, sport and travel. See link below to Sport	“aid movement and accessibility by And cyclists and deliver ‘Active Design’ to encourage active play, sport and transport to help improve health and wellbeing. ”	Proposed modification to include reference to Active Design in the list of guidance preceding SP24.	SP24	Mod No.

Rep No. & Name	Legally Compliant?	Sound?	Section to which rep relates	Reason for Unsoundness	Summary of Representation	Changes requested	Council Response	Section change	Mod No.
					<p>England's specific guidance on Active Design but also CABE have produced guidance on Physical Activity and Design which might be a useful reference.</p> <p>http://www.sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/other-design-guidance/</p>		Change proposed		95
Rep LP341 – Sport England	Yes	Yes	Policy SP32 – Outdoor Sports and Open Space Policy	N/A	<p>This policy is generally acceptable and becomes locally specific with reference to the sports hubs and local standards. It would be helpful however to require delivery against those standards, in the context of outdoor sport, to be in accordance with the Outdoor Sport Investment and Delivery Plan so that maximum value can be secured through any joint funding opportunities.</p> <p>In ref to supporting improvement of access to school facilities as well as securing community use it would be valuable to ensure the design, size and layout are sufficient to meet both curricular and community needs (e.g. a larger than minimum area of playing field will be required and any sports hall will need higher spec. changing rooms and a reception area. It would be valuable to have a marker here in relation to the added value that S106 or CIL contributions could make by improving the quantity and quality of provision on a school site so that it is suitable for secured community use.</p> <p>The first para. Infers it may not be appropriate to protect sports facilities in some circumstances which is vague and weak and not in accordance with NPPF Par 74?</p> <p>Finally Appendix 2 appears to repeat the policy but Sport England support the</p>	<p>Delete 'where appropriate' from first sentence.</p> <p>"The Council will support enhanced quantity and quality of sports facilities and the improvement of access to school facilities by working with SCC and securing community use</p>	<p>It is considered acceptable to keep 'where appropriate' at the start of the policy as the wording goes on to stage 'new provision and protect and enhance...'. Therefore it is reasonable to state where appropriate as not all aims will be applicable in all cases. A modification to replace the word 'encourage' to 'deliver' is proposed.</p> <p>Change proposed.</p> <p>The policy does not reference the Outdoor Sports Delivery and Infrastructure plan directly, though it is referenced in the justification along with highlighting the deficiencies in specific sports.</p> <p>The policy references the co-location of facilities with further modifications in line with requested changes proposed.</p> <p>Change proposed.</p>	<p>SP32</p> <p>SP32</p>	<p>Mod No. 114</p> <p>Mod No. 115</p>

Rep No. & Name	Legally Compliant?	Sound?	Section to which rep relates	Reason for Unsoundness	Summary of Representation	Changes requested	Council Response	Section change	Mod No.
					standards being embedded in the policy.				
Rep LP342 – Mr S Anderson	No	No	Policy SP20 – Town and Local Centres Hierarchy	a. Positively prepared b. Justified c. Effective d. Consistent with National Policy	This policy talks about retail floor space within rural communities. There is no indication as to where this is to be located. Developments such as this should be managed through neighbourhood plans as and when they are required.	I believe this section should be removed as rural centres do not appear to be something that would be deliverable.	Policy SP20 identifies rural centres where development in line with a proportion of 2,100 sq m of comparison goods will be appropriate in order to meet needs and protect the centre. No specific locations have been identified for these uses. The policy's aim is mainly to safeguard existing facilities and improve their viability whilst ensuring town centre uses are located in the right locations. Neighbourhood Plans may expand upon this policy in terms of specifying types of retail that may be desirable for a locality based on evidence. No change proposed.		
Rep LP343 – Mr S Anderson	No	No	Policy SP31 – Green Belt and Strategic Green Gaps	a. Positively prepared b. Justified c. Effective d. Consistent with National Policy	I fully support this policy however I do not believe sufficient strength is provided to protect the village against coalescence with Burton on Trent.	I would like to see any land around Anslow Lane, Tutbury Road, Knowles lane and Rolleston Road provided with an increased level of protection and treated as if it were green belt.	The approach to defining Strategic Green Gaps is set out in the Strategic Green Gaps Topic Paper. No change proposed.		
Rep LP344 – Mr S Anderson	Yes	Yes	Policy SP32 – Outdoor Sports and Open Space Policy	a. Positively prepared b. Justified c. Effective d. Consistent with National Policy	I actively support this policy as sports and recreation is important for everyone. This is further strengthened by the need for sports facilities for a growing population within the North of the town of Burton on Trent. The college fields should be returned to sports. A strategic allocation on the college fields is not in any way supported.	Allocating a strategic site within a village and on a sports field is not appropriate. This should be removed and the community given the chance to locate the homes where it believes they are appropriate. This is a very clear and key part of the Localism Act 2011 and covered within the NPPF.	College Fields in Rolleston on Dove has no authorised recreational or leisure role and is not public open space. No change proposed.		
Rep LP345 – Sport England	Yes	No	Policy SP33 –	c. Effective	SP33 – Indoor Sport – the text appears to exclude the option of providing additional	Delete 'where appropriate' from first	The policy does support new provision whilst at the same		

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			Indoor Sports Policy		<p>capacity through new provision and favours management and capacity release from existing facilities. If this is deliverable and a tested option then Sport England could support it. However there is no clarity as to whether this option is actually deliverable (Are underutilised facilities in the places people want to use them? Are the operators of those facilities willing to open/increase community use ... some being school or private sector sites and could this release sufficient capacity in the right places to provide capacity to meet growing needs.</p> <p>In relation to sports halls for example the preferred option in the SE FPM report was for a new dual use sports hall on the planned new secondary school site but this is not carried forward in the local plan. By selecting the untested option of usage redistribution there is a risk an opportunity to secure investment and deliver more capacity on a new school site will be lost.</p> <p>The policy appears to keep the options option but does not really provide any clarity and certainly does not provide sufficient substance upon which to seek investment to either improve (quality or access) or provide more indoor sports capacity (as reflected by the lack of any facility investment in the IDP).</p> <p>Sport England recommends therefore that both options are maintained and considered prior to the next iteration of Local Plan being submitted. We are overdue a discussion about the outcome of the FPM reports which may help to identify what options are feasible, what needs to be undertaken to test feasibility and whether the local plan should actually be steering provision along a specific route – for example should it be identifying which existing sites need investment to facilitate higher capacity</p>	<p>sentence.</p> <p>“The Council will support enhanced quantity and quality of sports facilities and the improvement of access to school facilities by working with SCC and securing community use</p> <p>Reconsider the conclusions regarding indoor sports provision in the light of further investigation into capacity utilisation improvement and other options to provide additional capacity such as the proposed new secondary school. To revise the policy and IDP to reflect where investment is required to either release or provide more capacity in indoor sports provision.</p>	<p>time monitoring the management of existing facilities.</p> <p>The FPM work set out a number of options and, purely on the basis of the Modelling work the preferred option put forward was for the provision of secondary school with indoor sports/ pool facilities available to the wider community, if management of existing uses was not achievable and additional wording is proposed as a modification to clarify this.</p> <p>Change proposed</p>	SP33	Mod No. 117

Rep No. & Name	Legally Compliant?	Sound?	Section to which rep relates	Reason for Unsoundness	Summary of Representation	Changes requested	Council Response	Section change	Mod No.
					usage (and including these in the IDP) and/or allocating the site for the new school with space for a 4 court sports hall part funded by planning contributions for example?				
Rep LP346 – Angela Anderson	Yes	No	Paragraph 2.26	a. Positively prepared b. Justified c. Effective d. Consistent with National Policy	Having been involved in the neighbourhood planning process I do not agree that ESBC have actively worked with the Parish Council or its representatives working on the plan. Positive and effective engagement is vital and never so important than with communities.	ESBC should more positively engage with the formal groups within the village of Rolleston and of course the many other areas of the borough.	The Council has engaged with relevant stakeholders throughout the Local plan preparation period through the requirements set out the Statement of Community Involvement and details of each stage of consultation are set out in the consultation statement. No change proposed		
Rep LP347 – Angela Anderson	Yes	No	Paragraph 2.27	a. Positively prepared b. Justified c. Effective d. Consistent with National Policy	I am disappointed that the assessments made of the villages were completed without the engagement with the communities. The Parish Council and other resident groups should have participated and discussed the challenges faced by facilities and the needs of the community.	Strategic allocations within villages and particularly as the housing allocations are not suitable to be classed as strategic should be removed. If ESBC insists on having a figure this is exactly what it should be a figure that the communities then plan for as part of neighbourhood plans. You are taking the rights away from people as given under the Localism Act 2011 and within the NPPF.	Chapter 2 of the Local Plan sets out how settlement numbers have been arrived as part of the sustainable development strategy. The settlement boundary assessment sets out how boundaries have been amended. No change proposed.		
Rep LP348 – Angela Anderson	No	No	Policy SP1 – East Staffordshire Approach to Sustainable Development	a. Positively prepared b. Justified c. Effective d. Consistent with National Policy	The document does not make it clear what sustainable development means. It is really important that ESBC define sustainability providing clear parameters that can be used within the planning decision process. The definition needs to be provided in such a way that both planning experts and members of the public can easily understand.	The definition should be included and take into account how a community provides services and how these services changing can impact the ability to deliver homes. This is even more important within the villages of East Staffordshire where small changes can have a large impact.	Sustainable Development is defined within the Local Plan Policy SP1 'East Staffordshire Approach to Sustainable Development' in addition to the NPPF definition. The Council's Statement of Community Involvement (SCI) aims to make sure that planning policy documents are undertaken using plain English where possible.		

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							No change proposed.		
Rep LP349 – Angela Anderson	No	No	Policy SP2 – A Strong Network of Settlements	a. Positively prepared b. Justified c. Effective d. Consistent with National Policy	The Government introduced the Localism Act in 2011 and the National Planning Policy Framework (NPPF). The Act and the Framework explicitly give communities the right to say how their communities are developed. This includes what is developed and where it is developed. This policy must take into account accurately the facilities available within a community. It is not simply down to what a community has but the capacity and capability of the facilities. Rolleston on Dove has a small number of services which deliver to the current scale of community. Increasing the population would have a negative impact on many of these services as they simply are unable to expand. An example is the co-op that has 3 very small rows of goods, no scope to increase and at times already impacted by products selling out quickly.	The settlement hierarchy should be reviewed and both updated to reflect the true status of communities but importantly designed to take into account capacity and capability. The policy should be updated to reflect the rights of communities under the Localism Act and also the NPPF. This should be at the heart of this policy.	The settlement hierarchy will be revised prior to the Local Plan examination. No change proposed.		
Rep LP350 – Angela Anderson	No	No	Policy SP4 – Distribution of Housing Growth 2012-2031	a. Positively prepared b. Justified c. Effective d. Consistent with National Policy	Rolleston on Dove is not a strategic village and even if it were allocating 100 homes and stating where these homes are to be developed really is not appropriate. A community has the rights under the Localism Act to decide where homes are developed. 100 homes really should not be seen as strategic when you consider the extensive figure required throughout the Borough. Strategic sites are ones that include both residential and commercial, schools, medical centres and other facilities. Housing developments on isolated plots of land are not in any way strategic. The settlement hierarchy is not appropriate for the village of Rolleston and should be examined more carefully. The principles of this hierarchy do not take into account the	The settlement hierarchy should be reviewed and both updated to reflect the true status of communities but importantly designed to take into account capacity and capability. The policy should be updated to reflect the rights of communities under the Localism Act and also the NPPF. This should be at the heart of this policy. A more suitable definition needs to be provided to determine when a strategic site should be dictated by the council as opposed to allowing the community to decide where the homes are placed. There is nothing at all strategic about the college fields	Chapter 2 of the Local Plan sets out how settlement numbers have been arrived as part of the sustainable development strategy which has been informed by the evidence base including the Settlement Hierarchy Topic Paper. No change proposed.		

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					<p>capacity and capability of facilities to accommodate further growth within the areas they serve.</p> <p>Stating that a community like Rolleston should have its full allocation in the first couple of years of the plan period is not appropriate. This is a 19 year plan not a 5 year plan. Acting in this way will remove the community's right to decide where homes are built particularly when a cap is placed on housing developments. This is in total conflict with the Localism Act 2011 and the NPPF.</p>				

Pre-Submission Local Plan – Summary Schedule of Representations

Rep No. & Name	Legally Compliant?	Sound?	Section to which rep relates	Reason for Unsoundness	Summary of Representation	Changes requested	Council Response	Section change	Mod No.
Rep LP351 – Angela Anderson	No	No	SP5 Distribution of Employment Growth	a. Positively prepared b. Justified c. Effective d. Consistent with National Policy	Outline planning permission has been given for the development of 18 hectares of employment land. This is within the Branston South development. The plan makes no reference to this existing.	The plan should be updated to reflect the employment land south of Branston.	The Council has updated its Employment Land Review. This reviews the existing committed employment sites, both in use and with consent. A mixed-use permission has been granted consent on Land South of Branston. This site previously had consent for employment use. Policy SP5 sets out the location of new land not previously subject to planning consent. No change proposed.		
Rep LP352 – Angela Anderson	No	No	SP8 Development Outside Settlement Boundaries	a. Positively prepared b. Justified c. Effective d. Consistent with National Policy	I do not support the change to the development boundary of Rolleston on Dove. Our neighbourhood plan makes it very clear that we wish to protect the College Fields in Rolleston from development and return this to sports use. Where appropriate consultation as part of the NDP has taken place I would accept the boundary changes to allow developments of the correct type in the correct places.	The boundary should be that required to delivery the NDP and include the removal of the college fields from our boundary.	The approach to settlement boundaries is set out in the Settlement Boundary Topic Paper. No change proposed.		
Rep LP353 - Angela Anderson	No	No	SP9 Infrastructure Delivery and Implementation	a. Positively prepared b. Justified c. Effective d. Consistent with National Policy	All changes taking place within the village of Rolleston at a minimum should be discussed in the first instance with the Parish Council. It may also be very appropriate to involve the wider community. I believe any S106 agreements should be negotiated in partnership with the Parish Council. This should be true of all developments throughout the Borough. This plan has a major failing in that it has no coverage at all of the required changes to the highways throughout the borough to accommodate many thousands of homes. Highways have a considerable impact on the people who	A detailed plan of the proposed changes and impacts on the highway network should be produced and made available next to all developments proposed within this plan. This should include details of when changes would take place to accommodate the additional housing. It is important that the roads are not sorted after the homes as this simply impacts on people's lives.	The LPA has had ongoing discussion with the Parishes and they are consulted on all planning major applications. Our evidence base includes Transportation work prepared in conjunction with Staffs CC and Atkins and is available on the Council's evidence base pages. Further work is ongoing. SP9 makes clear that the Council will ensure sufficient on and off site infrastructure will support development identified in the plan. No change proposed.		

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					live within the area and it is vital that confidence is available that the places we live and work will not turn into stationary car parks throughout the day!				
Rep LP354 - Angela Anderson	No	No	SP10 Education Infrastructure	a. Positively prepared b. Justified c. Effective d. Consistent with National Policy	With so many new homes it is clear that a new secondary school will be required. I strongly believe that the council should state where this would be located. A school is a significant and strategic development and the plan should be transparent as to where this would be located.	The plan should show where the secondary school will be located.	SP10 states that the Council will work in partnership with the County Council to determine the location. Work is ongoing at sites in and around Burton. It is considered that this is an acceptable approach given the evidence the Council has collected to date. No change proposed.		
Rep LP355 - Angela Anderson	No	No	SP20 Town and Local Centres Hierarchy	a. Positively prepared b. Justified c. Effective d. Consistent with National Policy	This policy talks about retail floor space within rural communities. There is no indication as to where this is to be located. Developments such as this should be managed through neighbourhood plans as and when they are required.	I believe this section should be removed as rural centres do not appear to be something that would be deliverable.	This policy sets out the retail hierarchy for the Borough. And includes the estimated convenience and comparison goods floorspace set out in the Retail and Leisure Study update 2013 up to 2031. Floorspace requirements are set out in the policy for Burton, Uttoxeter and the rest of the Overall Catchment Area (OCA) which includes areas outside East Staffordshire. The Council is supportive of further local needs shopping and sees the strategic villages as a suitable location for additional small-scale retail. However, these villages are not seen as 'town centres' and any comparison goods floorspace would need to be appropriate in terms of size and function, as set out in SP21. No change proposed.		
Rep LP356 - Angela Anderson	No	No	SP31 Green Belt and Strategic Green Gaps	a. Positively prepared b. Justified c. Effective d. Consistent with National Policy	I fully support this policy however I do not believe sufficient strength is provided to protect the village against coalescence with Burton on Trent.	I would like to see any land around Anslow Lane, Tutbury road, Knowles lane and Rolleston Road provided with an increased level of protection and treated as if it were green belt.	The Council considers that its justification for the creation and location of Strategic Green Gaps is set out clearly in the Strategic Green Gap Topic paper. No change proposed.		

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Rep LP357 - Angela Anderson	Yes	Yes	SP32 Outdoor Sports and Open Space	-	<p>I actively support this policy as sports and recreation is important for everyone. This is further strengthened by the need for sports facilities for a growing population within the North of the town of Burton on Trent.</p> <p>The college fields should be returned to sports. A strategic allocation on the college fields is not in any way supported.</p>	<p>Allocating a strategic site within a village and on a sports field is not appropriate. This should be removed and the community given the chance to locate the homes where I believe they are appropriate. This is a very clear and key part of the Localism Act 2011 and covered within the NPPF.</p>	<p>The Playing Pitch Strategy of 2009, part of our evidence base, did not include the College Fields site as part of the existing provision as this privately owned site has not been in use since the college relocated.</p> <p>No change proposed.</p>		
Rep LP358 – Mr N Grace, Grace/ Machin - Planning and Property (The Hall Trust)	-	Yes	SP4 Distribut ion of Housing Growth	-	<p>It is this policy which we specifically OBJECT to. It results in the Local Plan being 'unsound' as it identifies greenfield housing allocations around Burton but excludes our clients land without justification or explanation.</p> <p>The footnote to the Policy (SP4) states that...'this table is based upon the land supply situation at the start of the plan period: 1 April 2012. At that time none of the sites in Strategic Policy 4 had permission granted'. As we have purposefully identified this is now NOT the case with a number of permissions being granted. It does not appear that East Staffordshire are currently 'in control' of releasing land for housing but it is stated within the Pre-Submission Local Plan (SP6) that they will review every five years the evidence base which assesses the current and future levels of need and demand for housing. It is our view that the exclusion of our clients land is unsound as the proposed SUE's are unlikely to meet the trajectory of housing delivery envisaged by East Staffordshire.</p> <p>The 'other' greenfield allocations are Tutbury Rd/Harehedge Lane (500 units) and Guinevere Avenue (100 units) – Only 600 of the 4,730 total</p>	<p>We do not consider that the exclusion of land to the South of Forest Road as a Strategic Housing Allocation is justified.</p> <p>The site could deliver circa 630 units in total at a density of circa 30 dwellings per hectare.</p> <p>Our clients control of circa 26.3 hectares (65 acres) of land can be accessed from Aviation Lane and through the Marstons site (if approved at appeal).</p> <p>In 2009 FPCR highlighted within their Landscape & Visual Appraisal that a well-designed, sustainable urban extension to the west of Burton upon Trent could be readily accommodated within the local landscape with minimal adverse impact upon landscape character and visual resources. The site as envisaged within the illustrative master plan would have significant benefits upon the local landscape with the planting of locally native species to maximise the sites landscape and ecological benefits. An objective of the allocation is to develop a strategic framework of Green Infrastructure (GI) conserving and enhancing the most valuable landscape components within the site. The sites development would be</p>	<p>The Council's spatial strategy set out in the Plan includes strategic sites and these are sites of 100 dwellings or more. In addition it includes a windfall allowance and committed planning consents as at 1st April 2012. All sites submitted to the Council through the SHLAA with a capacity of 100 dwellings or more have been assessed in the Sustainability Appraisal. The sites included are those that have performed best in terms of the criteria set out in the SA.</p> <p>No change proposed.</p>		

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					greenfield units identified around Burton.	<p>sensitive to local topography and the site would deliver major open spaces which would have a beneficial landscape effect upon the local area. The development of the area would also respond to more sensitive areas within the surrounding landscape including the Sinai Park.</p> <p>Part of the GI framework would create a landscape buffer linking into the framework of existing woodlands which form part of the National Forest. The proposals are in accordance with the principles of both the National Forest Strategy and also the East Staffs County Green Infrastructure Study. With regard to access (vehicular) into the site the points of access identified in the 2008 Transport Study SK transport have been utilised by Marstons' in their planning application and it is acknowledged that it would be necessary to 'use' access points from within their land along with access from Aviation Way. We have previously demonstrated that the site is well located in terms of distance to existing and future major trip attractions.</p> <p>Furthermore, it has been shown the site is well located on an existing radial public transport corridor and in close proximity to local / strategic cycle infrastructure. We have not identified any reason why the land within our clients' ownership should not be identified for future housing development and we would welcome the opportunity to discuss this with the Inspector at the Examination in Public in Q4 of 2014.</p> <p>Allocating this land for housing</p>			

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						development along with the land within the ownership of Marston's would make the Local Plan 'sound'.			
Rep LP359 – Mr Petrouis		Yes	SP4 Distribution of Housing Growth	-	<p>Support Policy SP4 which allows for new residential development to come forward in Abbots Bromley. Also support the proposed extension to the Settlement Boundary at Abbots Bromley to include Land west of Lichfield Road, Abbots Bromley for residential development as defined on Inset 8 to the Pre-submission Draft Local Plan.</p> <p>Abbots Bromley is considered to be an appropriate location to accommodate additional housing and provide flexibility in housing choice. The village supports several shops, public houses, a primary school and doctors' surgery and represents a sustainable location for future development. The village is also located on a public transport route. Additional residential development in Abbots Bromley will be consistent with the objective of minimising the need to travel and maximising the use of sustainable transport modes.</p> <p>The site is enclosed by substantial mature hedgerows along its boundaries which will assist in limiting the visual impact of any development on this site. The site is considered to be of sufficient size to accommodate a number of houses incorporating a range of house types and tenures. The site is within easy walking distance of the Village Centre; a development on this site provides an opportunity to enhance pedestrian routes along Lichfield Road. It is submitted that the site at Lichfield Road, Abbots Bromley, as identified in red on drawing 3877.88, represents a logical extension to the Village</p>	-	<p>Support noted.</p> <p>No change proposed.</p>		

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					Boundary of Abbots Bromley which is of sufficient size to provide a small amount of housing (circa 15 dwellings) to meet local needs, support village life and provide flexibility of housing choice.				
Rep LP360 – S Rumsby, Barton Parish Council	-	No	DP10 Water Recreation and Blue Infrastructure and Policies Map	b. Justified	<p>The Parish Council previously made a representation citing the need for joined up thinking in the Trent Valley in response to the draft allocations set out in the Preferred Options document and the development of 2300 dwellings at Drakelow in South Derbyshire. This in addition to sand and gravel working permissions Newbold where the Parish made reps calling for a better balance of after-uses following restoration. The Parish Council's view is that the after-use proposals are too water dominated.</p> <p>In the light of these developments there is an urgent need for a coordinated approach to be able to influence the thinking at the planning stage of these proposals and so take advantage of development opportunities to provide a managed approach. In particular we feel that a co-ordinated strategy could address:</p> <ul style="list-style-type: none"> - Public access and peaceful enjoyment of the floodplain and river, particularly local residents; - Possible introduction of sustainable transport measures e.g., cycle paths, river navigation, reopening up of the Barton Walton rail halt, pedestrian crossing of river to Drakelow. - Taking advantage of the recent interest in the Saxon Hoard by considering tourism benefits of the Anglo-Saxon settlement at Catholme. - Assessing the opportunities provided by developers of large 	<p>Add a new paragraph on page 176 'The local plan proposes a broad arc of new housing development on the southern fringes of Burton. In addition, planning permission exists for 2300 houses on the former power station site at Drakelow in South Derbyshire. The Borough Council feels in the light of developments there is a need for a joined up approach in the CRI south of Burton which can balance the objectives of public access, recreation and leisure with landscape restoration, wildlife interest and mineral working.'</p> <p>Add a new section to DP10.'For the area of the Central Rivers Initiative south of Burton in conjunction with the appropriate partners and local authorities, the Borough Council will promote and undertake a specific study with a view to preparing a joined up strategy which addresses the opportunities for landscape and agricultural restoration and enhancement, water management, public access by foot and cycle to the valley itself and river and canal, sustainable transport, biodiversity, woodland management, woodland planting, green infrastructure, recreation and tourism.'</p>	<p>Policy DP10 already states that the LPA will work with adjoining authorities and agencies to support the objectives of CRI. Other policies set out the infrastructure and policy requirements as a result of the level of development set out in the plan.</p> <p>The Council has prepared a Duty to Cooperate statement setting out discussions with neighbouring LPAs and other agencies/partners. No specific issues were raised regarding CRI.</p> <p>No change proposed.</p>		

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					<p>areas of open space and informal recreation particularly between the railway line and the river at South of Branston.</p> <ul style="list-style-type: none"> - Considering opportunities to give credence to the Borough Council's claim to be the capital of the National Forest. - Working with all appropriate agencies to ensure that there is a balance between the need for wetland and other habitats and the demands for recreation and leisure users. <p>These thoughts were put to the chief Exec of ESBC, SDDC, LDC and the chairman of CRI last year (2012) and the response given suggested that these issues would be provided as part of the Duty to Co-operate. Following discussion with CRI and SWT and the work that they are doing we still feel that emphasising the need for a strategic approach in a local plan policy will provide added incentive and credibility to actually address these issues. The policy would clearly set out an intention to undertake this work whilst major residential proposals are taking place. The strategy could provide another example of how East Staffordshire could be pro-active in their approach to planning policy.</p>				
Rep LP361 - Mr Petrouis	-	Yes	Policies Map Inset 8 – Abbots Bromley	-	<p>Support the proposed extension to the settlement boundary at Abbots Bromley to include land west of Lichfield Rd, Abbots Bromley for residential development as defined on inset 8 of the pre-submission plan.</p> <p>Abbots Bromley is considered to be an appropriate location to accommodate additional housing and provide flexibility</p>	-	<p>Support Noted.</p> <p>The approach to settlement boundary amendments is set out in the Settlement Boundary Topic Paper.</p> <p>No change proposed.</p>		

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					<p>in housing choice. The village supports several shops, public houses, a primary school and doctors' surgery and represents a sustainable location for future development. The village is also located on a public transport route. Additional residential development in Abbots Bromley will be consistent with the objective of minimising the need to travel and maximising the use of sustainable transport modes.</p> <p>The site is enclosed by substantial mature hedgerows along its boundaries which will assist in limiting the visual impact of any development on this site. The site is considered to be of sufficient size to accommodate a number of houses incorporating a range of house types and tenures. The site is within easy walking distance of the Village Centre; a development on this site provides an opportunity to enhance pedestrian routes along Lichfield Road. It is submitted that the site at Lichfield Road, Abbots Bromley, as identified in red on drawing 3877.88, represents a logical extension to the Village Boundary of Abbots Bromley which is of sufficient size to provide a small amount of housing (circa 15 dwellings) to meet local needs, support village life and provide flexibility of housing choice.</p>				
Rep LP362 – Uttoxeter Town Council	Yes	No	Stone Road allocation	<p>a. Positively prepared b. Justified c. Effective</p>	<p>Uttoxeter Town Council strongly object to the Stone Rd site being an allocation. No acknowledgement or rebuttal of our view has been made in response to our Preferred Options reps. We assume that it has been retained purely to keep the housing numbers up. However the houses proposed west of Dove Way have not been included. East Staffordshire's analysis of the Stone Rd site in the SHLAA is wrong being former park land and not a residential area. If</p>	<p>Housing</p> <p>The Stone Road site (ref 334 in the SHLAA) should be removed from the Local Plan.</p> <p>The Land to the West (Ref 179 in the SHLAA) off Dove Way to be included.</p>	<p>The Council's spatial strategy set out in the Plan includes strategic sites and these are sites of 100 dwellings or more. All sites submitted to the Council through the SHLAA with a capacity of 100 dwellings or more have been assessed in the Sustainability Appraisal. The sites included in the plan are those that have performed best in terms of the criteria set out in the SA. The updated SHMA has</p>		

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					<p>the land is surplus to Staffordshire CC's requirements it should be offered to others for community use. Oldfields Sports Club has asked to use the site for additional sports pitches but this, we believe, has been refused.</p> <p>Finally we believe that the inclusion of the Stone Rd site in the local plan goes against many of the policies set out in the plan especially SP1, SP23, SP30, SP31 and SP32.</p>		<p>increased the housing requirement and as this site is one of the smaller sites to be included it is likely to come forward earlier in the plan period.</p> <p>The proposed dwellings referred to west of Dove Way are below the strategic threshold of 100 dwellings and therefore will not be annotated on the Policies Map or listed in SP4.</p> <p>A proposed modification is to remove the Stone Road allocation</p> <p>Change proposed</p>	SP4 and Uttoxeter Inset Map	Mod No. 37 and 153
Rep LP363 – Lightbrook (Mr Gareth Morgan – NLP)	Yes	No	SP5 Distribution of Employment Growth	b. Justified	<p>We have underlying concerns about the robustness of the Employment Land Review (ELR) update and the extent to which it provides a clear basis for sound policy-making given a number of noted deficiencies in how the information is presented and how our client's site has been assessed (see attached letter of representation). However, and subject to our detailed comments on the site assessment criteria, the ELR does appear to confirm the logic of considering our client's land at Waterloo Farm as part of the adjacent JCB site, and indicates the suitability of the site for employment purposes (particularly distribution activities). This is now the second ELR evidence document prepared for East Staffordshire (i.e. 2009 and 2013 studies) to confirm the suitability of land at Waterloo Farm site for employment development. The site is, therefore, entirely consistent with the type of site that the Council's response to Lightbrook Ltd's representations at the</p>	<p>We propose that Strategic Policy 5 (Distribution of Employment Growth 2012 – 2031) is amended to include an employment allocation of 2.0 ha at Waterloo Farm either in addition to, or in lieu of, employment allocations proposed within the West of Uttoxeter SUE.</p> <p>Given the relatively long timescales over which employment land within the SUE is likely to come forward, we consider there remains a requirement for employment land to help meet short term needs and provide greater choice of locations for the market. This is particularly important on the western edges of Uttoxeter which will increasingly be a focus for growth in the future.</p> <p>Furthermore, employment development at Waterloo Farm would, by offering potential to accommodate premises for smaller scale businesses, specifically support the new Local Plan's Strategic</p>	<p>SP5 identifies new employment land to be allocated. This includes the land at Derby Rd, Uttoxeter that was previously allocated in the 2006 Plan. This is a 10 ha site within the settlement boundary that has not yet come forward. Existing employment sites whether at capacity or partially undeveloped that are to be retained are set out in the ELR 2013 update. This site, identified as part of the JCB Waterloo Fm site and covered by PA/19397/020 is listed for retention. Existing sites listed for retention are not identified in the plan specifically but set out in the ELR report.</p> <p>No change proposed.</p>		

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					<p>'Preferred Option' stage indicates would be allocated: "sites will be allocated that are known to be suitable, available and with the prospect of coming forward within the plan period".</p> <p>The combination of concerns about the lack of clarity in the ELR evidence and the absence of clear justification for the Waterloo Farm site (as both available and suitable) not being allocated when it is available and suitable for development within Pre-Submission Plan leads us to conclude that it cannot be considered sound.</p>	Objective 7 which seeks to diversify the economic base of Uttoxeter and reduce the town's reliance on a limited number of large employers. Smaller-scale requirements of this type are less likely to be provided within the SUE.			
Rep LP364 - S Rumsby, Barton Parish Council	-	No	DP4 Replace ment Dwellin gs in the Country side	b. Justified	<p>The Parish Council is generally supportive of this policy to restrict the size of any new dwelling in the countryside. We believe however that there is another important reason for this policy which has not been mentioned in the text. This is in order to maintain a supply of relatively smaller properties in order to provide a range of types and sizes of properties and hence more balanced communities. We therefore feel that it is essential to ensure that where it is appropriate to permit a replacement dwelling, particularly where this involves a smaller property, it is kept to a scale and design compatible to the character of the area and so provide opportunities for those on lower incomes to access housing in rural communities. In that sense it provides part of the approach for tackling the need for affordable homes.</p> <p>We obviously have no access to ESBC planning applications records to know what has been acceptable in the past. To emphasise the need to retain smaller dwellings we feel that perhaps the policy should make reference to only a modest increase and suggest a threshold</p>	<p>We would suggest adding a bullet along the lines of 'the proposed new dwelling involves only a modest increase and certainly not significantly larger than that which it replaces.</p> <p>We would also suggest that the need to include a % guide either within the policy or the accompanying text in the absence of any knowledge about local experience through an analysis of past applications we would suggest in the order of 30%.</p>	<p>Para (i) of DP4 addresses this point by stating that the new dwelling should not be '<i>not significantly larger than that which it replaces</i>'.</p> <p>The inclusion of a % does not in itself ensure that this level of increase is appropriate.</p> <p>No change proposed.</p>		

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					increase of approximately 30% although this would depend on local experience.				
Rep LP365 - Lightbrook (Mr Gareth Morgan – NLP)	Yes	No	Policies Map Inset 3 - Uttoxeter	b. Justified	<p>We note from the "Inset 3 - Uttoxeter" part of the Policies Map that the Council proposes extending the town's settlement boundary to include the proposed West of Uttoxeter SUE, under the auspices of Strategic Policy 2 (A Strong Network of Settlements). The explanatory text states:</p> <p><i>"Boundaries have been amended to incorporate strategic allocations in the main towns and Tier 1 villages."</i></p> <p>However, it is clear that the settlement boundary of Uttoxeter has not been extended to reflect the major employment development that has been permitted in recent years at JCB located to the north of the A50, and which lies immediately north-west of the West of Uttoxeter SUE. The implication is that one of the town's largest employment sites lies outside of the Uttoxeter settlement boundary, and is therefore subject to the countryside protection policies set out within Strategic Policy 8 (Development Outside Settlement Boundaries). It is also a site that the ELR Update report has recommended be retained for employment use.</p> <p>The current proposed settlement boundary therefore appears neither logical nor consistent with the extension of the settlement boundary that is proposed to reflect the West of Uttoxeter SUE. We therefore consider that the approach is not justified.</p>	<p>We propose that the "Inset 3 – Uttoxeter" part of the Policies Map be amended to include the JCB land north of the A50 so that it forms a continuous boundary linking to the existing town and the proposed West of Uttoxeter SUE.</p> <p>In making this amendment, the settlement boundary should also encompass our client's land ownership at Waterloo Farm which is considered by the ELR update as integral to the wider JCB site. This would be consistent with other revisions to the western boundary of the town and would be logical given the scale and importance of existing and potential employment development at this location.</p>	<p>The A50 is a natural boundary to the town of Uttoxeter. And development per se should not be considered appropriate. However, the JCB world parts centre and later the replacement heavy products factory were exceptional schemes that could not be accommodated on existing or proposed employment sites. Development was therefore approved in this location after consideration of the issues. It would not however be considered appropriate to re-draw the settlement boundary to include the JCB sites and the Lightbrook land which are private employment sites.</p> <p>No change proposed.</p>		
Rep LP366 – Uttoxeter Town Council	Yes	No	Policies Map Inset 3 - Uttoxeter	a. Positively prepared b. Justified c. Effective	Uttoxeter Town Council (UTC) does not believe that the LP is sound because of the lack of protection afforded to Bramshall Road Park and the Picknalls	UTC believes that on the Uttoxeter Map (Insert 3) the Green Gap should be extended to the Boundary of Bramshall Road Park up to Oldfields Road.	The justification for the location of the Strategic Green Gap to the west of Uttoxeter is set out in the Topic paper.		

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			er		Valley.	This amendment would avoid conflict with SP23a, SP25, and Detailed Policy 6 and SP8	No change proposed.		
Rep LP367 - S Rumsby, Barton Parish Council	-	No	DP12 St George's Park	b. Justified	<p>At the time St George's Park was approved, a second consent for residential development was approved which has not yet been implemented. It was argued that this was approved on the basis that it was enabling development to plug a funding gap. As the Centre is performing better than expected, there is no longer any need for this type of development.</p> <p>The proposal to undertake a development brief is noted however, the need for clear guidance on acceptable uses needs to appear in the Plan.</p>	Delete the last sentence of the second paragraph and also delete the three listed criteria and substitute, " Proposals for future development including any resubmission of the proposal for residential development within the grounds of St George's Park will be considered against the policies of this Local Plan including Policy SP 8 for development in the open countryside. In addition, proposals should have no significant impacts on ecological interests, the local transport infrastructure and drainage or surface water run-off ".	<p>The Council is supportive of the FA Centre and DP12 states that the Council will, in conjunction with St George's Park, prepare a development brief setting out a masterplan and delivery plan for future development. The policy is generic supporting the development of sports related training business development/research and community uses. Any development brief prepared will set out in more detail what uses might be acceptable but these are likely to be, as stated in the policy.</p> <p>No change proposed.</p>		
Rep LP368 - S Rumsby, Barton Parish Council		No	SP23 Green Infrastructure Policies Map	b. Justified	<p>The NPPF makes provision for the designation of Local Green Space at paras 76 and 77. By designating Local Green Space, LPAs will be able to rule out development except in very special circumstances. No areas seem to have been designated in the plan. However we see no statement setting out why, as a matter of principle this is the case.</p> <p>The Parish Council consider that two such designations would be appropriate in Barton. These are:</p> <ul style="list-style-type: none"> - Land at the Radhurst. This land off Crowberry lane is much cherished and is a special area of local significance being on the edge of the open countryside and the village. This juxtaposition of the built form and countryside provides an essential characteristic of Barton's distinctiveness. 	<p>The Parish Council suggests either the writing of a new policy for Local Green Space or additions to SP23 on Green Infrastructure. The suggestion is that such a policy reads as follows:</p> <p>In order to reflect the importance local communities attach to cherished areas of land adjoining their settlements, the following areas are identified as Local Green Spaces. Proposals for development will be resisted in order to maintain their open character:</p> <p>The Radhurst, Barton under Needwood. Barton Marina, Barton under Needwood.</p>	<p>There is no need to reference sections of the NPPF that are not addressed specifically in the Local Plan. Whilst the LPA has chosen not to identify any Local Green Space in accordance with paras 76 and 77 of the NPPF, the approach taken to development outside settlement boundaries is set out in SP8. Neighbourhood Plans are considered a better vehicle for delivery of these areas with local communities deciding on the areas to be given protection. SP30 also affords protection to these areas and will be supplemented by the emerging evidence base work on landscape character being prepared by Staffordshire CC as an update to their current SPG.</p> <p>No change proposed.</p>		

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					<p>- Land at Barton Marina The open green space at the Marina has quickly become of local and special importance as an amenity. It's almost parkland feel is a special quality of local significance. They act as a green buffer between the village and the built development of the Marina.</p>				
Rep LP369 - S Rumsby, Barton Parish Council		No	Part 5 Monitoring Framework	b. Justified	<p>The parish Council's main concern with the Monitoring framework is that it does not appear to be comprehensive enough and is often very vague. There is no timetable for delivery and no indication as to who is responsible for the implementation of specific policies. An example of what we mean by being vague is illustrated with regard to Policies 11 and 12. We assume these sites reflect a key part of the Council's regeneration strategy. They are to be monitored purely by whether or not delivery has taken place, but no target deadline is set. Both policies however contain quite a comprehensive list of issues, which need to be met and yet no mention is made of these in relation to either the indicators or data sources.</p> <p>Much is made of the Infrastructure Delivery Plan, but in order to aid comprehension of that document and to place it firmly in the context of monitoring and delivery, it would be helpful if there was some form of summary, which set out the key infrastructure requirements for each of the main settlements (say Burton, Uttoxeter and Tier 1 villages) e.g. in relation to foul and surface water, sewage treatment capacity, water supply, education and transport. No mention has been made about a risk assessment but we assume that the contingencies section is intended to</p>	<p>Can we suggest the need for revisions to the accompanying text on pages 183/184, to spell out the relationship between this framework, the Annual Monitoring Report and the Sustainability Appraisal?</p> <p>We suggest it would be helpful if a new addition was added to the framework which listed the two towns and the Tier 1 villages as against the key infrastructure requirements such as sewage capacity, flood mitigation, transport requirements and education.</p> <p>In addition, could we suggest that the framework be reconfigured so that it measures the Local Plan Strategic Objectives? We would then be able to see the relationship between the policies and the objectives. This would also enable the indicators to be more comprehensive and the data collection to be more wide ranging e.g.: if the purpose of Policy SP35 is to achieve sustainable transport, then you would presumably need to know the percentage of journeys to work by sustainable modes and how this was changing over time. This would provide a more complete picture than just collecting data about how many Travel plans have been produced.</p>	<p>The monitoring framework is considered NPPF compliant and is the basis for monitoring the strategy and policies put forward in this plan. As stated in the text, the monitoring framework will be reviewed over time but these indicators will be the basis of the Council's Monitoring reports.</p> <p>No change proposed.</p>		

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					cover this eventuality.				
Rep LP370 - S Rumsby, Barton Parish Council		No	Paragraph 2.26	b. Justified	The Parish Council wish to correct the impression the text gives in being consulted about the village settlement boundary. The Parish has attended meetings with the Borough Council in concert with other Parish Council's of strategic villages and other meetings with Members and Officers but have not had any pro-active engagement with the Borough Council over revisions to the settlement boundary. A reference in SP2 does state that revisions to settlement boundaries have been made following close engagement with Parishes. We do not know what this specifically refers to but would reject the notion that the Parish has had any discussions instigated by the Borough Council on this issue.	We object to paras 2.26 and 2.27 because they give the impression that both the capacity of our village and the proposed changes to the settlement boundary have been derived following engagement. We are at a loss to suggest any changes as we are not aware of the discussions the Borough Council has had with other Parishes. We would like to place on record our willingness to engage with the Borough Council on any and all issues relating to the Parish.	The Council undertook a review of Tier 2 village settlement boundaries during 2013 but also looked at opportunities to include smaller areas that could be included that might offer potential windfall sites to meet the windfall allowance over the plan period. This was done in consultation with the relevant Parish Councils. The review did not include Tier 1 villages. The statement is factually correct. No change proposed.		
Rep LP371 - S Rumsby, Barton Parish Council		No	Principle 1 Presumption in Favour of Sustainable Development	b. Justified c. Consistent with national Policy	No need to repeat the principle of a presumption in favour of sustainable development already set out in the NPPF. It is not clear what the status of Principle 1 is in the Pre-Submission draft. The Parish Council consider that there is an issue with the status of the NPPF set out in the Plan. The LPA determine planning applications in accordance with the plan and therefore the NPPF should not usurp the Plan once adopted. By including this principle or policy the plan seems to give additional status to the presumption.	No need to include the principle of Sustainable development within the plan. If the Council wish to retain the text in the plan then either: remove Principle 1 in its entirety, or relegate it to lower case text and not give it the appearance of a policy.	As stated in the Pre-submission plan, Principle 1 is a model policy recommended by the Planning Inspectorate for inclusion in local plans. As such, It is not seen as 'usurping' the plan by including a direct reference to the NPPF. No change proposed.		
Rep LP372 – Messers Critchley (CT Planning)	-	No	Policies Map Inset 5 – Barton Under Needwood	a. Positively prepared b. Justified c. Effective d. Consistent with National Policy	The overall requirement should be in the region of 11,600 – 12,000 dwellings based on the Council's own findings. The performance of anticipated sites is not realistic. If sites fail to deliver, then there is no justification for suggesting it has been positively prepared.	The Plan is not effective and consistent with the National Planning Policy Framework and the housing base should be broadened to achieve compliance with the criteria of consistency, justification and a positive approach. An over reliance on very large sites should be avoided and more medium sized sites introduced to spread	The Evidence base includes an updated SHMA prepared in 2013 – an update to the 2012 SHMA, both prepared by GVA. The 2013 update was 'tested'; GVAs methodology was assessed by another consultancy (GL Hearn). The housing requirement set out in that report is the figure set out in		

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					<p>The key points are shown in the trajectory indicated at figure 3.1 on page 85 of the printed version of the Plan. This anticipates completion levels running at up to 800/950 per annum in 2016/2017. That is two years from now. This is not realistic. The detailing for this reasoning is set out below when the consideration is justification and deliverability.</p> <p>The answer must be to increase the variety of sites across the Borough. The larger first and second tier settlements should accommodate this growth so that there is less dependence upon uncertain land supply.</p> <p>On behalf of the landowners at The Green, Barton-under-Needwood we put forward one such site. Other participants will have further ideas. The site shown on the plan attached. It is well enclosed on three sides and has a good tree boundary and screening on the other. Sites like this can reduce the reliance upon problem areas with delay factors.</p> <p>The most recent evidence on the land supply issues comes from the appeal decision at Redhouse Farm, Lower Outwoods dated 12 November 2013. The Inspector found a consistent undersupply (see paragraph 9.4 of the Inspector's report).</p> <p>The Inspector thought the deliverable supply was more likely to be about three years (see paragraph 9.6). Since that time news has come out of a legal challenge against one of the decisions on the sites included in the Inspector's anticipated early supply. There are some fundamental issues here concerning the implementation of</p>	<p>risk and opportunity.</p>	<p>SP3. The Council has used the information provided by developers as to their anticipated completion rates and have been conservative with this information.</p> <p>The Council do not therefore consider that there is a need for further housing allocations to offer further variety of sites. Whilst Barton-under-Needwood is a strategic settlement it has already had consent for a strategic site. Adding this and other sites to address a perceived lack of variety would jeopardise the Councils chosen strategy.</p> <p>No change proposed.</p>		

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					<p>development. Doctoral research by Chris Owen has revealed the time delays inherent in getting development underway. The factors that have been found relevant to these delays include the following:-</p> <ul style="list-style-type: none"> - Settlement of Section 106 agreements and revisions to such agreements when other costs become evident. - Initial heavy capital outlay on infrastructure and services. - Initial sales of properties at below market value to achieve early occupation. Such sales can be inhibited by changes in the market. <p>The research undertaken shows that places such as Great Knotley, Braintree: 800 dwellings from application to start of development – 5 years.</p> <p>The peaking of the housing trajectory is not realistic. There would be merit in increasing the strategic villages, certainly in Barton-under-Needwood.</p>				
Rep LP373 - Messers Critchley (CT Planning)	No	No	SP4 Distribution of Housing Growth	<p>a. Positively prepared b. Justified c. Effective d. Consistent with National Policy</p>	<p>The overall requirement should be in the region of 11,600 – 12,000 dwellings based on the Council's own findings.</p> <p>The performance of anticipated sites is not realistic. If sites fail to deliver, then there is no justification for suggesting it has been positively prepared.</p> <p>The key points are shown in the trajectory indicated at figure 3.1 on page 85 of the printed version of the Plan. This anticipates completion levels running at up to 800/950 per annum in 2016/2017. That is two years from now. This is not realistic. The detailing for this reasoning is set out below when the consideration is justification and</p>	<p>The Plan is not effective and consistent with the National Planning Policy Framework and the housing base should be broadened to achieve compliance with the criteria of consistency, justification and a positive approach. An over reliance on very large sites should be avoided and more medium sized sites introduced to spread risk and opportunity.</p>	<p>The Evidence base includes an updated SHMA prepared in 2013 – an update to the 2012 SHMA, both prepared by GVA. The 2013 update was 'tested'; GVAs methodology was assessed by another consultancy (GL Hearn). The housing requirement set out in that report is the figure set out in SP3. The Council has used the information provided by developers as to their anticipated completion rates and have been conservative with this information.</p> <p>The Council do not therefore consider that there is a need for further housing allocations to offer</p>		

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					<p>deliverability.</p> <p>The answer must be to increase the variety of sites across the Borough. The larger first and second tier settlements should accommodate this growth so that there is less dependence upon uncertain land supply.</p> <p>On behalf of the landowners at The Green, Barton-under-Needwood we put forward on such site. Other participants will have further ideas. The site shown on the plan attached. It is well enclosed on three sides and has a good tree boundary and screening on the other. Sites like this can reduce the reliance upon problem areas with delay factors.</p> <p>The most recent evidence on the land supply issues comes from the appeal decision at Redhouse Farm, Lower Outwoods dated 12 November 2013. The Inspector found a consistent undersupply (see paragraph 9.4 of the Inspector's report).</p> <p>The Inspector thought the deliverable supply was more likely to be about three years (see paragraph 9.6). Since that time news has come out of a legal challenge against one of the decisions on the sites included in the Inspector's anticipated early supply. There are some fundamental issues here concerning the implementation of development. Doctoral research by Chris Owen has revealed the time delays inherent in getting development underway. The factors that have been found relevant to these delays include the following:-</p> <ul style="list-style-type: none"> - Settlement of Section 106 agreements and revisions to such 		<p>further variety of sites. Whilst Barton-under-Needwood is a strategic settlement it has already had consent for a strategic site. Adding this and other sites to address a perceived lack of variety would jeopardise the Councils chosen strategy.</p> <p>No change proposed.</p>		

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					<p>agreements when other costs become evident.</p> <ul style="list-style-type: none"> - Initial heavy capital outlay on infrastructure and services. - Initial sales of properties at below market value to achieve early occupation. Such sales can be inhibited by changes in the market. <p>The research undertaken shows that places such as Great Knotley, Braintree: 800 dwellings from application to start of development – 5 years.</p> <p>The peaking of the housing trajectory is not realistic. There would be merit in increasing the strategic villages, certainly in Barton-under-Needwood.</p>				
Rep LP374 - S Rumsby, Barton Parish Council		No	Policies Map	b. Justified	<p>The Parish Council expressed confusion with regards to the Policies/proposals maps for a number of reasons. There is no cross-referencing as between the proposals maps and the strategic and detailed policies. The Legend similarly fails to indentify the policy reference to which it refers, for example DP5 could be the policy reference on the maps for conservation areas. In a number of instances there are some symbols identified on the proposals maps e.g. Existing or proposed sports hubs, but they do not seem to relate to a specific policy and their extent is not adequately defined on the ordnance survey map. If there is a proposal for a new sports hub, for example, then surely its extent needs to be clearly defined on the OS map so that it can properly be protected for its purpose?</p> <p>Elsewhere references are made as in the case of Barton Marina. This is identified on the inset map for Barton under Needwood but from we can gather the reason for its identification is</p>	<p>In relation to the above issues then we would suggest the following remedies:-</p> <ul style="list-style-type: none"> - Cross reference strategic and detailed policies to the Policies/Proposals Maps allocations. - Identify the extent of proposals on the OS map for such things as existing and new sports hubs rather than use a symbol. - Delete reference on the proposals maps to Barton Marina as it is not cross references to any specific policy. 	<p>Cross-referencing of policies with the Plan on the Policies Map would help to identify policies. No change proposed.</p> <p>Not considered necessary to identify in more detail the Sports Hubs. The Council are working on Master plans for each of the Sports Hubs to set out the detailed location of these and the type of sporting facilities that currently and will exist in the future. No change proposed.</p> <p>The identification of Barton Marina on the Policies Map does not relate to any specific policy. But was thought to be a useful locator. However, this reference will be removed.</p> <p>Change proposed</p>	<p>Policies Map Inset 5 – Barton Under Needwood</p>	<p>Mod No. 154</p>

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					not clear as it does not relate to a specific policy or proposal. Leaving it on the inset map as it stands may give rise to confusion as to its status.				
Rep LP375 - S Rumsby, Barton Parish Council		No	SP1 East Staffordshire Approach to Sustainable Development	a. Positively prepared b. Justified	<p>Delighted to see the inclusion of a Sustainable Development Policy included within the plan. However, we do not think that SP2 reflects the distinctive character of the Borough or indeed issues identified in local strategies and this local plan. As presently written, these are generic. Suggested additions include: 'the countryside setting of villages'. This was an issue remarked on in an appeal in 2010 in Barton under Needwood where development was refused due to the open character of the land contributed to the countryside setting of Barton. We feel this is important and could also apply to other villages. Indeed, this notion has been highlighted on page 147 in the section on locally significant landscapes.</p> <p>There appears to be no direct reference to maintain the distinctiveness of communities which is one of the things that provides East Staffordshire with its character referenced on page 43 and sub heading and Strategic Objective 8.</p> <p>Reduction of crime a key element of the Community Strategy but not referenced in the sustainable development policy.</p> <p>Providing some kind of priority for the use of brownfield land over greenfield should be included.</p>	<p>Add:</p> <ul style="list-style-type: none"> - The countryside setting of villages and the need to maintain undeveloped areas around towns so as to provide a distinction between town and country. - The need to maintain and prevent the erosion of the character and the distinctiveness of the communities of East Staffordshire. - Appropriate measures and design considerations to reduce crime. - Support for and retention of village facilities. - Re-using previously developed sites to ensure the efficient use of land. 	<p>The Council has included SP31, Strategic Green Gaps, and Policy SP14 Rural economy makes specific reference to protecting the character and appearance of the settlement and addresses Strategic Objective 8. SP30 aims to protect locally specific character. Including a generic reference to the protection of open areas in villages in SP1 would potentially be contrary to NPPF.</p> <p>No change proposed.</p> <p>There is no need to specifically reference 'designing out crime' in the policy. This is addressed through SP24 Design policy and the current SPD by the design of 'safe' communities.</p> <p>No change proposed.</p> <p>The policy already references the re-use of existing buildings and the NPPF promotes the use of previously developed land.</p> <p>No change proposed.</p>		
Rep LP376 - S Rumsby, Barton Parish Council		No	SP2 A Strong Network of Settlement	a. Positively prepared b. Justified	The Parish Council supports the hierarchy of settlements, as set out in this policy, on the understanding that the overall strategy for the borough directs development to the main towns of	Whilst noting our support for this policy, for the avoidance of doubt and to clarify its application we would like to see the following:	The policy as written reflects the spatial strategy and settlement hierarchy. Whilst the policy itself does not specifically state that the majority of development will be		

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			ents		<p>Burton and Uttoxeter followed by the Tier 1, 2 and 3 villages. The text accompanying this policy states the need to focus the majority of new development in Burton and a significant amount in Uttoxeter, but the wording of the policy does not directly reflect this sentiment. It merely lists settlements within the hierarchy. We would wish to object to ensure that the focus of new development is Burton and a significant level in Uttoxeter is adequately reflected in the policy.</p> <p>We also support the policy approach to direct any new development within Tier 1 villages to within the settlement boundaries on the understanding that any proposals for development outside of the settlement boundaries will be regarded as being in open countryside and, therefore, resisted. In order to emphasise the need to prevent development in the open countryside we would wish to see a form of words, which reflected this restrictive nature of development in the open countryside.</p> <p>We would like to dispute the reference in the last sentence of the third paragraph just before the policy on pg 79. This states that the amendments have been made to settlement boundaries following close engagement with the parishes. The Parish Council has had no such discussion and this is repeated in our objections to paras 2.26 & 2.27.</p>	<p>- Delete the first sentence of this policy and replace with, 'Most new development such as housing, employment, retail services and facilities will be focused in the main town of Burton, with a significant level in Uttoxeter, following by appropriate development in the villages listed below.'</p> <p>- We would like to see an additional paragraph included, which reflected the Borough Council's approach to the countryside rather than the wordy reference to a number of other policies. Our suggestion is to delete the penultimate paragraph 'outside of these locations, including in Tier 3 villages, development will be regarded as being in the open countryside, where the objective is to preserve the countryside for its own sake, its services and facilities, and to reflect the distinctiveness of the Borough's rural areas. Development in these locations is unlikely to be sustainable due to poor levels of public transport and few services and facilities.'</p>	<p>directed towards Burton, the allocations themselves reflect this approach and the justification supports this. The Council has set out the main locations for development and allocated a windfall allowance for Tier 1 and Tier 2 settlements.</p> <p>No change proposed.</p> <p>The current paragraph cross-references policies particularly relevant to this issue and as such indicates that there are exceptional circumstances where development may be appropriate. Removing this reference and making the suggested change would change the context of the policy.</p> <p>No change proposed.</p> <p>The reference to Tier 1 settlement boundaries having been subject to revision following close engagement with parishes – amend to remove 'Tier 1' settlements as they were not part of the review of settlement boundaries. The review only relates to Tier 2 settlements. Remove 'Tier 1' from last sentence before SP2.</p> <p>Change Proposed</p>	Page 79	Mod No. 33
Rep LP377 - S Rumsby, Barton Parish Council		No	SP32 Outdoor Sports and Open Space	b. Justified	The Parish Council fully supports this policy to protect all areas of open space with their loss without replacement only being permitted in exceptional circumstances. We are also supportive of this policy in protecting outdoor sports	Add a paragraph which reflects the protection of open space in the text on page 150 and suggest that this is located before the third paragraph from the bottom in the box of policy SP32, <i>'The provision and protection of open</i>	The Hub sites are identified on the Policies map. A consistent approach has been taken to identify the broad location for both existing and proposed sites.		

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			Policy and Policies Map		<p>facilities in the villages such as the bowls club. This is a very clear statement of intention which we would like to see reflected in the actual policy wording.</p> <p>Our main objection to this policy is that if they are to be protected, we must surely know where they are. This policy does not tell us whether all or some of the sports facilities are protected. We understand the practical difficulties of this and suggest that sites of 0.25 ha and above be shown on the proposals map and these sites below this are listed in an appendix or other document.</p> <p>The areas identified in the in SP32 are not defined. We assume that Burton and Uttoxeter are the areas within the settlement boundaries.</p> <p>The Parish Council support the identification of Holland Park Sports ground as a Hub. However, two points need to be raised; firstly the text states on page 150 that the existing sports hubs are identified for protection and enhancement. If this is the case then this should be set out in the policy. Secondly; a symbol on the proposals map is insufficient and does not serve this purpose.</p> <p>The new Burton Rugby Club, shown as a Hub site should be an allocated site. We note that this proposal is outside the settlement boundary. Why is a sports hub being located outside the settlement boundary and not on Lawns Fm or Land South of Branston allocations? We also consider that this site falls within an area we regard as suitable as a Strategic Green Gap. This is because land south of Branston Lane is currently open and</p>	<p><i>space is vital to maintaining and improving the health and well-being of the community. All existing open spaces will be protected from development. Sites above 0.25ha are identified on the Proposals/Policies maps. All other sites are identified?????</i></p> <p>If the local plan is going to set out local standards for open space in different parts of the Borough then it would seem reasonable to know where Rural 1 and Rural 2 etc are. We would suggest they are either included on the proposals /policies map or included on a map in the plan or a description be included. We would also like to see clarification to the effect that Burton and Uttoxeter refer to the settlement boundaries of these respective towns.</p> <p>The planning policy needs to be amended to reflect the substance of the text as regards existing and proposed hubs. Not fully aware of the role of hubs so difficult to suggest changes. However, we would suggest an explanation of the role of sports hubs be included within the policy to so as to justify why it is necessary for protection. A partial change might be:</p> <p>'Existing sports hubs will be protected from changes of use in order to ensure that they continue to provide facilities during the lifetime of the plan. These are located atIn addition new hubs are proposed on land south of Branston Lane and at Leasowe's Fm, Uttoxeter.</p> <p>With regard to the hub at land south of Branston Lane we are at a loss to know how to proceed. We do not know the status of negotiations with regard to the site. The fact that the site is proposed</p>	<p>The justification refers to the Greenspace Strategy which itself lists the sports facilities and the local standards are proposed on the basis that this would be additional provision. The Council has therefore not specifically designated sites as the policy seeks to protect all sports facilities unless an assessment has been undertaken that demonstrates that a facility is clearly shown to be surplus to requirements or an alternative suitable facility can be provide in its place. This is a consistent approach and also means the list can be updated when the Greenspace Strategy is updated.</p> <p>The analysis areas identified in the policy are those taken from the evidence base work referenced in the justification. Whilst it could be included on the policies map the preferred approach would be to add a plan as an appendix to identify these areas though this is already done in the evidence base.</p> <p>Change Proposed</p> <p>The first line of the policy states that the Council seeks to 'protect and enhance' outdoor sports facilities.</p> <p>No change proposed.</p> <p>As stated in the representation, Burton Rugby Club has planning consent for a new stadium and associated facilities. This is outside</p>	Appendix 2	Mod No. 145

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					the lane forms part of a defensible boundary.	for Burton Rugby club suggests that the proposal is well advanced. In researching this proposal we are amazed to find that the site already has planning permission. That being the case there is not much we can do but it would be useful to have a clear explanation of why such a proposal was approved in a seemingly unsustainable location in one of the areas which we thought the local plan was trying to protect. Identifying the extent of the proposed sports hubs on the policies/proposals map recommended.	the settlement boundary. For an explanation of the reasoning behind the issues involved in the siting of this use see planning report for PA/32378/003. No change proposed.		
Rep LP378 - S Rumsby, Barton Parish Council		No	SP4 Distribution of Housing Growth and Policies Map	b. Justified	We do not understand the relationship between the quantity of houses in the allocation and the site area on the proposals map. Planning permission has already been granted for 130 dwellings on a site which is smaller than that identified. Does this mean the Council would be prepared to entertain a larger development on this site? The Parish Council feel this issue needs clarifying. Secondly the Parish Council feels that there is a need for greater clarity regarding the provision of the windfall allowance. No guidance has been given as to the nature of windfalls acceptable. Some clarification of a windfall is given in the glossary but no guidance is given in the policy itself addressing size of a windfall. The windfall methodology paper takes advice from Counsel who suggests a traditional approach to what constitutes windfall development. Windfalls could therefore be large or small. The allowance of 25 houses suggests that windfall sites will be relatively small-	So as to ensure a coherent relationship between the amount of housing for Barton in SP4 and the site allocation identified, we suggest that the area proposed in the map be the same as that given in the planning permission (P/2011/01358). We believe that there is a need for guidance setting out where and how windfall development is acceptable. Suggested change to SP4: <i>'Windfall developments are defined as relatively small developments normally of less than 10 dwellings which cannot be anticipated or identified at the present time in this Local Plan. They will be acceptable for development as being located within existing settlement boundaries and complying with the relevant housing policies. Windfall developments are likely to be delivered through a range of small developments over the lifetime of the Local Plan and not one single opportunity.'</i>	The settlement boundary has been revised to include the Efflinch lane permission. It already included existing development to the south. The extension identified on the Barton under Needwood Pre-Submission Inset Plan encompasses both the recent consent for 130 dwellings and land to the south between the previous settlement boundary to the South and not previously included within the settlement boundary. For clarity the settlement boundary should only identify the area covered by the existing permission. Change proposed. The justification on page 82 makes clear that windfalls should be located within settlement boundaries. No change proposed. The Borough Council's definition of a windfall is set out in the Windfall Methodology Paper which forms	Policies Map Inset 5 – Barton Under Needwood	Mod No. 155

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					<p>scale and more likely less than 10 dwellings. If this is the case the Parish Council believes that there is a need for guidance to be given in the policy regarding, in effect acceptable and unacceptable windfall developments.</p> <p>As the Borough Council has chosen an approach that seems to include SHLAA sites, then these proposals will need to also be assessed against SP8.</p> <p>We suggest that greater clarity is required regarding acceptable windfall development.</p>		<p>part of the evidence base.</p> <p>Windfall development, like any other, will need to conform to the policies set out in this plan. It is not considered necessary to define specific criteria for windfall development.</p> <p>No change proposed.</p>		
Rep LP379 - S Rumsby, Barton Parish Council		No	SP14 Rural Economy	b. Justified	<p>The Parish Council has a number of concerns with this policy. The cross links with Policy SP 8 are confusing. If Policy SP 8 is meant as a catch-all policy for development outside settlement boundaries then what does this policy specifically contribute? It seems to suggest that when considering new proposals outside settlement boundaries and rural industrial estates, then applicants need to consider re-using existing redundant buildings. Could not this aspect be included in Policy SP 8?</p> <p>The accompanying text makes reference to and names three rural employment areas and identifies these on the Policies/Proposals Maps. It also mentions other areas such as Lancaster Gate but does not actually identify their location on the Policies/Proposals Maps. It then also says that proposals should be determined in accordance with this policy. What then is the role of Policy SP 8? Does it not have any jurisdiction here even though it controls all forms of development outside settlement boundaries? The policy itself, talks about rural industrial estates. Is this</p>	<p>In order to provide clarity for the operation of the policy, we suggest the following amendments:</p> <ul style="list-style-type: none"> - Identify all rural industrial locations to which the policy is intended to apply on the Policies/Proposals Maps; - Delete the second paragraph and substitute, “Outside settlement boundaries and existing rural industrial estates, proposals for new employment development will be determined in accordance with the provisions of Policy SP 8. In addition, proposals will need to demonstrate exceptional circumstances why they cannot be located within these areas or in established urban employment locations”. - In our opinion the Borough Council needs to establish the area to which the third paragraph applies. 	<p>SP8 is the main policy controlling development outside settlement boundaries. SP14 builds on this and gives further clarification for employment in rural areas. Rural industrial locations considered appropriate for retention are set out in the ELR 2013 report prepared as part of the evidence base.</p> <p>No change proposed.</p>		

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					<p>latter term meant to be a more generic term encompassing the rural employment areas or is the policy purely meant to refer to the rural employment areas? It is not clear. As far as Barton under Needwood is concerned, then there are industrial estates adjoining the A38 e.g. Barton Business Park. This is clearly not a listed rural employment area, but is it a rural industrial estate?</p> <p>Whilst we understand the need to support appropriate rural enterprises, we are concerned that the way the policy is currently worded may be a bit too lax. There is a difference in the sustainability of rural industrial estates as between, say, those adjacent to the A38, where at least there is access to public transport and those in a more remote location where access to public transport is non-existent or at best limited. We are; therefore, concerned that if the policy implies that expansions outside the existing boundaries of these locations are permitted, then this merely compounds what is already an unsustainable location.</p> <p>We are also confused as to when the third paragraph of the policy applies. Does the term, "new locations" refer to those areas outside strategic or local service villages and rural industrial estates, as set out in the second paragraph or does it refer to new locations completely removed from those mentioned in the second paragraph? If the former then does not the third paragraph need to come in advance of the second because it asks applicants to consider the use of redundant building first? If the latter, then the geographical area of operation needs to be clearly stated in the policy.</p>				

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Rep LP380 - S Rumsby, Barton Parish Council			SP15 Tourism , culture and leisure development and Policies Map	b. Justified	<p>No mention is made in the text about any Tourism Strategy for East Staffordshire, so we do not know if this planning policy is helping to support such a document. The Parish Council has two concerns. Firstly, it is surely good practice to ensure that there is good connectivity either between tourist attractions or between accommodation and attractions and other destinations. Using Barton Marina as an example it appears to be an isolated facility and not directly linked to other aspects, for example, in the Trent Valley or indeed to Barton village itself. This aspect of connectivity does not appear to have been mentioned in the policy.</p> <p>Secondly, reference is made in the accompanying text, to Barton Marina and indeed the site is identified on the Policies/Proposals Maps. No reason is given for identifying it on the maps and it is not specifically mentioned in the policy. We are therefore at a loss to understand why it was included on the Policies Map. Whilst there are facilities for canal users at the Marina, when you consider the actual land uses, the majority are retail outlets including a butchers and cafes etc. Whilst we understand the tourist nature of the attraction of the Marina and these facilities, we feel that there is a need to define what tourism means in acceptable land uses. If there are further proposals for retail uses at the Marina, for example, will they be considered against this policy or the retail policies?</p> <p>Reference is made in the policy to the rural area but it is not clear what geographical area this refers to. Is it for example meant to refer to the area</p>	<p>We would suggest the following amendment to Policy SP 15 in the form of an additional bullet point to the first paragraph, “offer good connectivity with other tourist destinations and amenities, particularly by public transport, walking and cycling”.</p> <p>Define the rural area as mentioned in the second paragraph of the policy as referring to the open countryside outside settlement boundaries.</p> <p>Make reference to the need to ensure that land use aspects of tourism proposals are determined in accordance with this policy and the relevant other policies e.g. for retail use.</p> <p>Further explanation is required in the text in terms of what is meant by well managed sustainable tourism.</p>	<p>SP8 is the main policy controlling development outside settlement boundaries. SP15 sets out greater detail as regards tourism and leisure development. Paragraph 2 already seeks to direct large-scale tourism related developments to accessible locations unless the proposal requires a countryside setting.</p> <p>No change proposed.</p> <p>The reference to Barton Marina on the Proposals Map was simply considered useful in highlighting this tourism facility, even though there is no policy related to it. However a modification is proposed to remove this identification from the policies map.</p> <p>Change proposed.</p> <p>It is not considered that amending ‘rural area’ to ‘open countryside outside settlement boundaries’ alters the policy substantial and could potential limit the areas where the policy would apply.</p> <p>No change proposed.</p>	<p>Policies Map Inset 5 – Barton Under Needwood</p>	<p>Mod No. 154</p>

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					<p>outside settlement boundaries?</p> <p>“Well managed sustainable tourism” is mentioned in The Vision (p51) as being a main driver of rural regeneration. As it is given such prominence in the Vision, we were surprised that what it actually means in practice has not been developed further in the accompanying text. The policy seems to suggest that it refers to tourism facilities, which support the natural environment. Whilst we support this aspect of the policy, we still feel that there is a need for greater explanation.</p>				
Rep LP381 - S Rumsby, Barton Parish Council		No	SP17 Affordable Housing	b. Justified	<p>The Parish Council generally supports the policy for affordable housing and in particular the application of the substantially reduced threshold of four houses to meet the estimated need. Our concern is really the need to have more understanding and justification about how the amount of affordable housing is derived. Policy SP 17 refers to an average provision of 25% on all sites above four dwellings and yet the Strategic Housing Market Assessment Table 8.29 states that the figure is 26%. Both the accompanying text and the policy then refer to requirement of only 13% affordable houses on-site. The text states that this is derived from the Strategic Housing Market Assessment. We have read the chapter on Affordable Housing and can find no reference to this breakdown, as all the analysis seems to relate to the Borough as a whole. Is there a specific section of this Assessment which identifies the affordable housing requirement in the rural areas?</p> <p>A Housing Needs Survey of the village in 2004 calculated that there were 93</p>	<p>The Parish Council cannot really put forward a suggestion as to how the policy or text can be changed because we really require further explanation. If we were to make a suggestion then this would be to put forward the desire to meet the full 26% or 25% requirement of affordable housing for strategic villages on site.</p> <p>There is a need to explain the relationship between this policy on affordable housing and the Housing Choice Supplementary Planning Document, especially as it really supports the previous affordable housing policy as set out in the existing adopted Local Plan.</p>	<p>The Council is proposing to modify the Plan to specify the amount of affordable housing required rather than referring to the average amount.</p> <p>The Plan as published treats Strategic Villages in the same way as Burton and Uttoxeter on the basis that Strategic Villages contribute towards meeting housing needs across the Borough.</p> <p>However the Council does recognise that there may a need for more or less than 13% on-site affordable housing in Strategic Villages. A modification is therefore proposed.</p> <p>Change Proposed</p>	SP17	Mod No. 78

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					<p>households in need. We readily admit that this information is somewhat dated, but we believe that it does demonstrate that there was a need, which has probably not gone away. Assuming that there is still an affordable housing need in the village, then we cannot understand why the full complement of 26% or 25% cannot be provided on site and why it is necessary to take a commuted sum to provide housing elsewhere. How can this approach help to meet local needs within the village? We understand the viability arguments and the fact that different sites will have different requirements and we have made comments on this in relation to Policy SP 9 on Infrastructure. What we cannot understand is the reasoning for the reduction to 13% on site when the calculated average need is 26%. The text seems to suggest that the SHMA suggests that, ‘...some of the need can be met off site...’, (second para p 114) but the policy response is to state that 13% “must” be provided on site. Again there is no explanation as to the difference between the ‘possibility’ and the ‘compulsion’.</p> <p>The planning policy and the accompanying text seem to rely on the Housing Choice Supplementary Planning Document. The arrangements for achieving affordable housing are complex and we, therefore, understand the need to refer to additional guidance to help support the policy. The planning policy to which the Housing Choice Supplementary Planning Document relates is one within the existing adopted Local Plan. It is a completely different policy, so we are confused as to how it can support this policy. We feel that clarification is required on this</p>				

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					specific point and presumably the commitment to re-publish for consultation a revised Supplementary Planning Document if as and when this policy SP 17 is adopted.				
Rep LP382 - S Rumsby, Barton Parish Council		No	SP20 Town and Local Centres Hierarchy	b. Justified	<p>The Parish Council is generally supportive of the overall intention of directing the vast majority of new floorspace to Burton and Uttoxeter. We have concerns about Rural Centres and these have been expressed in relation to Policy SP 21.</p> <p>We have two issues regarding this policy. Firstly, we have difficulty understanding the way the policy is worded in relation to the text of the consultant's Retail and Leisure Study. Paragraph 4.10.7 of the Study states that rural settlements perform a very limited function and, "...we would expect any further development in these locations to be relatively small scale and aimed at meeting any local needs". Most local needs in villages are likely to be for convenience goods and yet Policy SP 20 makes provision for 2100sq m of comparison goods in the four identified villages. Some further explanation is required to justify the need.</p> <p>Secondly, there appears to be a gap in the retail hierarchy regarding more isolated farm shops and facilities such as garden centres.</p>	<p>The Parish Council would like to see greater clarity expressed either in the text or the policy regarding the need for comparison goods shopping provision in the Rural Centres.</p> <p>There appears to be some confusion in the wording of Policy SP 20 as between the definition of the rural centres and their place and function in the hierarchy. As a result its overall meaning is confused. We would suggest, "Rural Centres are defined as being of varying size and offering a basic level of convenience shopping and services for the village and immediate rural hinterland. Rural Centres are defined for Tutbury, Barton under Needwood, Rolleston and Rocester. The shopping provision of Rural Centres will be protected from development (see Policy SP 21). These Rural Centres will also share a proportion of the predicted 2100sqm of comparison goods identified in the Overall Catchment Area (and this also needs to be defined)."</p> <p>In order to deal with the potential provision of more isolated retail uses, outside the identified hierarchy, we would suggest the addition of the following to Policy SP 20, "New farm shops, garden centres and other proposals for more isolated retail uses will be permitted where the scale and scope of the retailing proposed does not harm the viability of retail facilities in any nearby</p>	<p>Paragraph 9.8.9 of the Retail and Leisure Study sets out the convenience and comparison goods requirements for Burton, Uttoxeter 'other locations in East Staffordshire' and 'other locations within the OCA'. It was considered that setting out the specific requirement for 'other areas within East Staffordshire' was too low and that it was more appropriate to quote the remaining floorspace requirement for the whole of the OCA.</p> <p>No change proposed.</p> <p>Farm shops is an example of potentially appropriate 'farm diversification' addressed in SP14. It is not considered necessary to identify every potential use that may be appropriate such as garden centres.</p> <p>No change proposed.</p>		

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						settlement, there is safe and easy access to the local road network and the proposal would only give rise to modest vehicle movements”.			
Rep LP383 - S Rumsby, Barton Parish Council		No	SP21 Managi ng Town and Local Centres	b. Justified	<p>The Parish Council generally supports the intention of Policy SP21 to promote new development and to protect existing provision. Where we do have concerns is in not identifying on the Proposals/Policies Maps the extent of the defined Rural Centre. Our concerns about this planning policy, have been influenced, in particular, by the Borough Council’s approval of the conversion of the former Co-operative premises on Main Street to be converted to residential development (planning application ref P/2012/01125). We were very disappointed that despite promoting Barton as a strategic village with a role of acting as a service centre for the surrounding area and their own Local Plan policy R15 supporting the retention of existing shops, the Council still found it appropriate to allow the change of use. In addition, we felt that there was strong guidance in the National Planning Policy Framework to support village shops. Paragraph 28 states, “To promote a strong vibrant economy, local and neighbourhood plans should ... promote the retention and development of local services and community facilities such as village shops.....”</p> <p>The sales area of the former Co-op store was approximately 2500sq ft. Relatively speaking this is a substantial amount of floorspace in the commercial heart of the village. The south side of Main Street from Wales Lane to the Church has a continuous frontage of premises, in commercial use, with only</p>	<p>Delete the paragraph under the heading ‘Safeguarding retail provision’ in Policy SP21 and substitute,</p> <p>“In order to ensure the continued viability and vitality of Rural Centres, proposals for the change of use of shops on the main shopping frontages, as identified on the Policies/Proposals Maps, will be resisted. In exceptional circumstances, the loss of a local service or facility may be permitted, if an applicant can demonstrate to the satisfaction of the Local Planning Authority that the facility cannot be made viable in the foreseeable future. Evidence required may include details of previous usage/accounts and details of a suitably extensive and targeted marketing campaign aimed at finding alternative owners/providers. Such marketing, should usually be for a minimum of six months, at a price appropriate for the established use. Where appropriate the site should also be offered to the local community for community management”.</p> <p>We would suggest that as far as Barton under Needwood is concerned the main shopping frontage should include the area from the Church to Wales Lane on the south side and the area from The new Co-op store to the Rumsey premises on the north side.</p>	<p>We have not identified the retail area for the rural centres. This is addressed in the Local Centres Topic Paper as part of the evidence base.</p> <p>Whilst we accept that the loss of a retail facility in the village was unfortunate, the Council did not feel that it had a policy basis to recommend refusal of this application. The intention of this policy is to strengthen the Council’s approach in this situation. However, The village did not lose the Coop as a facility but was fortunate to gain a new improved Coop whilst at the same time regenerating the long disused former filling station. This facility is larger than the premises that it replaced.</p> <p>No change proposed.</p> <p>Rural Centres are identified in SP20 and therefore do not need to be identified separately in SP21.</p> <p>No change proposed.</p>		

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					<p>one or two exceptions.</p> <p>Whilst the Borough Council acknowledged the loss of the retail premises that the change of use would bring, it seems to have taken the view that its loss would not affect the vitality of the village and that the creation of new housing could also be considered sustainable.</p> <p>In the light of the above decision, we are concerned that unless the shopping frontage is actually identified then a similar proposal in the future may suffer a similar fate. If, such a perceived strong planning policy basis cannot be used to prevent the change of use of a relatively large retail outlet then there is no hope for smaller shops to be retained. To address this issue the Parish Council feels that the proposed Policy SP21 not only needs to identify Barton as a Rural Centre but also to identify the shopping frontage, which should be retained. The clear physical identification of the shopping frontage on the Policies/Proposals Map will hopefully give greater credence and clarity as to where the policy will operate. At present we do not see even any recognition on the Barton Inset Map that Barton is actually defined as a Rural Centre or indeed any reference on the map to Policy SP 21.</p> <p>We are also concerned that again the policy is expressed in a positive rather than a negative way and that this gives a favourable impression when the intention is to resist changes of use. We would therefore like to suggest a modified form of words to give greater power to the Local Planning Authority particularly in applying the viability test.</p>				

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Rep LP384 - S Rumsby, Barton Parish Council		No	SP23 Green Infrastructure	b. Justified	<p>The Parish Council's objection to this policy is simple and straightforward. If the object of the policy is to use development control powers to safeguard green infrastructure, then we need to know where they are located. This surely means that they are identified on the Policies/Proposals Maps accompanying this Local Plan or are set out clearly in an Appendix or some related document. Not all of us are able to have a copy of the Green Infrastructure Study to hand when wanting to find out if a green corridor or some other aspect can be safeguarded. This is particularly important for Parish Council's Planning Committees trying to make timely comments on appropriate planning applications.</p>	Delete reference to Green Infrastructure Study in the first sentence and paragraph and add '...as identified on the Policies/Proposals Maps...', instead.	<p>The Council consider the approach taken, to refer to the evidence base document, is sufficient to be able to protect the current network of GI. This approach means that the GI network set out in the evidence base can be updated regularly if required. The GI study, recently updated, is available on the Council's website along with other evidence base material.</p> <p>No change proposed.</p>		
Rep LP385 - S Rumsby, Barton Parish Council		No	SP25 Historic Environment	b. Justified	<p>The Parish Council is very supportive of the content of this policy to protect, conserve and enhance the heritage assets of the Borough. We are proud of the heritage of the village and want to ensure that its assets are maintained for future generations to enjoy. The heritage assets, in particular the conservation area and the listed buildings also make a major contribution to the distinctiveness of the village. We are also very grateful to have a reasonably up to date Conservation Area Appraisal.</p> <p>An English Heritage press release in 2009 reported the results of their first ever survey of the condition of conservation areas. The survey noted that 1 in 7 conservation areas was at risk of neglect, decay or damaging change. In particular it highlighted the top threats to be plastic windows and doors, poorly maintained roads and pavements, street clutter, loss of front garden walls, fences and hedges,</p>	<p>Can we suggest an amendment to the wording of the first paragraph?: 'Development proposals including alterations and extensions, should preserve and enhance the character and appearance of Conservation Areas, protect the architectural or historic interest of listed buildings and their settings, Historic Parks and Gardens and any other important historic structures, monuments and landscapes, identified as undesignated sites in Appendix? Negative impacts will be resisted.</p> <p>In order to address the deterioration of the quality of conservation areas, the Borough Council will promote a programme of management plans, to complement Conservation Area Appraisals, and Article 4 Directions. These Directions will seek to control replacement doors, windows and porches. So as to maintain the historic and architectural value of the area and value of the building.'</p>	<p>The policy sets out the evidence base to be referred to when determining applications. The policy refers to all development and as such the first paragraph does not need to spell out 'alterations and extensions'. The justification sets out the sources of information that will need to be referred including those evidence base reports specifically prepared. There is an ongoing review of Conservation Areas that is separate to the Local Plan preparation. This programme will continue. The Council will consider on the evidence currently or likely to be prepared whether an Article 4 designation should be put in place.</p> <p>No change proposed.</p>		

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					<p>satellite dishes, the effects of traffic management measures and unsympathetic extensions and changes.</p> <p>Whilst we support the development control considerations, we feel that these actions in themselves are not enough to prevent the general deterioration in the quality of conservation areas as set out by English Heritage. The deterioration of environmental quality also needs to be addressed on a number of fronts. We believe that the Borough Council needs to be pro-active in promoting not just a programme of conservation area appraisals but also management plans. These can be effective in setting out detailed and subtle changes, which can enhance the character of the conservation area and help to address the issues set out in the Appraisals. They can be implemented through the development control process, when opportunities allow. The Borough Council and indeed the parish Council, can also play a positive role by using their influence with appropriate agencies including the utility companies and the highway authority to tackle issues such as street clutter and the quality of footways and street furniture. To this end, the Parish Council is currently undertaking a feasibility study into a Village Enhancement Scheme, using the concept of Shared Space, which we hope, if implemented, will have a positive impact on the conservation area. English Heritage also emphasised this point regarding the quality of the public realm, stating, "...we want council departments to work together to take better care of the public areas. Highways and Environmental Services teams, even Health and Education</p>	<p>Clarification is also required regarding the subject of the second paragraph of this policy.</p>			

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					<p>Departments whose building often dominate a conservation area, they all need to co-operate to save the public parts of conservation areas from decay. Conservation Areas should not just be the responsibility of the council's Conservation Officers".</p> <p>Whilst this may address issues in the wider public realm, it was clear from English Heritage that the quality of conservation areas was also declining through incremental and growing use of plastic windows and doors and lack of attention to detail in the design of alterations and additions to buildings. English Heritage wanted councils to make more use of Article 4 Directions"only 13% of conservation areas have one – to protect small but important original detail such as windows, doors and front gardens. Lose these and slowly but inevitably you lose the character and history that made the area special in the first place. And where there are neglected or derelict buildings, councils should use their powers to encourage owners to repair or to sell them".</p> <p>On reading the policy, a couple of minor points occur which require clarification. The first paragraph of Policy SP 25 talks about the need for development proposals needing to protect heritage assets. The second sentence of the same paragraph talks about heritage assets as including undesignated and designated assets. Whilst it is clear that designated assets include listed building and conservation areas etc, it is not clear, what is meant by "undesignated assets". The lack of a definition does not aid an understanding of how they can be protected, which is clearly the</p>				

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					<p>aim of the text on p.134, "Such heritage assets are vulnerable to change and potential harm and therefore should be managed proactively and sensitively..." How can we protect or manage them if we don't know what or where they are? Could not a list of undesignated assets be included in an Appendix?</p> <p>The second paragraph starts with the phrase, "This should include..." It is not at all clear what the "This" is referring to, especially as the subject of the first paragraph 'heritage assets' and 'development proposals' are in the plural. There may be a clear message here for planning policy but it has been lost in translation and needs to be revisited.</p> <p>We are also worried by the second sentence of this same paragraph. If there are negative impacts on the historic environment then should not this result in a reason for refusal? Obviously this depends on the scale and nature of such impacts, but we wonder whether the tone of the planning policy gives too much cause for optimism.</p>				
Rep LP386 - S Rumsby, Barton Parish Council		No	SP26 National Forest	b. Justified	The Parish Council supports the general aims and content of Policy SP26 for the National Forest. Our concerns relate to the claims made in the text on p.128 about Burton's role as 'capital of the National Forest'. The aim to be the capital is laudable, entirely praiseworthy and deserving of support. We feel, however, that if the Borough Council and the town in particular want to pursue this objective then as well as enabling greater planting through its partnership working with the National Forest Company and through the	Add another paragraph within Policy SP26 to identify areas of future planting in association with other partners including adjoining local authorities in order to give credence to the aim of making Burton the capital of the National Forest.	Policy SP26 refers to the National Forest planting guidelines and states that developments should meet these standards. The explanatory text also states that the Council will work with partners where opportunities exist. There is therefore no need for this additional text. No change proposed.		

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					<p>operation of its development control functions, the Council also needs to act in a more pro-active fashion. If it wants to be recognised nationally as the capital of the National Forest, as set out in the vision, then it needs to do more than just negotiate to achieve planting. The third paragraph on p138 indicates a way forward by suggesting that it will provide additional planning where opportunities exist. We suggest that the Borough Council will not achieve its national ambitions unless it is more pro-active, so that we may in future regard Burton as they say, 'a town within a forest'. If it is to achieve its national recognition then it needs to identify sites for future planting, particularly within the Trent Valley north and south, and along the A38 corridor on the gateway entrances to the town. We would suggest that there is nothing physically at present to give credence to the town's epithet. This planning policy is a good start but needs more positive action as well as development control.</p>				
Rep LP387 – JVH Town Planning	No	No	All	<p>a. Positively prepared b. Justified c. Effective d. Consistent with National Policy</p>	<p>Part One Para 1.86 to 1.100 At para 1.87 the plan identifies that the strategic housing market relationship is strongest between Burton and Swadlincote in South Derbyshire. However the SHMA of Oct 2013 goes on to consider the District as a discrete market area which itself is sub divided. We agree that the principal linkage in housing terms is between Burton and South Derbyshire as depicted on diagram 1.5 on page 31 which indicates the relationship between the two districts in terms of commuting patterns. It is considered illogical therefore to ignore the requirements of South</p>		<p>The relationship to the housing market area is set out in the SHMA. The SHMA sets out the justification for the housing numbers. The sustainability appraisal acknowledges the conflict with some of the plan objectives. The sustainability appraisal uses the current landscape descriptions to determine landscape impact The sustainability appraisal includes an appraisal of all site allocations and alternative site</p>		

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					<p>Derbyshire and potentially more sustainable patterns of development thorough a misguided housing market boundary, furthermore there is little reference to the relationship with Lichfield District to the south and the pressures in that district to meet the requirements of Birmingham, which spill over into ESBC along the A38 corridor.</p> <p>Para 1.94 indicates that the housing requirement over the period 2012 to 2031 is some 11,408 households but this figure is considered to be flawed on two counts. Firstly the overall needs of the housing market area have not been fully assessed and secondly that the figure of 11,000 is below the RS Phase Two figures and is an under estimate of the requirement.</p> <p>The plan identifies at 1.119 and 1.126 the different characters of Burton and Uttoxeter however the development strategy in part two deals with Burton and Uttoxeter at the same level in the settlement hierarchy although clearly they are at a completely different scale and character.</p> <p>Para 1.134 sets out the strategic objectives of the plan and the objective of housing choice to provide a mix of homes is a valid objective, but which will be at the expensive of other objectives such as countryside, which must in places be allocated for new development.</p> <p>Part Two</p> <p>Para 2.3 the strategy is said to take account of various constraints including high quality landscape features. However there is no notation on the</p>		<p>options. Where details are available through the planning application process these have been incorporated into the appraisal.</p> <p>The development strategy involves an element of windfall, which is likely to come forward based on the brownfield sites assessment and strategic housing land availability assessment.</p> <p>No change proposed.</p> <p>The settlement boundary topic paper sets out how amendments to settlement boundaries have been determined, in discussion with parish councils. Where a settlement is producing a neighbourhood plan, such as Yoxall, the boundary will be amended by the neighbourhood plan.</p> <p>It is important that housing is provided in all tiers in order to meet the housing needs of urban and rural communities. Whilst there have been few housing exceptions sites in East Staffordshire, there is a high rate of conversions and agricultural dwellings which is expected to continue and therefore it is important to include this element in the development strategy.</p> <p>There is no individual policy for Barton Marina, however a modification is to remove the symbol of the Barton Inset to avoid</p>	<p>Policies Map Inset 5</p>	<p>Mod No. 154</p>

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					<p>proposals map which deals with landscape character and indeed it is understood that this work is still in progress. This point has been recently considered in a series of Sec 78 appeals, where it has become apparent that the Council has had no overall consideration of the relative merits of development sites based on their landscape impact and this has not been part of the original sieving mechanism to distinguish which sites should come forward for development and is part of the flaws of the SA of the preferred options document. It is considered that the plan is fundamentally flawed on this basis alone as a landscape analysis has not underpinned the spatial strategy yet para 2.3 implies that it has.</p> <p>Para 2.8 the SA appraised broad options, but it is unclear if individual sites which are now proposed to be allocated have been subject to individual appraisals.</p> <p>Para 2.17 notes the suggested split of development with 6.3% in the tier one villages and 2.5% in tiers two and three, these percentages should be amended to allow for more development in village tiers one and two and the small amount of development in tier three, which is windfall and should not be counted as part of the specific allocations.</p> <p>Para 2.23 identifies that the two largest villages Abbott's Bromley and Yoxall are assigned 40 dwellings and indicates that this allowance will be community led. It is not clear therefore if the plan is allocating sites in these settlements and if the plan is reliant on the housing from these villages. If it is then the plan should allocate the sites to achieve</p>		<p>potential confusion.</p> <p>Change proposed</p> <p>It has been advised by government that the presumption in favour of sustainable development is contained within the plan.</p> <p>The plan aims to ensure the majority of development takes place in Burton upon Trent and Uttoxeter.</p> <p>No change proposed</p> <p>An up to date 5 year housing land supply has been made available as part of the examination library. This includes the correct and current position regarding lapsed planning permissions.</p> <p>The plan sets out the mechanism for non delivery on brownfield sites and greenfield sites.</p> <p>The Red House Farm site now has planning permission following the appeal.</p> <p>Allocation of Barton Marina is not considered appropriate. Other policies in the plan would be applied should further development come forward. No additional floorspace is allocated at Barton Marina.</p> <p>The approach to windfall is supported by the Brownfields sites topic paper.</p>	<p>– Barton Under Needwood</p>	

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					<p>certainty. If the settlement boundaries are being decided in this plan then sites emerging that are outside these boundaries will be contrary to policy, therefore the boundaries need to be clear at this stage. It is not considered that this part of the plan has been thought through in policy terms.</p> <p>Para 2.2.4 it is not considered that the small villages need to have any housing allowance, any development here is small scale and cannot be relied upon to achieve the overall housing number.</p> <p>Para 2.29 and 2.30 the plan should not be reliant upon brownfield sites due to viability and marketing constraints. Many brownfield sites have been granted permission and have failed to be delivered to date including JCB Uttoxeter, and Pirelli both of which are relied upon in this strategy. The allocation of brownfield sites is considered to be unsound if the strategy over relies upon them to deliver the housing requirement. Specific comments on the allocations will be made under the relevant policy.</p> <p>Policy 2.33 talks about a brownfield windfall allowance in the villages, which is unlikely to deliver given the character and nature of these settlements, particularly given the definition of Garden land in the NPPF.</p> <p>Para 2.34 to 2.37 sets out that Greenfield sites will need to be released to meet the housing requirement based on the SUE's, however Greenfield sites in Burton will also be delivered from medium sized allocations such as Forest Road and Redhouse Farm. The council's strategy at 2.36 implies that</p>		<p>Whilst the trajectory is aspirational, the numbers expected to be delivered on strategic sites have been provided by the applicant / agent.</p> <p>The strategy includes sites which the council consider sustainable and deliverable</p> <p>The councils approach to duty to cooperate with neighbouring South Derbyshire District Council is set out in the Duty to Cooperate paper. The site referred to in the representation is not an allocation within the South Derbyshire Pre-Submission Local Plan.</p> <p>Proposed modification to policy SP8 to make reference to reuse of rural buildings.</p> <p>Change proposed</p> <p>The plan is supported by a viability assessment. The charging schedule will be set out in a future document with S106 being used until that time.</p> <p>The Derby Road site contains many underused and vacant sites. The policy aims to achieve a coherent redevelopment scheme which may or may not include all current uses.</p> <p>Proposed modification in relation to tourist accommodation in SP15.</p> <p>The SHMA sets out the justification for the housing mix. The policy is</p>	<p>SP8</p> <p>SP30</p>	<p>Mod No. 55</p> <p>Mod No. 110</p>

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					<p>smaller sites are inferior to the SUE's, however we consider that this scale of site in the examples above are deliverable in the shorter term and more attractive to the market as they do not have the long lead in times and extensive infrastructure. On this basis therefore the strategy is not sound because it over relies upon SUE's and fails to recognise the benefits of other Greenfield sites.</p> <p>Page 69 the key diagram.</p> <p>The key diagram is not easy to understand, the villages and locations should be named in order to be able to interoperate the strategy. It is not understood why St George's Park is noted and Barton Marina is not given that they are both strategic Leisure destinations. The plans are too small and should be at least at A3 size. The strategic road network should also be shown.</p> <p>We consider that the Strategy is flawed on the basis that the strategy has been derived from an evidence base which failed to include any landscape appraisal or character assessment. This is clear from the Planning for Change July 2012 document, which shows on the constraints plan on page 42 that no constraint relating to landscape is considered therein. This is further reinforced by the fact that the authority are now undertaking a landscape appraisal to be completed in 2014, which should have underpinned the strategy and the sites.</p> <p>The strategy is further flawed by the inadequacies of the SHMA and its complete failure to deal with the</p>		<p>considered flexible to allow for a range of mixes to come forward whilst also considering viability.</p> <p>The affordable housing policy is supported by the SHMA and Affordable Housing Viability Assessment.</p> <p>The council consider that exception sites should be those on the edge of settlements to ensure the sites are sustainable</p> <p>Proposed modifications to the wording of policy SP30.</p> <p>Change proposed</p> <p>Identifying green infrastructure meets the requirements of the NPPF. Its identification does not preclude development from taking place.</p> <p>No change proposed</p>		

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					<p>acknowledged housing market area as require by the NPPF at Para 159. This failure puts into question the overall housing number and the distribution of development. The strategy proposes a housing target which is not based on a robust SHMA and which takes an average between scenarios to arrive at an annual rate. This cannot be a robust assessment of the requirement and be in accordance with the NPPF to boost the supply of housing.</p> <p>The evidence base on which the plan relies includes land supply calculations that have been found on appeal to be highly inaccurate and the SOS has recently concluded that the council do not have a five year supply of land in accordance with the NPPF. The plans strategy should seek to bring land forward speedily and with a degree of certainty and the approach that the authority have taken with regard to a huge windfall allowance and the non-allocation of sites outside the two main towns is not conducive to increasing the supply and achieving certainty. The inspector concluded at the Red house Farm Appeal on this point that: “The Council has failed to demonstrate that it has compelling evidence that 90 dwellings per year will consistently become available from windfall sites and will continue to provide a reliable source of supply, as required in paragraph 48 of the Framework. Based on the above, I find that the Council's supply of deliverable housing is likely to be significantly below its figure of 4.60 years”</p> <p>There is no certainty attached to windfall in either the urban area or the villages and this is a fundamental failing of the</p>				

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					<p>plan.</p> <p>Part Three Policies</p> <p>SP1 Object - it is unclear why the plan is repeating the NPPF.</p> <p>SP 2 Object The plan should distinguish between Burton as the principal town and Uttoxeter as a town. These settlements are vastly different in scale and character and this should be recognised in the hierarchy.</p> <p>The policy sets out the new development should be located within the settlement boundaries yet the settlement boundaries depicted on the policy maps fail to include developable sites at Burton, Yoxall, Denstone, and Barton under Needwood. The policy maps should be amended to include the development opportunities attached to this objection. Namely</p> <p>Land at Forest Road Burton Land at Postern Road Burton Land at St Mary's Drive Stretton/Burton Land at Craythorne Lane Stretton/Burton Land to the South of Bond End Yoxall Land at B5031 Denstone Land at Barton Marina Barton under Needwood.</p> <p>SP3 The plan provides for 11,648 homes over the plan period or 613 dwellings PA. The rationale behind this requirement is set out in the June 2013 update which indicates that 613 dwellings PA is an average figure from two alternative scenarios. It is unclear why an average figure is taken rather</p>				

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					<p>than the higher figure of 630 PA. This is not in accordance with the NPPF to boost the supply of housing and the reasoning behind this is flawed. It is not clear why the LPA have deferred from meeting the RS Phase two requirement for 650 dwellings PA, which was a figure derived from a conjoined approach with neighbouring authorities which took account of the interrelationships' between ESBC and Lichfield and for which the council expressed support. Policy SP3 should explain that the numbers are a minima for the plan period.</p> <p>SP4 The plan seeks to allocate 10,284 dwellings over the plan period this is below the overall requirement of 11,648 as the council believe that at April 2012 they had 1,582 extant permissions or 1,379, (including a lapse rate). We do not consider that the level of extant permissions is as the council have set out and work submitted in two recent appeal cases indicate that the extant permissions were around 800 dwellings at 2012. This means that the plan is under allocating land to meet the requirement because it is overestimating the contribution of the exiting permissions on day one of the plan.</p> <p>Burton We object to the brownfield allocations in table one which amount to 1,683 dwellings. In Burton these sites are not considered to be deliverable particularly Derby Road 250, which comprises a large number of individual dwellings and sites in private ownership. The plan should rely less on these brownfield sites, some of which have been in the pipeline for many years and have failed</p>				

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					<p>to be delivered.</p> <p>The Greenfield allocations in Burton should be increased by the addition of Forest Road for 300 Dwellings and Redhouse Farm which already has a planning permission. It should also include land at Stretton both a Craythorne Lane for 500 dwellings and for St Mary's Drive for 150 dwellings.</p> <p>A windfall allowance of 1,359 in Burton is ill conceived. Land should be allocated to meet the housing requirement and not rely on windfalls for this strategic planning process. The historic windfall rate in the Borough has been skewed by the fact that there was a moratorium on sites over 10 dwellings operating from 2005 for a significant period. This drove developers onto smaller sites where planning permission could be obtained and has artificially increased the windfall figures.</p> <p>At the time that the last Local Plan was examined and adopted in 2006 most of the allocated sites already had planning permission and there was no scope for new developments other than the windfall sites, again this artificially increased the numbers of windfalls.</p> <p>In the future sites which may have been large windfalls, should be identified in the SHLAA and will become allocations and there should be no allowance for these type of larger sites.</p> <p>Uttoxeter We support the allocation of the Brookside Industrial estate and a planning application is to be submitted shortly, however we raise concern over the reliance on the JCB site at Pinfold</p>				

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					<p>Road which has been in the pipeline for many years and remains undeveloped. If sites fail to be delivered alternative provision needs to be made in alternative locations.</p> <p>Strategic Villages Barton under Needwood The allocation in Barton relates to the extant consent at Efflinch Lane the plan fails to acknowledge the development potential at Barton Marina for an additional 100 dwellings located around the marina basin and the lakesides. It is proposed that the whole of the Barton Marina complex be included in the Barton development boundary as the site is functioning as part of the settlement given the wide range of facilities including shops, restaurants and a cinema. Therefore the total development allocation for these villages should be increased to allow for the potential on the Barton Marina site.</p> <p>Windfall development allowances in the villages We object to the concept of this part of the housing requirement being met by windfalls the NPPF is clear at Para 48 that windfalls should not be relied upon unless there is compelling evidence that they are a reliable source of supply. The LPA have themselves acknowledged that windfalls are unreliable by their discounting exercise in their land supply calculations if these villages in tiers one, two and three are to assist in meeting the strategic housing requirement then land should be allocated for the express purpose, which is the view that we take. We consider that land should be allocated at Yoxall and Denstone to meet the express requirement referred to in detail in our comments the inset</p>				

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					<p>plans. If the council want to retain the windfall only strategy in these villages then the requirement of 51 should be met and allocated in the higher tier locations to ensure the delivery of the strategy. Reliance on sites coming forward through neighbourhood plans is unsound as evidenced by the events in Rolleston where in the neighbored plan it included no strategic development as proposed in the local plan and planning permission has been refused by the council on the basis that the development is out of step with the neighbourhood plan.</p> <p>Housing trajectory Page 84 implies that most of the strategic housing sites have planning permission but this is not the case. There is no permission at Branston Locks or Beamhill, which is the subject to a Judicial Review. The council cannot therefore rely on these sites in drafting the housing trajectory, these sites will not come on-stream early in the plan period and this is why the strategy is unsound because it is over reliant upon large strategic housing sites and fails to include medium sized allocations that do not have such significant lead in and completion times. It is unclear how the build rate will increase from 200 homes pa in 2015 to over 900 in 2017 as shown on the trajectory. A more realistic trajectory would be one achieving the annual target of 613 or thereabouts in the next two of three years and then being maintained thereafter.</p> <p>SP 6 We object to the policy as drafted on the basis that the proposal to regularly monitor the housing land availability is unlikely to be achieved given the history</p>				

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					<p>of this subject. The authority have never had a robust evidence base for the supply of housing land and their assessments have contained unrealistic expectations on both the quantum of supply and the rates of delivery. Furthermore they have not regularly updated these documents which have been many years out of date. The five year land supply should be reviewed annually and the council must have a robust database which has credibility. The policy implies that if the council are falling behind on delivery then they will bring sites forward through a DPD, this seems to be a long winded approach to what is required which is the granting of planning permissions it is not clear what type of DPD they might be considering using.</p> <p>SP 7 We object to policy SP7 that the SUE's identified exclude the land at Craythorne Lane Stretton, which is a logical and sustainable development location and to support the housing strategy. Planning permission has already been granted at Guinevere Avenue, Stretton as a sustainable development and the adjoining land at Craythorne Lane should be allocated.</p> <p>Development along this northern edge of the Burton urban area has been further indorsed by the Tutbury Road/ Harehedge Lane. The strategy of locating sufficient land adjacent to the urban area to specifically bring sites forward is a much better strategy than relying on 1,359 windfalls in the main towns. In addition land at St Mary's Drive on the former chicken farm together with the land at the rear should be allocated. See plans attached, an</p>				

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					<p>application is currently being worked up for land off St Mary's drive and will be submitted shortly. The location has already been established as an appropriate one by the approval of the dwellings at Guinevere Avenue.</p> <p>Both of these proposals at Stretton are superior to sites identified in the urban area which have severe delivery problems and may never materialise including over the very large proposed SUE's, which have long lead in and delivery times.</p> <p>It is noted that the Harehedge Lane Tutbury Lane allocation is allocated for 500 units but the capacity of this site is questioned given the construction of a large new school on the central part of the allocation.</p> <p>The plan omits any mention of the relationship with South Derbyshire and the potential of land to the east of making a contribution to the housing requirement. Land is available at Winshill adjoining the urban area of Burton, which could support the housing requirement for both authorities, but this potential has been overlooked due to the fact that the council have failed to undertake a proper SHMA looking at the true housing market area. Sites to the east of Burton would be ideally placed to deal with this type of need and would support a sustainable pattern of development given the acknowledged relationship and the commuting patterns identified in this plan on page 31. Work is being undertaken on a master planning exercise on this land and representations have been made upon it to South Derbyshire.</p>				

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					<p>The duty to cooperate between adjoining authorities must cover how the housing requirements are to be met, in this case the two authorities should have cooperated to produce a SHMA that covers the agreed housing market area. ESBC acknowledge this. A previous iteration included counting the housing numbers at the Drakelow Site within the SDDC as part of the ESBC's requirement, confirming that the relationship on the boundary is a highly significant one this has been completely overlooked in this new document. Para 159 of the NPPF sets out that authorities should have a clear understand of housing needs in their area and prepare a SHMA working with neighbouring authorities where housing market areas cross administrative boundaries, this has not been done and the plan is out of step with the NPPF on this fundamental point.</p> <p>Para 178 to 181 of the NPPF clearly requires planning across administrative boundaries, the fact that SDDC lies within the former East Midlands RS area and ESBC is with the West Midland RS area does not negate the geography of East Staffs.</p> <p>The plan does not appear to indicate a threshold size for a SUE but includes SUE's of various scales and it is questionable that land at Forest Road Burton for 300 dwellings should not only be included as an allocation in SP4, but also listed as a smaller SUE in policy SP7.</p> <p>SP 8</p> <p>We object to SP 8 on the basis that it is not flexible enough to deal with the</p>				

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					<p>many situations that arise outside development boundaries for example a redevelopment of a brownfield site that would bring design and environmental benefits and was within reasonable distance of a sustainable settlement should be permitted. The policy makes no provision for such sites and is over prescriptive.</p> <p>SP 9 We object to policy SP 9 the council have not produced a draft charging schedule for CIL and it is unclear what the impact of such a charging regime would be on the viability of development and how this would affect the delivery of the strategy. The policy implies that a CIL will definitely be introduced, but the preceding paragraphs do not imply that this is a certainty, it is unclear how the plan can be sound when the impact of this is not known.</p> <p>SP 11 We object to policy SP11 on the basis that it is not considered that it will deliver homes given the character and nature of the site, the proposal is for a mixed use and the council is seeking a development partner to bring the site forward. It is considered that the potential for this sort of mixed development and the ensuing living arrangements are currently unattractive to the market and this site may not therefore deliver for many years. Alternative sites exist that are deliverable and should be allocated see our comments SP4/ SP7.</p> <p>SP12 We object to policy SP12 on the basis that this is a site straddling the Derby Road which is currently occupied by</p>				

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					<p>business uses the acquisition of land and properties is likely to mean that this site will not deliver 250 homes early in the plan period and should not be relied upon. Alternative sites exist that are deliverable and should be allocated, see our comments SP4/ SP7.</p> <p>SP15 We object to policy SP15 on the basis that new tourist accommodation should not be limited to within existing settlements. Tourist accommodation should not have to demonstrate that it cannot go within a settlement, but should be located in relation to the attraction it is serving. The policy is poorly worded and needs modification.</p> <p>SP16 We object to policy SP16 on the basis that this mix is far too prescriptive and does not allow sufficient flexibility for the market to determine the type of homes that can be sold. The basis of the mix is said to be based on the new housing needed over the plan period, but the mix will change over time and it is inappropriate to include a prescriptive mix in the local plan that will be applied over the plan period. Furthermore the mix of dwellings on sites should be designed to reflect the character of the area in the area they are located and it may be inappropriate for some locations to have a prescribed mix. It is unclear how the mix in table 3.1 is to be applied.</p> <p>Outside the main towns and tier one settlements sites are required to meet a need based on housing needs survey this is not workable.</p> <p>SP17 We object to policy on the basis that the</p>				

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					<p>threshold for affordable housing is too low and should be increased to developments of 15 dwellings and over or sites of 0.5 hectares.</p> <p>Thresholds that are set too low simply stifle development or make small sites unviable. The policy as drafted leaves uncertainly as to the general level of affordability required on sites, is it 25% or less? This should be clearer.</p> <p>This policy needs rewriting to make clear what percentage of affordable is required as a starting point and that viability issues will alter this. The plan should be clearer about what matters need to be taken in account in any viability assessment such as reasonable profit levels and residual land values to encourage sites to come forward and to diminish uncertainly. This will enable the development industry to assess sites in the early stages before embarking on major and costly viability exercises. We are concerned about the spending of commuted sums offsite, if this is part of the policy it should be within the policy and be capable of justification.</p> <p>SP18 We object to policy SP18 on the basis that exception sites do not have to be within or on the edge of a settlements. There could be other sites which are appropriate, which do not directly abut a settlement. The policy as drafted does not make sense.</p> <p>SP23 We object to policy SP23 on the basis that there are no plans showing where the green infrastructure corridors are. They comprise natural and manmade green spaces and are to be</p>				

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					<p>safeguarded but you cannot tell where they are from the proposals map. If they are a land use allocation they must be shown, so that they can be clearly identified and the policies that are to be applied over them have a clear plan base. The policy anticipates developer contributions to make improvements to the green infrastructure corridors, but is not clear how this is related to development and if it complies with the CIL regulations.</p> <p>SP30 We object to policy SP30 on the basis that the policy says that within locally significant landscape areas development will be restricted if it affects the character, however there is no way of knowing where these areas area. They are not shown on the proposals map or the insets. Page 148 indicates that the council is working with the County Council to update 14 the landscape character areas and assessments, this is due to be completed in 2014 and will describe which areas are most sensitive. This begs the question of how the current strategy has been determined if the council have not had any overall consideration of landscape character and sensitivity. The policy itself is flawed because the evidence required to support it is not yet available and so there is no knowledge of where it will apply. This point has been recently considered in a series of sec 78 appeals where it has become apparent that the Council has had no overall consideration of the relative merits of development sites based on their landscape impact and this has not been part of the original sieving mechanism to distinguish which sites should come</p>				

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					<p>forward for development and is part of the flaws of the SA of the preferred options document.</p> <p>SP31 We object to policy SP31 on the basis that an area of the strategic green infrastructure is identified between Rolleston and Stretton on the proposals map, which included land east of Craythorne Lane and the old railway line. This it is unnecessary to be included within the notation and this should be removed and the boundary redrawn as per the attached plan.</p> <p>DP 4 We object to the policy as drafted on the basis that the policy is inflexible and seeks to limit replacement buildings by reference to buildings which have special qualities of "traditional rural building" this is unnecessary and open to miss interoperation if a building is listed in a conservation area or protected by any other means then clearly demolition is not normally allowed. If buildings are special they will already be in the category and there is no need to create a further category in this policy to prevent the redevelopment of dwellings. The policy should be phrased in the positive, not the negative. There is nothing wrong with replacement dwellings in principal according to the NPPF and the policy should be redrafted to reflect a positive approach.</p> <p>DP 10 We object to the policy on the basis that it fails to include the locations in the borough that are existing recreation and tourist destinations, such as Barton Marina, which should be shown on the</p>				

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					<p>proposals map and recited in this policy.</p> <p>D12 We object to policy D12 on the basis that it fails to acknowledge Barton Marina either in the policy or on the proposals map as a comparable destination. The policy implies that there will be future development on the site to support the growth of the site and it is thought this may include uses which are normally located in town centres. This location does not adjoin any settlement and is remote from any main towns or villages.</p> <p>Settlement Boundaries and inset plans SP2 sets out that development will be concentrated within the towns villages etc. and these are shown on the accompanying plans.</p> <p>We object to the following inset plans.</p> <p>1.Burton We object to the omission of the following sites from the settlement boundary</p> <p>Land at Craythorne Lane Stretton</p> <p>Adjacent to the built up area on the northern edge of Burton in a sustainable location, outside the proposed green wedge, with strong market interest in developing the site. No technical obstacles to development and a logical extension to the development boundary</p> <p>Land at St Mary's Drive Stretton</p> <p>Adjacent to the built up area on the northern edge of Burton in a sustainable location, outside the proposed green wedge also strong market interest in</p>				

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					<p>developing the site. No technical obstacles to development and a logical extension to the development boundary adjacent to recently approved site at Guinevere Avenue. The development boundary should be amended to include the land adjacent to the consented site in addition to this adjoin field and former farm off St Mary's Drive</p> <p>Land at Forest Road Burton</p> <p>Adjacent to the built up area on the western edge of Burton in a sustainable location, outside the proposed green wedge and strong market interest in developing the site. No technical obstacles to development and a logical extension to the development boundary. The land is the subject of a live planning application and sec 78 appeal.</p> <p>Land at Postern Road Henhurst Hill</p> <p>Adjacent to the built up area on the western edge of Burton in a sustainable location, outside the proposed green wedge and strong market interest in developing the site. No technical obstacles to development and a logical extension to the development boundary. This is small site which requires a rationalisation of the development boundary in this location. A planning application is being prepared and will be submitted shortly.</p> <p>5. Barton under Needwood</p> <p>Land at Barton Marina The Barton Marina complex includes land and buildings which are closely linked to the village of Barton and the recently approved site at Efflinch lane. The area should be included within the settlement</p>				

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					<p>boundary of Barton, which would be a logical way to extend the boundary. A proposal is being prepared for a scheme of waterside housing in this location which maximises the potential of the waterfront opportunity</p> <p>9. Denstone</p> <p>Land adjacent to the B5031 Adjacent to the built up area on the southern edge of the village in a sustainable location, close to the village school and the nearby JCB site. Strong market interest in developing the site. No technical obstacles to development and a logical extension to the development boundary. This is small site which requires a rationalisation of the development boundary in this location.</p> <p>13. Yoxall Land at Bond End The boundary of Yoxall should be extended to include the land south of Bond End. The lies outside the floodplain and there are no technical reasons why this site cannot come forward for development.</p> <p>Proposals and inset Maps</p> <p>We object to the proposals map on the basis that it is unclear and does not depict the green infrastructure corridors and the landscape character areas as set out in our objections to SP23/ SP30.</p>				
Rep LP388 - S Rumsby, Barton Parish Council		No	SP30 Locally Significant Landsc	b. Justified	Our objection to this planning policy is simple. If you are going to have a policy, the purpose of which is to ensure important landscapes are protected, as stated in the third paragraph on page	The first change to the policy is straightforward. Locally significant landscapes and landscape character areas should be clearly identified on the proposals/policies maps.	The County Council is working on updating the County Landscape Character SPG and will form part of this Council's evidence base. The inclusion of the policy and		

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			ape and Policies map		<p>148 then you surely need to identify where they are on the Proposals/Policies Maps. We understand from the text that the Borough Council is currently working to update the descriptions of the Landscape Character Areas and this will provide invaluable background information for inclusion in a future Supplementary Planning Document.</p> <p>That SPD can provide additional information but should not form the basis of the policy. The locally significant landscapes and the landscape character areas should be clearly identified so that we know to which areas Policy SP30 is addressed.</p> <p>The policy for the locally significant landscape areas is fine as it sets out a clear statement. No reference is necessary to Policy SP8 as it implicit and understood. The policy for the Landscape Character Areas is far too vague. If it is important to protect these areas or at least to prevent development harmful to their special qualities, we also need to know the nature of their special qualities, which the policy is required to protect. The objective for the type of landscape is which it lies should surely be identified within the policy so that users of the Local Plan can make reasonable interpretation as to whether what they purpose is complaint. At the very least the planning policy is not being transparent by leaving such detail to proposed Supplementary Planning Document.</p>	<p>The second change relates to the working of the second part of the policy dealing with the landscape character areas. We feel that there is no need to refer to the Policy SP8 for development in the open countryside outside settlement boundaries. This policy should stand on its own and need not to be cross referenced every time. We also feel that in the light of the gist of the policy to refer to the objective for each landscape character type, then for the sake of clarity there is a need to list the landscape character types together with their relevant objectives. Without knowledge of these objectives then it is difficult to come up with a form of words, but potentially the policy could read as, <i>'within landscape character areas, development will not be permitted which conflicts with the objective for each character type'</i>.</p>	<p>reference to the County's update in the justification is seen as appropriate, given the evidence available at the time.</p> <p>No change proposed.</p> <p>Reference to SP8 is appropriate as it is the main policy controlling development outside settlement boundaries. It is considered appropriate to cross-reference these policies.</p> <p>No change proposed.</p>		
Rep LP389 - S Rumsby, Barton Parish Council		No	SP31 Green Belt and Strategic Green	b. Justified	We have requested previously that the area between Land South of Branston/Lawns Fm and Barton under Needwood be allocated as a Strategic Green Gap. This includes the land south	The Parish Council feels strongly that the need to protect the countryside setting of the village and the open break between settlements is important and wishes to participate in any debate	The Strategic Green Gaps Topic Paper sets out the criteria for the allocation of SGGs. See evidence base.		

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			Gaps and Policies Map		<p>of Branston Lane in the north, the Trent and Mersey Canal in the East and Dunstall Rd in the west and the built up boundary of Barton to the south. The idea of providing a strategic gap was to provide an open break to prevent their coalescence. The planning policy would be to resist proposals likely to have a detrimental impact on the open character of the land and resist urban sprawl whilst also encouraging use of existing services within existing settlements. Such areas within their accompanying footpaths can allow passive recreation and can contribute to green infrastructure. We are therefore uncertain why the adjective 'green' has been added. Green gaps will gain recognition and acceptance following the allocation in successive local plans.</p> <p>Disappointed that SGG was not proposed for South of Branston/Barton. It seems that the reason for this is a relatively arbitrary 1km boundary. Proposed development at Lawns Farm and Land South of Branston, as well as Drakelow, suggest that the most appropriate location for development is on the southern end of Burton. It would seem appropriate to set out a long term framework for the direction of development setting out constraints.</p> <p>We also have concerns about the type of development that a Sports Hub would take, it being located south of Branston Lane. This proposal demonstrates to the Parish that this area is under threat.</p>	accordingly.	No change proposed.		
Rep LP390 - S Rumsby, Barton Parish Council		Yes	SP5 Distribution of Housing and Employ	-	The Parish Council notes the provision of land for employment is limited to 20 hectares on a site at Branston Locks, where planning permission was recently granted following an appeal against non-determination. We were also led to	-	Support noted. No change proposed		

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			ment Land		<p>believe that the allocation of land south of Branston was a mixed-use scheme, which included some employment development. This does not seem to have been either included or referred to in this policy</p> <p>.</p> <p>The Parish council supports the intention of this policy and encourages the Borough council to hold strictly to it so as to prevent further ribbon development of employment uses along the A38 between Burton/Branston and Barton and southwards towards Wychnor. Any further development in this location would be harmful to the landscape of the Trent Valley. The Parish Council is extremely concerned about the loss of any distinctive gap between the settlements of Barton and Burton and this is addressed more fully in our objections to Policy SP31 Green Belt and Strategic Gaps.</p>				
Rep LP391 - S Rumsby, Barton Parish Council		No	SP6 Managing the Release of Housing and Employment Land	<p>a. Positively prepared b. Justified</p>	<p>The Parish Council supports the principle of this policy to closely monitor the release of land for housing and employment through the Annual Monitoring Reports. We note, however, that the recent secretary of State's decision to approve the planning application at Red House Farm in Outwoods was extremely critical of the Annual Monitoring Report due to inaccuracies. These Annual Monitoring Reports are a key tool for the Council to be able to determine its current housing and employment land supply and as a consequence provide the evidence to resist sites which would be contrary to the Local Plan's development strategy.</p> <p>The Red House Farm decision appears to require the Borough Council to allow for any under provision in housing supply to be met by increasing the</p>	<p>In the light of the Red House Farm decision, the Parish Council believes that the Borough Council needs to urgently review its five-year supply. As a consequence, the Parish Council requests the Borough Council to consider any further actions it needs to take to ensure that the development strategy set out in this Local Plan is retained, and in appropriate proposals are resisted.</p>	<p>The Council have used the updated SHMA to determine the level of housing required between 2012 and 2031. The 5 year supply is therefore derived in part from this figure and the number of deliverable sites that the Council has. The approach to monitoring has been substantially modified to ensure robust reporting.</p> <p>The Council regularly updates its 5-year supply position. This will be updated prior to Examination to give the inspector an up to date view.</p> <p>No change proposed.</p>		

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					<p>housing trajectory by allocation additional housing over the next five years and not over the plan period.</p> <p>The Parish Council is concerned that this is likely to have serious consequences for the demonstrable five-year supply of land and as a result may lead to the release of other sites on appeal. This will have a detrimental effect on the Borough Council's ability to keep to the development strategy set out in this Local Plan. The planning policy notes that should a situation exist then it will bring forward other sites through a Development Plan Document.</p>				
Rep LP392 – Mr A Whiteman	Yes	No	SP4 Distribution of Housing Growth and Policies Map	<p>a. Positively prepared b. Justified c. Effective</p>	<p>Concerns as to whether the SUEs will be sustainable in transport terms and whether sufficient regard has been paid to brown field sites within the borough. As can be expected given my home address, I have particular concern over the proposed allocation of 500 dwellings at Tutbury Road/Harehedge Lane under Strategic Policy 4 (SP4) and SP7. The majority of my concern relates to transport, as follows:</p> <p>I have concern that this site, combined with the recently approved developments at Tutbury (A511) and Beam Hill, as well as the poorly located school under construction on Tutbury Road will make conditions difficult at the Tutbury Road/Beam Hill Road signalised crossroads junction at peak times, as well as along the A511 corridor in general. Difficult to understand how a school can get consent in this location as it does not seem to be sustainable The school is a faith school and will have a wide catchment.</p> <p>The revised junction at Beamhill/Tutbury</p>	-	<p>The infrastructure requirements including transportation are set out in the Council's supporting evidence base. The Council has interim Transport Evidence base work that is ongoing. However, SP9 states that <i>'the Council will ensure that sufficient on and off site physical social and community infrastructure is provided to support development identified in this plan.'</i> Specific design solutions for different application sites will be dealt with on an application by application basis and the application will not be recommended for approval unless the Highway Authority are satisfied.</p> <p>The County Council is the Highway Authority and the proposals for Beamhill/Tutbury Rd were the basis for the changes approved at committee and included within a Section 278 Agreement.</p> <p>Support for SP35 noted.</p> <p>No change proposed.</p>		

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					<p>Rd is a retrograde step in terms of junction form and will make conditions worse for cyclists.</p> <p>Public transport is poor in this part of Burton and this is a key driver for my commuter cycling. It is also expensive having risen 150% since 2001.</p> <p>Development of 500 dwellings at Tutbury Rd/Harehedge Lane is contrary to the policies and strategies set out in the Pre-submission document:</p> <ul style="list-style-type: none"> - Not supportive of Strategic Objective 3 - Para 2.4 of a land should be capable of being served by, amongst other things, 'a safe and efficient local transport network'. I question whether this is the case. - SP1 states that "it is convenient and safe to walk, cycle and travel by public transport between (and for larger sites, around) the site and existing homes, workplaces, shops, education, health, recreation, leisure, and community facilities and between any new site provision." It is very difficult to see how this has been or will be the case at Tutbury Rd/Harehedge Lane. - Policy SP7 requires SUEs to make provision for, "Well designed, secure cycleways and walking routes serving the local facilities, separate from roads for motor vehicles where appropriate". This seems to be particularly unrealistic, especially with respect to 500 dwellings at Tutbury Road/Harehedge Lane. - Given the level of infrastructure improvement that Burton and East Staffs needs as a whole, I have little 				

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					<p>confidence that SP9 and its proposed Community Infrastructure Levy (CIL) will result in any meaningful improvements in the vicinity of Tutbury Road/Harehedge Lane.</p> <p>On a positive note I fully support SP35 "Accessibility and Sustainable Transport", even if I have my doubts that it will do a great deal of good with respect to the SUEs proposed. I'll be reviewing future Transport Assessments in detail!</p>				
Rep LP393 - S Rumsby, Barton Parish Council		No	SP7 Sustainable Urban Extensions	b. Justified	<p>The Parish Council cannot understand the distinction being made in policy terms as between what the Borough Council defines as sustainable urban extensions and strategic allocations. As far as we can perceive from the policies map then all the main housing allocations are urban extensions or at least extensions to the built up part of a settlement. As there is a presumption in favour of all development being sustainable then it, therefore, follows that all strategic allocations are probably sustainable urban extensions.</p> <p>We cannot see why the criteria as set out in Policy SP7 to make these developments sustainable cannot be applied, in principle, to all such strategic allocations. We accept, however, that by reason of scale and viability not all sites will need to provide employment or education facilities but this should not be a reason for not applying the majority of these criteria to all strategic allocations as identified in Policy SP4.</p>	<p>Delete the first three paragraphs of this policy and replace with the following:</p> <p>'All strategic allocations identified in the first part of Policy SP4 must make provision for the following principles of development. The list is intended to be comprehensive in terms of the criteria which the Borough Council believes are necessary to make development sustainable, but for reasons of scale and viability it is accepted that not all of these principles will apply to all sites'.</p>	<p>The approach taken in the plan to allocations for residential development is to only allocate sites of a strategic nature. These are sites of 100 dwellings or more.</p> <p>All strategic allocations are sustainably located and chosen on their sustainability credentials but SUEs include other facilities/types of development and so have been categorised differently.</p> <p>Sustainable Urban Extensions are listed in SP7. As stated in the justification, these are sites that, due to their size, will deliver a mix of uses and are considered to be truly sustainable in that they will, by virtue of their scale, be able to deliver infrastructure requirements.</p> <p>No change proposed.</p>		
Rep LP394 - S Rumsby, Barton Parish Council		No	SP8 Development Outside Settlement	b. Justified	The Parish Council supports the principle of a policy regarding development in the open countryside outside existing settlement boundaries, but feels that the scope of this policy, in	We cannot provide the detailed infrastructure requirements for each of the housing sites or indeed the employment locations, because we do not know what they are. We can make	Key Infrastructure requirements are set out in the IDP referenced in SP9. Other policies support SP8 and add detail to determine applications therefore reference to		

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			ent Boundaries		<p>dealing with all forms of development is too broad and too vague. In the Parish Council's view, this leads to weaknesses in the wording of policy criteria because the policy is trying to cover all eventualities for different forms of development. 'Providing facilities for the use of the general public or local community', is far too vague and in our opinion will be open to abuse. Most developers would argue, for example, that they provide facilities for the general public. What does, 'otherwise appropriate in the open countryside', actually mean? Is it meant to refer to the list in the second paragraph on page 94 or is it something else? What does introducing a 'considerable urban form' mean? Further confusion arises because rather than relying on Policy SP8 the Borough Council has chosen to add a separate policy for the Rural Economy SP14. In addition, there are separate policies for rural exception sites and sites for gypsies, travellers and travelling Showpeople. This policy does not seem to provide guidance for the conversion of rural buildings. From what we can gather the Council is relying on a Supplementary Planning Document. Reliance on a SPD for policy is surely unacceptable. There is also no guidance for development requiring an agricultural justification. The logic of trying to have a catch-all policy approach is therefore not clear. Our other concern is that there is a need to control future development either of a new or an existing facility. An enterprise can be established and be in an entirely appropriate location. When it starts to expand, through incremental growth, it can get to the point where it has outgrown its location and really needs to be located on, say, an industrial estate</p>	<p>an attempt at what we mean by using the allocation of land at Efflinch Lane in Barton under Needwood, as an example. This is not intended to be either comprehensive or indeed necessarily accurate. We hasten to add that this is for illustration purposes only to provide an example of the type of approach that we would advocate. Where sites already have planning permission, even in outline, then the list of infrastructure requirements will be known. Where they do not have permission then listing the infrastructure requirements can be made transparent both for the developer and the community.</p> <p>"Land to the east of Efflinch Lane and north of Mill Lane (site area in hectares) is allocated for 130 houses. The site should be developed in accordance with the relevant planning policies of this Local Plan and the following principles:-</p> <ul style="list-style-type: none"> - the development should respect the village character, its local patterns of development and its landscaped setting; - the development should be well integrated within the existing character and form of Barton under Needwood; the development should preserve and enhance the existing environmental assets of the site and should reflect the site's location within the National Forest; - the development should ensure that green infrastructure is at the heart of the scheme and make connections with the site's proximity to Barton Marina and the Trent and Mersey canal; <p>The following site specific principles should also be followed:-</p> <ul style="list-style-type: none"> - The housing development will include a mix of housing types and tenures. The 	<p>specific sites in terms of infrastructure required is not considered necessary. However, on larger sites (SUEs) specific infrastructure requirements are set out in Policy SP7.</p> <p>The Re-use of Redundant Rural Buildings SPD is and has been an effective tool to provide additional clarity for the re-use of buildings in the countryside.</p> <p>No change proposed.</p>		

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					<p>in a nearby town. Controls need to be in place to prevent unacceptable incremental developments.</p> <p>The final paragraph on p94 lists key elements in determining whether or not development is acceptable in the countryside. If these are such key elements then should they not be included within the policy?</p>	<p>required mix should be in accordance with Table 3.1 on p.112;</p> <ul style="list-style-type: none"> - provision should be made on site for approximately 25% (or 32 houses. whichever is the greater) of the housing to be affordable; - A Landscape Assessment should be prepared so that the housing and open space provision responds positively to the landscape; - An Ecological Assessment should be prepared; - A Flood Risk Assessment should be prepared as part of the planning application to assess and mitigate the risk of flooding from surface water drainage; - Layout and design should be low rise to help control its location within the Trent Valley landscape; - In view of the impact additional traffic is likely to have on the local network of roads a transport assessment will be required to assess what mitigation measures may be required; - A structural landscaping scheme will be required with early implementation to limit the visual impact of the development; - The site should take advantage of the area to the east and south of Barton Marina and adjoining the Trent and Mersey Canal to provide a substantial area of open space, both for the development and the wider community; - A Travel Plan will be required; - A Tree Survey will be required; - Improvements to foul and surface water provision will be required; - Education contributions w m be required in order to provide contribution to additional places at local schools; - A sustainable urban drainage scheme will be required including a commuted sum for maintenance purposes" 			

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						<p>The first part of the policy lists criteria for assessing whether development is acceptable in the open countryside. We feel that some of these are too vague and the reference to other planning policies leads to confusion. In addition if development is acceptable, then there is another set of criteria to meet. We just feel that there ought to be a simpler and user-friendlier way of expressing this policy. The nine priorities identified at the top of p94 (although we have only been told about four of them) as set out in the Staffordshire Rural Strategy, might provide a good starting point for framing a policy. In their absence, however, we think that the criteria set out in the text on p94 will do an adequate job. May we therefore suggest, the deletion of this policy as currently worded to be replaced with the following:-</p> <p>“Outside settlement boundaries, development will be regarded as being in the open countryside where the object is to preserve the countryside for its own sake. In determining whether development is acceptable, the Borough Council will have regard to the following criteria:-</p> <ul style="list-style-type: none"> • The overall impact of the proposal on the landscape. Proposals should ensure that careful attention has been paid to siting and the character of the surrounding area. In particular, the proposed development must not adversely affect the amenities enjoyed by existing and adjoining land users; • The design. Proposals need to 			

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						<p>be well integrated so that they blend in with their surroundings, with a careful choice of materials, landscaping, massing of buildings, and attention to local architecture and careful attention to roof design;</p> <ul style="list-style-type: none"> • The need to retain high grade agricultural land for future food production; • The impact on the local highway network, especially where this consists of narrow country lanes, and the accessibility to regular local public transport and the opportunities to reduce reliance on the car; • The proximity to settlements where there are sustainable linkages. Such links, however, should not create unacceptable urban/built-up extensions or lead to the unacceptable backfilling between the development and the built-up area. <p>The Borough Council will pay particular attention to proposals, which through incremental growth leads to the over-development of sites.</p> <p>We also feel that the need to distinguish residential development in the open countryside from other forms of development is essential. We would therefore suggest a separate policy. We would suggest something along the lines of, “Housing development will not be permitted in the open countryside except where it can be demonstrated to be essential for an</p>			

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						<p>agricultural or forestry worker to live at or close to a workplace, or where housing might meet an identified local housing need.</p> <p>The conversion of rural buildings for residential use will only be permitted where: it is demonstrated that every attempt has been made to secure a suitable commercial re-use; the building is well related to the settlement and has access to local services, including regular a public transport service to a nearby town or village; the building is locally distinctive and or architectural merit; the creation of a residential curtilage does not have a harmful effect in the character of the countryside”.</p>			
Rep LP395 – Mr A Whiteman	Yes	No	SP4 Distribution of Housing Growth and Policies Map	<p>a. Positively prepared b. Justified c. Effective</p>	<p>Concerns as to whether the SUEs will be sustainable in transport terms and whether sufficient regard has been paid to brown field sites within the borough. As can be expected given my home address, I have particular concern over the proposed allocation of 500 dwellings at Tutbury Road/Harehedge Lane under Strategic Policy 4 (SP4) and SP7. The majority of my concern relates to transport, as follows:</p> <p>I have concern that this site, combined with the recently approved developments at Tutbury (A511) and Beam Hill, as well as the poorly located school under construction on Tutbury Road will make conditions difficult at the Tutbury Road/Beam Hill Road signalised crossroads junction at peak times, as well as along the A511 corridor in general. Difficult to understand how a school can get consent in this location as it does not seem to be sustainable The school is a faith school and will have a wide</p>	-	<p>The infrastructure requirements including transportation are set out in the Council’s supporting evidence base. The Council has interim Transport Evidence base work that is ongoing. However, SP9 states that <i>‘the Council will ensure that sufficient on and off site physical social and community infrastructure is provided to support development identified in this plan.’</i> Specific design solutions for different application sites will be dealt with on an application by application basis and the application will not be recommended for approval unless the Highway Authority are satisfied.</p> <p>The County Council is the Highway Authority and the proposals for Beamhill/Tutbury Rd were the basis for the changes approved at committee and included within a Section 278 Agreement.</p>		

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					<p>catchment.</p> <p>The revised junction at Beamhill/Tutbury Rd is a retrograde step in terms of junction form and will make conditions worse for cyclists.</p> <p>Public transport is poor in this part of Burton and this is a key driver for my commuter cycling. It is also expensive having risen 150% since 2001.</p> <p>Development of 500 dwellings at Tutbury Rd/Harehedge Lane is contrary to the policies and strategies set out in the Pre-submission document:</p> <ul style="list-style-type: none"> - Not supportive of Strategic Objective 3 - Para 2.4 of a land should be capable of being served by, amongst other things, 'a safe and efficient local transport network'. I question whether this is the case. - SP1 states that "it is convenient and safe to walk, cycle and travel by public transport between (and for larger sites, around) the site and existing homes, workplaces, shops, education, health, recreation, leisure, and community facilities and between any new site provision." It is very difficult to see how this has been or will be the case at Tutbury Rd/Harehedge Lane. - Policy SP7 requires SUEs to make provision for, "Well designed, secure cycleways and walking routes serving the local facilities, separate from roads for motor vehicles where appropriate". This seems to be particularly unrealistic, especially with respect to 500 dwellings at Tutbury Road/Harehedge Lane. 		<p>Support for SP35 noted.</p> <p>No change proposed.</p>		

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					<p>- Given the level of infrastructure improvement that Burton and East Staffs needs as a whole, I have little confidence that SP9 and its proposed Community Infrastructure Levy (CIL) will result in any meaningful improvements in the vicinity of Tutbury Road/Harehedge Lane.</p> <p>On a positive note I fully support SP35 "Accessibility and Sustainable Transport", even if I have my doubts that it will do a great deal of good with respect to the SUEs proposed. I'll be reviewing future Transport Assessments in detail!</p>				
Rep LP396 - S Rumsby, Barton Parish Council	Yes	No	SP9 Infrastructure Delivery and Implementation	b. Justified	<p>The way the policy is expressed means it becomes more about the management of the policy rather than the content of what infrastructure needs to be provided.</p> <p>The Parish Council feels that the Council needs to adopt a transparent approach to what infrastructure is needed to support the local plan, in general, and the specific housing sites, in particular. We have mentioned in relation to SP17 (affordable housing) that the amount of provision is obscure. We know from the policy that there is a requirement for 13% on site but provision can also be made for commuted sums. How this sum is spent is not clear and is shrouded in the mystery of the housing choice SPD. In order to make these concerns more transparent we would suggest the local plan needs to take a more individual approach which would not just allocate a site for housing but also set out what infrastructure was necessary to ensure that the site was delivered in accordance with the policy. This</p>	<p>Add a new third paragraph to SP9 stating:</p> <p><i>'Developers must consider the infrastructure requirements needed to support and service the proposed development. They will need to demonstrate to the satisfaction of the local planning authority or the infrastructure provider that adequate capacity either exists or that provision will be made to meet the necessary timescale. Infrastructure provision may include some or all of the following: affordable housing, open space, green infrastructure, community facilities, cultural facilities, health and social facilities, education, police and crime reduction measures, transport infrastructure, public transport drainage and flood protection, environmental improvements, waste and recycling facilities, utilities, fire services and shopping facilities.'</i></p> <p>BPC set out an example for Efflinch Lane that would be required for each allocation. This is intended to</p>	<p>The Council has prepared as part of its evidence base an Infrastructure Delivery Plan which sets out the infrastructure required to deliver the plan is intended to be a 'living document which can be updated on a regular basis'. This is considered to be the most appropriate approach and offers flexibility given the intention to develop a CIL charging schedule.</p> <p>No change proposed.</p>		

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					approach would also have the opportunity of addressing viability concerns. In this way the Council would be able to provide clear guidance to developers and the community about what was required and the relative merits of contributions to, for example, open space, education, affordable housing and community facilities.	demonstrate the principles and the specific infrastructure requirements that would be required. This is an example rather than specific requirements for the Efflinch Lane proposal.			
Rep LP397 – National Football Centre	Yes	Yes	SP15 Tourism , Culture and leisure development	-	We support the provision of Strategic Policy 15 which highlights the importance of tourism, culture and leisure development. In particular, we support the commitment to the development and improvement of existing and additional facilities. We consider the wording to be sound and support the policy.	N/A	Support noted. No change proposed.		
Rep LP398 - National Football Centre	Yes	Yes	DP12 St George's Park	-	St George's Park is a nationally important training facility that is at the forefront of sports, sports science and business training development. As such we support the provision of Detailed Policy 12 which acknowledges the importance of the site and provides support in principle for future development where it can be demonstrated that there are no significant impacts on ecology, local transport and drainage/surface run-off. The draft policy also identifies that the Council will work in partnership with St George's Park to prepare a development brief. We support the draft policy and consider that the wording is sound.	N/A	Support noted. No change proposed.		
Rep LP399 - National Football Centre	Yes	Yes	Policies Map	-	Given the importance of St George's Park we consider the identification of St George's Park on the Key Diagram is sound and should be retained in the approved Local Plan.	-	Support noted. No change proposed.		
Rep LP400 – Mr and Mrs Smith	Yes	No	SP4 Distribution of Housing	c. Effective	I am generally happy with the thrust of the document, however I have concern over whether the Sustainable Urban Extensions (SUEs) will be sustainable in		The infrastructure requirements including transportation are set out in the Council's supporting evidence base. The Council has		

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			Growth		<p>transport terms, and whether sufficient regard has been paid to brown field sites within the borough. I have concerns about the proposed allocation of 500 dwellings at Tutbury Rd/Harehedge Lane.</p> <p>This allocation, in conjunction with others proposed and the currently under construction school, will cause traffic problems, particularly with the school (a faith school) drawing pupils from a large catchment.</p> <p>The revised junction at Beamhill/Tutbury Rd is a retrograde step in terms of junction form and will make conditions worse for cyclists and does not lend itself to meaningful improvements.</p> <p>Public transport is poor in this part of Burton and it is also expensive having risen 150% since 2001. Development in this location is unlikely to lead to a sustainable travel culture.</p> <p>I consider that development of the Tutbury Rd/Harehedge Lane site to be contrary to Strategic Objective 3 given the unsustainable nature of the site in transport terms and the poor likelihood of meaningful sustainable transport improvements. This comment could be made for a number of the SUEs proposed.</p> <p>Para 2.4 of a land should be capable of being served by, amongst other things, 'a safe and efficient local transport network' and 'green infrastructure'. I question whether this is the case.</p> <p>SP1 states that "it is convenient and safe to walk, cycle and travel by public transport between (and for larger sites,</p>		<p>interim Transport Evidence base work that is ongoing. However, SP9 states that <i>'the Council will ensure that sufficient on and off site physical social and community infrastructure is provided to support development identified in this plan.'</i> Specific design solutions for different application sites will be dealt with on an application by application basis and the application will not be recommended for approval unless the Highway Authority are satisfied.</p> <p>The County Council is the Highway Authority and the proposals for Beamhill/Tutbury Rd were the basis for the changes approved at committee and included within a Section 278 Agreement.</p> <p>Support for SP35 noted.</p> <p>No change proposed.</p>		

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					<p>around) the site and existing homes, workplaces, shops, education, health, recreation, leisure, and community facilities and between any new site provision." It is very difficult to see how this has been or will be the case at Tutbury Rd/Harehedge Lane.</p> <p>Given the level of infrastructure improvements Burton and East Staffs needs as a whole, I have little confidence that SP9 and its proposed Community Infrastructure Levy (CIL) will result in any meaningful improvements in the vicinity of Tutbury Road/Harehedge Lane.</p> <p>On a positive note I fully support SP35 "Accessibility and Sustainable Transport", even if I have my doubts that it will do a great deal of good with respect to the SUEs proposed. I'll be reviewing future Transport Assessments in detail!</p>				

Pre-Submission Local Plan – Summary Schedule of Representations

Rep No. & Name	Legally Compliant?	Sound?	Section to which relates	Reason for Unsoundness	Summary of Representation	Changes requested	Council Response	Section change	Mod No.
LP401 Turley Associates on behalf of Bellway Homes		Yes	The Vision and Objectives		<p>We support the Vision which establishes that in the future communities in East Staffordshire will be well planned, vibrant, safe and inclusive. We support the aspiration that new developments will be designed to a high standard and that a range of quality housing will be provided to meet the needs of all sectors of the community and the aspirations of the growing population.</p> <p>We support the identification that Burton upon Trent will have an improved housing stock, which will be delivered through private sector investments and the development of brownfield sites.</p> <p>Housing plays an important role in underpinning new economic development and also in supporting existing services and facilities. The Vision is therefore consistent with paragraph 50 of the National Planning Policy Framework (the Framework), which highlights a need to deliver a wide choice of high quality homes and widen opportunities for home ownership.</p> <p>We support the Strategic Objectives which have been identified to deliver the Vision. In particular we support SO1: 'Well designed communities' which seeks to provide well designed communities that provide accessible green space, services and facilities and SO2: 'Housing Choice' which seeks to provide a mix of dwellings to meet the needs of existing and future residents.</p>		<p>Support noted.</p> <p>No change proposed.</p>		
LP402 Turley Associates on behalf of Bellway Homes	Yes	Yes	SP33 Indoor Sports		<p>We support draft Strategic Policy 33 'Indoor Sports Policy' which seeks to make the best use of existing resources. However, we recommend that a mechanism is included for the release of sites which are no longer required and are unfit for purpose. This is of particular relevance to the site at Shobnall which is identified by the Council as underutilised.</p>		<p>As set out in the evidence base, it is important that indoor facilities are protected and enhanced to meet the needs of the growing population.</p> <p>No change proposed.</p>		
LP403 Turley Associates on behalf of Bellway Homes	Yes	Yes	SP2A Strong Network of Settlements		<p>We support draft Strategic Policy 2 'A Strong Network of Settlements' which directs development towards the most sustainable locations and identifies Burton upon Trent as a 'Main Town'.</p>		<p>Support noted.</p> <p>No change proposed.</p>		
LP404 Turley Associates on	Yes	No	SP3 Provision	a. positively prepared	<p>Whilst it is noted that draft Strategic Policy 3 'Provision of Homes and Jobs 2012 - 2031' identifies a</p>	<p>Reconsider whether the Duty to Cooperate has been satisfied in the</p>	<p>Subject to ongoing work through Duty To Cooperate with</p>		

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behalf of Bellway Homes			of Homes and Jobs	b. Justified d. Consistent with national policy	<p>requirement for 11,648 dwellings over the plan period, paragraph 47 of the Framework establishes that Councils must objectively assess their housing needs. In the context of the above, it is noted that the East Staffordshire Strategic Housing Market Assessment (SHMA) (October, 2013) focuses on the East Staffordshire area only and fails to reflect the requirements of the wider housing market area.</p> <p>The failure to objectively assess the 'true' housing market requirement is contrary to the guidance set out in paragraph 47 of the framework and could result in the Plan being found unsound at Examination. We therefore strongly recommend that the shortcomings of the SHMA be addressed and that the requisite quantum of housing be delivered through the Local Plan.</p> <p>In addition to the above, we question whether East Staffordshire has discharged the 'Duty to Co-operate', requirement set out at paragraphs 17, 157 and 178 of the Framework. In particular, it is noted that no firm strategy has been put in place to deal with the unmet housing requirements in Birmingham, should it materialise as the Birmingham Local Plan progresses throughout 2014. Failure to discharge the Duty to Co-operate is likely to result in the plan being found unsound, as has been the case elsewhere in the Country e.g. Coventry City Council.</p> <p>Finally, the recent appeal at Red House Farm in Burton upon Trent (Reference APP/B3410/A/13/2197299) confirmed that the Council is unable to demonstrate a 5 year housing land supply and that current position is approximately 2.37 years. If this matter is not addressed then the plan cannot be considered effective or consistent with national policy and is therefore likely to be found unsound.</p>	<p>context of the Framework.</p> <p>Reconsider whether the objectively assessed need has been correctly assessed.</p> <p>Acknowledge and address the 5 year housing land supply position</p>	<p>Neighbouring Authorities.</p> <p>No change proposed.</p>		
LP405 (Staffordshire County Council)	Yes	No	SP9 Infrastructure Delivery and Implementation	a. Positively prepared b. Justified c. effective d. consistent with national policy	The Infrastructure Audit and Delivery Plan, Local Plan & Community Infrastructure Levy Viability Study in-conjunction with the Burton on Trent School Planning Study, Draft Borough Wide Integrated Transport Strategy, Employment Land Review, SHMA and SHLAA documents within the evidence base indicate that a mixed S106/S278 and CIL developer contribution strategy would be best suited to deliver the ambitions of the local plan. In particular, the indicative	Update explanatory text on page 97 and 98 to make clear that contributions sought through s106/s278 obligations will have a role throughout the lifetime of the local plan (and beyond if saved polices are necessary) and are particularly effective for delivering infrastructure related to medium to large sized sites	Evidence of infrastructure including education is set out in The Infrastructure Delivery Plan and the Burton upon Trent School Planning Report which demonstrates that these issues have been considered throughout plan preparation. Further work is		

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					CIL rate if modelled and extrapolated for the quantum of growth for the local plan would be significantly lower than if S106/S278 contributions were secured for the SDAs and key strategic infrastructure identified in the local plan, such as education, highways and flooding mitigation would be unviable/undeliverable and have no likely prospect of coming forward to deliver the SDAs and other sites in strategic tier 1 villages.	including the SDAs. Also update policy SP9 to reflect the modified text that sets out a mixed s106/s278 and CIL strategy. It might be appropriate to provide a financial model in the Infrastructure Delivery Plan. It might be necessary to evidence the local plan is deliverable by signing an agreement or MoU with key infrastructure providers to establish high level principles / expectations around the distribution of S106/CIL along with commitments to work together to meet the funding shortfall gaps. This might assist in demonstrating an effective Duty to Cooperate on strategic matters. In addition, it is recommended that citing and acknowledging the role of the Stoke-on-Trent and Staffordshire LEP in the supporting text as a significant potential source of infrastructure funding is necessary to ensure policy SP9 (and relevant to SP5 and SP6) is effective and would complement the opportunities that the LPA consider are presented by the Greater Birmingham & Solihull LEP	being undertaken to resolve the education infrastructure issue currently identified and a number of options in and around Burton upon Trent are being investigated. Modification to SP10 proposed in relation to primary school provision at Uttoxeter. Change proposed	SP10	Mod No. 55
LP406 (Staffordshire County Council)	Yes	No	SP27 Climate Change, Water Body Management and Flooding	a. Positively prepared b. Justified c. Effective	The Infrastructure Delivery Plan indicates that a number of sites (e.g. Branston Depot, Branston Locks, Land South of Branston, etc) are likely to require flood compensation and potentially complex and costly site infrastructure to successfully overcome the risk associated with flooding. However, the technical work has not been completed and the costs in the IDP schedule are incomplete. It is unclear if the Local Plan viability study has incorporated and considered this potential need and therefore reflected in policy SP27.	The LPA, Environment Agency and Staffordshire County Council's Local Lead Flood Authority team need to work together to address flooding concerns and identify if a significant infrastructure solution is required over and above the conventional sustainable urban drainage mitigation measures. This is a particularly relevant issue to resolve in order to ascertain if village settlements are able to contribute an appropriate level of housing need or if these allocations are undeliverable. This could have severe ramifications if the amount of funding that is available for other critical infrastructure to deliver the plan is diverted away from highway and education provision.	The viability study has considered the cost of flood mitigation. The policy and approach to partnership working set out in the policy justification has been developed through duty to cooperate with Environment Agency and the Lead Local Flood Authority (Staffordshire County Council). No change proposed.		

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LP407 (Staffordshire County Council)	Yes	No	SP5 Distribution of Employment Growth	a. Positively prepared b. Justified c. Effective	The Employment Land Review suggests new site allocations /provision is near to the lower end of the modelled range (128 ha) due to a number of mitigating factors. However, the new provision made is at risk of not being delivered given the infrastructure demands set out in the Infrastructure Audit and Delivery Plan and whole plan viability issues highlighted in the Local Plan & Community Infrastructure Levy Viability Study. In particular, the Uttoxeter West allocation (10 ha) is likely to need major junction improvements to the A50(T) to make it acceptable in transport terms. Similarly, the Branston Locks (20 ha) and South of Branston allocations would benefit from further allocation to ease viability pressures by distributing costs to upgrade the strategic and local transport network	It is suggested that the Local Plan should aim for nearer to a medium range modelled scenario of need (150 ha) and rather than intensification of existing sites, an additional 15 to 20 ha should be allocated near to the West of Uttoxeter to support junction upgrades and a further 5 to 10 ha near to Burton. It is also important to link this representation to other representations from Staffordshire County Council in respect of policy SP9 and SP10 to ensure the infrastructure delivery arrangements are robust and the sites / local plan are deliverable. In addition, it is recommended that citing and acknowledging the role of the Stoke-on-Trent and Staffordshire LEP in the supporting text as a significant potential source of infrastructure funding is necessary to ensure policy SP5 (and SP6 and SP10) is effective and would complement the opportunities that the LPA consider are presented by the Greater Birmingham & Solihull LEP.	The policy is based on most up to date evidence on employment need and existing land. Funding has been received from the GBSLEP for access to Derby Road, Uttoxeter. In addition, the National Infrastructure Plan, announced in December 2013, sets out a programme of funding schemes, including improvements on the A50 at Uttoxeter to be delivered by Staffordshire County Council. No change proposed.		
LP408 (Staffordshire County Council)	Yes	Yes	SP12 Derby Road, Burton upon Trent, Regeneration Corridor		SP12 could be strengthened with reference to cycling links and links to the rail station, alongside the current reference to pedestrian links. All sustainable modes should be encouraged in new development to be consistent with national policy and to deliver modal change. The County Council will support the soundness of the local plan if the minor modification recommended under Q5 below is made to SP12 to ensure the plan is effective and clear	SP12 could be strengthened with reference to cycling links and the rail station, alongside the current reference to pedestrian links using the following wording: <ul style="list-style-type: none"> Provide pedestrian and cycle routes around and to the development, linking to bus stops along Derby Road and to the rail station. 	Additional wording proposed as a modification. Change proposed	SP12	Mod No. 60
LP409 (Staffordshire County Council)	Yes	Yes	SP11 Bargates / Molson Coors Strategic Allocation		SP11 could be strengthened with reference to linkages to public transport hubs and interchanges within Burton. Links to Public Transport are vital for development to be sustainable. The County Council will support the soundness of the local plan if the minor modification recommended	SP11 could be strengthened with reference to linkages to public transport hubs and interchanges within Burton. It could use the wording: <ul style="list-style-type: none"> Provide good linkages to public 	Requested change proposed as a modification Change proposed	SP11	Mod No. 58

Rep No. & Name	Legally Compliant?	Sound?	Section to which rep relates	Reason for Unsoundness	Summary of Representation	Changes requested	Council Response	Section change	Mod No.
					under Q5 below is made SP11 to ensure the plan is effective and clear	transport			
LP410 (Staffordshire County Council)	Yes	Yes	Figure 1.4		Figure 1.4 would be greatly enhanced by inclusion of rail lines showing where the routes run. Currently it just labels stations which does not show the true connectivity of the borough, and which developments can be accessed from where by rail. The plan would be more effective if the routes were shown. The County Council will support the soundness of the local plan if the minor modification recommended under Q5 below is made to figure 1.4 to ensure the plan is effective and clear.	Figure 1.4 would be greatly enhanced by inclusion of rail lines showing where the routes run.	Requested change proposed as modification Change proposed	Page 27	Mod No. 10
LP411 (Staffordshire County Council)	Yes	Yes	Paragraph 1.30 and 1.31		The Connectivity Strategy team have been working with Colleagues in East Staffordshire to create a robust Transport Strategy to support the delivery of East Staffordshire's predicted growth. It has been shown in previous hearings that there needs to be clear evidence of close working in a two tier authority. The County Council will support the soundness of the Local Plan if the minor modification recommended under Q5 below is made to para 1.30/31 and the plan in general to ensure the plan is effective and clear.	We would therefore encourage more explicit wording regarding the close working relationship between the County and District in providing the evidence that this strategy can be delivered. For example 1.30/1.31 have no mention of SCC as the Highway Authority which will be a vital link in delivering the strategy in a two tier authority.	Additional wording at paragraph 1.31 proposed as a modification. Change proposed.	Page 19	Mod No. 6
LP412 (Staffordshire County Council)	Yes	Yes	Page 68		Page 68 summary table could be strengthened with a bullet point regarding putting the 'right thing in the right place' to encourage sustainable travel. We support the references to locating development in sustainable locations, although we would encourage this throughout the document as it seems to be less pronounced earlier in the document. This is shown in the Local Plan consultation covering letter which does not mention how sustainable connectivity and accessibility are key elements in delivering the strategy. The County Council will support the soundness of the local plan if the minor modification recommended under Q5 below is made to the summary table on page 68 to ensure the plan is effective and clear	Add the following bullet point to the summary table on page 68: <ul style="list-style-type: none"> Focus development in the most sustainable locations 	Requested change suggested as a proposed modification Change proposed	Page 68	Mod No. 25
LP413 (Staffordshire County Council)	Yes	Yes	Paragraph 2.4		Point 2.4 first bullet point should also say a 'sustainable' local transport network, rather than just 'efficient and safe' to emphasise the importance of	Point 2.4 first bullet point should also say a 'sustainable' local transport network, as well as 'efficient and safe'	Requested change suggested as a proposed modification		Mod No.

Rep No. & Name	Legally Compliant?	Sound?	Section to which rep relates	Reason for Unsoundness	Summary of Representation	Changes requested	Council Response	Section change	Mod No.
Council)					<p>sustainable access to the deliverability of the Local Plan. This supports the proposed change to the summary table on p69</p> <p>The County Council will support the soundness of the local plan if the minor modification recommended under Q5 below is made to para 2.4 to ensure the plan is effective and clear</p>	to emphasise the importance of sustainable access to the deliverability of the Local Plan.	Change proposed	Page 57	21
LP414 (Staffordshire County Council)	Yes	Yes	SP32 Outdoor Sports and Open Space and SP33 Indoor Sports		<p>The plans relating to Sport and Outdoor recreation are sound, evidence based and compliant with national Sport England policy.</p> <p>Comments relate to the monitoring framework, specifically, the data source for points 32 & 33. We would suggest a more robust and external monitoring tool is used, to provide national and regional contexts to plans.</p>	<p>We suggest that included in the data source for policies 32 & 33 is the Sub-Regional facilities framework, Active People and Active Places data.</p> <p>It is also noted that the table in Part 5 includes a number of errors due to formatting. The column headed targets appears in places to not correspond to the correct row from row 31 onwards, which needs correcting.</p>	<p>Amendments to the monitoring framework proposed as a modification.</p> <p>Change proposed</p>	Part 5	Mod No. 141, 142 and 143
LP415 (Staffordshire County Council)	Yes	Yes	SP7 Sustainable Urban Extensions		<p>The provision for an appropriate level of retail, leisure, social, cultural, community and health facilities that meet local needs but do not compete with town centres is in line with the County Council's evolving Libraries framework.</p> <p>The County Library service would expect to be consulted on all planning applications for allocated housing sites and any other significant residential schemes to help inform the provision of appropriate library and cultural facilities.</p>		<p>Noted.</p> <p>No proposed change.</p>		
LP416 (Staffordshire County Council)	Yes	No	Paragraph 1.87	<p>a. Positively prepared b. Justified c. Effective d. Consistent with national policy</p>	Under the NPPF the local plan is required to give regard to the Stoke-on-Trent and Staffordshire LEP which is evident in various evidence base documents (e.g. Employment Land Review, IDP). The local plan is likely to require significant infrastructure support from Staffordshire County Council and both LEPs to ensure it is viable / deliverable.	A number of minor amendments to explanatory text (e.g. para 1.26, 1.74, 1.87) are suggested to provide the necessary clarity to third parties that explain the different local authority membership arrangements with regard to Local Enterprise Partnerships (LEP). In particular it is suggested that citing, acknowledging / giving regard to the role of the Stoke-on-Trent and Staffordshire LEP as a significant potential source of	<p>New paragraph added after 1.30 to explain relationship with SSOTLEP as a proposed modification.</p> <p>Change proposed</p>	Page 19	Mod No. 5

Rep No. & Name	Legally Compliant?	Sound?	Section to which rep relates	Reason for Unsoundness	Summary of Representation	Changes requested	Council Response	Section change	Mod No.
						infrastructure funding is necessary to ensure policy SP9 is effective and would complement the opportunities that the LPA consider are presented by the Greater Birmingham & Solihull LEP. It will also demonstrate that the LPA is fulfilling its requirement under the Duty to Cooperate.			
LP417 (Staffordshire County Council)	Yes	No	SP16 Meeting Housing Needs	a. Positively prepared b. Justified c. Effective d. Consistent with national policy	<p>The Local Plan and SHMA identify that the Borough faces a need to provide appropriate housing for the needs of an ageing population. The supporting text to SP16 sets out the requirement for specialist accommodation, which for extracare is in line with the County Council's assessment in its 'Flexicare' strategy. However, after identifying the need for specialised housing types, particularly for older people the supporting text goes on to state that 'most older people are expected to remain living in their current housing, which means that new housing will be needed for other households.' There appears to be little evidence to support this assertion and is contrary to the County 'flexicare strategy', which demonstrates that provision of extra care homes frees up existing housing for other households. It is felt that this sentence confuses the issue of housing mix requirement and effectively undermines the assessed need.</p> <p>It is acknowledged that policy SP16 makes reference to development requiring to provide for a mix of housing types to meet the need in that area. We also support the requirement for all new dwelling to meet lifetime homes standards.</p>	<p>In order to make the plan sound it is suggested that on page 111 the following sentence is deleted:</p> <p><i>However, most older people are expected to remain living in their current housing, which means that new housing will be needed for other households.</i></p> <p>Consideration should also be given to including within the policy the requirements for extracare housing numbers and also whether a proportion of units on the strategic sites should be made available for extracare purposes where viable.</p>	<p>The statement that "most older people are expected to remain living in their current housing" is based on the Strategic Housing Market Assessment (SHMA) which estimates that 70% of households aged 65+ will want to still be living in their previous accommodation. The SHMA estimates that specialised accommodation, including the amount of extra-care housing identified in the County Council's Flexi-care Strategy, will be needed for only around 10.5% of households aged 65+.</p> <p>The Council is proposing to delete Table 3.1 from the Plan, as a modification and this makes a change in the text necessary. It is therefore proposed to insert additional text on page 111.</p> <p>The Council agrees with the suggestion that policy should make provision for strategic sites to include extra-care housing. Additional wording is proposed as a modification.</p> <p>Change proposed</p>	Page 111	Mod No. 69
LP418 (Staffordshire County Council)	Yes	No	SP10 Education Infrastructure	a. Positively prepared, c. effective	It was established through the 2012 infrastructure growth options assessment that the provision of education facilities within Burton is a significant issue that needs to be addressed. The County and Borough have been working closely together to determine the need for new provision and where this should be located. The Burton upon Trent School Planning Study	As noted above further work is needed to establish how the issues surrounding the delivery of new Primary school provision outside of the strategic sites and provision of a site for a new secondary school can be addressed through the plan. The	The Council are working in Partnership with Staffordshire County Council on education provision.		
							No change proposed.		

Rep No. & Name	Legally Compliant?	Sound?	Section to which rep relates	Reason for Unsoundness	Summary of Representation	Changes requested	Council Response	Section change	Mod No.
					<p>(2013) which was jointly commissioned confirms that the County Council's investment in new education infrastructure will not be sufficient to accommodate pupils generated from any future residential developments. However, the report was not delivered on time and failed to identify a suitable strategy for funding and delivery of new school provision. The pre-submission version of the plan allocates more housing into the centre of Burton than the previous plan and this will result in the need for additional primary education provision. It has been established that extending existing schools in the town centre is difficult and therefore a new school or schools will be required. The policy as it stands makes no provision for a new site within the town centre to cater for this increased growth. Therefore, at present we have no certainty an appropriate education solution can be delivered to provide school places for the children moving into the new housing within the town.</p> <p>The education study establishes a need for a new secondary school/s and it was expected that the report would give recommendations on an appropriate location for such a facility based on existing school stock and the spatial distribution of new housing. However, the recommendations of the report fell short in this respect. Therefore, there is no certainty at this juncture that a suitable site can be delivered for the provision of new secondary school places to meet the needs generated by the development of new housing including their location.</p> <p>Officers at the County and Borough have agreed to work together to find a resolution to the education issues and this work will continue throughout the New Year with the aim of being in a position whereby there is an agreed education solution and the Education Authority can give its support to the Local Plan at Examination.</p>	<p>County Education Authority has allocated staff resource to prioritise this work stream and will work closely with the Borough council to devise a deliverable strategy. It is hoped that this work will lead to a point whereby the soundness of the plan can be achieved through suggested modifications but at this stage it is not clear what they may be until this work is completed. However, if all else fails it may be necessary to revert back to an earlier stage in the plan making process to fully address this issue.</p>			
LP419 (Staffordshire County Council)	Yes	No	Paragraph 1.74	<ul style="list-style-type: none"> a. Positively prepared b. Justified c. Effective d. Consistent 	<p>Under the NPPF the local plan is required to give regard to the Stoke-on-Trent and Staffordshire LEP which is evident in various evidence base documents (e.g. Employment Land Review, IDP). The local plan is likely to require significant infrastructure support from Staffordshire County Council and both LEPs to ensure</p>	<p>A number of minor amendments to explanatory text (e.g. para 1.26, 1.74, 1.87) are suggested to provide the necessary clarity to third parties that explain the different local authority membership arrangements with</p>	<p>New paragraph added after 1.30 to explain relationship with SSOTLEP as a proposed modification.</p> <p>Change proposed</p>	Page 19	Mod No. 5

Rep No. & Name	Legally Compliant?	Sound?	Section to which rep relates	Reason for Unsoundness	Summary of Representation	Changes requested	Council Response	Section change	Mod No.
				with national policy	it is viable / deliverable.	regard to Local Enterprise Partnerships (LEP). In particular it is suggested that citing, acknowledging / giving regard to the role of the Stoke-on-Trent and Staffordshire LEP as a significant potential source of infrastructure funding is necessary to ensure policy SP9 is effective and would complement the opportunities that the LPA consider are presented by the Greater Birmingham & Solihull LEP. It will also demonstrate that the LPA is fulfilling its requirement under the Duty to Cooperate.			
LP420 (Staffordshire County Council)	Yes	No	Paragraph 1.74	a. Positively prepared b. Justified c. Effective d. Consistent with national policy	Under the NPPF the local plan is required to give regard to the Stoke-on-Trent and Staffordshire LEP which is evident in various evidence base documents (e.g. Employment Land Review, IDP). The local plan is likely to require significant infrastructure support from Staffordshire County Council and both LEPs to ensure it is viable / deliverable.	A number of minor amendments to explanatory text (e.g. para 1.26, 1.74, 1.87) are suggested to provide the necessary clarity to third parties that explain the different local authority membership arrangements with regard to Local Enterprise Partnerships (LEP). In particular it is suggested that citing, acknowledging / giving regard to the role of the Stoke-on-Trent and Staffordshire LEP as a significant potential source of infrastructure funding is necessary to ensure policy SP9 is effective and would complement the opportunities that the LPA consider are presented by the Greater Birmingham & Solihull LEP. It will also demonstrate that the LPA is fulfilling its requirement under the Duty to Cooperate.	New paragraph added after 1.30 to explain relationship with SSOTLEP as a proposed modification. Change proposed	Page 19	Mod No. 5
LP421 (Staffordshire County Council)	Yes	Yes	Paragraph 1.42		The broadening of the evidence base in s.1.42 to include consideration of the historic environment with reference to the Extensive Urban Survey and Historic Landscape Character Assessment is to be welcomed. For the sake of continuity it should be noted that SCC refer to the latter document as 'Historic Environment Assessment'.	Modify paragraph 1.42 (bullet point) – replace 'Historic Landscape Character Assessment' with ' Historic Environment Assessment '	This issue has been addressed in the Statement of Common Ground with Staffordshire County Council. Proposed Modification: Modify paragraph 1.42 – replace 'Historic Landscape Character Assessment' with 'Historic Environment Assessment'	Page 22	Mod No. 7

Rep No. & Name	Legally Compliant?	Sound?	Section to which rep relates	Reason for Unsoundness	Summary of Representation	Changes requested	Council Response	Section change	Mod No.
							Change proposed		
LP422 (Staffordshire County Council)	Yes	Yes	Paragraph 1.118		There is also a Registered Park and Garden within East Staffordshire: Stapenhill Cemetery (GD5115). Although not statutorily protected, developments that affect a Registered Park and Garden require consultation with The Garden History Society and English Heritage.	Add text to include “ one registered Park and Garden ”.	This issue has been addressed in the Statement of Common Ground with Staffordshire County Council. Proposed Modification: Add text to include “one registered Park and Garden”. Change proposed	Page 45	Mod No. 18
LP423 (Staffordshire County Council)	Yes	Yes	Policy SP1 East Staffordshire Approach to Sustainable Development		This approach is supported although it is suggested that sustainable development should also conserve and where appropriate enhance historic landscape character.	Amend fourth bullet point with amended text to “...this is appropriate and conserves and enhances buildings of heritage importance and their setting and historic landscape character ”.	This issue has been addressed in the Statement of Common Ground with Staffordshire County Council. Proposed Modification: Amend fourth bullet point with amended text to “...this is appropriate and conserves and enhances buildings of heritage important and their setting and historic landscape character ”. Change proposed	SP1	Mod No. 27
LP424 (Staffordshire County Council)			Policy SP25 Historic Environment		The towns of Burton-upon-Trent and Uttoxeter are identified as potential foci for heritage led regeneration. Such regeneration should be informed by available historic environment information including the relevant Extensive Urban Survey reports available online at: http://www.staffordshire.gov.uk/environment/eLan d/planners-developers/HistoricEnvironment/Extensive-Urban-Survey/Staffordshire-Extensive-Urban-Survey-Project.aspx .	Add text to paragraph 4 of Policy SP25 (after first sentence) to state “ Such regeneration should be informed by relevant historic environment evidence base ”.	This issue has been addressed in the Statement of Common Ground with Staffordshire County Council. Proposed Modification: Add text to paragraph 4 of Policy SP25 (after first sentence) to state “ Such regeneration should be informed by relevant historic environment evidence base ”. Change proposed	SP25	Mod No. 101
LP425 (Staffordshire County Council)	Yes	Yes	Policy SP28 Renewable and Low Carbon Energy Generation		Strategic Policy 28 (Renewable and Low Carbon Generation), Para 5, Bullet point 5 Consideration of potential impacts on relevant heritage assets is to be supported. This policy should also recognise that the sustainable reuse of historic buildings can represent a reduction in waste to landfill and a reduction in carbon generation during building schemes as well as retaining and enhancing an areas historic character.	The first paragraph, second bullet point states “existing developments” where heritage assets would apply. Proposed Modification: Add text to preamble to Policy SP28 (after 2nd sentence, 1 st para on page 144 to say “ The sustainable reuse of historic buildings can represent a reduction in waste to landfill and a reduction in carbon generation during building schemes as well as retaining and enhancing an areas historic character. ”	This issue has been addressed in the Statement of Common Ground with Staffordshire County Council. The first paragraph, second bullet point states “existing developments” where heritage assets would apply. Proposed Modification: Add text to preamble to Policy SP28 (after 2nd sentence, 1 st para on page 144 to say “ The sustainable reuse of historic buildings can represent a reduction in waste to landfill ”		

Rep No. & Name	Legally Compliant?	Sound?	Section to which rep relates	Reason for Unsoundness	Summary of Representation	Changes requested	Council Response	Section change	Mod No.
							and a reduction in carbon generation during building schemes as well as retaining and enhancing an areas historic character.” Change proposed	Page 144	Mod No. 104
LP426 (Staffordshire County Council)	Yes	Yes	Policies DP5 Protecting the Historic Environment: All Heritage Assets, Listed Buildings and Conservation Areas & DP6 Protecting the Historic Environment: Other Heritage Assets		<p>There is a degree of confusion between DP5 and DP6. DP5 identifies 'All Heritage Assets, Listed Buildings and Conservation Areas' while DP6 considers 'Other Heritage Assets'. It is not clear how or why these two policies have separated these groups of assets - are the two DPs trying to differentiate between built heritage and archaeology/historic landscape character or between designated and non-designated heritage assets?</p> <p>In either case the inclusion of particular elements should be reconsidered. It is not clear, for example, why Scheduled Monuments (as designated heritage assets) lie with DP6 along with shop fronts while other designated assets (Listed Buildings and Conservation Areas) fall within DP5. Clarity is required within these detailed policies and this office would be happy to discuss this issue further with ESBC.</p> <p>In Detailed Policy 5, para 2 it is suggested that the term 'contextually literate' be replaced with a simpler 'plain English' form of words.</p>	The two policies do differentiate between designated and non-designated heritage assets Proposed Modification: Move Scheduled Monuments from Policy DP6 to Policy DP5. Amend text to Policy DP5, para 2, replace “contextually literate” with “...must respect the context of the character and appearance of such heritage assets in terms of...”	This issue has been addressed in the Statement of Common Ground with Staffordshire County Council. The two policies do differentiate between designated and non-designated heritage assets Proposed Modification: Move Scheduled Monuments from Policy DP6 to Policy DP5. Amend text to Policy DP5, para 2, replace “contextually literate” with “...must respect the context of the character and appearance of such heritage assets in terms of...” Change proposed	DP5	Mod No. 130
LP427 (Staffordshire County Council)	Yes	Yes	Monitoring Framework and Appendices		<p>Part 5. Monitoring Framework</p> <p>Under Part 5: Monitoring Framework it is not clear whether the Indicators and Contingency for SP24 (High Quality Design) and SP25 (Historic Environment) are to be the same. The indicator in particular only relates to SP24 and other indicators may be required to be identified to monitor all of SP25's objectives.</p> <p>Glossary</p> <p>As a final note it may be useful to include the Historic Environment Record (HER) under the Glossary as it is not clearly explained elsewhere in the document.</p>	The same monitoring framework applies to both Policies SP24 and SP25 and it is further supplemented by the monitoring of Policies DP5 and DP6 which are also monitored jointly. Historic Environment Record is already defined in the NPPF (Annex 2:Glossary).	This issue has been addressed in the Statement of Common Ground with Staffordshire County Council. The same monitoring framework applies to both Policies SP24 and SP25 and it is further supplemented by the monitoring of Policies DP5 and DP6 which are also monitored jointly. Historic Environment Record is already defined in the NPPF (Annex 2: Glossary). Change proposed	Part 5	Mod No. 141, 142 and 143

Rep No. & Name	Legally Compliant?	Sound?	Section to which rep relates	Reason for Unsoundness	Summary of Representation	Changes requested	Council Response	Section change	Mod No.
LP428 (Staffordshire County Council)	Yes	No	SP13 Burton and Uttoxeter Existing Employment Land Policy	c. Effective	<p>Policy 2.3 of the JWCS sets out the broad locations where new waste management facilities should be located. It gives preference to such developments on general industrial land (including urban and rural general industrial estates (alongside B2& B8 uses)), previously developed (provided that it is not of high environmental value) land and existing waste management sites, within or close to the hierarchy of urban areas.</p> <p>Burton upon Trent is identified as an area where proposals of a local or sub-regional scale will be supported, while proposals of a local scale only will be supported in Uttoxeter.</p> <p>However, Strategic Policy 13 of the East Staffordshire Pre-submission Plan seeks to limit existing employment sites in Burton and Uttoxeter to a mix of B1, B2, and B8 uses except in special circumstances. This policy would have the effect of excluding waste management uses which, in planning use classes, are "sui generis". As such, it is in conflict with the Staffordshire and Stoke-on-Trent Joint Waste Core Strategy and therefore UNSOUND.</p>	<p>Sui generis, or waste management uses, could be specifically added to the list of acceptable uses at the beginning of the policy as below:</p> <p>"To ensure the provision of a mix of employment types on existing sites, the Council will require a mix of B1, B2, and B8, and appropriate compatible sui generis [or "waste management"] uses to be provided. ..."</p> <p>An alternative approach would be to add a specific exception for waste management uses, as in:</p> <p>"Non B class uses will only be permitted if:</p> <p>(i) They are appropriate, compatible waste management uses</p> <p>(ii)The land is no longer required to meet economic development needs; or</p> <p>(iii) The current activity is causing, or could cause, significant harm to the character of the area or the amenities of residents;</p> <p>(iv) The new use is an employment generator which could make a positive contribution to the local economy; and</p> <p>(v) it would not prevent, or have a significantly detrimental impact upon, the continued primary use of the employment site as a whole for employment use." [See separate sheet for details]</p>	<p>Proposed modification to policy SP13.</p> <p>Change proposed</p>	SP13	Mod No. 64
LP429	Yes	No	SP7	c. Effective	Policy 2.3 of the JWCS sets out the broad locations	The text of the policy could be	Following other proposed		

Rep No. & Name	Legally Compliant?	Sound?	Section to which rep relates	Reason for Unsoundness	Summary of Representation	Changes requested	Council Response	Section change	Mod No.
(Staffordshire County Council)			Sustainable Urban Extensions		<p>where new waste management facilities should be located. It gives preference to such developments on general industrial land (including urban and rural general industrial estates (alongside B2& B8 uses)), previously developed (provided that it is not of high environmental value) land and existing waste management sites, within or close to the hierarchy of urban areas.</p> <p>Burton upon Trent is identified as an area where proposals of a local or sub-regional scale will be supported, while proposals of a local scale only will be supported in Uttoxeter.</p> <p>However, Strategic Policy 7 of the East Staffordshire Pre-submission Plan specifically restricts "non-B" use classes on those areas of the proposed SUEs that have been identified for industrial development.</p> <p>This policy would have the effect of excluding waste management uses which, in planning use classes, are "sui generis". As such, it is in conflict with the Staffordshire and Stoke-on-Trent Joint Waste Core Strategy and therefore UNSOUND.</p> <p>Please see separate sheet for a fuller explanation.</p>	<p>modified to specifically list "sui generis" uses amongst those that will generally be permitted, but the category is very broad, so a specific reference to waste management uses may be more in keeping with the general aims of the policy. A qualification that waste management uses must be similar and compatible to the "B class" uses originally identified in the policy might also be appropriate.</p> <p>The relevant bullet point from SP 7 could be modified as below:</p> <ul style="list-style-type: none"> A range of different employment uses on a specified part of the allocation will be agreed with the applicant. In general, occupation by B1*, B2*, and B8*, and similar compatible waste management [or you could say " <i>sui generis</i> "] uses will be permitted. Non B class employment uses such as hotels or food and drink uses may be acceptable as enabling development where these can form a suitable high quality gateway development and cumulatively take up a small proportion of the total employment area. 	<p>amendments, elements from SP7 have been moved to SP5. Further amendments in relation to including reference to sui generis waste uses are also proposed. .</p> <p>Change proposed</p>	SP7	Mod No. 47
LP430 (Staffordshire County Council)	Yes	Yes	SP23 Green Infrastructure		This policy complies well with NPPF s.114 but would be strengthened by more explicit reference be made to ecosystem services, see s.109.		<p>Inclusion of paragraph defining ecosystems services as a proposed modification.</p> <p>Change proposed</p>	Page 129	Mod No. 92
LP431 (Staffordshire County Council)	Yes	No	SP29 Biodiversity and	d. Compliant with National Policy	There is an issue of soundness as elements are missing in regard of biodiversity - reference to the full hierarchy sites including nationally designated sites,	The plan needs to identify and map components of the local ecological networks, including the hierarchy of	Policy and justification refers to the evidence base which includes the mapping of ecological		

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Council)			Geodiversity		<p>habitats of principal importance for biodiversity and ecological networks - mean the Local Plan is not in compliance with the NPPF and is therefore not sound. The NPPF s.117 states that planning policies should identify and map components of the local ecological networks, including the hierarchy of international, national and locally designated sites of importance for biodiversity, wildlife corridors and stepping stones that connect them and that they should promote the preservation, restoration and re-creation of priority habitats, ecological networks linked to national and local targets, and identify suitable indicators for monitoring biodiversity in the plan; and aim to prevent harm to geological conservation interests.</p> <p>Article 10 of the Habitats Directive and Regulation 39 of the Conservation of Habitats and Species Regulations 2010 require planning policies to include encouragement of the management of features in the landscape of importance for wildlife i.e. those providing connectivity such as rivers, field margins, small woods and ponds. s.40 of the Natural Environment and Rural Communities Act 2006 requires public bodies, including local authorities, to take account of the conservation of habitats (as well as species) of principal importance for the conservation of biodiversity.</p> <p>Whilst policies for Green Infrastructure, the National Forest and Central Rivers Initiative cover some parts of the Borough, extensive areas are not covered by these and therefore do not benefit from policy relating to ecological networks or priority habitat protection and enhancement.</p> <p>No indicators for monitoring the effects of the plan on biodiversity assets are included in the Monitoring Framework contrary to NPPF s.117.</p>	<p>international, national and locally designated sites of importance for biodiversity, wildlife corridors and stepping stones that connect them and that they should promote the preservation, restoration and re-creation of priority habitats, ecological networks linked to national and local targets, and identify suitable indicators for monitoring biodiversity in the plan; and aim to prevent harm to geological conservation interests.</p> <p>Policy is required to cover the designated site hierarchy, ecological networks and priority habitat and species protection and enhancement outwith the areas covered by the policies for Green Infrastructure, the National Forest and Central Rivers Initiative that only cover parts of the Borough.</p> <p>Suitable monitoring indicators for biodiversity need to be included within the plan</p>	<p>networks.</p> <p>Natural England also made representations on this policy and as a result modifications are proposed.</p> <p>Amendments to policy SP29 as a proposed modification.</p> <p>Amendments to monitoring as a proposed modification.</p> <p>Changes proposed</p>	<p>SP29</p> <p>Part 5</p>	<p>Mod No. 109</p> <p>Mod No. 141, 142 and 143</p>
LP432 Alliance Planning					<p>Alliance Planning are instructed by Barwood Strategic Land II LLP and Mr and Mrs G Skipper to review and prepare written representations in response to the East Staffordshire Local Plan Pre-Submission Draft October 2013.</p> <p>1.2 These representations review the pre-</p>		<p>The Red House Farm appeal decision was received during the Pre-Submission Local Plan consultation.</p> <p>Proposed modification to update trajectory to include appeal</p>		

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					<p>submission draft published by the Council which seeks to meet the Borough's growth and development needs to 2031. These representations focus primarily on the proposed growth area of Burton-upon-Trent. Our client owns land at Red House Farm, Burton-upon-Trent, which has recently been a subject of the grant of planning permission for 250 houses by the Secretary of State in a recovered decision and following a full local inquiry (APP/B3410/A/13/2197299) Appendix 1. See also the illustrative masterplan at Appendix 2.</p> <p>1.3 These representations support the allocation of my client's wider land interest for development of an additional 250 dwellings (see previously submitted Delivery Document Appendix 3). In developing proposals for the site the client has formed a dedicated project team to advise on its development potential. The team includes the following consultants</p> <ul style="list-style-type: none"> • Barwood Strategic Land II LLP – Land Promoter • Alliance Planning – Planning Consultant • Influence CLA – Landscape Master Planners • PJA – Transport Consultants • EDP – Ecology, Archaeology, Arboriculture • M-EC – Drainage, Engineering, Noise <p>1.4 This submission produced by Alliance Planning reflects input from the team. It also includes a preliminary master plan included in the Delivery Document for the wider Red House Farm site which has been prepared by Influence CLA and provides an illustration of how the site could be developed (Appendix 3). This is a proposal in addition to the now consented scheme for 250 dwellings referenced at Appendix 1, the master plan for which is attached at Appendix 2.</p> <p>1.5 Representations have previously been made to the Strategic Options paper produced in August 2011 by the Borough Council and to the Preferred Options paper published in July 2012. In addition, the landowner/promoter has had numerous meetings with the Local Authority during the course of determination of the planning application and subsequent appeal. These</p>		<p>decisions.</p> <p>The plan is accompanied by a Duty to Cooperate Statement which demonstrates how the Duty To Cooperate has been met.</p> <p>The Preferred Option document set out the preferred development strategy. This remains the strategy in the Pre-Submission Local Plan with more detail provided on the sites in order to meet objectively assessed housing needs.</p> <p>The Interim SA Report and SA Report, in the appendices include an appraisal of the Red House Farm site.</p> <p>The planning policies as a whole set out the planning balance.</p> <p>The plan is supported by a viability study which considers a number of factors such as infrastructure, design standards and affordable housing.</p> <p>Meeting the housing needs of a growing elderly population is an important aim of the council and is supported by the evidence base.</p> <p>Change proposed.</p>	<p>Page 85</p>	<p>Mod No. 39</p>

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					<p>submissions, therefore, flow from an ongoing engagement with the Local Planning Authority, they do not sit in isolation but form part of that continuing dialogue. The previous emerging plan representations remain valid and should be read in conjunction with this submission. These representations draw upon and make critical reference to other documents in the evidence base, notably the Local Plan Pre-Submission Sustainability Appraisal Report (SA), within which concerns raised at Preferred Options stage have been perpetuated.</p> <p>1.6 Red House Farm lies some 2 km to the west of Burton-upon-Trent Town Centre and comprises predominantly agricultural land use for the production of turf. It also includes an area of existing built development focused on Red House Farm and a series of industrial buildings around it.</p> <p>1.7 Given the previous representations made to the Strategic Options paper, and to the Preferred Options papers, along with the appeal decision attached at Appendix 1, it is not considered necessary to reiterate further a description of the site and surroundings within this submission.</p> <p>1.8 These representations are structured under the following broad themes, flowing from the Pre-Submission Local Plan order, the Duty to Cooperate, the Sustainable Development Strategy and Strategic Policies.</p> <p>2.0 DUTY TO COOPERATE</p> <p>2.1 Concern is raised that the Authority have not fully addressed the implications of their Duty to Cooperate in reaching a conclusion on their objectively assessed housing need.</p> <p>2.2 In making these representations, Alliance Planning have had sight of the representations drafted by the Home Builders Federation in respect of the Duty to Cooperate, and those submissions are endorsed and supported on behalf of our client, and are not repeated here. Suffice to say that the principal conclusion reached by the HBF is endorsed,</p>				

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					<p>that is: “many issues on overall housing numbers, unmet housing needs and cross boundary migration patterns between East Staffordshire and its neighbouring authorities ... remain unresolved. The potential under-provision of housing against objectively assessed housing needs and neighbouring authorities could have significant implications such as worsening an existing housing affordability crisis and increasing the numbers of households living in housing stress.”</p> <p>2.3 Moreover, it is further agreed that: “whilst these issues remain unresolved the Duty to Cooperate has not been satisfied in the preparation of the East Staffordshire Local Plan and therefore the plan is unsound.”</p> <p>3.0 THE SUSTAINABLE DEVELOPMENT STRATEGY</p> <p>3.1 The strategy adopted by the Council is described as “a combination of many of the options, addressed through the Council’s Interim Sustainability Appraisal in October 2012”. This, however, is a less than clear vision for development of a Local Plan as is explained below, a review of the SA would suggest that the actual strategy is a version of the second Preferred Option with a “bolt on” supply of housing. We are critical of the process that has led to this stage.</p> <p>3.2 There were five options addressed in the original Sustainability Appraisal, with Option 2 (urban extensions plus villages) being further subdivided into four subsections 2a, 2b, 2c and 2d. At the time of the Preferred Options paper, the Authority chose to promote option 2d.</p> <p>3.3 As our representations at that time commented, however, each of the Option 2 proposals included a strategically different number of dwellings at Burton-upon-Trent. Option 2a proposed 2,400, Option 2b, 2,550, Option 2c 3,550 and Option 2d 3,900.</p> <p>3.4 What is now clear from reference to</p>				

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					<p>Strategic Policy 4 of the emerging Plan, is that the Authority are now promoting 6,473 dwellings in strategic options at Burton-upon-Trent (and this does not include the 250 dwellings now consented at Red House Farm). This scale of development has clearly not been assessed through any of the preceding strategic papers.</p> <p>Indeed, it was a criticism of the Preferred Options stage that the Authority had not, in accordance with the clear guidance of the Framework, started from a position of having identified the objectively assessed need and then work back to an appropriate strategy.</p> <p>Rather, the Authority at that time was promoting a constraint led development strategy, for which the development target was established by the constraints rather than the need.</p> <p>3.5 As with the Preferred Options stage, which sought a preferred strategy which had not actually been the subject of testing through the Issues and Options strategy, so it is with the Pre-Submission Local Plan which now pursues an option which has not been tested through the Preferred Option stage. To a large extent, the need to identify a wholly new strategy as touched upon by para 2.11 of the Pre-Submission Local Plan, has arisen through the recognition by the Council of the need to provide for substantially more dwellings over the plan period than had previously been thought to be the case (11,648 dwellings now compared to 8,935 dwellings at Preferred Options stage) There are now an additional 2,713 dwellings to be accommodated within the strategy for the plan period, compared to that which was addressed through the Preferred Options stage.</p> <p>3.6 It is clear that this represents a substantial increase in housing provision within the Borough, and that the strategy now emerging is not one which can be said to flow from the previous consultation stages, as the Authority have not at any time sought to strategise development within the Borough at this level of provision.</p>				

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					<p>3.7 The spatial strategy to housing, specifically the approach to greenfield development is also less than clear.</p> <p>3.8 Whilst it is recognised and it is supported that greenfield sites will need to be released, the strategy of “sustainable urban extensions” is promoted because it “supports the Council’s intention to deliver truly sustainable growth and developments that the Borough can be proud of. The scale of these extensions will enable the delivery of high-quality new places, characterised by high levels of design and open space, and which can deliver the required infrastructure to ensure a critical mass of activity and high degree of sustainability.”</p> <p>3.9 However, there is no explanation as to what the Council mean by “truly sustainable growth”, what it means by “scale” in the context of this statement, why the Council considers that high-quality new places can only be delivered with “a critical mass of activity and a high degree of sustainability”. In adopting this strategy, which does not include the identification of a wider settlement boundary to include my client’s site, reference is made to paragraph 9.17 of the recent appeal decision for part of the Red house Farm site in which the Inspector concluded:</p> <p>“I am satisfied that the proposal would recognise the intrinsic character and beauty of that part of the countryside, as required in paragraph 17 of the Framework, by the provision of areas of open space and new woodland planting and landscaping to mitigate the effect of the proposed buildings.”</p> <p>3.10 Moreover, the Secretary of State in his decision on the appeal concluded at para 15 that “the appeal site is in a sustainable location for housing development”.</p> <p>3.11 There is concern, therefore, that on a site found by the Secretary of State to be sustainably located for housing development, and capable of meeting the Borough Council’s needs, the emerging plan strategy does not seek to identify this with a</p>				

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					<p>revised settlement boundary or a strategy which allocates the site for development. By implication the strategy is clearly flawed.</p> <p>3.12 It is of concern that the Council's preferred strategy is one which is incapable of identifying a site such as Red House Farm as suitable for development, given that the Secretary of State's appeal has now found it an appropriate location for residential development.</p> <p>3.13 Para 2.36 of the Pre-Submission Local Plan references that "the Council has not chosen a strategy of piecemeal development whereby growth is scattered around different sites because of the impact that this would have on existing communities".</p> <p>3.14 The SA is surprisingly absent on an explanation as to how the impacts of an additional 2,700 dwellings have been accommodated. The analysis within the SA identifies the process through to Preferred Options, and examines the Options 2a – 2d in detail. However these related to a substantially lower housing requirement, the SA then identifies that the housing requirement was substantially increased and additional sites were examined for allocation.</p> <p>However it does not explain how this strategy has emerged, the testing or visioning which underlay it, and it is very difficult to view the SA as anything other than a reaction to the identification of a significantly increased housing requirement without any coherent underlying vision or approach.</p> <p>3.15 In effect, these additional dwellings have been identified as a "bolt on" to a strategy that was devised to meet a much lower housing requirement. It is not clear that in approaching this new strategy the Authority have started with a wholly fresh review of their approach to reflect whether this strategy, related to the development requirements and settlement boundaries now identified, remains the most appropriate one going forward.</p> <p>3.16 Specifically, it is noted that at para 6.8 of the SA which identifies alternative strategic sites, does not seek to address Red House Farm. If it is the case that</p>				

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					<p>the Authority are looking to rely on the Interim Sustainability Assessment prepared for the Preferred Options, then there were substantive objections raised to the manner in which the Interim SA incorrectly sought to classify the Red House Farm site as not an appropriate location for development. Those concerns, raised by the landowner at that time, have subsequently been proved to be well founded given the support for the site through the Secretary of State's recent appeal decision. Moreover, those concerns were not addressed in Appendix M to the current SA which deals with the responses to the Interim SA.</p> <p>3.17 In the circumstances, the Council are continuing to prepare their Local Plan without having given a proper analysis to the Red House Farm site as a suitable location for development, they have failed to respond to representations previously made in respect of the veracity of the interim SA's analysis of Red House Farm. The spatial strategy now emerging is in effect Option 2d of the Preferred Options with a series of "bolt on" sites, and it is considered that the emerging strategy is one which lacks coherence through a robust or credible evidence base. In this regard, the strategy is considered unsound, and the Authority are encouraged to consider the strategy afresh in the light of the now identified objective housing need, and in the light of decisions granted both at appeal by the Secretary of State, and more recently by the Authority themselves (Lawns Farm) which now clearly impact upon the identified development strategy.</p> <p><u>The Merits of Red House Farm</u></p> <p>3.18 Concern is raised by the landowner that the Council's understanding and summation of Red House Farm as a strategic development option has not been accurately recorded through the Council's SA accompanying the Pre-Submission Local Plan.</p> <p>3.19 Its assessment of Transportation, rather than being "red" should be "green" as the development now consented makes provision for a bus service through the site avoiding the provision of a "cul-de-sac" service to Queens Hospital, to the benefit of residents, users of the hospital and bus operators and</p>				

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					<p>like. The Use of the Land should also be “green” and a positive benefit arising from the site, reflecting the Secretary of State’s conclusions that the site is in a sustainable location for housing development and that the benefits of development of the site significantly and demonstrably outweigh the adverse impacts.</p> <p>3.20 The ‘Countryside and Landscape’ quality assessment should also be “green”, again recognising the Secretary of State’s consideration in relation to the most visible part of the site that the quality of the landscape has been identified for enhancement and that the proposal would recognise the intrinsic character and beauty of that part of the countryside and would mitigate the effect of the proposed buildings.</p> <p>3.21 The ‘Biodiversity and Geodiversity’ of the site should be identified as “green”, it was agreed by the Borough Council in the Statement of Common Ground for the recent appeal that there would be a net biodiversity gain as a result of the development.</p> <p>3.22 The ‘Historic Environment and Heritage Asset’ should also be identified as at worst, neutral, if not “green” and positive. It was agreed through the application/appeal process that there are no historic environment or heritage asset issues for bringing the site forward for development. Finally, the issue of ‘Local Distinctiveness’ should also be identified as “green” reflecting both the recent appeal decision, and the potential for further enhancement of the area with additional National Forest planting and landscaping/open space.</p> <p>Summary</p> <p>3.23 The Sustainable Development Strategy is unsound, it does not demonstrably show a coherent strategy, vision or response to the objectively assessed housing need. For the reasons explained above it is not positively prepared, justified or effective.</p> <p>4.0 STRATEGIC POLICIES</p> <p>4.1 The recognition within the Pre-Submission</p>				

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					<p>Local Plan of the need to avoid repetition of policies is contained within the Framework is supported. Principle 1, setting out the presumption in favour of sustainable development which is consistent with the guidance from DCLG is also welcomed.</p> <p>Strategic Policy 1</p> <p>4.1 Objection is raised to Strategic Policy 1 on the grounds that it is unsound, in that it is not consistent with national policy, and as such will not be effective.</p> <p>4.2 The policy by seeking to reinterpret the guidance within principle 1, fails to make clear that the merits of sustainability need to be considered within the context of the planning balance, as established by paras 7 and 8 of the Framework. That is, the policy fails to acknowledge that where one or more of the criteria are not able to be addressed by development, development may still be acceptable and sustainable if, within the round, the planning merits of a development outweigh the harm.</p> <p>4.3 Concern is also raised that the viability assessment which accompanies the Local Plan does not properly apportion the costs of implementation of the policy within its viability appraisal of the Local Plan.</p> <p>4.4 Specifically, whilst para 8.5 of the Council's Local Plan and CIL Viability Study states that energy-efficient measures and SUDS are included in the modelling, para 8.4 notes that "... there is no intention to require developers to incur additional costs in procuring additional reports to demonstrate that they have complied with this policy." It is difficult to understand, therefore, how it is intended that the Council will apply the policy.</p> <p>4.5 Moreover, the viability report also identifies that the test of locally sourced procurement for construction materials will be difficult to comply with or verify in particular circumstances.</p> <p>Strategic Policy 4</p>				

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					<p>4.6 Objection is raised to Strategic Policy 4 on the grounds that it is unsound in that it is neither positively prepared, justified nor effective in the terms established by para 182 of the Framework.</p> <p>4.7 It is not positively prepared as it fails to address sufficiently the unmet requirements from neighbouring authorities as established under the representations relating to the Duty to Cooperate at Section 2 above.</p> <p>4.8 It is not justified as it is not the most appropriate strategy to meet housing within the Borough. As noted in the representations above to the "Sustainable Development Strategy" this is not a coherent strategy which has been developed to identify the current objectively assessed housing need, rather it is a strategy which has been arrived at default. The strategy effectively represents Option 2d of the Preferred Options paper along with a "bolt on" increase in housing numbers the recognition of the need for which has arisen between publication of Preferred Options and Pre-Submission Local Plan.</p> <p>4.9 The greater part of my client's site at Red House Farm has, since the publication of the Pre-Submission Local Plan, received planning permission from the Secretary of State following a call and inquiry (Appendix 1), and this will require the redrawing of the development boundaries to the west of Burton-upon-Trent. The logical extension of those boundaries will incorporate land within the urban area of Burton-upon-Trent which ought then more properly to be recognised as having the potential to provide for additional housing (see proposed revised boundary plan at Appendix 4).</p> <p>4.10 The immediately preceding text to Strategic Policy 4 at page 84 of the Pre-Submission Local Plan makes an oblique reference to my client's site in the context of there being "two residential applications which are due to be determined by the Secretary of State". The Red House Farm site now consented should be identified as a greenfield strategic allocation within the text of Strategic Policy 4 in recognition of this materially changed circumstance.</p>				

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					<p>4.11 Moreover, objection is raised to the significant reliance on windfall sites to meet the needs of the main towns. The issue of windfall development was a matter considered in detailed submissions to the inquiry at Red House Farm. During the course of cross examination of evidence, the Council's policy officer confirmed that no reliance could be placed upon any of the Council's Annual Monitoring Reports before 2013, as the survey effort and evidence base underlying these documents was fundamentally flawed.</p> <p>Specifically on the issue of windfall development, the Inspector concluded that "the Council has failed to demonstrate that it has compelling evidence that 90 dwellings per year will consistently become available from windfall sites and will continue to provide reliable source of supply."</p> <p>4.12 This conclusion was inevitable given the concessions made about veracity of the evidence base underlying the assumptions, and the failure of the Council to provide any audit trail as to how it had reached its specific conclusions on a site-by-site basis.</p> <p>4.13 Within this context, it is entirely inappropriate for the Council to now seek to rely on a very significant windfall allowance of some 1,710 dwellings over the plan period (of which 1,359 are within the main towns). The evidence base underlying the assumptions that this quantum of development will continue to come forward has already been found to be wanting by the Secretary of State, and the Council should in this regard seek to plan positively through strategic allocation rather than rely on an unjustified rolling forward of a windfall assumption already found to be without merit.</p> <p>4.14 Moreover, the substantial step change in housing delivery required to meet the expectations of the Council's housing trajectory (Figure 3.1) will require a marked change in delivery rates (from circa 100 dwellings in 2012/2013 and 2013/2014, to 700 dwellings per annum by 2015/2016 and then nearly 1,000 dwellings per annum by 2016/2017). The only way in which this step change in delivery is capable of being achieved is by the identification of substantial additional positive allocations, not</p>				

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					<p>a reliance upon unjustified windfall development to meet this need.</p> <p>4.15 The Council are invited to amend the text of Strategic Policy 4 through the inclusion of land at Red House Farm as a greenfield allocation, and the recognition of its capacity to deliver an additional 250 dwellings over and above the 250 already consented.</p> <p>Strategic Policy 7 – Sustainable Urban Extensions 4.16 Objection is raised to the failure of Strategic Policy 7 to identify Red House Farm as a sustainable urban extension site. In not doing so, the Plan is unsound as it is not justified or effective. Moreover, the policy does not appear to have been properly subject of viability assessment.</p> <p>4.17 Para 8.11 of the Local Plan and CIL Viability Study states that Sustainable Urban Extensions policy applies to requirements for Lawns Farm west of Uttoxeter only, and that these sites are not subject to assessment under the study. It is not clear, where all the other sites within the Policy, or for that matter my client's site which ought properly to be identified under this policy, have been the subject of any Local Plan viability assessment.</p> <p>4.18 Moreover, given that the policy refers to both major SUEs and "two smaller allocations" it is dealing with a range of sizes of site. The list of bullet point requirements arising therefore, are clearly not going to be appropriate to all of the sites identified. Whilst there is a coda to the policy which confirms that it may not be feasible or desirable to provide these requirements to all sites because of the size of the site, it may be beneficial to have more policy specific requirements.</p> <p>4.19 For example, at Red House Farm, the site is already well located to existing bus routes, primary school, shops and services, local hospital and employment opportunities. Located as it is immediately adjacent to existing urban area of Burton, it does not need to provide for such a mix of uses within its own boundaries, but rather can provide a residential focused extension to the edge of an already</p>				

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					<p>existing and sustainable settlement location. These merits and its sustainable location were specifically recognised in the recent appeal decision.</p> <p>Strategic Policy 16 – Meeting Housing Needs 4.20 This policy is considered unsound as it is not justified in the context of para 182 of the Framework.</p> <p>4.21 Specifically, the requirement that all new housing shall meet lifetime home standard is considered onerous and unnecessary. The provision of this standard has a cost associated with it, and that cost is not accounted for within the Local Plan and CIL Viability Study. It is also not established why there a need for all homes to need this enhanced standard.</p> <p>Strategic Policy 17 – Affordable Housing 4.22 The policy as drafted is objected to as it is unsound through reason of not being sufficiently justified.</p> <p>4.23 There is conflict between this policy and the Council’s Housing Choice SPD Appendix 1 revision also the subject of concurrent consultation (and to which separate representations are made). The supporting text to Strategic Policy 17 states that details of how the policy will be applied are set out in a Housing Choice SPD, the Housing Choice SPD seeks to apply a requirement of 30% dwellings on Major Sustainable Urban Extensions and all other sites other than Urban Brownfield sites. The policy within the SPD, therefore, is contrary to the guidance figure within Strategic Policy 17. Moreover, para 8.26 of the Local Plan and CIL Viability Study makes it clear that the viability of this policy was assessed on 25% provision with the first 13% being provided on site and an offsite commuted sum of £40,000 per dwelling.</p> <p>4.24 The commuted sums contained within the Housing Choice SPD however, are £41,900 on urban sites, and £58,400 on all other sites. Neither of these sums has been the subject of viability assessment. The policy as drafted, therefore, is not one which has been properly viability assessed for the purposes of understanding the delivery implications for</p>				

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					<p>the Local Plan.</p> <p>4.25 Moreover, the evidence base behind the policy, and in particular that of the Housing Choice SPD does not support the 25% provision on Urban Extensions Sites. The policy only supports provision of 15% affordable housing on Urban Extension Sites, and indeed this was accepted as recently as 12 November 2013 by the Secretary of State in his decision on Red House Farm (Appendix 1) (para 14). This figure flows from the Council's own viability analysis which underpinned the Housing Choice SPD.</p> <p>Settlement Boundary</p> <p>4.26 Objection is raised to the settlement boundaries for Burton District as identified on Inset No. 1 of the Local Plan Proposal which is considered unsound. The boundaries should reflect the recent grant of planning permission by the Secretary of State at appeal by encompassing the Red House Farm site, within the settlement boundary. The delivery of the Red House Farm site, in its extended 500 dwelling unit form, would be consistent with the overarching principles of sustainable development established through the Framework, and which are clearly demonstrated and flow through the recent Secretary of State's appeal decision. The amendment to the boundaries sought through these representations is indicated on the plan at Appendix 4.</p>				
LP433 (Mr Shaun Adam)	Yes	No	SP1 East Staffordshire Approach to Sustainable Development	<p>a. Positively prepared</p> <p>b. Justified</p> <p>c. Effective</p> <p>d. Consistent with national policy</p>	In the plan there is no clear definition of what Sustainable Development means for East Staffordshire e.g. protection of fields and agricultural land. Sustainability needs to have a local determination.	What is deemed "sustainable development" shall be determined locally. It should include villages and facilities within villages. A village is only sustainable if facilities are maintained/improved and that they do not end up commuter areas.	SP1 is a direct response to consultation on the Preferred Options where many Responses wished to see an East Staffordshire interpretation of Sustainable Development. Modifications to SP1 proposed.	SP1	Mod No. 30
LP434 (Mr Shaun Adam)	Yes	No	SP4 Distribution of Housing Growth	<p>a. Positively prepared</p> <p>b. Justified</p> <p>c. Effective</p> <p>d. Consistent with national policy</p>	<p>The pre submission local plan has a strategic allocation of 100 houses for the village of Rolleston on Dove.</p> <p>Rolleston on Dove is not a "strategic village" and that ESBC has been asked to reassess this status. There are several inaccuracies with the Settlement Hierarchy status which have not been addressed by ESBC. The</p>	<p>The settlement hierarchy should be reviewed.</p> <p>In accord with the communities rights in the Localism Act and NPPF the village should be able to determine its own growth through the NHD plan</p>	The settlement hierarchy is supported by the settlement hierarchy topic paper.		

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					<p>Parish Council believes that it has the facilities/services of a Tier 2 and not a Tier 1 village.</p> <p>25 houses have already been granted planning permission in Rolleston since the start of the plan period. This means that the whole windfall allowance has already been taken up. This means that one and a half years into a 19 year plan the village have already received all of their windfall allowance. This takes away Rolleston's right to be able to determine the level of growth and where it takes place which is in conflict with the NPPF and Localism Act 2011.</p>	process.			
LP435 (JVH Planning Ltd on behalf of The Bridge Partnership)	No	No	All	<p>a. Positively prepared b. Justified c. Effective d. Consistent with national policy</p>	<p>Part One</p> <p>Para 1.86 to 1.100</p> <p>At para 1.87 the plan identifies that the strategic housing market relationship is strongest between Burton and Swadlincote in South Derbyshire. However the SHMA of Oct 2013 goes on to consider the District as a discrete market area which itself is sub divided. We agree that the principal linkage in housing terms is between Burton and South Derbyshire as depicted on diagram 1.5 page 31, which indicates the relationship between the two districts in terms of commuting patterns. It is considered illogical therefore to ignore the requirements of South Derbyshire and potentially more sustainable patterns of development through a misguided housing market boundary, furthermore there is little reference to the relationship with Lichfield District to the south and the pressures in that district to meet the requirements of Birmingham, which spill over into ESBC along the A38 corridor.</p> <p>Para 1.94 indicates that the housing requirement over the period 2012 to 2031 is some 11,408 households but this figure is considered to be flawed on two counts. Firstly the overall needs of the housing market area have not been fully assessed and secondly that the figure of 11,000 is below the RS Phase Two figures and is an under estimate of the requirement.</p> <p>The plan identifies at 1.119 and 1.126 the different characters of Burton and Uttoxeter however the development strategy in part two deals with Burton and</p>	<p>Proposed changes</p> <ul style="list-style-type: none"> Amend the settlement boundary at Burton to include development sites at Craythorne Road, Forest Road, St Marys Drive and Postern Road (Proposals Map) SP4 Amend the development boundary at Yoxall to include land at Bond End (Proposals Map) SP4 Amend the development boundary at Denstone and include land adjacent to the B5031 (Proposals Map) SP4 Amend the development boundary at Barton under Need wood to include Barton Marina (Proposals Map) Amend the list of SUEs to include Forest Road and Craythorne Road SP7 Amend the housing requirement to at least the RS level of 650 per annum SP3 Reconsider the reliability of the SHMA with regard to the housing market area Reconsider the relationship with South Derbyshire through the SHMA and new potential allocations. 	<p>The relationship to the housing market area is set out in the SHMA.</p> <p>The SHMA sets out the justification for the housing numbers.</p> <p>The sustainability appraisal acknowledges the conflict with some of the plan objectives.</p> <p>The sustainability appraisal uses the current landscape descriptions to determine landscape impact</p> <p>The sustainability appraisal includes an appraisal of all site allocations and alternative site options. Where details are available through the planning application process these have been incorporated into the appraisal.</p> <p>The development strategy involves an element of windfall, which is likely to come forward based on the brownfield sites assessment and strategic housing land availability assessment.</p>		

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					<p>Uttoxeter at the same level in the settlement hierarchy although clearly they are at a completely different scale and character.</p> <p>Para 1.134 sets out the strategic objectives of the plan and the objective of housing choice to provide a mix of homes is a valid objective, but which will be at the expensive of other objectives such as countryside, which must in places be allocated for new development.</p> <p>Part Two Para 2.3 the strategy is said to take account of various constraints including high quality landscape features. However there is no notation on the proposals map which deals with landscape character and indeed it is understood that this work is still in progress. This point has been recently considered in a series of Sec 78 appeals, where it has become apparent that the Council has had no overall consideration of the relative merits of development sites based on their landscape impact and this has not been part of the original sieving mechanism to distinguish which sites should come forward for development and is part of the flaws of the SA of the preferred options document. It is considered that the plan is fundamentally flawed on this basis alone as a landscape analysis has not underpinned the spatial strategy yet para 2.3 implies that it has.</p> <p>Para 2.8 the SA appraised broad options, but it is unclear if individual sites which are now proposed to be allocated have been subject to individual appraisals.</p> <p>Para 2.17 notes the suggested split of development with 6.3% in the tier one villages and 2.5% in tiers two and three, these percentages should be amended to allow for more development in village tiers one and two and the small amount of development in tier three, which is windfall and should not be counted as part of the specific allocations.</p> <p>Para 2.23 identifies that the two largest villages Abbott's Bromley and Yoxall are assigned 40 dwellings and indicates that this allowance will be community led. It is not clear therefore if the plan is allocating sites in these settlements and if the plan is reliant on the</p>	<ul style="list-style-type: none"> • Amend the distribution of growth to reduce /eliminate a reliance on windfalls SP4 • Allocate specific sites in the villages. (Proposals Map) SP4 • Reduce the reliance on brownfield sites in the allocations and allocate more sites that will be deliverable SP4 • Remove sites from allocations sites that are unlikely to be deliverable such as Derby Road Burton. SP4 • Amend the distribution and allocate more sites for development SP4 • Amend the settlement hierarchy to distinguish between Uttoxeter and Burton SP2 • Amend the housing trajectory to be more realistic over the plan period 	<p>No change proposed.</p> <p>The settlement boundary topic paper sets out how amendments to settlement boundaries have been determined, in discussion with parish councils. Where a settlement is producing a neighbourhood plan, such as Yoxall, the boundary will be amended by the neighbourhood plan.</p> <p>It is important that housing is provided in all tiers in order to meet the housing needs of urban and rural communities. Whilst there have been few housing exceptions sites in East Staffordshire, there is a high rate of conversions and agricultural dwellings which is expected to continue and therefore it is important to include this element in the development strategy.</p> <p>There is no individual policy for Barton Marina, however a modification is to remove the symbol of the Barton Inset to avoid potential confusion.</p> <p>Change proposed</p> <p>It has been advised by government that the presumption in favour of sustainable development is contained within the plan.</p> <p>The plan aims to ensure the majority of development takes place in Burton upon Trent and</p>	<p>Policies Map Inset 5 – Barton Under Needwood</p>	<p>Mod No. 154</p>

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					<p>housing from these villages. If it is then the plan should allocate the sites to achieve certainty. If the settlement boundaries are being decided in this plan then sites emerging that are outside these boundaries will be contrary to policy, therefore the boundaries need to be clear at this stage. It is not considered that this part of the plan has been thought through in policy terms.</p> <p>Para 2.2.4 it is not considered that the small villages need to have any housing allowance, any development here is small scale and cannot be relied upon to achieve the overall housing number.</p> <p>Para 2.29 and 2.30 the plan should not be reliant upon brownfield sites due to viability and marketing constraints. Many brownfield sites have been granted permission and have failed to be delivered to date including JCB Uttoxeter, and Pirelli both of which are relied upon in this strategy. The allocation of brownfield sites is considered to be unsound if the strategy over relies upon them to deliver the housing requirement. Specific comments on the allocations will be made under the relevant policy.</p> <p>Policy 2.33 talks about a brownfield windfall allowance in the villages, which is unlikely to deliver given the character and nature of these settlements, particularly given the definition of Garden land in the NPPF.</p> <p>Para 2.34 to 2.37 sets out that Greenfield sites will need to be released to meet the housing requirement based on the SUE's, however Greenfield sites in Burton will also be delivered from medium sized allocations such as Forest Road and Redhouse Farm. The council's strategy at 2.36 implies that smaller sites are inferior to the SUE's, however we consider that this scale of site in the examples above are deliverable in the shorter term and more attractive to the market as they do not have the long lead in times and extensive infrastructure. On this basis therefore the strategy is not sound because it over relies upon SUE's and fails to recognise the benefits of other Greenfield sites.</p> <p>Page 69 the key diagram.</p> <p>The key diagram is not easy to understand, the villages and locations should be named in order to be able to</p>		<p>Uttoxeter.</p> <p>No change proposed</p> <p>An up to date 5 year housing land supply has been made available as part of the examination library. This includes the correct and current position regarding lapsed planning permissions.</p> <p>The plan sets out the mechanism for non delivery on brownfield sites and greenfield sites.</p> <p>The Red House Farm site now has planning permission following the appeal.</p> <p>Allocation of Barton Marina is not considered appropriate. Other policies in the plan would be applied should further development come forward. No additional floorspace is allocated at Barton Marina.</p> <p>The approach to windfall is supported by the windfall and Brownfields sites topic papers.</p> <p>Whilst the trajectory is aspirational, the numbers expected to be delivered on strategic sites have been provided by the applicant / agent.</p> <p>The strategy includes sites which the council consider sustainable and deliverable</p> <p>The councils approach to duty to cooperate with neighbouring South Derbyshire District Council is set out in the Duty to Cooperate paper. The site referred to in the representation is</p>	SP8	Mod No. 50

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					<p>interoperate the strategy. It is not understood why St George's Park is noted and Barton Marina is not given that they are both strategic Leisure destinations. The plans are too small and should be at least at A3 size. The strategic road network should also be shown.</p> <p>We consider that the Strategy is flawed on the basis that the strategy has been derived from an evidence base which failed to include any landscape appraisal or character assessment. This is clear from the Planning for Change July 2012 document, which shows on the constraints plan on page 42 that no constraint relating to landscape is considered therein. This is further reinforced by the fact that the authority are now undertaking a landscape appraisal to be completed in 2014, which should have underpinned the strategy and the sites.</p> <p>The strategy is further flawed by the inadequacies of the SHMA and its complete failure to deal with the acknowledged housing market area as require by the NPPF at Para 159. This failure puts into question the overall housing number and the distribution of development.</p> <p>The strategy proposes a housing target which is not based on a robust SHMA and which takes an average between scenarios to arrive at an annual rate. This cannot be a robust assessment of the requirement and be in accordance with the NPPF to boost the supply of housing.</p> <p>The evidence base on which the plan relies includes land supply calculations that have been found on appeal to be highly inaccurate and the SOS has recently concluded that the council do not have a five year supply of land in accordance with the NPPF. The plans strategy should seek to bring land forward speedily and with a degree of certainty and the approach that the authority have taken with regard to a huge windfall allowance and the non-allocation of sites outside the two main towns is not conducive to increasing the supply and achieving certainty. The inspector concluded at the Red house Farm Appeal on this point that:</p> <p>"The Council has failed to demonstrate that it has</p>		<p>not an allocation within the South Derbyshire Pre-Submission Local Plan.</p> <p>Proposed modification to policy SP8 to make reference to reuse of rural buildings.</p> <p>Change proposed</p> <p>The plan is supported by a viability assessment. The charging schedule will be set out in a future document with S106 being used until that time.</p> <p>The Derby Road site contains many underused and vacant sites. The policy aims to achieve a coherent redevelopment scheme which may or may not include all current uses.</p> <p>The SHMA sets out the justification for the housing mix. The policy is considered flexible to allow for a range of mixes to come forward whilst also considering viability.</p> <p>The affordable housing policy is supported by the SHMA and Affordable Housing Viability Assessment.</p> <p>The council consider that exception sites should be those on the edge of settlements to ensure the sites are sustainable</p> <p>Proposed modifications to the wording of policy SP30.</p> <p>Change proposed</p>	SP30	Mod No.10

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					<p>compelling evidence that 90 dwellings per year will consistently become available from windfall sites and will continue to provide a reliable source of supply, as required in paragraph 48 of the Framework. Based on the above, I find that the Council's supply of deliverable housing is likely to be significantly below its figure of 4.60 years".</p> <p>There is no certainty attached to windfall in either the urban area or the villages and this is a fundamental failing of the plan.</p> <p>Part Three Policies</p> <p>SP1 Object - it is unclear why the plan is repeating the NPPF.</p> <p>SP 2 Object The plan should distinguish between Burton as the principal town and Uttoxeter as a town. These settlements are vastly different in scale and character and this should be recognised in the hierarchy.</p> <p>The policy sets out the new development should be located within the settlement boundaries yet the settlement boundaries depicted on the policy maps fail to include developable sites at Burton, Yoxall, Denstone, and Barton under Needwood. The policy maps should be amended to include the development opportunities attached to this objection. Namely</p> <p>Land at Forest Road Burton Land at Postern Road Burton Land at St Mary's Drive Stretton/Burton Land at Craythorne Lane Stretton/Burton Land to the South of Bond End Yoxall Land at B5031 Denstone Land at Barton Marina Barton under Needwood.</p> <p>SP3 The plan provides for 11,648 homes over the plan period or 613 dwellings PA. The rationale behind this requirement is set out in the June 2013 update which indicates that 613 dwellings PA is an average figure from two alternative scenarios. It is unclear why an average figure is take rather than the higher figure of 630 PA. This is not in accordance with the NPPF to</p>		<p>Identifying green infrastructure meets the requirements of the NPPF. Its identification does not preclude development from taking place.</p> <p>No change proposed</p>		

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					<p>boost the supply of housing and the reasoning behind this is flawed. It is not clear why the LPA have deferred from meeting the RS Phase two requirement for 650 dwellings PA, which was a figure derived from a conjoined approach with neighbouring authorities which took account of the interrelationships' between ESBC and Lichfield and for which the council expressed support. Policy SP3 should explain that the numbers are a minima for the plan period.</p> <p>SP4 The plan seeks to allocate 10,284 dwellings over the plan period this is below the overall requirement of 11,648 as the council believe that at April 2012 they had 1,582 extant permissions or 1,379, (including a lapse rate). We do not consider that the level of extant permissions is as the council have set out and work submitted in two recent appeal cases indicate that the extant permissions were around 800 dwellings at 2012. This means that the plan is under allocating land to meet the requirement because it is overestimating the contribution of the exiting permissions on day one of the plan.</p> <p>Burton We object to the brownfield allocations in table one which amount to 1,683 dwellings. In Burton these sites are not considered to be deliverable particularly Derby Road 250, which comprises a large number of individual dwellings and sites in private ownership. The plan should rely less on these brownfield sites, some of which have been in the pipeline for many years and have failed to be delivered.</p> <p>The Greenfield allocations in Burton should be increased by the addition of Forest Road for 300 Dwellings and Redhouse Farm which already has a planning permission. It should also include land at Stretton both a Craythorne Lane for 500 dwellings and for St Mary's Drive for 150 dwellings.</p> <p>A windfall allowance of 1,359 in Burton is ill conceived. Land should be allocated to meet the housing requirement and not rely on windfalls for this strategic planning process.</p> <p>The historic windfall rate in the Borough has been</p>				

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					<p>skewed by the fact that there was a moratorium on sites over 10 dwellings operating from 2005 for a significant period. This drove developers onto smaller sites where planning permission could be obtained and has artificially increased the windfall figures.</p> <p>At the time that the last Local Plan was examined and adopted in 2006 most of the allocated sites already had planning permission and there was no scope for new developments other than the windfall sites, again this artificially increased the numbers of windfalls.</p> <p>In the future sites which may have been large windfalls, should be identified in the SHLAA and will become allocations and there should be no allowance for these type of larger sites.</p> <p>Uttoxeter We support the allocation of the Brookside Industrial estate and a planning application is to be submitted shortly, however we raise concern over the reliance on the JCB site at Pinfold Road which has been in the pipeline for many years and remains undeveloped. If sites fail to be delivered alternative provision needs to be made in alternative locations.</p> <p>Strategic Villages Barton under Needwood The allocation in Barton relates to the extant consent at Efflinch Lane the plan fails to acknowledge the development potential at Barton Marina for an additional 100 dwellings located around the marina basin and the lakesides. It is proposed that the whole of the Barton Marina complex be included in the Barton development boundary as the site is functioning as part of the settlement given the wide range of facilities including shops, restaurants and a cinema. Therefore the total development allocation for these villages should be increased to allow for the potential on the Barton Marina site.</p> <p>Windfall development allowances in the villages We object to the concept of this part of the housing requirement being met by windfalls the NPPF is clear at Para 48 that windfalls should not be relied upon unless there is compelling evidence that they are a</p>				

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					<p>reliable source of supply. The LPA have themselves acknowledged that windfalls are unreliable by their discounting exercise in their land supply calculations if these villages in tiers one, two and three are to assist in meeting the strategic housing requirement then land should be allocated for the express purpose, which is the view that we take. We consider that land should be allocated at Yoxall and Denstone to meet the express requirement referred to in detail in our comments the inset plans. If the council want to retain the windfall only strategy in these villages then the requirement of 351 should be met and allocated in the higher tier locations to ensure the delivery of the strategy. Reliance on sites coming forward through neighbourhood plans is unsound as evidenced by the events in Rolleston where in the neighbored plan it included no strategic development as proposed in the local plan and planning permission has been refused by the council on the basis that the development is out of step with the neighbourhood plan.</p> <p>Housing trajectory Page 84 implies that most of the strategic housing sites have planning permission but this is not the case. There is no permission at Branston Locks or Beamhill, which is the subject to a Judicial Review. The council cannot therefore rely on these sites in drafting the housing trajectory, these sites will not come on-stream early in the plan period and this is why the strategy is unsound because it is over reliant upon large strategic housing sites and fails to include medium sized allocations that do not have such significant lead in and completion times. It is unclear how the build rate will increase from 200 homes pa in 2015 to over 900 in 2017 as shown on the trajectory. A more realistic trajectory would be one achieving the annual target of 613 or thereabouts in the next two of three years and then being maintained thereafter.</p> <p>SP 6 We object to the policy as drafted on the basis that the proposal to regularly monitor the housing land availability is unlikely to be achieved given the history of this subject. The authority have never had a robust evidence base for the supply of housing land and their assessments have contained unrealistic expectations on both the quantum of supply and the rates of</p>				

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					<p>delivery. Furthermore they have not regularly updated these documents which have been many years out of date. The five year land supply should be reviewed annually and the council must have a robust database which has credibility. The policy implies that if the council are falling behind on delivery then they will bring sites forward through a DPD, this seems to be a long winded approach to what is required which is the granting of planning permissions it is not clear what type of DPD they might be considering using.</p> <p>SP 7 We object to policy SP7 that the SUE's identified exclude the land at Craythorne Lane Stretton, which is a logical and sustainable development location and to support the housing strategy. Planning permission has already been granted at Guinevere Avenue, Stretton as a sustainable development and the adjoining land at Craythorne Lane should be allocated.</p> <p>Development along this northern edge of the Burton urban area has been further indorsed by the Tutbury Road/ Harehedge Lane. The strategy of locating sufficient land adjacent to the urban area to specifically bring sites forward is a much better strategy than relying on 1,359 windfalls in the main towns. In addition land at St Mary's Drive on the former chicken farm together with the land at the rear should be allocated. See plans attached, an application is currently being worked up for land off St Mary's drive and will be submitted shortly. The location has already been established as an appropriate one by the approval of the dwellings at Guinevere Avenue.</p> <p>Both of these proposals at Stretton are superior to sites identified in the urban area which have severe delivery problems and may never materialise including over the very large proposed SUE's, which have long lead in and delivery times.</p> <p>It is noted that the Harehedge Lane Tutbury Lane allocation is allocated for 500 units but the capacity of this site is questioned given the construction of a large new school on the central part of the allocation.</p> <p>The plan omits any mention of the relationship with</p>				

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					<p>South Derbyshire and the potential of land to the east of making a contribution to the housing requirement. Land is available at Winshill adjoining the urban area of Burton, which could support the housing requirement for both authorities, but this potential has been overlooked due to the fact that the council have failed to undertake a proper SHMA looking at the true housing market area. Sites to the east of Burton would be ideally placed to deal with this type of need and would support a sustainable pattern of development given the acknowledged relationship and the commuting patterns identified in this plan on page 31. Work is being undertaken on a master planning exercise on this land and representations have been made upon it to South Derbyshire.</p> <p>The duty to cooperate between adjoining authorities must cover how the housing requirements are to be met, in this case the two authorities should have cooperated to produce a SHMA that covers the agreed housing market area. ESBC acknowledge this.</p> <p>A previous iteration included counting the housing numbers at the Drakelow Site within the SDDC as part of the ESBC's requirement, confirming that the relationship on the boundary is a highly significant one this has been completely overlooked in this new document. Para 159 of the NPPF sets out that authorities should have a clear understand of housing needs in their area and prepare a SHMA working with neighbouring authorities where housing market areas cross administrative boundaries, this has not been done and the plan is out of step with the NPPF on this fundamental point.</p> <p>Para 178 to 181 of the NPPF clearly requires planning across administrative boundaries, the fact that SDDC lies within the former East Midlands RS area and ESBC is with the West Midland RS area does not negate the geography of East Staffs.</p> <p>The plan does not appear to indicate a threshold size for a SUE but includes SUE's of various scales and it is questionable that land at Forest Road Burton for 300 dwellings should not only be included as an allocation in SP4, but also listed as a smaller SUE in policy SP7.</p>				

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					<p>SP 8 We object to SP 8 on the basis that it is not flexible enough to deal with the many situations that arise outside development boundaries for example a redevelopment of a brownfield site that would bring design and environmental benefits and was within reasonable distance of a sustainable settlement should be permitted. The policy makes no provision for such sites and is over prescriptive.</p> <p>SP 9 We object to policy SP 9 the council have not produced a draft charging schedule for CIL and it is unclear what the impact of such a charging regime would be on the viability of development and how this would affect the delivery of the strategy. The policy implies that a CIL will definitely be introduced, but the preceding paragraphs do not imply that this is a certainty, it is unclear how the plan can be sound when the impact of this is not known.</p> <p>SP 11 We object to policy SP11 on the basis that it is not considered that it will deliver homes given the character and nature of the site, the proposal is for a mixed use and the council is seeking a development partner to bring the site forward. It is considered that the potential for this sort of mixed development and the ensuing living arrangements are currently unattractive to the market and this site may not therefore deliver for many years. Alternative sites exist that are deliverable and should be allocated see our comments SP4/ SP7.</p> <p>SP12 We object to policy SP12 on the basis that this is a site straddling the Derby Road which is currently occupied by business uses the acquisition of land and properties is likely to mean that this site will not deliver 250 homes early in the plan period and should not be relied upon. Alternative sites exist that are deliverable and should be allocated, see our comments SP4/ SP7.</p> <p>SP15 We object to policy SP15 on the basis that new tourist accommodation should not be limited to within existing settlements. Tourist accommodation should not have to demonstrate that it cannot go within a settlement,</p>				

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					<p>but should be located in relation to the attraction it is serving. The policy is poorly worded and needs modification.</p> <p>SP16 We object to policy SP16 on the basis that this mix is far too prescriptive and does not allow sufficient flexibility for the market to determine the type of homes that can be sold. The basis of the mix is said to be based on the new housing needed over the plan period, but the mix will change over time and it inappropriate to include a prescriptive mix in the local plan that will be applied over the plan period. Furthermore the mix of dwellings on sites should be designed to reflect the character of the area in the area they are located and it may be inappropriate for some locations to have a prescribed mix. It is unclear how the mix in table 3.1 is to be applied.</p> <p>Outside the main towns and tier one settlements sites are required to meet a need based on housing needs survey this is not workable.</p> <p>SP17 We object to policy on the basis that the threshold for affordable housing is too low and should be increased to developments of 15 dwellings and over or sites of 0.5 hectares.</p> <p>Thresholds that are set too low simply stifle development or make small sites unviable. The policy as drafted leaves uncertainly as to the general level of affordability required on sites, is it 25% or less? This should be clearer.</p> <p>This policy needs rewriting to make clear what percentage of affordable is required as a starting point and that viability issues will alter this. The plan should be clearer about what matters need to be taken in account in any viability assessment such as reasonable profit levels and residual land values to encourage sites to come forward and to diminish uncertainly. This will enable the development industry to assess sites in the early stages before embarking on major and costly viability exercises. We are concerned about the spending of commuted sums offsite, if this is</p>				

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					<p>part of the policy it should be within the policy and be capable of justification.</p> <p>SP18 We object to policy SP18 on the basis that exception sites do not have to be within or on the edge of a settlements. There could be other sites which are appropriate, which do not directly abut a settlement. The policy as drafted does not make sense.</p> <p>SP23 We object to policy SP23 on the basis that there are no plans showing where the green infrastructure corridors are. They comprise natural and manmade green spaces and are to be safeguarded but you cannot tell where they are from the proposals map. If they are a land use allocation they must be shown, so that they can be clearly identified and the polices that are to be applied over them have a clear plan base. The policy anticipates developer contributions to make improvements to the green infrastructure corridors, but is not clear how this is related to development and if it complies with the CIL regulations.</p> <p>SP30 We object to policy SP30 on the basis that the policy says that within locally significant landscape areas development will be restricted if it affects the character, however there is no way of knowing where these areas area. They are not shown on the proposals map or the insets. Page 148 indicates that the council is working with the County Council to update the landscape character areas and assessments, this is due to be completed in 2014 and will describe which areas are most sensitive. This begs the question of how the current strategy has been determined if the council have not had any overall consideration of landscape character and sensitivity. The policy itself is flawed because the evidence required to support it is not yet available and so there is no knowledge of where it will apply.</p> <p>This point has been recently considered in a series of sec 78 appeals where it has become apparent that the Council has had no overall consideration of the relative merits of development sites based on their landscape impact and this has not been part of the original sieving</p>				

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					<p>mechanism to distinguish which sites should come forward for development and is part of the flaws of the SA of the preferred options document.</p> <p>SP31 We object to policy SP31 on the basis that an area of the strategic green infrastructure is identified between Rolleston and Stretton on the proposals map, which included land east of Craythorne Lane and the old railway line. This it is unnecessary to be included within the notation and this should be removed and the boundary redrawn as per the attached plan.</p> <p>DP 4 We object to the policy as drafted on the basis that the policy is inflexible and seeks to limit replacement buildings by reference to buildings which have special qualities of "traditional rural building" this is unnecessary and open to miss interoperation if a building is listed in a conservation area or protected by any other means then clearly demolition is not normally allowed. If buildings are special they will already be in the category and there is no need to create a further category in this policy to prevent the redevelopment of dwellings. The policy should be phrased in the positive, not the negative. There is nothing wrong with replacement dwellings in principal according to the NPPF and the policy should be redrafted to reflect a positive approach.</p> <p>DP 10 We object to the policy on the basis that it fails to include the locations in the borough that are existing recreation and tourist destinations, such as Barton Marina, which should be shown on the proposals map and recited in this policy.</p> <p>D12 We object to policy D12 on the basis that it fails to acknowledge Barton Marina either in the policy or on the proposals map as a comparable destination. The policy implies that there will be future development on the site to support the growth of the site and it is thought this may include uses which are normally located in town centres. This location does not adjoin any settlement and is remote from any main towns or</p>				

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					<p>villages.</p> <p>Settlement Boundaries and inset plans SP2 sets out that development will be concentrated within the towns villages etc. and these are shown on the accompanying plans.</p> <p>We object to the following inset plans.</p> <p>1.Burton We object to the omission of the following sites from the settlement boundary</p> <p>Land at Craythorne Lane Stretton Adjacent to the built up area on the northern edge of Burton in a sustainable location, outside the proposed green wedge, with strong market interest in developing the site. No technical obstacles to development and a logical extension to the development boundary</p> <p>Land at St Mary's Drive Stretton Adjacent to the built up area on the northern edge of Burton in a sustainable location, outside the proposed green wedge also strong market interest in developing the site. No technical obstacles to development and a logical extension to the development boundary adjacent to recently approved site at Guinevere Avenue. The development boundary should be amended to include the land adjacent to the consented site in addition to this adjoin field and former farm off St Mary's Drive</p> <p>Land at Forest Road Burton Adjacent to the built up area on the western edge of Burton in a sustainable location, outside the proposed green wedge and strong market interest in developing the site. No technical obstacles to development and a logical extension to the development boundary. The land is the subject of a live planning application and sec 78 appeal.</p> <p>Land at Postern Road Henhurst Hill Adjacent to the built up area on the western edge of Burton in a sustainable location, outside the proposed green wedge and strong market interest in developing the site. No technical obstacles to development and a logical extension to the development boundary. This is</p>				

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					<p>small site which requires a rationalisation of the development boundary in this location. A planning application is being prepared and will be submitted shortly.</p> <p>5. Barton under Needwood</p> <p>Land at Barton Marina</p> <p>The Barton Marina complex includes land and buildings which are closely linked to the village of Barton and the recently approved site at Efflinch lane. The area should be included within the settlement boundary of Barton, which would be a logical way to extend the boundary. A proposal is being prepared for a scheme of waterside housing in this location which maximises the potential of the waterfront opportunity</p> <p>9. Denstone</p> <p>Land adjacent to the B5031</p> <p>Adjacent to the built up area on the southern edge of the village in a sustainable location, close to the village school and the nearby JCB site. Strong market interest in developing the site. No technical obstacles to development and a logical extension to the development boundary. This is small site which requires a rationalisation of the development boundary in this location.</p> <p>13. Yoxall</p> <p>Land at Bond End</p> <p>The boundary of Yoxall should be extended to include the land south of Bond End. The lies outside the floodplain and there are no technical reasons why this site cannot come forward for development.</p> <p>Proposals and inset Maps</p> <p>We object to the proposals map on the basis that it is unclear and does not depict the green infrastructure corridors and the landscape character areas as set out in our objections to SP23/ SP30.</p>				
LP326 (Mr Shaun Adam)	Yes	Yes	SP31 Green Belt and	a. Positively prepared, c. Effective	I welcome and support the principle of this policy, but do not feel that SGG1 provides sufficient protection against coalescence of Rolleston on Dove within	I believe that the area of land between Rolleston Road, Knowles Hill, Anslow Lane and Tutbury Road should be	The justification for Strategic Green Gaps is set out in the Strategic Green Gaps Topic		

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			Strategic Green Gaps		Burton upon Trent.	given the same legal protection as that of green belt land.	paper. No change proposed.		
LP327 (Mr Shaun Adam)	No	No	SP2 A Strong Network of Settlements	a. Positively prepared b. Justified c. Effective d. Consistent with national policy	<p>This Policy does not accord with the Localism Act 2011 or the National Planning Policy Framework (NPPF) both of which gives local communities the right to determine how their community grows in terms of what type of development is permitted and where it should take place.</p> <p>The settlements have been created using the Settlement Hierarchy which is inaccurate and out of date as far as Rolleston on Dove is concerned. Despite several requests from both the Parish Council and Neighbourhood Development Plan Group, EBSC have refused to undertake a revision of the hierarchy. It is believed that a review of the Hierarchy will clearly demonstrate that Rolleston should not be labelled as a Tier 1 Strategic Village.</p> <p>The village does not meet ESBC's own definition of a Strategic Village in which it states: - "Strategic villages meet rural needs by providing a good range of facilities and services to their own population and catchment area" Rolleston with no rural hinterland does not meet the stated role of a strategic village i.e.: providing services to a wider rural population and is clearly a local service village.</p> <p>No consideration has been given to the existing facilities or their capacity in terms of being able to cope with additional growth. (Please see attached for further explanation).</p>	The Settlement Hierarchy should be updated to take account of any inaccuracies in it and changes that have taken place since it was published. Account should be taken of the rights given to communities through the Localism Act 2011 and the NPPF.	The settlement hierarchy is based on the settlement assessment. No change proposed.		
LP328 (Mr G Mellor)		No	SP4 – Distribution of Housing Growth, particularly Harehedg e Lane allocation	a. Positively prepared	<p>Traffic chaos in Hare Hedge Lane, Burton Upon Trent, Staffs. Appeal Reference APP/B3410/A/13/2205900</p> <p>The proposed seven public parking spaces in this development are completely inadequate and will in my opinion create more problems than they solve with parents attempting to enter/exit the spaces. I suggest that the removal of the large overgrown hedge on the north side of the lane would provide much additional parking especially arranged herringbone fashion and if double yellow lines were put on the south side of the lane, the parking problems would be solved. I might add that my neighbours drive entrance was blocked</p>		The detail of parking will be set out in a detailed planning application. No change proposed.		

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					yesterday with what I assume is parental parking.				
LP329 (Mr Shaun Adam)	Yes	No	SP10 Education Infrastructure	a. Positively prepared b. Justified c. Effective d. Consistent with national policy	It is acknowledged that a new Senior School is required in the Burton upon Trent area within the next 4 to 5 years, but no site is located within the plan.	The new Senior School should be identified in the plan.	The Council are working in Partnership with Staffordshire County Council on education provision. No change proposed.		
LP340 (Mr Shaun Adam)	Yes	Yes	SP32 Outdoor Sports and Open Space	a. Positively prepared b. Justified c. Effective d. Consistent with national policy	I fully support this policy as I believe that with the increasing population more sports facilities will be needed. However ESBC strategic housing allocation for Rolleston is on a purpose made sports field! This is in direct contradiction of the policy and cannot be supported.	The strategic allocation attached to the Sports Field should be removed and the community given the opportunity to locate where growth should take place.	The College Fields site does not have formal access and so cannot be considered an open space/recreation area. No change proposed.		

Pre-Submission Local Plan – Summary Schedule of Representations

Rep No. & Name	Legally Compliant?	Sound?	Section to which rep relates	Reason for Unsoundness	Summary of Representation	Changes requested	Council Response	Section change	Mod No.
LP441 – Mr Shaun Adam	Yes	No	SP3 Provision of Homes and Jobs	a. Positively prepared b. Justified c. Effective d. Consistent with National Policy	There appears to be issue with the housing requirement figures identified by ESBC. ESBC engaged GVA Grimley to produce a report on the housing requirement in East Staffordshire between 2012 and 2031. This report concluded that the net projected dwelling requirement was 11,648. ESBC acknowledge that in their 5 year calculations that there has been an under supply of 943 new dwellings since 2006 and when calculating their 5 year supply requirement the 11,648 GVA Grimley requirement is added to the 943 under supply figure. The local plan does not include the 943 shortfall meaning either the 5 year supply figures are inaccurate or these new dwellings have been missed from the plan.	The 5 year supply requirement needs amending to reflect the under supply.	The GVA SHMA update is part of the Council's evidence base. The SHMA identifies the total requirement required over the plan period and the Council consider this to be the most up-to-date and relevant assessment of housing numbers. The five year supply paper has been updated and is provided as part of document library. No change proposed.		
LP442 - Mr Shaun Adam	Yes	No	SP8 Development outside settlement boundaries	a. Positively prepared b. Justified c. Effective d. Consistent with National Policy	I support ESBC in not allowing development outside of development boundaries however I cannot support the proposed modification to the development boundary of Rolleston on Dove set out by ESBC. Evidence that the proposed modification to the development boundary is not acceptable has been obtained through the NHD plan process with a clear desire that the playing field should be returned to sports use. The NHD identifies modifications to include the preferred development sites set out in it.	The development boundary for Rolleston on Dove to be modified to accord with the NHD plan and the proposed boundary change that includes the college field not to be modified.	The settlement boundary topic paper sets out the justification for amendments to settlement boundaries. No change proposed.		
LP443 - Mr Shaun Adam	Yes	No	-	a. Positively prepared b. Justified c. Effective d. Consistent with National Policy	ESBC have proposed in their Local plan the actual number of dwellings to be delivered in the first 5 years of the plan period to be 3,431. This excludes any buffer to provide choice of sites. At the recent Red House Farm appeal, it was stated that ESBC should provide 650 new dwellings per year, plus 943 which is an under supply from previous years. In total this equates to 4,193 dwellings in the first 5 years of the plan. These figures do not include a 5% or 20% buffer requirement. The figures ESBC are proposing means there will be a shortfall of housing within the	The housing trajectory should be altered such that it facilitates sufficient new dwellings to provide an adequate 5 year supply of housing land.	Proposed amendment to include recent appeal decisions in the housing trajectory. Change proposed	Page 85	<i>Mod No. 39</i>

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					first 5 year period of the plan. If ESBC has an inadequate 5 year supply the it will be an open day for developers across the Borough as a whole.				
LP444 – Jonathan Burns (Tesco Stores Ltd)	Yes	Yes	Paragraphs 2.17 & 2.18	-	Tesco Stores Ltd support the recognition that Burton will be a focus for new development and regeneration.	N/A	Support noted. No change proposed.		
LP445 - Jonathan Burns (Tesco Stores Ltd)	Yes	Yes	Principle 1 Presumption in favour of sustainable development	-	Tesco stores support the inclusion of the presumption in favour of sustainable development and the recognition that the Council will seek solutions to ensure that developments can be approved where possible and to secure economic improvements.	N/A	Support noted. No change proposed.		
LP446 - Jonathan Burns (Tesco Stores Ltd)	Yes	No	SP1 East Staffords hire Approach to Sustainable Development	b. Justified	Whilst Tesco Stores Ltd do not object to the principle of the Policy, TSL feel that the 10 th point regarding the need to ‘demonstrably help to support the viability of local facilities, businesses and the local community is flawed as it does not recognise that new developments that are able to attract new businesses and facilities to an area and do not harm the viability of local facilities/businesses as sustainable development.	Amend 10 th bullet point to refer to developments that are able to attract new businesses and facilities to an area and do not harm the viability of local facilities/businesses as sustainable development.	Requested change proposed as a modification Change proposed	SP1	Mod No. 31
LP447 - Jonathan Burns (Tesco Stores Ltd)	Yes	Yes	SP2 A strong network of settlements	-	TSL support the recognition of Burton as a main town within the settlement hierarchy.		Support noted. No change proposed.		
LP448 - Jonathan Burns (Tesco Stores Ltd)	Yes	No	SP3 Provision of Homes and Jobs	b. Justified	As this strategic policy seeks to ensure the development of the local economy TSL feel that the current wording is not the appropriate strategy as it fails to take account to those uses outside of the traditional employment uses (B1, B2 and B8) which can deliver significant job creation and economic benefits for the local area such as retail.	Policy to be amended as follows: SP3 Provision of Homes and Jobs 2012 – 2031 The Borough Council will provide for 11,648 dwellings over the plan period of 2012-2031. Provision will be made for 40 ha of employment land which consists of 30 ha of B1, B2 and B8 employment land	The policy is concerned with new provision based on the Employment Land Review. Other policies in the plan would allow for employment generating uses and retail. No change proposed.		

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						<p>and a continuation of 10 ha of B1, B2 and B8 employment land</p> <p>The Borough Council will also support the development of other employment generating uses which are in accordance with other local plan policies.</p>			
LP449 – JVH Town Planning (Marstons)	No	No	All	<p>a. Positively prepared b. Justified c. Effective d. Consistent with National Policy</p>	<p>Part One</p> <p>Para 1.86 to 1.100</p> <p>The SHMA is flawed because it relies on a misguided housing market boundary – considering the district as a discrete HMA which is itself sub-divided and does not consider correctly the relationship between ESBC and Lichfield and the potential overspill needs of Birmingham.</p> <p>The identified housing requirement is considered flawed due to the overall housing market area has not been fully assessed and the figure of 11000 is lower than the RSS phase 2 figure.</p> <p>The character of Burton and Uttoxeter are set out in 1.119 and 1.126 but in the spatial strategy the two towns are considered the same level in the settlement hierarchy though clearly at a different scale and character.</p> <p>Part Two</p> <p>Landscape is considered a priority though this is not shown on the Policies map. Indeed the evidence base is still being prepared. However, the Section 78 appeals recently considered this issue and it has become apparent that the Council has no overall consideration of the merits of development sites based on their landscape impact. The SA appraised broad options but it is unclear whether individual sites have</p>		<p>The relationship to the housing market area is set out in the SHMA.</p> <p>The SHMA sets out the justification for the housing numbers.</p> <p>The sustainability appraisal acknowledges the conflict with some of the plan objectives.</p> <p>The sustainability appraisal uses the current landscape descriptions to determine landscape impact</p> <p>The sustainability appraisal includes an appraisal of all site allocations and alternative site options. Where details are available through the planning application process these have been incorporated into the appraisal.</p> <p>The development strategy involves an element of windfall, which is likely to come forward based on the brownfield sites assessment and strategic housing land availability assessment.</p> <p>The settlement boundary topic paper sets out how amendments to settlement boundaries have been</p>		

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					<p>been individually appraised.</p> <p>Windfall allowances in Abbots Bromley and Yoxall (40) should be allocated and not left as windfall to ensure certainty. Development apportioned to Tier 1 and Tier 2 villages should be amended and development for tier 3 villages should be deleted as it is not considered appropriate and contrary to policy.</p> <p>Brownfield sites, both allocations and windfalls should not be relied on due to their problems with viability. Permissions have been granted but these sites have not come forward. The Council also relies on large-scale allocations and does not include a broad enough range of sites.</p> <p>The key diagram is difficult to understand and should be annotated with village names. Why also is St George's Park annotated but Barton Marina not?</p> <p>SP1 unclear why Council is repeating NPPF.</p> <p>SP2 The plan should distinguish between Burton and Uttoxeter in the settlement hierarchy.</p> <p>The policy sets out the new development should be located within the settlement boundaries yet the settlement boundaries depicted on the policy maps fail to include developable sites at Burton, Yoxall, Denstone, and Barton under Needwood. The policy maps should be amended to include the development opportunities attached to this objection. Namely:</p> <ul style="list-style-type: none"> • Land at Forest Road Burton • Land at Postern Road Burton • Land at St Mary's Drive Stretton/Burton • Land at Craythorne Lane 		<p>determined, in discussion with parish councils. Where a settlement is producing a neighbourhood plan, such as Yoxall, the boundary will be amended by the neighbourhood plan.</p> <p>It is important that housing is provided in all tiers in order to meet the housing needs of urban and rural communities. Whilst there have been few housing exceptions sites in East Staffordshire, there is a high rate of conversions and agricultural dwellings which is expected to continue and therefore it is important to include this element in the development strategy.</p> <p>No change proposed</p> <p>There is no individual policy for Barton Marina, however a modification is to remove the symbol of the Barton Inset to avoid potential confusion.</p> <p>Change proposed</p> <p>It has been advised by government that the presumption in favour of sustainable development is contained within the plan.</p> <p>The plan aims to ensure the majority of development takes place in Burton upon Trent and Uttoxeter.</p> <p>No change proposed</p>	<p>Policies Map Inset 5 – Barton Under Needwood</p>	<p>Mod No. 154</p>

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					<p>Stretton/Burton</p> <ul style="list-style-type: none"> • Land to the South of Bond End Yoxall • Land at B5031 Denstone • Land at Barton Marina Barton under Needwood. <p>In addition sites at Denstone and Yoxall should also be included.</p> <p>SP3 The annual requirement of 613 pa is not clearly justified and not in accordance with the NPPF to boost housing supply or the RSS Phase 2 target derived taking account of the inter-relationships between ESBC and Lichfield.</p> <p>SP4 The number of dwellings allocated is insufficient as the extant permissions indicated in the plan is not clearly demonstrated, as evidenced at recent appeals.</p> <p>Land at Forest Rd, Redhouse Fm, land at Craythorne Lane and St Mary's Drive should also be included in the table. We support the allocation of Brookside Business Park but have concerns about reliance the JCB site at Hockley Rd. Further sites in the strategic villages should be allocated re. Land at Barton Marina. We object to windfall development to meet the housing requirement in the villages.</p> <p>Page 84 suggests that most of the strategic housing sites have consent. This is not the case. The council cannot therefore rely on sites to come forward as set out in the housing trajectory.</p> <p>SP6 – Object to the policy as drafted. Not confident that the monitoring will be effective. Monitoring must be reliable and timely. The bringing forward of a DPD seems a long-winded process to approve additional sites.</p>		<p>An up to date 5 year housing land supply has been made available as part of the examination library. This includes the correct and current position regarding lapsed planning permissions.</p> <p>The plan sets out the mechanism for non delivery on brownfield sites and greenfield sites.</p> <p>The Red House Farm site now has planning permission following the appeal.</p> <p>Allocation of Barton Marina is not considered appropriate. Other policies in the plan would be applied should further development come forward. No additional floorspace is allocated at Barton Marina.</p> <p>The approach to windfall is supported by the windfall and Brownfields sites topic papers.</p> <p>Whilst the trajectory is aspirational, the numbers expected to be delivered on strategic sites have been provided by the applicant / agent. A proposed modification is to update the trajectory.</p> <p>Change proposed</p> <p>The strategy includes sites which the council consider sustainable and deliverable</p> <p>The councils approach to duty to cooperate with neighbouring</p>	<p>Page 85.</p> <p>Mod No. 39</p> <p>SP8</p> <p>Mod No. 50</p>	

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					<p>SP7 Excludes land at Craythorne Lane which is adjacent to Guinevere Ave and is a sustainable location. Land at St Mary's Drive should also be included. Allocating these sites is preferable to relying on 1359 windfalls and are superior sites to sites identified in the urban area.</p> <p>Duty to cooperate discussions should have covered housing requirements and a joint SHMA should have been undertaken to with SDDC.</p> <p>SP8 Policy not flexible enough to deal with the variety of situations that arise outside settlement boundaries.</p> <p>SP9 Object to the lack of a draft charging schedule for CIL and it is unclear what impact this would have on the viability of sites.</p> <p>SP11. It is not considered that this site will deliver homes due to the nature of the proposal. This type of development may not deliver for many years.</p> <p>SP12 We do not consider that this site will deliver homes in the plan period and alternative sites should be allocated.</p> <p>SP15 Object to new tourist accommodation only being located within settlements.</p> <p>SP16 We object to policy SP16 on the basis that this mix is far too prescriptive and does not allow sufficient flexibility for the market to determine the type of homes that can be sold.</p> <p>SP17 We object to policy on the basis that the threshold for affordable housing is too low and should be increased to developments of 15 dwellings and over or sites of 0.5 hectares. Such a low threshold will stifle development and impact on</p>		<p>South Derbyshire District Council is set out in the Duty to Cooperate paper. The site referred to in the representation is not an allocation within the South Derbyshire Pre-Submission Local Plan.</p> <p>Proposed modification to policy SP8 to make reference to reuse of rural buildings</p> <p>Change proposed</p> <p>The plan is supported by a viability assessment. The charging schedule will be set out in a future document with S106 being used until that time.</p> <p>The Derby Road site contains many underused and vacant sites. The policy aims to achieve a coherent redevelopment scheme which may or may not include all current uses. .</p> <p>The SHMA sets out the justification for the housing mix. The policy is considered flexible to allow for a range of mixes to come forward whilst also considering viability.</p> <p>The affordable housing policy is supported by the SHMA and Affordable Housing Viability Assessment.</p> <p>The council consider that exception sites should be those on the edge of settlements to ensure the sites are sustainable</p> <p>Proposed modifications to the wording of policy SP30.</p>	<p>SP30</p>	<p>Mod No. 110</p>

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					<p>viability. Policy needs redrafting to be clearer. Off-site contributions should clearly be set out in the policy.</p> <p>SP18 Exception sites don not have to be within or adjacent to settlement boundaries.</p> <p>SP23 Object to the policy as there are no plans setting out the GI corridors. If they are a land use allocation they must be shown.</p> <p>SP30 We object to policy SP30 on the basis that the policy says that within locally significant landscape areas development will be restricted if it affects the character, however there is no way of knowing where these areas area.</p> <p>SP31 Strategic Green Gap between Rolleston and Burton too extensive. NO need for land east of Craythorne Lane to be included.</p> <p>DP4 policy is inflexible and seeks to limit replacement buildings by reference to buildings which have special qualities of “traditional rural building” this is unnecessary and open to miss-interpretation if a building is listed in a conservation area or protected by any other means then clearly demolition is not normally allowed.</p> <p>DP10 We object to the policy on the basis that it fails to include the locations in the borough that are existing recreation and tourist destinations, such as Barton Marina, which should be shown on the proposals map and recited in this policy.</p> <p>DP12 We object to policy D12 on the basis that it fails to acknowledge Barton Marina either in the policy or on the proposals map as a comparable destination. The policy implies that there will be future development on the site to support the growth of the site and it is thought this may include uses which</p>		<p>Change proposed</p> <p>Identifying green infrastructure meets the requirements of the NPPF. Its identification does not preclude development from taking place.</p>		

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					are normally located in town centres. Proposals and Inset Maps Object on the basis that it is unclear and does not depict the GI corridors and Landscape character Areas as set out in SP23/30.				
LP450 – Paul Rouse (Duchy of Lancaster)	Yes	No	Inset 11 Draycott in the Clay	a. Positively prepared b. Justified c. Effective d. Consistent with National Policy	The boundary of the settlement is drawn too tightly and should include additional land at Pipehay Farm which is necessary to ensure that the housing development requirements for Draycott can be accommodated. The village is densely developed and the boundary relatively tightly drawn. The land included in the draft boundary at Pipehay Farm is steeply sloping and additional land may be required to enable the minimum housing requirement for Draycott to be accommodated. The identification of a site for a community facility at Pipehay Farm on private land is not explained and not justified by the Plan. There is no policy or any supporting text relating to the proposed allocation of a site for a community facility and no explanation of what the community facility is and to what it relates. Inclusion of the allocation for a community facility could result in windfall proposals for other forms of development being considered to be contrary to the plan. This ambiguity and conflict within the Plan is unhelpful and may prevent it delivering objectively assessed housing needs. Identification of a specific site allocation to meet the housing requirement for Draycott could assist in the delivery of affordable housing and community benefits as noted at para 2.23.	The settlement boundary of Draycott in the Clay should be extended in the location shown on the attached plan. The identification of a site for a community facility at Pipehay Farm should be deleted. In order to provide certainty of delivery for the minimum number of houses required at Draycott, land at Pipehay Farm should be allocated for at least 20 dwellings.	The approach to settlement boundaries is set out in the Settlement Boundary Topic Paper. No change proposed.		
LP451 - Jonathan Burns (Tesco Stores Ltd)	Yes	No	SP9 Infrastructure Delivery and Implementation	c. Effective	TSL do not feel that this policy is sound as it does not take account of CIL Regulation 123 (3) which restricts the use of planning obligations where five or more separate planning obligations are made for pooled contributions towards infrastructure projects. Whilst it is understood that the deadline for the restrictions has recently been extended	Policy should make reference to the restrictions to pool planning obligation contributions towards infrastructure projects due to come into force in April 2015 in case the LPA are unable to introduce a Community Infrastructure Levy by this date.	The CIL regulations specify the approach to S106/S278 and including it in the Local Plan could date the policy as further changes are likely over the plan period. No change proposed.		

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					to 2015, this policy should make reference to this rather than suggesting that planning obligations will be used until such time as that a Community Infrastructure Levy is adopted, which may be post 2015.				
LP452 - Jonathan Burns (Tesco Stores Ltd)	Yes	No	SP20 Town and Local Centres Hierarchy	b. Justified	TSL acknowledge the reference to their extant consent at Hawkins Lane site within the explanatory text, however, given the significant employment creation, other economic benefits and regeneration benefits that a store on this site would deliver, TSL feel that this explanatory text should be expanded to highlight the Council's support to deliver this scheme and the significant economic and regeneration benefits that it will deliver.	Explanatory text should be expanded to highlight the Council's support to deliver this scheme and the significant regeneration benefits that it will deliver.	The policy justification explains other schemes that have permission or that the council support. There will be economic and regeneration benefits across all schemes and so it is not considered appropriate to state this in relation to one scheme only. No change proposed.		
LP453 – Mr Paul Rouse, Savills on behalf of the Duchy of Lancaster	Yes	No	Page 83 paragraph 3	a. Positively prepared b. Justified c. Effective d. Consistent with National Policy	In the absence of settlement boundaries for Tier 3 villages and hence any corresponding assessment of where development may come forward in accordance with the development allowance, it is not possible to comment upon whether windfall housing will be on greenfield or brownfield sites. Elsewhere within Tier 1 and 2 villages, settlement boundaries may include greenfield land which is suitable for housing or other development.	The text should be positively worded that greenfield windfall proposals will be positively considered in accordance with SP1 and DP3.	The strategy aims to prioritise brownfield sites with greenfield sites being allocated for large urban extensions. Housing exceptions would be acceptable in the circumstances set out in SP18 and other development would be acceptable in circumstances set out in SP8. No change proposed.		
LP454 – Mr Paul Rouse, Savills on behalf of the Duchy of Lancaster	Yes	No	Page 82 paragraph 5	a. Positively prepared b. Justified c. Effective d. Consistent with National Policy	The text states that once development allowances have been delivered, no further development within those settlements will be allowed. Development allowances should not be treated as a cap on the maximum amount of development permitted. The NPPF does not seek to restrict development in this way. If development is sustainable the presumption in favour of granting permission should continue to apply. To restrict sustainable development will conflict with the NPPF particularly para 15. A related objection is made to SP4.	Delete the paragraph and replace it with a positive statement that development allowances are the minimum amount of development expected to be accommodated within each of the settlements and more development than the allowances will be supported provided that it is sustainable.	The statement reflects the development strategy which aims to ensure the majority of development takes place in Burton upon Trent and Uttoxeter. No change proposed.		
LP455 – Mr Paul Rouse, Savills on behalf of the Duchy of	Yes	No	Page 83 footnote 15	Effective	The footnote appears to directly contradict the text at page 84 Housing Trajectory. One states none of the sites in SP4 has planning permission, the other states that most have	Correct the error so that the text is accurate. Amend the trajectory as appropriate.	Footnote 15 accurately reports that as of 1 st April 2012 none of the sites listed in Strategic Policy 4 had planning		

Rep No. & Name	Legally Compliant?	Sound?	Section to which rep relates	Reason for Unsoundness	Summary of Representation	Changes requested	Council Response	Section change	Mod No.
Lancaster					outline planning permission.		permission. The text on page 84 accurately states the current position is that most of the sites have planning permission. No change proposed.		
LP456 - Jonathan Burns (Tesco Stores Ltd)	Yes	No	SP25 Historic Environment	d. Consistent with National Policy	Policy SP25 is not consistent with the NPPF due to its use of the term 'protect and enhance'. NPPF states the term 'sustain and enhance' in chapter 12 on the historic environment therefore we believe that this policy should be amended to ensure that it is sound.	Correct 'protect and enhance' with 'sustain and enhance'	The wording is considered in line with national regulations on the historic environment. No change proposed.		
LP457 - Jonathan Burns (Tesco Stores Ltd)	Yes	No	DP5 Protecting the Historic Environment: All heritage assets, listed buildings and Conservation Areas	DP5	Policy is unsound as it is not consistent with the NPPF due to the use of the term 'protect and enhance' and 'undesigned' heritage asset.	Correct 'protect and enhance' with 'sustain and enhance'. Correct 'undesigned' to 'non-designated'.	The wording in relation to protect and enhance is considered in line with national regulations on the historic environment. Propose modification to change 'undesigned' to 'non-designated'. Change proposed	DP5	Mod No. 128
LP458 - Jonathan Burns (Tesco Stores Ltd)	Yes	No	DP6 Protecting the Historic Environment: Other Heritage Assets	DP6	Policy is unsound as it is not consistent with the NPPF due to the use of the term 'protect and enhance' and 'undesigned' heritage asset.	Correct 'protect and enhance' with 'sustain and enhance'. Correct 'undesigned' to 'non-designated'.	The wording in relation to protect and enhance is considered in line with national regulations on the historic environment. Propose modification to change 'undesigned' to 'non-designated'. Change proposed	DP6	Mod No. 133
LP459 – Mr Paul Rouse, Savills on behalf of the Duchy of Lancaster	Yes	No	SP1 East Staffords hire Approach to Sustaina	a. Positively prepared b. Justified c. Effective d. Consistent with National Policy	It is appropriate that development should be considered in terms of its sustainability. The NPPF sets out clearly what the dimensions to sustainable development are at paragraphs 6 - 10. The first paragraph of SP1 is therefore supported. The second	Either delete paragraph 2 and its associated criteria, or amend paragraph 2 so that it states that ", the Council will encourage development including with the following principles	Propose to include wording to provide flexibility to the policy Change proposed.	SP1	Mod No. 28

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			ble Develop ment		paragraph is objected to. It is not necessary for development to be as sustainable as possible in order for it to be acceptable. The NPPF does not place such a test. It is only necessary for development to be sustainable for the presumption in favour of development to apply. The criteria set by the policy are not appropriate to every situation and the policy test is not justified, positive, effective or consistent with national policy.	where appropriate": (list principles)			
LP460 - Mr Paul Rouse, Savills on behalf of the Duchy of Lancaster	Yes	No	SP2 A Strong Network of Settlements	a. Positively prepared b. Justified c. Effective d. Consistent with National Policy	<p>Related objection to SP 8. Tier 3 small villages are assessed to have housing needs and are subject to a housing development allowance in SP4. As such it is inappropriate to treat Tier 3 villages as open countryside and to permit development only in exceptional circumstances in accordance with exception policies. The Plan cannot effectively deliver its housing requirements if some of the supply upon which it relies is prevented in coming forward by other policies within the Plan.</p> <p>The policy also appears to foresee and accept conflict with emerging Neighbourhood Plans, by granting them precedence over the Local Plan. Emerging Neighbourhood Plans should be prepared in accordance with the policies of the Local Plan. If there is an expected policy conflict caused the Local Plan policy should be changed now to avoid generating an inevitable conflict. The proposal to not define settlement boundaries to the Tier 3 villages and to restrict development within those villages as for open countryside to exception policies only, will inevitably create conflict with the requirement for Neighbourhood Plans to plan positively for the delivery of the housing development allowances identified (NPPF para 16). Such inevitable conflict should be avoided.</p>	Define settlement boundaries for Tier 3 villages to enable positive and effective planning to enable those villages to deliver housing in accordance with SP4. Remove the requirement for proposals within Tier 3 villages to be considered against the exception policies particularly SP8. This would also remove the inevitable conflict with Neighbourhood Plans.	<p>Development in the countryside would be able to come forward in line with SP8, SP14 and SP18 in addition to those areas identified through made Neighbourhood Plans.</p> <p>No change proposed.</p>		
LP461 Gladman Properties	Yes	No	SP1 East Staffords	a. Positively prepared	These representations demonstrate that a number of policies within the ESLP are at		The Council are continuing to work in Partnership with other		

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			<p>hire Approach to Sustainable Development, SP3 Provision of Homes and Jobs, SP4 Distribution of Housing Growth, SP16 Meeting Housing Needs & SP17 Affordable Housing</p>	<p>b. Justified c. Effective d. Consistent with National Policy</p>	<p>present 'unsound' in the context of the test of soundness established by paragraph 182 of the National Planning Policy Framework (the Framework).</p> <p>In these representations we consider that, the Local Plan as submitted does not meet the full objectively assessment of housing need. At present the evidence supporting the proposed level of housing need is incomplete, presumptuous and is not aspirational enough. The shortcomings of this evidence base would, in our opinion, lead to the under supply of dwellings against actual housing need both within the local authority and the sub region, and will constrain the economic growth potential of the borough.</p> <p>In support of these representations, Gladman have commissioned Regeneris to provide an updated assessment of the proposed housing requirement in East Staffordshire. This report provides an analysis of the assessment of the methodology undertaken on behalf of the Council. The report concludes that although the evidence provides a sound basis in its assessment of need, there is a lack of detail justifying the application of certain assumptions that could see actual need and economic aspirations missed. The report points out the shortcomings of the authority in its approach to Duty to Cooperate and how this may further undermine the housing requirement. The report concludes that a range of 660-730 dwellings per year provides a sound estimation of the fully objective assessment of housing need for the borough.</p> <p>Gladman further submit that the objectively assessed housing requirement should be adjusted to account for in full the recent conclusions of the Secretary of State in his decision regarding land at Lower Outwards</p>		<p>authorities within the Housing Market Area.</p> <p>The housing target is based on up to date objectively assessed need which also includes past unmet housing need.</p> <p>The plan includes an approach for non delivery of housing.</p> <p>The brownfield sites topic paper justifies the windfall rate for Burton and Uttoxeter.</p> <p>The settlement boundary Topic Paper sets out how settlement boundaries have been amended to ensure the growth allowance will be achievable.</p> <p>No changes proposed</p> <p>The plan aims to ensure the majority of development takes place in Burton upon Trent and Uttoxeter.</p> <p>No change proposed</p> <p>The housing trajectory is based on information provided by the developers. A proposed modification is to include recent planning decisions on large sites in the trajectory.</p> <p>Change proposed</p> <p>The cost of building to the Lifetime Homes Standard has been taken into account in the assessment of plan viability and does not make the plan undeliverable. The Council is entitled to adopt this as a local</p>	<p>Page 85</p>	<p>Mod No. 39</p>

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					<p>Lane, Burton-upon-Trent, in respect to the level of shortfall, the need to make up this shortfall within 5 years of the plan period and the requirement to apply an additional 20% buffer in consistency with §47 of the Framework. As a result of this, it is clear that the Council must seek to allocate further sites to meet their requirement, or face planning by appeal that will take plan making out of the hands of local decision makers.</p> <p>Gladman dispute the approach taken by the Council towards the delivery of its housing requirement. Gladman believe that there are significant assumptions made to the availability and deliverability of several identified sites in the pre-submission document, which will lead to the plan under delivering against the proposed housing target. Gladman therefore recommend that further sites are identified through the plan to allow for greater flexibility in the plan should sites fail to deliver the quantum of housing envisaged.</p> <p>INTRODUCTION</p> <p>Gladman Developments specialise in the promotion of strategic land for residential led development. These representations are made in relation to the current consultation on the ESLP Pre-Submission document and build upon the previous responses made to the Preferred Options consultation which took place in September 2012.</p> <p>The Pre-submission Local Plan covers the period 2012-2031. The plan sets out the strategic policies, development management policies, as well as identifying large allocations for growth that will deliver much of the plans proposed requirements in Burton-upon-Trent, Uttoxeter and large</p>		<p>requirement to provide homes that are flexible and able to meet the changing needs of households over time. In respect of affordable housing the requirement is in line with the Design and quality standards document which encourages providers to utilise the additional Code points available for Lifetime Homes provision.</p> <p>The Council are continuing to work in Partnership with authorities in the GBSLEP regarding Birmingham's housing need.</p> <p>No change proposed.</p>		

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					<p>service villages.</p> <p>These representations demonstrate that a number of policies within the ESLP are at present 'unsound' in the context of the tests of soundness established the Framework. S.182 of the Framework states that to be sound a Local Plan should be:</p> <ul style="list-style-type: none"> • Positively Prepared: The plan should be prepared based on a strategy which seeks to meet objectively assessed development and infrastructure requirements, including unmet requirements from neighbouring authorities where it is reasonable to do so and consistent with achieving sustainable development. • Justified: The plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence. • Effective: The Plan should be deliverable over its period and based on effective joint working on cross-boundary strategic priorities. • Consistent with National Policy: The Plan should enable the delivery of sustainable development in accordance with the policies in the Framework. <p>These representations provide detailed representations in relation to the following Policies and paragraphs in Part 1 of the Local Plan Preferred Options and are structured as follows:</p> <ul style="list-style-type: none"> • Duty to cooperate • Sustainable Development • Housing Need • Housing Backlog • Housing Delivery • Borough wide Housing Policies • Conclusions 				

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					<ul style="list-style-type: none"> • Appendix 1 – East Staffordshire Borough Housing Requirements - update note, by Regeneris. • Appendix 2 – APP/B3410/A/13/2197299 Land at Lower Outwoods Roads Road, Burton upon Trent Secretary of State Appeal decision. <p>DUTY TO COOPERATE</p> <p>Gladman express significant concern to the Councils apparent disregard of the principles of Duty to Cooperate as required by §17, 157, 159 and 178 of the Framework and section 110 of the Localism Act 2011.</p> <p>Regeneris have explored in their accompanying update note (appended to these representations) that the existing evidence base used to justify the proposed housing requirement is flawed as it fails to satisfactorily meet Duty to Cooperate requirements. It is clear when analysing the existing SHMA that it stops short of considering the needs of the wider Housing Market Area and provides results of need for East Staffordshire exclusively. As a result the evidence base presents only a partial picture of the factors influencing housing need in East Staffordshire and is not compliant with §47/159 of the Framework.</p> <p>The Regeneris report underlines how East Staffordshire's economic and social integration with its surrounding and nearby authorities (as evidenced by East Staffordshire's function as part of the Northern Sub Area HMA, membership of the Greater Birmingham and Solihull Economic Partnership and established commuter pattered) necessitates further investigation of a wider geographical area, and consideration of the emerging spatial strategies in these areas to robustly</p>				

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					<p>determine how the needs of these areas impacts upon the suitability planned strategy for the Borough in meeting its needs and objectives.</p> <p>The ongoing Local Plan examination in Bath and North East Somerset (B&NES) provides one example of where a similar self-contained approach in the assessment of housing need provided an unsound basis upon which to determine a housing requirement. The B&NES Core Strategy was submitted with a supporting evidence base that ignored the consideration of the needs of Bristol and the surrounding area, despite the identification of the authority as being part of the West of England HMA. In his note suspended the examination published in June 2012 the inspector commented that there were <i>“five critical problems with the SHMA”</i> amongst which was that it is <i>“primarily an assessment of the authority only”</i> (§1.9, ID28, Bath and North East Somerset Local Plan Examination).</p> <p>Gladman believe that in light of the above East Staffordshire have failed to meet the Duty to Cooperate. To address this shortcoming and ensure the plans soundness, the Council should re-examine the 2013 SHMA so that it investigates fully the needs of its surrounding authorities and their relationship with East Staffordshire. spatial strategy Principle 1/SP1 – Sustainable development “Principle 1” provides for the presumption in favour of sustainable development. <i>“Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National</i></p>				

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					<p><i>Planning Policy Framework taken as a whole; or specific policies in the National Planning Policy Framework indicate that development should be restricted.</i> Gladman support the inclusion of this policy as it conforms to the Framework and the recognition of the need to boost significantly the supply of housing in sustainable locations.</p> <p>Strategic Policy 1 (SP1) builds upon the presumption defined in Principle 1 outlining the sustainable criteria that will be used in decision making. Gladman see no reason in principle to object to inclusion of this to supplement the policy, as this provides clarity on what the Council see as necessary to meet this standard. However in the implementation of this policy the Council must ensure that whilst applying this to local factors the policy does not stray from the policies contained in the Framework and does not contradict the presumption in favour of sustainable development. The Council should also ensure that the remainder of the plan does not contradict the presumption in favour of sustainable development that would see the plan in conflict with the main principle of the Framework.</p> <p>Housing Need</p> <p>Strategic Policy 3 (SP3) of the Pre-submission outlines a proposed housing requirement in East Staffordshire of 11,648 dwellings over the plan period (2012-2031), equating to an annualised dwelling requirement of 613. Gladman note that the housing requirement in the Pre-submission plan is higher than that previously consulted upon through the preferred options document of 450 dwellings per annum however the figure is still below that proposed in the now revoked West Midlands Regional Strategy phase two panel report of</p>				

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					<p>650 per annum.</p> <p>Gladman consider the housing requirement proposed by the Council to be unsound. The Framework [§47] is clear that local authorities should use their evidence base to ensure that their Local Plans meet the full, objectively assessed needs for market and affordable housing in the housing market area. Furthermore, the scale, mix and range of tenures identified should take into account up-to-date household and population projections, factoring in migration and demographic change [§159].</p> <p>In addition to the comments made earlier in these representations in respect of housing numbers and a Duty to Cooperate. Gladman believe that the housing target proposed is based upon the implementation of several key assumptions, which undermine the aims of the plan because it does not seek to achieve the full economic potential of the Borough. The appended Regeneris report (see Appendix 1) considers the soundness of the methodology of the evidence base used to determine the housing requirement and sets out the level of growth that is appropriate to meet the needs of the borough. We therefore believe that a target of between 660 and 730 dwellings per annum is the most appropriate housing target to meet the housing and economic aspirations of East Staffordshire.</p> <p>The report concludes that in order to meet historic level of annual job growth experienced in the borough, East Staffordshire would need to accommodate the development of 660-730 dwellings a year. It is considered that the current housing requirement figure will not adequately meet the economic aspirations of the borough as set out in earlier policies of the plan without severe and unsustainable levels of in-commuting into</p>				

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					<p>East Staffordshire.</p> <p>If the Council were at the least to use the RS target of 650 dpa, as set out in the Regeneris report plus any under delivery from previous years of the plan and a buffer required by NPPF. Gladman Developments considers that such a figure would represent a more robust and defensible housing requirement that would better meet general, affordable housing and economic needs, although even this level of delivery would still leave a shortfall.</p> <p>Housing Backlog</p> <p>The Secretary of State decision dated 12th November 2013, for the planning appeal at Lower Outwoods Road in Burton-upon-Trent (attached for reference as Appendix 2) is a significant material consideration for both for the assessment of land supply and the determination of the housing requirement in the formation of the plan.</p> <p>The decision concludes that the delivery of housing in the borough should at present be measured against the RSS phase two panel report figure of 650 dwellings a year as this represents the latest tested objective assessment of housing requirements for the borough.</p> <p>The report finds inaccuracies in the monitoring of housing, and as a result the recorded completion rates for the initial period of the RSS should be treated with caution. Even so the Council's claimed delivery illustrates that the authority had only delivered once in seven years. This delivery rate was determined to be persistent and warranting of the 20% buffer in accordance of bullet point two of §47 of the Framework. This means that as a minimum the district faces a shortfall against the RSS of 980 dwellings. To what extent this has been</p>				

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					<p>accounted for in the POPGROUP assessment of future housing growth scenarios is unclear, however given that this decision was published post the publication of the SHMA it is certain that the requirement will not account fully for the findings contained in the Secretary of State Decision notice.</p> <p>The Secretary of State agrees with the inspector that the authority must account for this shortfall within 5 years, (preferring the Sedgefield method over the Liverpool method) providing the justification that the Liverpool method of delivery has there is very little support, and the Sedgefield approach would significantly boost the supply of housing in line with §47 of the Framework.</p> <p>Whilst Gladman appreciate that the aforementioned decision has been issued subsequently to the publication of the pre-submission local plan for consultation, it is essential that the implications from this decision are applied to the housing requirement in order for the plan to be found sound at the examination particularly in its compliance to §47 of the Framework. Gladman submit therefore;</p> <ul style="list-style-type: none"> • That this shortfall is accounted for in the housing requirement; • A 20% buffer taken from the end of the plan period is recognised and applied to the first five years of the plan; and • That the housing annual housing requirement for the first five years of the plan period must be increased to account to meeting this backlog within five years. <p>This decision clearly has significant implications for the borough in its approach to delivering the authority's housing</p>				

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					<p>requirement. As a result therefore the Local Plan needs to allocate further sites than those currently identified in order to meet the obligations set out in the Framework, particularly in respect of maintaining a five year supply of housing land.</p> <p>Housing Delivery</p> <p>The spatial approach submitted by the Council to deliver the Borough's housing requirements is outlined in Strategic Policy 4 (SP4). In addition to the identified commitments of 1,379 dwellings (accounting for a 10% lapse rate), and a windfall/development allowance of 1,710 dwellings (approximately 15% of the planned requirement), the Local Plan seeks to allocate 8,574 dwellings on Greenfield and Brownfield sites, resulting in an total supply for 11,663 dwellings - approximately 1.2% higher than the planned requirement.</p> <p>Gladman consider the application of a 15% Windfall allowance to be too high. Although the main towns have a good record of delivering a high level of Windfalls, the same cannot be demonstrated uniformly across the authority. The Council should therefore seek to allocate further dwellings in these rural locations to ensure the needs of all areas are met in full across the authority.</p> <p>SP4 concentrates growth in Burton-upon-Trent - the major centre of services, employment and retail in the borough with the plan - allocating sites for 6,473 dwellings (with approximately 35% allocated on brownfield sites), Uttoxeter – the next largest settlement in the borough – has sites identified for 1557 dwellings, and 544 dwellings on four strategic sites adjoining the service villages of Barton under Needwood, Rolleston on Dove, Rocester, and Tutbury.</p>				

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					<p>Gladman believe that there are elements included within the development strategy that are contentious and will see the plan fail to deliver the planned requirements in full. This section of the consultation response will analyse in turn a number of sites proposed by the Council for allocation, exploring the potential pitfalls that will in Gladman's view result in the plan under delivering against the planned housing requirement. Gladman believe that the plan must allow for the potential non-delivery of these sites and at the very least include a greater buffer of flexibility in the quantum of allocations, a similar approach that is applied to existing sites with planning permission (the 10% non-implementation rate).</p> <p><u>Land South of Branston – proposed allocation for 660 dwellings</u></p> <p>This site currently benefits from outline planning permission for 660 dwellings, employment, a local district centre, and road infrastructure that was granted permission at committee on the 8th July 2013. Whilst the housing trajectory (appendix 3 of the Pre-submission Local Plan) outlines the Councils expectations that the site will be completed within the plan period, consideration of the sites planning history leads to the conclusion that caution must be applied to the presumption that the site will be developed at all.</p> <p>The site has been promoted for development for over 20 years, a period that experienced an entire market cycle of boom and bust, and included the early 1990's recession, the property boom in the mid 2000's and the late 2000's global credit crunch. During this period the site benefited from numerous outline planning permissions for the development of the site in 1991 and 2004. Despite the extent of this planning</p>				

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					<p>history the site has only yielded the completion of 70 dwellings. Gladman consider that there is no reason to believe why this situation of delays in the delivery of the site may not continue forward into the plan period.</p> <p><u>Branston Locks – proposed allocation for 2,580</u></p> <p>The site is proposed to deliver 40% of the housing allocation the Council seek to achieve in Burton-upon-Trent through the plan. An outline application is currently pending on the site that proposes 2,500 dwellings. The site is scheduled to be decided at planning committee on the 25th November, with recommendation for approval.</p> <p>There are two potential problems with this site. Firstly, the local plans housing trajectory portrays an annual yield that is in Gladman’s experience unrealistic. The site is said to commence delivery of with the completion of 50 units in 2015/16. Annual completions then increasing to 125 dwellings from 2016/17, 130 dwellings from 2021/22, 150 dwellings from 2022/23, 200 dwellings from 2023/24, before peaking at 225 dwellings for the final year of delivery in 2030/31.</p> <p>The SHLAA outlines that the site is expected to be built out by two developers, but when applying typical annual delivery rates of 30-35 dwellings per year, this would suggest that the site would have outlets five or more developers. This is unlikely, given that the housing market in this area is not strong enough to support this amount of developers on the same site.</p> <p>Secondly, there is no flexibility provided within the housing trajectory. The site delivers right to the end of the plan period,</p>				

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					<p>delivering a peak yield of 225 dwellings in final year of its delivery in 2030/31. This means that should the very ambitious delivery rates be not achieved year on year, or the site be delayed (as has already occurred with the nearby South Branston site) for whatever reason, the borough would face a shortfall that would increase significantly over a relatively short timeframe. As it stands the housing trajectory provides little room for the Council to manoeuvre to account for the under supply of this site.</p> <p>Gladman believe therefore that the yield of housing completions to be delivered from this site should be reduced and that the residual number of dwellings that cannot be achieved on this site is allocated must be made up through the development of other deliverable and available sites elsewhere.</p> <p><u>Derby Road – proposed allocation for 250 dwellings</u></p> <p>Gladman object to the inclusion of this site as an allocation in the pre-submission document. The site is more typical of a windfall site; the site is under unknown landownership and there are additional constraints to overcome prior to being suitable for development. The only indication of an appetite for development is the Councils wish to produce a Masterplan for the area. There is no supporting evidence that demonstrates that this site will ever deliver any housing. It is therefore sensible to delete the site from the local plan and accepted it as a windfall development should the site emerge for development during the plan period.</p> <p><u>Beamhill – proposed allocation for 950 dwellings</u></p> <p>The site at Beamhill has outline consent for</p>				

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					<p>950 dwellings. The site will be developed in four indicative phases. The housing trajectory expects the site to commence delivery of dwellings in 2015/16. The SHLAA identifies that two developers will develop the site. Gladman are concerned that the application of unrealistic delivery rates particularly towards the end of the plan period may see the site fail to deliver the full allocation, Gladman believe therefore that further sites should be sought to prevent this under supply.</p> <p><u>Uttoxeter West – proposed allocation for 700 dwellings</u></p> <p>The site has an application pending for 700 dwellings on site. Although Gladman consider the sites delivery in the housing trajectory to be fairly realistic, the fact that the site delivers to the end of the plan period means that should the site encounter delays in planning, section 106 agreements, site preparation, the building of infrastructure or the marketing of completed dwellings during the construction process, the site could under deliver. As voiced previously Gladman believe that any potential shortfall must be accounted for through the allocation of further sites.</p> <p><u>Brookside Industrial Estate – proposed allocation for 150 dwellings</u></p> <p>The evidence supporting this sites inclusion as an allocation is split into two. One half states that the site is owned by a developer, in pre-application discussions with the Council to deliver 84 units. For the remainder of the proposed allocation landownership is unknown, and the site suffers from significant flood risk. The development of this site would be contrary to the Framework (see §100), and with other more suitable sites available for development, Gladman believe that the</p>				

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					<p>allocation for this site should stand for only 84 dwellings.</p> <p><u>Concluding comments</u></p> <p>In this section Gladman have expressed significant concern with the deliverability of several sites that are critical to the plan meeting its proposed housing requirement. It is clear that several sites could face issues in delivering the planned amount of development within the plan period, due to the application of overly optimistic delivery rates.</p> <p>The very nature of Brownfield sites and large strategic sites means that these can often be subject to unforeseen delays (for example the signing of a section 106 (as experienced by the Pirelli site), landownership issues, contamination/clearance issues, the provision infrastructure) and viability (due to changing prices and market, and overly encumbering policy requirements) that can scupper envisaged delivery rate. The occurrence of which is not new in East Staffordshire where the site south of Branston has experienced only limited completions over the last 20 years, despite it benefiting from planning permission.</p> <p>Gladman accept that the broad approach to the allocation process undertaken by the Council is sound, as the strategy forwarded encompasses a range of sites that will ensure market choice. However given the substantial reliance on a few significant sites, the assumptions made in the housing trajectory, the significant backlog identified by the Secretary of the State, outlines there is need for flexibility in the plan. It is Gladman's submission therefore that further allocations are necessary.</p> <p>At present, East Staffordshire is at risk from</p>				

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					<p>planning by appeal, with the existing need being met through unplanned housing sites. Should the Council wish to see a plan-led strategy implemented in East Staffordshire, the Council must allocate further sites than that currently proposed. Gladman conclude that at the submitted delivery strategy is unsound as it is not deliverable, and is not in accordance with national policy.</p> <p>HOUSING POLICY</p> <p>Gladman believe that there is an inconsistent approach applied throughout the ESLP housing policies in relation to the use of and reference to the Housing Choice SPD. It is considered that the Housing Choice SPD (that was adopted in 2010) is out of date in accordance with the Framework. Whilst Gladman take no issue with the use of the SPD to bolster policy, the Council must ensure that its contents are up-to-date and justified by a robust evidence base to be found sound at examination.</p> <p>Strategic Policy 16 Meeting Housing Needs</p> <p>The Framework is clear that when setting a policy that determines housing mix, it must be justified by a robust up-to-date evidence base. Gladman believe that in order for the policy to be implemented effectively, the source of evidence that is used to support it must be consistent for the entire Borough. This approach will ensure that the quality of schemes are consistent, and enable settlements, regardless of stature within the settlement hierarchy, to have the mix and tenure required, as evidenced by an up-to-date assessment of needs.</p> <p>Gladman are concerned by SP16's lack of consideration of viability in reference to the</p>				

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					<p>provision of homes built to Lifetime standard. Currently the policy requires all housing developed to meet the Lifetime Home standard except where this is impracticable. Gladman believe that in order to be found consistent with §173 of the Framework the policy must be considerate of viability issues and that the policy should be expanded to incorporate a viability test to ensure that developments do not stall due to onerous policy considerations.</p> <p>Strategic Policy 17 Affordable Housing</p> <p>The pre-submission affordable housing policy seeks a minimum contribution of 25% on all developments over 4 dwellings in urban areas or 4 dwellings of more in rural areas subject to viability testing. Gladman believe that the policy as currently structured is sound given the flexibility provided by the mechanism to permit viability testing enabling a development to still be permissible if it can be demonstrated that the level of affordable provision required cannot be met at risk of the sites delivery. This is a realistic approach, accounting for the possibility of market change and will ensure that the overall delivery of housing is not compromised by overly aspirational policy burdens (again in compliance with §173 of the Framework).</p> <p>The Council should take care, that in requiring the provision of affordable dwellings within each phase of a development, that the level of provision required does not threaten the viability of the development particularly early on in the development process when the level of cash flow is especially critical.</p> <p>CONCLUSIONS</p> <p>§182 of the Framework underlines the tests</p>				

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					<p>against which the planning inspector will determine the soundness of the local plan at examination. To be found sound the Local Plan must be:</p> <p>Positively prepared – the plan should be based on a strategy which seeks to meet objectively assessed development and infrastructure requirements.</p> <p>Justified – The plan should be the most appropriate strategy, when considered against the reasonable alternatives, based on proportionate evidence.</p> <p>Effective – The plan should be deliverable over its plan period..</p> <p>Consistent with National Policy – The plan should enable the delivery of sustainable development in accordance with the policies in the Framework.</p> <p>In this representation Gladman have demonstrated why the current proposed strategy detailed within the Pre-Submission Local Plan, fails to meet the above criteria, and should be altered prior to being found sound.</p> <p>It is our submission that the Council have failed to comply with the Duty to Cooperate. The 2013 SHMA solely considers East Staffordshire rather than the surrounding HMA. This is a substantial oversight considering the close relationship between East Staffordshire and its immediate surrounding authorities, as well as Birmingham. A similar approach undertaken by Bath and North East Somerset has led to a prolonged examination that has continued since 2011, as the inspector found deficiencies in the SHMA and Duty to Cooperate, and suspended the examination to allow for deficiencies to be addressed.</p> <p>Gladman conclude that the proposed</p>				

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					<p>housing requirement is not sufficient for the borough and does not consider the wider areas housing needs. Gladman also believe that the submitted plan is not positive in planning for the amount of jobs that the borough could see being created against historic records of job creation. The plan should be developed to support growth, both economic and housing and we therefore believe that a housing number in the range of 650 to 730 dwellings per annum is the most appropriate target to meet the needs of the borough.</p> <p>As a result of a recent Secretary of State appeal decision within the local authority, Gladman consider that the housing requirement must be adjusted to account for its findings. The decision outlines that the existing RSS backlog must be accounted for, within the first five years, with a 20% buffer applied for persistent under delivery. The Council must act on this decision and seek to allocate further sites in order to meet this requirement or it risks the plan being found unsound in its current form as it is ineffective in meeting its housing requirements, and does not maintain a five year supply of housing land.</p> <p>Gladman have analysed each site proposed for allocation in the pre-submission document, contrasting the housing trajectory, with the Councils most recent assessment of the sites deliverability, provided by the SHLAA and Brownfield sites assessment report. From this exercise Gladman have found reason to doubt the full deliverability of proposed allocations at South of Branston, Branston Locks, West Uttoxeter, Derby Road, Brookhill Industrial Estate and Beamhill.</p> <p>Gladman believe that because of uncertainties regarding landownership, on-site constraints, and over the application of</p>				

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					<p>optimistic annual delivery rates, many of these sites are likely to under deliver in the plan period. Gladman submit that additional sites must be allocated within the plan, to enable it to be flexible and effective in meeting the planned housing requirements.</p> <p>A review of the housing policy requirements to be submitted by the Council has revealed some concerns that could affect the plans soundness and potentially threaten the deliverability of the plan itself. Gladman believe that a consistent up-to-date source of evidence is required to justify the councils approach in the implementation of all housing related policies, whether this is through the SHMA or an SPD, its contents and evidence base must be consistent with that required by the Framework.</p> <p>Gladman believe that the Council must be careful to ensure that the policy requirements of the plan do not affect its deliverability. In the application of the policy requirement to develop all homes to lifetime standards, Gladman believe that this should be caveated to ensure that viability is protected. Similarly the requirement to deliver affordable homes in all phases of schemes needs to be implemented sensibly and mindfully of the importance of cash flow in the early stages of the construction of a site.</p> <p>It is a common goal for everyone that a sound, justified and effective plan is developed and adopted in East Staffordshire. This will enable the needs and aspirations of the local community to be realised, the local economic needs of the Borough to be supported, and to ensure that the environment protected and enhanced for future generations. Gladman believe that by applying the changes suggested in this representation, East Staffordshire will achieve this outcome.</p>				

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LP462 - Mr Paul Rouse, Savills on behalf of the Duchy of Lancaster	Yes	No	SP4 Distribution of Housing Growth	a. Positively prepared b. Justified c. Effective d. Consistent with National Policy	<p>The target for housing to be provided through the Local Plan (10,284), has been adjusted from the assessed total requirement (11,648) by the amount of extant permissions minus a 10% lapse adjustment (1,379). The Plan states this data is correct at April 2012. Since then, and very recently, there have been two Secretary of State decisions in respect of recovered appeals (APP/B3410/A/13/2197299 Red House Farm, Burton upon Trent: - 12 November 2013; and APP/B3410/13/2189989 Lichfield road, Branston : - 3 October 2013) which have found the Council's assessment of housing supply to be flawed, and for supply to be substantially less than the Council has asserted. Neither decision provides a definitive analysis of which existing permission contribute to the identified supply and which do not, however it is clear that the situation has been assessed twice recently and it is likely that the assessment made in the Local Plan is now out of date.</p> <p>The required provision of housing from sites within Tier 1, 2 and 3 villages should not be expressed as an allowance as this implies a restriction to that number as a maximum. A related objection has been made to the text at page 82. The Plan should not seek to restrict sustainable development from coming forward and to do so is contrary to the provisions of the NPPF.</p>	<p>The expected contribution from sites with planning permission should be reviewed in the light of the recent recovered appeal decisions, both in terms of the analysis of supply and the contribution that the approved schemes will make. The planned provision through site allocations and windfalls in SP4 should be updated to take account of any resultant change.</p> <p>The housing allocation to the Tier 1, 2 and 3 villages should be expressed as a minimum.</p>	<p>The plan aims to ensure the majority of development takes place in Burton upon Trent and Uttoxeter.</p> <p>No change proposed</p>		
LP463 - Mr Paul Rouse, Savills on behalf of the Duchy of Lancaster	Yes	No	SP8 Development Outside Settlement Boundaries	a. Positively prepared b. Justified c. Effective d. Consistent with National Policy	<p>Related objection to SP2 and SP14. The policy has the effect of restricting development in the Tier 3 villages when development in those villages is necessary to meet the development requirements of the Plan. If SP2 is not changed to permit development in the Tier 3 villages other than in accordance with the Exception policies</p>	<p>SP8 should be positively worded such that it states that planning permission will be granted for development outside settlement boundaries in accordance with NPPF para 28. The qualifying criteria should be deleted.</p>	<p>SP8 allows for development outside settlement boundaries where it is appropriate. The NPPF would be used to set out what would be appropriate outside of that listed in the policy. The policy does not repeat national policy.</p>		

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					<p>including SP 8, then SP 8 needs to be changed to specifically exclude application to development proposals in accordance with the provisions of SP4.</p> <p>It would however be better to amend SP2 as proposed in a separate representation. SP8 is also overly restrictive in respect of other forms of development not specifically required to meet Local Plan objectives. The criteria tests for development to be deemed acceptable outside of settlement boundaries are more onerous and more restrictive than the provisions of the NPPF which facilitates and encourages appropriate forms of development in rural areas. NPPF paragraph 28 specifically supports: the sustainable growth and expansion of all types of business and enterprise in rural areas through conversion and new buildings; development and diversification of agriculture and rural business; tourism and leisure and visitor facilities. If Tier 3 villages remain without settlement boundaries then the following also applies: development of local services including shops, meeting places, sports venues, cultural buildings, public houses and places of worship.</p>		<p>No change proposed.</p>		
LP464 - Mr Paul Rouse, Savills on behalf of the Duchy of Lancaster	Yes	No	SP14 Rural Economy	<p>a. Positively prepared b. Justified c. Effective d. Consistent with National Policy</p>	<p>Related objection to SP8. The intent of the policy with regard to new employment development is unclear due to confusing drafting and punctuation. It is clear that extensions, mixed uses to include home working and changes of use will be approved subject to criteria, but it is not clear that new additional employment development will be approved.</p> <p>It should not be necessary for employment development outside strategic or local service villages and rural industrial estates</p>	<p>The policy should make it clear that new employment buildings will also be approved in accordance with the criteria specified in the first part of the policy. The qualifications and restrictions of the policy should be deleted and more positive and permissive wording employed to bring the policy in line with the NPPF para 28.</p>	<p>The Local Plan includes new allocations to meet the estimated growth sectors for employment. The aim of the plan is to allocate developments in sustainable locations which would limit development in the countryside to those criteria in SP8 which are not considered overly restrictive.</p> <p>No change proposed.</p>		

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					to meet the criteria of SP8 in order to be deemed acceptable. As the related objection to SP8 states, that policy is overly restrictive and not in conformity with the NPPF in particular para 28. Neither should it be necessary to demonstrate that re-use of existing buildings is unviable or unsuitable. It is also unnecessary for farm diversification proposals to sustain the agricultural enterprise as a whole. The whole purpose of diversification may be because the agricultural enterprise is unviable in any form.				
LP465 - Mr Paul Rouse, Savills on behalf of the Duchy of Lancaster	Yes	No	SP15 Tourism, Culture and leisure development	a. Positively prepared b. Justified c. Effective d. Consistent with National Policy	<p>The policy seeks to restrict development of tourist facilities in the rural area to those which make use of the environment in a sustainable manner. Whilst it is expected that all development should be sustainable with regard to the environment in accordance with the measures set out in the NPPF, the policy text appears to imply some sort of additional restriction on tourist development in rural areas, over and above tourist development elsewhere. There should be no such distinction.</p> <p>Similarly there should be no requirement to demonstrate that tourist accommodation cannot be located within an existing settlement or existing building in order for it to be supported. NPPF para 28 is clear that tourist, leisure and visitor facilities should be supported in appropriate locations in rural areas without additional qualification.</p>	Delete the qualifications and restrictions in the policy to bring it into line with NPPF para 28.	<p>The policy aims to locate tourist accommodation in sustainable locations. Conversion to tourist accommodation would be supported in areas outside of settlements.</p> <p>No change proposed.</p>		
LP466 – JVH Town Planning on behalf of MJ Barratt			All		<p>Part One</p> <p>Para 1.86 to 1.100</p> <p>The SHMA is flawed because it relies on a misguided housing market boundary – considering the district as a discrete HMA which is itself sub-divided and does not consider correctly the relationship between</p>		<p>The relationship to the housing market area is set out in the SHMA.</p> <p>The SHMA sets out the justification for the housing numbers.</p> <p>The sustainability appraisal</p>		

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					<p>ESBC and Lichfield and the potential overspill needs of Birmingham.</p> <p>The identified housing requirement is considered flawed due to the overall housing market area has not been fully assessed and the figure of 11000 is lower than the RSS phase 2 figure.</p> <p>The character of Burton and Uttoxeter are set out in 1.119 and 1.126 but in the spatial strategy the two towns are considered the same level in the settlement hierarchy though clearly at a different scale and character.</p> <p>Part Two</p> <p>Landscape is considered a priority though this is not shown on the Policies map. Indeed the evidence base is still being prepared. However, the Section 78 appeals recently considered this issue and it has become apparent that the Council has no overall consideration of the merits of development sites based on their landscape impact. The SA appraised broad options but it is unclear whether individual sites have been individually appraised.</p> <p>Windfall allowances in Abbots Bromley and Yoxall (40) should be allocated and not left as windfall to ensure certainty. Development apportioned to Tier 1 and Tier 2 villages should be amended and development for tier 3 villages should be deleted as it is not considered appropriate and contrary to policy.</p> <p>Brownfield sites, both allocations and windfalls should not be relied on due to their problems with viability. Permissions have been granted but these sites have not come forward. The Council also relies on large-scale allocations and does not include a</p>		<p>acknowledges the conflict with some of the plan objectives.</p> <p>The sustainability appraisal uses the current landscape descriptions to determine landscape impact</p> <p>The sustainability appraisal includes an appraisal of all site allocations and alternative site options. Where details are available through the planning application process these have been incorporated into the appraisal.</p> <p>The development strategy involves an element of windfall, which is likely to come forward based on the brownfield sites assessment and strategic housing land availability assessment.</p> <p>No change proposed</p> <p>The settlement boundary topic paper sets out how amendments to settlement boundaries have been determined, in discussion with parish councils. Where a settlement is producing a neighbourhood plan, such as Yoxall, the boundary will be amended by the neighbourhood plan.</p> <p>It is important that housing is provided in all tiers in order to meet the housing needs of urban and rural communities. Whilst there have been few housing exceptions sites in East Staffordshire, there is a high</p>		

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					<p>broad enough range of sites.</p> <p>The key diagram is difficult to understand and should be annotated with village names. Why also is St George's Park annotated but Barton Marina not?</p> <p>SP1 unclear why Council is repeating NPPF.</p> <p>SP2 The plan should distinguish between Burton and Uttoxeter in the settlement hierarchy.</p> <p>The policy sets out the new development should be located within the settlement boundaries yet the settlement boundaries depicted on the policy maps fail to include developable sites at Burton, Yoxall, Denstone, and Barton under Needwood. The policy maps should be amended to include the development opportunities attached to this objection. Namely:</p> <ul style="list-style-type: none"> • Land at Forest Road Burton • Land at Postern Road Burton • Land at St Mary's Drive Stretton/Burton • Land at Craythorne Lane Stretton/Burton • Land to the South of Bond End Yoxall • Land at B5031 Denstone • Land at Barton Marina Barton under Needwood. <p>In addition sites at Denstone and Yoxall should also be included.</p> <p>SP3 The annual requirement of 613 pa is not clearly justified and not in accordance with the NPPF to boost housing supply or the RSS Phase 2 target derived taking account of the inter-relationships between ESBC and Lichfield.</p>		<p>rate of conversions and agricultural dwellings which is expected to continue and therefore it is important to include this element in the development strategy.</p> <p>There is no individual policy for Barton Marina, however a modification is to remove the symbol of the Barton Inset to avoid potential confusion.</p> <p>Change proposed</p> <p>It has been advised by government that the presumption in favour of sustainable development is contained within the plan.</p> <p>The plan aims to ensure the majority of development takes place in Burton upon Trent and Uttoxeter.</p> <p>No change proposed</p> <p>An up to date 5 year housing land supply has been made available as part of the examination library. This includes the correct and current position regarding lapsed planning permissions.</p> <p>The plan sets out the mechanism for non delivery on brownfield sites and greenfield sites.</p> <p>No change proposed</p> <p>The Red House Farm site now has planning permission following the appeal.</p>	<p>Policies Map Inset 5 – Barton Under Needwood</p>	<p>Mod No. 154</p>

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					<p>SP4 The number of dwellings allocated is insufficient as the extant permissions indicated in the plan is not clearly demonstrated, as evidenced at recent appeals.</p> <p>Land at Forest Rd, Redhouse Fm, land at Craythorne Lane and St Mary's Drive should also be included in the table. We support the allocation of Brookside Business Park but have concerns about reliance the JCB site at Hockley Rd. Further sites in the strategic villages should be allocated re. Land at Barton Marina. We object to windfall development to meet the housing requirement in the villages.</p> <p>Page 84 suggests that most of the strategic housing sites have consent. This is not the case. The council cannot therefore rely on sites to come forward as set out in the housing trajectory.</p> <p>SP6 – Object to the policy as drafted. Not confident that the monitoring will be effective. Monitoring must be reliable and timely. The bringing forward of a DPD seems a long-winded process to approve additional sites.</p> <p>SP7 Excludes land at Craythorne Lane which is adjacent to Guinevere Ave and is a sustainable location. Land at St Mary's Drive should also be included. Allocating these sites is preferable to relying on 1359 windfalls and are superior sites to sites identified in the urban area.</p> <p>Duty to cooperate discussions should have covered housing requirements and a joint SHMA should have been undertaken to with SDDC.</p> <p>SP8 Policy not flexible enough to deal with the variety of situations that arise outside</p>		<p>Allocation of Barton Marina is not considered appropriate. Other policies in the plan would be applied should further development come forward. No additional floorspace is allocated at Barton Marina.</p> <p>The approach to windfall is supported by the Brownfields sites topic paper</p> <p>Whilst the trajectory is aspirational, the numbers expected to be delivered on strategic sites have been provided by the applicant / agent. A proposed modification is to amend the trajectory in line with recent planning application decisions.</p> <p>Change proposed.</p> <p>The strategy includes sites which the council consider sustainable and deliverable</p> <p>The councils approach to duty to cooperate with neighbouring South Derbyshire District Council is set out in the Duty to Cooperate paper. The site referred to in the representation is not an allocation within the South Derbyshire Pre-Submission Local Plan.</p> <p>No change proposed.</p> <p>The plan is supported by a viability assessment. The charging schedule will be set out in a future document with S106 being used until that time.</p>	<p>Page 85.</p> <p>SP8</p>	<p>Mod No. 39</p> <p>Mod No. 50</p>

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					<p>settlement boundaries.</p> <p>SP9 Object to the lack of a draft charging schedule for CIL and it is unclear what impact this would have on the viability of sites.</p> <p>SP11. It is not considered that this site will deliver homes due to the nature of the proposal. This type of development may not deliver for many years.</p> <p>SP12 We do not consider that this site will deliver homes in the plan period and alternative sites should be allocated.</p> <p>SP15 Object to new tourist accommodation only being located within settlements.</p> <p>SP16 We object to policy SP16 on the basis that this mix is far too prescriptive and does not allow sufficient flexibility for the market to determine the type of homes that can be sold.</p> <p>SP17 We object to policy on the basis that the threshold for affordable housing is too low and should be increased to developments of 15 dwellings and over or sites of 0.5 hectares. Such a low threshold will stifle development and impact on viability. Policy needs redrafting to be clearer. Off-site contributions should clearly be set out in the policy.</p> <p>SP18 Exception sites don not have to be within or adjacent to settlement boundaries.</p> <p>SP23 Object to the policy as there are no plans setting out the GI corridors. If they are a land use allocation they must be shown.</p> <p>SP30 We object to policy SP30 on the basis that the policy says that within locally significant landscape areas development will be restricted if it affects the character,</p>		<p>The Derby Road site contains many underused and vacant sites. The policy aims to achieve a coherent redevelopment scheme which may or may not include all current uses.</p> <p>No change proposed.</p> <p>The SHMA sets out the justification for the housing mix. The policy is considered flexible to allow for a range of mixes to come forward whilst also considering viability.</p> <p>The affordable housing policy is supported by the SHMA and Affordable Housing Viability Assessment.</p> <p>The council consider that exception sites should be those on the edge of settlements to ensure the sites are sustainable</p> <p>Proposed modifications to the wording of policy SP30.</p> <p>Change proposed.</p> <p>Identifying green infrastructure meets the requirements of the NPPF. Its identification does not preclude development from taking place.</p> <p>No change proposed.</p>	<p>SP30</p>	<p>Mod No. 110</p>

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					<p>however there is no way of knowing where these areas area.</p> <p>SP31 Strategic Green Gap between Rolleston and Burton too extensive. NO need for land east of Craythorne Lane to be included.</p> <p>DP4 policy is inflexible and seeks to limit replacement buildings by reference to buildings which have special qualities of "traditional rural building" this is unnecessary and open to miss-interpretation if a building is listed in a conservation area or protected by any other means then clearly demolition is not normally allowed.</p> <p>DP10 We object to the policy on the basis that it fails to include the locations in the borough that are existing recreation and tourist destinations, such as Barton Marina, which should be shown on the proposals map and recited in this policy.</p> <p>DP12 We object to policy D12 on the basis that it fails to acknowledge Barton Marina either in the policy or on the proposals map as a comparable destination. The policy implies that there will be future development on the site to support the growth of the site and it is thought this may include uses which are normally located in town centres.</p> <p>Settlement Boundaries and inset plans SP2 sets out that development will be concentrated within the towns villages etc. and these are shown on the accompanying plans. We object to the following inset plans.</p> <p>Settlement Boundaries and inset plans SP2 sets out that development will be concentrated within the towns villages etc. and these are shown on the accompanying plans.</p>				

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					<p>We object to the following inset plans.</p> <p>1.Burton We object to the omission of the following sites from the settlement boundary</p> <p>Land at Craythorne Lane Stretton Adjacent to the built up area on the northern edge of Burton in a sustainable location, outside the proposed green wedge, with strong market interest in developing the site. No technical obstacles to development and a logical extension to the development boundary</p> <p>Land at St Mary's Drive Stretton Adjacent to the built up area on the northern edge of Burton in a sustainable location, outside the proposed green wedge also strong market interest in developing the site. No technical obstacles to development and a logical extension to the development boundary adjacent to recently approved site at Guinevere Avenue. The development boundary should be amended to include the land adjacent to the consented site in addition to this adjoin field and former farm off St Mary's Drive</p> <p>Land at Forest Road Burton Adjacent to the built up area on the western edge of Burton in a sustainable location, outside the proposed green wedge and strong market interest in developing the site. No technical obstacles to development and a logical extension to the development boundary. The land is the subject of a live planning application and sec 78 appeal.</p> <p>Land at Postern Road Henhurst Hill Adjacent to the built up area on the western edge of Burton in a sustainable location, outside the proposed green wedge and strong market interest in</p>				

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					<p>developing the site. No technical obstacles to development and a logical extension to the development boundary. This is small site which requires a rationalisation of the development boundary in this location. A planning application is being prepared and will be submitted shortly.</p> <p>5. Barton under Needwood</p> <p>Land at Barton Marina The Barton Marina complex includes land and buildings which are closely linked to the village of Barton and the recently approved site at Eflinch lane. The area should be included within the settlement boundary of Barton, which would be a logical way to extend the boundary. A proposal is being prepared for a scheme of waterside housing in this location which maximises the potential of the waterfront opportunity</p> <p>9. Denstone Land adjacent to the B5031 Adjacent to the built up area on the southern edge of the village in a sustainable location, close to the village school and the nearby JCB site. Strong market interest in developing the site. No technical obstacles to development and a logical extension to the development boundary. This is small site which requires a rationalisation of the development boundary in this location.</p> <p>13. Yoxall Land at Bond End The boundary of Yoxall should be extended to include the land south of Bond End. The lies outside the floodplain and there are no technical reasons why this site cannot come forward for development.</p> <p>3. Uttoxeter Reconsider the development boundary at</p>				

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					<p>Uttoxeter particularly with reference to an expansion of the built up area east of Highwood Road, which direction of growth relates well to the centre of the town and is preferable to more peripheral extensions</p> <p>3. Uttoxeter Reconsider the development boundary at Uttoxeter particularly with reference to an expansion of the built up area east of Highwood Road, which direction of growth relates well to the centre of the town and is preferable to more peripheral extensions</p>				
LP467 - Mr Paul Rouse, Savills on behalf of the Duchy of Lancaster	Yes	No	Inset Map 14 – Fauld Camp	<p>a. Positively prepared b. Justified c. Effective d. Consistent with National Policy</p>	<p>The draft Plan focuses all employment allocations on Burton and Uttoxeter. Whilst existing rural industrial estates are identified at Marchington, Bramshall and Fauld Camp, the boundaries drawn leave little room for expansion of employment development at those locations. East Staffordshire is to a significant extent a rural area, and it is important to ensure the provision of employment opportunity outside of the main towns of Burton and Uttoxeter. The NPPF states that plan making should proactively drive and support economic growth and respond positively to opportunities for growth, and supporting rural communities (para 17). The planning system should do all it can to support sustainable economic growth (para 19) and support sustainable growth and expansion of all types of business in rural areas (para 28). By not providing opportunities for growth not anticipated, the Plan is contrary to NPPF para 21.</p> <p>The boundary of Fauld Camp Industrial Estate as shown on the draft inset excludes an area of land which naturally forms part of the industrial estate and has little potential alternative use. Inclusion of the land would</p>	<p>Include land between the access road and the draft industrial estate boundary within an enlarged industrial estate boundary as shown on the attached plan.</p>	<p>The Inset Map 14 includes additional land at the Industrial Estate which has been built since the 2006 Local plan was adopted. No further expansion of boundaries is required to address the employment land requirement. Development adjacent to Industrial Estate Boundaries would be subject to Rural Economy Policy.</p> <p>No change proposed</p>		

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					enable expansion of employment in accordance with NPPF policy and would make efficient use of land which is currently not making a positive contribution to the local area. It would also provide additional employment opportunities in a sustainable location adjacent to Tutbury, a Tier 1 Strategic Village. The access road defines the edge of the industrial estate and provides a defensible and logical boundary.				
LP468 Chontell Buchanan on behalf of Mr Breckons	No	No	Policies Map	b. Justified	<p>We do not consider the plan is sound in connection to Strategic Policy 2: a Strong Network of Settlements. The document identifies that new development should be concentrated within the settlement boundary of the Main Towns, Strategic Villages, Local Service Villages and Rural Industrial Estates as shown on the policies map.</p> <p>Inset Map 8: Abbots Bromley, indicates the existing development boundary and that of the proposed settlement boundary extension. We do not consider the development boundary for Abbots Bromley has been identified in the correct location and the land located off Goose Lane, south of Friary Avenue should be included within the development boundary of Abbots Bromley.</p> <p>The site is located outside of but adjoining the existing settlement boundary of Abbots Bromley and has been assessed during the Strategic Housing Land Availability Assessment (SHLAA) and would provide a logical rounding off of the settlement with clear boundaries. The site would be dictated by the field hedgerows in the east and the existing row of dwellings to the south. The site has the capacity to provide up to 19 dwellings however, it would more likely accommodate less due to its rural, edge of</p>	<p>Inset Plan 8: Abbots Bromley should be amended to show the development boundary extended around the land off Goose Lane (east of Goose Lane). The site is within close proximity to the local services and facilities that Abbots Bromley has to offer and significant justification has not been provided to indicate the site is unsuitable and less suitable than those which have been selected.</p> <p>The site is in a sustainable location, situated within an appropriate distance of services and facilities to cater for future residents of the site.</p>	<p>The justification for settlement boundary amendments is set out in the Settlement Boundary Topic Paper.</p> <p>No change proposed.</p>		

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					<p>settlement location.</p> <p>The site is located within easy access to services and facilities available within Abbots Bromley. The site would be highly sustainable with residents having the capacity to walk and cycle using Narrow Lane to the centre of the village. The development of the site would include landscaping to minimise any visual impact on the surrounding environment. We do not consider the two sites identified for inclusion into the development boundary would provide a more suitable development than the land off Goose Lane. The land located off Lichfield Road is not a sustainable location for future development.</p> <p>The 2012 SHLAA document, the land off Lichfield Road, site 355 was deemed below threshold and excluded with no further information provided. Appendix C. On page 9 of the document the threshold is stated as being above 10 units or a site area of approximately 0.33ha, in order to achieve a yield of 10 dwellings at 30dph.</p> <p>The site features on the plan for the 2013 SHLAA document, but again, there was no information/proforma for the site to enable interested parties to view the details of the site, therefore there is limited information about this site for public viewing.</p> <p>The inclusion of this site is encouraging ribbon development and is located a distance from the facilities and services available in the centre of the settlement. Although the Parish Council consider the 'linear' layout is in keeping with the current village layout, this does not necessarily</p>				

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					<p>provide the most sustainable locations.</p> <p>One of the core planning principles set out within the NPPF states the role of the planning system is to; "actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable;"</p> <p>In connection to housing development the NPPF also states; "To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities."(Paragraph 55).</p> <p>The land off Goose Lane is surrounded by residential properties to the north and a line of buildings to the south including residential dwellings and a day centre for older people. The land off Goose Lane could therefore be considered as infill development and would prevent development into the countryside. The existing row of buildings to the south already creates a logical development boundary.</p>				
LP469 Chontell Buchanan on behalf of Mr Breckons	No	No	SP8 Development Outside Settlement Boundaries	b. Justified	<p>The Preferred Options Local Plan provided a policy, Rural Areas DP7, which referred to "the infilling of small gap within an existing group of buildings where this would not result in the loss of an important open space or visual gap."</p> <p>The Pre-Submission Local Plan does not contain an equivalent policy which we consider to be unsound.</p> <p>Strategic Policy 8 should be amended to</p>	<p>In order for the plan to be considered sound, following the first two bullet points in Strategic Policy 8:</p> <p>Development Outside Settlement Boundaries another two bullet points should be added which states:</p> <ul style="list-style-type: none"> limited infilling and limited extension(s), alteration or replacement of an existing building where the extension(s) or alterations are not disproportionate to the size of 	<p>Proposed modifications to Strategic Policy 8.</p> <p>Change proposed.</p>	SP8	Mod No. 50

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					<p>allow for infill development in rural areas as akin to that of policy DP7 which identified the possibility for infill development.</p> <p>The only policy which refers to infill development is Detailed Policy 3, however this refers to the infilling in gardens of houses only.</p> <p>In order to make the plan sound, Strategic Policy 8 should include reference to the limited infilling in the open countryside/ rural areas outside of development boundaries. The policy should also provide information on the reuse of buildings outside of development boundaries. Within the Strategic and the detailed policies there is only reference to the development of new buildings. In connection to Strategic Policy 25: Historic Environment it is noted the reference to a reuse of Rural Buildings SPD.</p> <p>This SPD should be renamed Open Countryside SPD and feature information about infill development and the appropriate re-use of the buildings and not only design guidance. Reference is taken from South Staffordshire Council Local Plan which features policy OC1:</p> <p>Development in the Open Countryside Beyond the West Midlands Green Belt. Although the Green Belt policy information is not applicable, the policy provides detailed information of what is appropriate in the open countryside.</p>	<p>the original building, and in the case of a replacement building the new building is not materially larger than the building it replaces. Guidance in these matters will be contained in the Open Countryside Supplementary Planning Document (SPD).</p> <ul style="list-style-type: none"> The re-use of a building provided that: <ul style="list-style-type: none"> the proposed use of any building (taking into account the size of any extensions, rebuilding or required alterations), would not harm the appearance or character and local distinctiveness of the Open Countryside. 			
LP470 Miss H Thornley, Addleshaw Goddard on	Yes	No	SP3 Provision of Homes and Jobs	a. Positively prepared b. Justified c. Effective	Policy SP3 states that provision will be made for 40 hectares of employment land - this land is allocated over 3 sites pursuant to policy SP5. Policy SP3 does not provide a	The Local Plan should include in policy SP3 or alternatively as a separate policy a provision to the effect that the needs of existing industry will be	Consider SP13 would allow for the extension and expansion of existing firms with relocation being permitted to other existing		

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behalf of JC Bamford Excavators				d. Consistent with National Policy	<p>balanced portfolio or contain sufficient flexibility to cater for the needs of existing industries. As drafted policy SP3 is not consistent with national policy set out in the National Planning Policy Framework in particular:-</p> <ul style="list-style-type: none"> - paragraph 7 "ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation". - paragraph 17 core planning principle "to proactively drive and support sustainable economic development... taking account of the needs of the business communities" - paragraphs 18-21 including:- <ul style="list-style-type: none"> - para 18 - "the Government is committed to securing economic growth in order to create jobs and prosperity" - para 19 - "planning should operate to encourage and not act as an impediment to sustainable growth" - para 21 - local plans should "support existing business sectors, taking account of whether they are expanding or contracting and, where possible, identify and plan for new or emerging sectors likely to locate in their area. Policies should be flexible enough to accommodate needs not anticipated in the plan and to allow a rapid response to changes in economic circumstances." Local Plans should "plan positively for the location, promotion and expansion of clusters or networks of knowledge driven, creative or high technology industries". - Paragraph 160 - local planning authorities should "work closely with the business community to understand their changing 	supported by permitting firms to extend or expand or relocate to more modern premises unless unacceptable environmental conditions would result. This amendment would make the plan more consistent with national policy and ensure that the plan is positively prepared, justified and effective.	areas. No change proposed.		

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					needs".				
LP471 Miss H Thornley, Addleshaw Goddard on behalf of JC Bamford Excavators	Yes	No	SP13 Burton and Uttoxeter Existing Employment Land	a. Positively prepared b. Justified c. Effective d. Consistent with National Policy	Policy SP13 states that "suitable sites for exceptional major job creating investment proposals will be investigated in partnership with the LEP where they cannot be accommodated on existing or proposed sites". The terms of this provision are unduly restrictive and do not provide sufficient flexibility in terms of approach. It also fails to plan positively in accordance with the National Planning Policy Framework - see in particular paragraphs 7, 17 - 21, 160	Strategic policy 13 should be amended to include provision to the effect that the needs of existing industry will be supported by permitting firms to extend or expand or relocate to more modern premises unless unacceptable environmental conditions would result. Policy SP13 should also be amended to the effect that suitable sites for exceptional or unanticipated major job creating investment proposals will be supported where they cannot be accommodated on existing or proposed sites unless unacceptable environmental conditions would result. This amendment would make the plan more consistent with national policy (see above) and ensure that the plan is positively prepared, justified and effective.	The Council consider that SP13 adequately addresses the representation in that exceptional major job creating investment proposals would apply to relocation as well as new businesses. No change proposed.		
LP472 Mr B Davies, Davies and Co on behalf of Mr and Mrs T, I & J Robinson, Mr & Mrs Hill and Mrs Newstead	Yes	No	SP3 Provision of Homes and Jobs and SP4 Distribution of Housing Growth	a. Positively prepared b. Justified	Strategic Policy SP3 makes provision for 11,648 new homes in the period 2012 - 2031 (613 per annum). However, this figure has not been tested through examination and, as noted by the Inspector, and endorsed by the Secretary of State, in the recent decision on land at Red House Farm, Lower Outwoods Road (Application ref: P/2012/01215), it has not been sufficiently progressed through consultation and examination to replace the RSS Panel Report requirement of 650 dwellings per year, which is the most up-to-date figure that has been examined and tested. In recommending that the appeal be allowed, the Inspector concluded that "Therefore, I find that the Council has provided insufficient justification for currently using any other housing target than 650 dwellings per year". On that basis, a further 703	1. Provision should be made for a minimum of 12,351 new homes in SP3, to reflect the shortfall identified by the Inspector, as referred to in Q4 above. 2. Additional land should be identified for new housing under SP4 (with consequential changes to SP7 and SP8 and the Policies Map, as necessary). Specifically, land at Henhurst Hill should be identified as a strategic housing site, for a minimum of 700 homes. This is described in greater detail on the attached sheet.	The housing figure is based on the SHMA which is considered to objectively assess housing need. The plan includes sufficient allocations to meet this need. No change proposed.		

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					<p>houses would need to be found over the plan period and the plan has not, therefore, been positively prepared or justified.</p> <p>Strategic Policy SP4 takes the housing requirement identified in SP3 and identifies the distribution of housing growth necessary to achieve that requirement. However, SP4 seeks to accommodate 10,284 houses across the Borough i.e. below the total housing requirement of 11,648 identified in SP3, which is, itself, a lower figure than that considered to be necessary, based on a need of 650 dwellings per annum. Additional land for housing therefore needs to be identified, beyond what is presently included in SP4, and that policy is, consequently, neither positively prepared nor justified.</p>				
LP473 JVH Planning on behalf of Mrs L Mousley			All	<p>a. Positively prepared b. Justified c. Effective d. Consistent with National Policy</p>	<p>Para 1.86 to 1.100 At para 1.87 the plan identifies that the strategic housing market relationship is strongest between Burton and Swadlincote in South Derbyshire.</p> <p>However the SHMA of Oct 2013 goes on to consider the District as a discrete market area which itself is sub divided. We agree that the principal linkage in housing terms is between Burton and South Derbyshire as depicted on diagram 1.5 on page 31. Which indicates the relationship between the two districts in terms of commuting patterns. It is considered illogical therefore to ignore the requirements of South Derbyshire and potentially more sustainable patterns of development through a misguided housing market boundary, furthermore there is little reference to the relationship with Lichfield District to the south and the pressures in that district to meet the requirements of Birmingham, which spill over into ESBC along the A38 corridor.</p> <p>Para 1.94 indicates that the housing</p>	<p>Proposed changes</p> <ul style="list-style-type: none"> Amend the settlement boundary at Burton to include development sites at Craythorne Road, Forest Road, St Marys Drive and Postern Road (Proposals Map) SP4 Amend the development boundary at Yoxall to include land at Bond End (Proposals Map) SP4 Amend the development boundary at Denstone and include land adjacent to the B5031 (Proposals Map) SP4 Amend the development boundary at Barton under Need wood to include Barton Marina (Proposals Map) Amend the list of SUEs to include Forest Road and Craythorne Road SP7 Amend the housing requirement to at least the RS level of 650 per annum 	<p>The relationship to the housing market area is set out in the SHMA.</p> <p>The SHMA sets out the justification for the housing numbers.</p> <p>The sustainability appraisal acknowledges the conflict with some of the plan objectives.</p> <p>The sustainability appraisal uses the current landscape descriptions to determine landscape impact</p> <p>The sustainability appraisal includes an appraisal of all site allocations and alternative site options. Where details are available through the planning application process these have been incorporated into the appraisal.</p>		

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					<p>requirement over the period 2012 to 2031 is some 11,408 households but this figure is considered to be flawed on two counts. Firstly the overall needs of the housing market area have not been fully assessed and secondly that the figure of 11,000 is below the RS Phase Two figures and is an under estimate of the requirement.</p> <p>The plan identifies at 1.119 and 1.126 the different characters of Burton and Uttoxeter however the development strategy in part two deals with Burton and Uttoxeter at the same level in the settlement hierarchy although clearly they are at a completely different scale and character.</p> <p>Para 1.134 sets out the strategic objectives of the plan and the objective of housing choice to provide a mix of homes is a valid objective, but which will be at the expensive of other objectives such as countryside, which must in places be allocated for new development.</p> <p>Part Two Para 2.3 the strategy is said to take account of various constraints including high quality landscape features. However there is no notation on the proposals map which deals with landscape character and indeed it is understood that this work is still in progress. This point has been recently considered in a series of Sec 78 appeals, where it has become apparent that the Council has had no overall consideration of the relative merits of development sites based on their landscape impact and this has not been part of the original sieving mechanism to distinguish which sites should come forward for development and is part of the flaws of the SA of the preferred options document. It is considered that the plan is fundamentally flawed on this basis alone as a landscape analysis has not underpinned</p>	<p>SP3</p> <ul style="list-style-type: none"> Reconsider the reliability of the SHMA with regard to the housing market area Reconsider the relationship with South Derbyshire through the SHMA and new potential allocations. Amend the distribution of growth to reduce /eliminate a reliance on windfalls <p>SP4</p> <ul style="list-style-type: none"> Allocate specific sites in the villages. (Proposals Map) SP4 Reduce the reliance on brownfield sites in the allocations and allocate more sites that will be deliverable SP4 Remove sites from allocations sites that are unlikely to be deliverable such as Derby Road Burton. SP4 Amend the distribution and allocate more sites for development SP4 Amend the settlement hierarchy to distinguish between Uttoxeter and Burton <p>SP2</p> <ul style="list-style-type: none"> Amend the housing trajectory to be more realistic over the plan period Amend the housing mix to be less prescriptive. SP16 Amend the proposals map to be useable and include names roads etc (Proposals Map) Amend the strategic green gaps (Proposals Map) Identify the green infrastructure corridors (Proposals Map) Amend the affordable housing policy to increase the threshold and be more coherent SP17 Amend the plan to be clear about what landscape areas are 	<p>The development strategy involves an element of windfall, which is likely to come forward based on the brownfield sites assessment and strategic housing land availability assessment.</p> <p>No change proposed.</p> <p>The settlement boundary topic paper sets out how amendments to settlement boundaries have been determined, in discussion with parish councils. Where a settlement is producing a neighbourhood plan, such as Yoxall, the boundary will be amended by the neighbourhood plan.</p> <p>It is important that housing is provided in all tiers in order to meet the housing needs of urban and rural communities. Whilst there have been few housing exceptions sites in East Staffordshire, there is a high rate of conversions and agricultural dwellings which is expected to continue and therefore it is important to include this element in the development strategy.</p> <p>No change proposed.</p> <p>There is no individual policy for Barton Marina, however a modification is to remove the symbol of the Barton Inset to avoid potential confusion.</p> <p>Change proposed.</p>	<p>Policies Map Inset 5 – Barton Under Needwood</p>	<p>Mod No. 154</p>

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					<p>the spatial strategy yet para 2.3 implies that it has.</p> <p>Para 2.8 the SA appraised broad options, but it is unclear if individual sites which are now proposed to be allocated have been subject to individual appraisals.</p> <p>Para 2.17 notes the suggested split of development with 6.3% in the tier one villages and 2.5% in tiers two and three, these percentages should be amended to allow for more development in village tiers one and two and the small amount of development in tier three, which is windfall and should not be counted as part of the specific allocations.</p> <p>Para 2.23 identifies that the two largest villages Abbott's Bromley and Yoxall are assigned 40 dwellings and indicates that this allowance will be community led. It is not clear therefore if the plan is allocating sites in these settlements and if the plan is reliant on the housing from these villages. If it is then the plan should allocate the sites to achieve certainty. If the settlement boundaries are being decided in this plan then sites emerging that are outside these boundaries will be contrary to policy, therefore the boundaries need to be clear at this stage. It is not considered that this part of the plan has been thought through in policy terms.</p> <p>Para 2.2.4 it is not considered that the small villages need to have any housing allowance, any development here is small scale and cannot be relied upon to achieve the overall housing number.</p> <p>Para 2.29 and 2.30 the plan should not be reliant upon brownfield sites due to viability and marketing constraints. Many brownfield sites have been granted permission and</p>	<p>protected and why SP23 SP30 SP31</p> <ul style="list-style-type: none"> Amend the development management policies to be less prescriptive over replacement buildings, note Barton Marina as tourist destination in Policy and on the proposals map (Proposals Map) SP8 DP4 DP12 Amend the Inset map boundaries (Proposals Map) 1,5,9, 13 	<p>It has been advised by government that the presumption in favour of sustainable development is contained within the plan.</p> <p>The plan aims to ensure the majority of development takes place in Burton upon Trent and Uttoxeter.</p> <p>No change proposed</p> <p>An up to date 5 year housing land supply has been made available as part of the examination library. This includes the correct and current position regarding lapsed planning permissions.</p> <p>The plan sets out the mechanism for non delivery on brownfield sites and greenfield sites.</p> <p>No change proposed.</p> <p>The Red House Farm site now has planning permission following the appeal.</p> <p>Allocation of Barton Marina is not considered appropriate. Other policies in the plan would be applied should further development come forward. No additional floorspace is allocated at Barton Marina.</p> <p>The approach to windfall is supported by the Brownfields sites topic paper</p> <p>No change proposed.</p>	<p>Page 85.</p>	<p>Mod No. 39</p>

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					<p>have failed to be delivered to date including JCB Uttoxeter, and Pirelli both of which are relied upon in this strategy. The allocation of brownfield sites is considered to be unsound if the strategy over relies upon them to deliver the housing requirement.</p> <p>Specific comments on the allocations will be made under the relevant policy. Policy 2.33 talks about a brownfield windfall allowance in the villages, which is unlikely to deliver given the character and nature of these settlements, particularly given the definition of Garden land in the NPPF.</p> <p>Para 2.34 to 2.37 sets out that Greenfield sites will need to be released to meet the housing requirement based on the SUE's, however Greenfield sites in Burton will also be delivered from medium sized allocations such as Forest Road and Redhouse Farm. The council's strategy at 2.36 implies that smaller sites are inferior to the SUE's, however we consider that this scale of site in the examples above are deliverable in the shorter term and more attractive to the market as they do not have the long lead in times and extensive infrastructure. On this basis therefore the strategy is not sound because it over relies upon SUE's and fails to recognise the benefits of other Greenfield sites.</p> <p>Page 69 the key diagram.</p> <p>The key diagram is not easy to understand, the villages and locations should be named in order to be able to interoperate the strategy. It is not understood why St George's Park is noted and Barton Marina is not given that they are both strategic Leisure destinations. The plans are too small and should be at least at A3 size. The strategic road network should also be shown.</p>		<p>Whilst the trajectory is aspirational, the numbers expected to be delivered on strategic sites have been provided by the applicant / agent. A modification is proposed to update the trajectory to include most recent planning application decisions.</p> <p>Change proposed</p> <p>The strategy includes sites which the council consider sustainable and deliverable.</p> <p>The councils approach to duty to cooperate with neighbouring South Derbyshire District Council is set out in the Duty to Cooperate paper. The site referred to in the representation is not an allocation within the South Derbyshire Pre-Submission Local Plan.</p> <p>Proposed modification to policy SP8 to make reference to reuse of rural buildings.</p> <p>Change proposed.</p> <p>The plan is supported by a viability assessment. The charging schedule will be set out in a future document with S106 being used until that time.</p> <p>No change proposed.</p> <p>The Derby Road site contains many underused and vacant sites. The policy aims to achieve a coherent redevelopment scheme which may or may not include all current uses.</p>	<p>SP8</p> <p>SP30</p>	<p>Mod No. 50</p> <p>Mod No. 110</p>

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					<p>We consider that the Strategy is flawed on the basis that the strategy has been derived from an evidence base which failed to include any landscape appraisal or character assessment. This is clear from the Planning for Change July 2012 document, which shows on the constraints plan on page 42 that no constraint relating to landscape is considered therein. This is further reinforced by the fact that the authority are now undertaking a landscape appraisal to be completed in 2014, which should have underpinned the strategy and the sites.</p> <p>The strategy is further flawed by the inadequacies of the SHMA and its complete failure to deal with the acknowledged housing market area as require by the NPPF at Para 159. This failure puts into question the overall housing number and the distribution of development. The strategy proposes a housing target which is not based on a robust SHMA and which takes an average between scenarios to arrive at an annual rate. This cannot be a robust assessment of the requirement and be in accordance with the NPPF to boost the supply of housing.</p> <p>The evidence base on which the plan relies includes land supply calculations that have been found on appeal to be highly inaccurate and the SOS has recently concluded that the council do not have a five year supply of land in accordance with the NPPF. The plans strategy should seek to bring land forward speedily and with a degree of certainty and the approach that the authority have taken with regard to a huge windfall allowance and the non-allocation of sites outside the two main towns is not conducive to increasing the supply and achieving certainty. The inspector concluded at the Red house Farm Appeal on this</p>		<p>The SHMA sets out the justification for the housing mix. The policy is considered flexible to allow for a range of mixes to come forward whilst also considering viability.</p> <p>The affordable housing policy is supported by the SHMA and Affordable Housing Viability Assessment.</p> <p>No change proposed.</p> <p>The council consider that exception sites should be those on the edge of settlements to ensure the sites are sustainable</p> <p>Proposed modifications to the wording of policy SP30.</p> <p>Change proposed.</p> <p>Identifying green infrastructure meets the requirements of the NPPF. Its identification does not preclude development from taking place.</p> <p>No change proposed.</p>		

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					<p>point that:</p> <p>“The Council has failed to demonstrate that it has compelling evidence that 90 dwellings per year will consistently become available from windfall sites and will continue to provide a reliable source of supply, as required in paragraph 48 of the Framework. Based on the above, I find that the Council’s supply of deliverable housing is likely to be significantly below its figure of 4.60 years”</p> <p>There is no certainty attached to windfall in either the urban area or the villages and this is a fundamental failing of the plan.</p> <p>Part Three Policies</p> <p>SP1 Object - it is unclear why the plan is repeating the NPPF.</p> <p>SP 2 Object The plan should distinguish between Burton as the principal town and Uttoxeter as a town.</p> <p>These settlements are vastly different in scale and character and this should be recognised in the hierarchy.</p> <p>The policy sets out the new development should be located within the settlement boundaries yet the settlement boundaries depicted on the policy maps fail to include developable sites at Burton, Yoxall, Denstone, and Barton under Needwood. The policy maps should be amended to include the development opportunities attached to this objection. Namely Land at Forest Road Burton Land at Postern Road Burton Land at St Mary’s Drive Stretton/Burton Land at Craythorne Lane Stretton/Burton</p>				

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					<p>Land to the South of Bond End Yoxall Land at B5031 Denstone Land at Barton Marina Barton under Needwood.</p> <p>SP3 The plan provides for 11,648 homes over the plan period or 613 dwellings PA. The rationale behind this requirement is set out in the June 2013 update which indicates that 613 dwellings PA is an average figure from two alternative scenarios. It is unclear why an average figure is taken rather than the higher figure of 630 PA. This is not in accordance with the NPPF to boost the supply of housing and the reasoning behind this is flawed. It is not clear why the LPA have deferred from meeting the RS Phase two requirement for 650 dwellings PA, which was a figure derived from a conjoined approach with neighbouring authorities which took account of the interrelationships between ESBC and Lichfield and for which the council expressed support. Policy SP3 should explain that the numbers are a minima for the plan period.</p> <p>SP4 The plan seeks to allocate 10,284 dwellings over the plan period this is below the overall requirement of 11,648 as the council believe that at April 2012 they had 1,582 extant permissions or 1,379, (including a lapse rate). We do not consider that the level of extant permissions is as the council have set out and work submitted in two recent appeal cases indicate that the extant permissions were around 800 dwellings at 2012. This means that the plan is under allocating land to meet the requirement because it is overestimating the contribution of the existing permissions on day one of the plan.</p> <p>Burton</p>				

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					<p>We object to the brownfield allocations in table one which amount to 1,683 dwellings. In Burton these sites are not considered to be deliverable particularly Derby Road 250, which comprises a large number of individual dwellings and sites in private ownership. The plan should rely less on these brownfield sites, some of which have been in the pipeline for many years and have failed to be delivered.</p> <p>The Greenfield allocations in Burton should be increased by the addition of Forest Road for 300 Dwellings and Redhouse Farm which already has a planning permission. It should also include land at Stretton both a Craythorne Lane for 500 dwellings and for St Mary's Drive for 150 dwellings.</p> <p>A windfall allowance of 1,359 in Burton is ill conceived. Land should be allocated to meet the housing requirement and not rely on windfalls for this strategic planning process.</p> <p>The historic windfall rate in the Borough has been skewed by the fact that there was a moratorium on sites over 10 dwellings operating from 2005 for a significant period. This drove developers onto smaller sites where planning permission could be obtained and has artificially increased the windfall figures.</p> <p>At the time that the last Local Plan was examined and adopted in 2006 most of the allocated sites already had planning permission and there was no scope for new developments other than the windfall sites, again this artificially increased the numbers of windfalls.</p> <p>In the future sites which may have been large windfalls, should be identified in the SHLAA and will become allocations and there should be no allowance for these type</p>				

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					<p>of larger sites.</p> <p>Uttoxeter We support the allocation of the Brookside Industrial estate and a planning application is to be submitted shortly, however we raise concern over the reliance on the JCB site at Pinfold Road which has been in the pipeline for many years and remains undeveloped. If sites fail to be delivered alternative provision needs to be made in alternative locations.</p> <p>Strategic Villages Barton under Needwood The allocation in Barton relates to the extant consent at Eflinch Lane the plan fails to acknowledge the development potential at Barton Marina for an additional 100 dwellings located around the marina basin and the lakesides. It is proposed that the whole of the Barton Marina complex be included in the Barton development boundary as the site is functioning as part of the settlement given the wide range of facilities including shops, restaurants and a cinema. Therefore the total development allocation for these villages should be increased to allow for the potential on the Barton Marina site.</p> <p>Windfall development allowances in the villages We object to the concept of this part of the housing requirement being met by windfalls the NPPF is clear at Para 48 that windfalls should not be relied upon unless there is compelling evidence that they are a reliable source of supply. The LPA have themselves acknowledged that windfalls are unreliable by their discounting exercise in their land supply calculations if these villages in tiers one, two and three are to assist in meeting the strategic housing requirement then land should be allocated for the express purpose, which is the view that we take. We consider that land should</p>				

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					<p>be allocated at Yoxall and Denstone to meet the express requirement referred to in detail in our comments the inset plans. If the council want to retain the windfall only strategy in these villages then the requirement of 351 should be met and allocated in the higher tier locations to ensure the delivery of the strategy. Reliance on sites coming forward through neighbourhood plans is unsound as evidenced by the events in Rolleston where in the neighboured plan it included no strategic development as proposed in the local plan and planning permission has been refused by the council on the basis that the development is out of step with the neighbourhood plan.</p> <p>Housing trajectory Page 84 implies that most of the strategic housing sites have planning permission but this is not the case. There is no permission at Branston Locks or Beamhill, which is the subject to a Judicial Review. The council cannot therefore rely on these sites in drafting the housing trajectory, these sites will not come on-stream early in the plan period and this is why the strategy is unsound because it is over reliant upon large strategic housing sites and fails to include medium sized allocations that do not have such significant lead in and completion times. It is unclear how the build rate will increase from 200 homes pa in 2015 to over 900 in 2017 as shown on the trajectory. A more realistic trajectory would be one achieving the annual target of 613 or thereabouts in the next two of three years and then being maintained thereafter.</p> <p>SP 6 We object to the policy as drafted on the basis that the proposal to regularly monitor the housing land availability is unlikely to be achieved given the history of this subject. The authority have never had a robust</p>				

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					<p>evidence base for the supply of housing land and their assessments have contained unrealistic expectations on both the quantum of supply and the rates of delivery. Furthermore they have not regularly updated these documents which have been many years out of date. The five year land supply should be reviewed annually and the council must have a robust database which has credibility. The policy implies that if the council are falling behind on delivery then they will bring sites forward through a DPD, this seems to be a long winded approach to what is required which is the granting of planning permissions it is not clear what type of DPD they might be considering using.</p> <p>SP 7 We object to policy SP7 that the SUE's identified exclude the land at Craythorne Lane Stretton, which is a logical and sustainable development location and to support the housing strategy. Planning permission has already been granted at Guinevere Avenue, Stretton as a sustainable development and the adjoining land at Craythorne Lane should be allocated.</p> <p>Development along this northern edge of the Burton urban area has been further indorsed by the Tutbury Road/ Harehedge Lane. The strategy of locating sufficient land adjacent to the urban area to specifically bring sites forward is a much better strategy than relying on 1,359 windfalls in the main towns. In addition land at St Mary's Drive on the former chicken farm together with the land at the rear should be allocated. See plans attached, an application is currently being worked up for land off St Mary's drive and will be submitted shortly. The location has already been established as an appropriate one by the approval of the dwellings at Guinevere Avenue.</p>				

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					<p>Both of these proposals at Stretton are superior to sites identified in the urban area which have severe delivery problems and may never materialise including over the very large proposed SUE's, which have long lead in and delivery times.</p> <p>It is noted that the Harehedge Lane Tutbury Lane allocation is allocated for 500 units but the capacity of this site is questioned given the construction of a large new school on the central part of the allocation. The plan omits any mention of the relationship with South Derbyshire and the potential of land to the east of making a contribution to the housing requirement. Land is available at Winshill adjoining the urban area of Burton, which could support the housing requirement for both authorities, but this potential has been overlooked due to the fact that the council have failed to undertake a proper SHMA looking at the true housing market area. Sites to the east of Burton would be ideally placed to deal with this type of need and would support a sustainable pattern of development given the acknowledged relationship and the commuting patterns identified in this plan on page 31. Work is being undertaken on a master planning exercise on this land and representations have been made upon it to South Derbyshire.</p> <p>The duty to cooperate between adjoining authorities must cover how the housing requirements are to be met, in this case the two authorities should have cooperated to produce a SHMA that covers the agreed housing market area. ESBC acknowledge this. A previous iteration included counting the housing numbers at the Drakelow Site within the SDDC as part of the ESBC's requirement, confirming that the relationship on the boundary is a highly significant one this has been completely</p>				

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					<p>overlooked in this new document. Para 159 of the NPPF sets out that authorities should have a clear understand of housing needs in their area and prepare a SHMA working with neighbouring authorities where housing market areas cross administrative boundaries, this has not been done and the plan is out of step with the NPPF on this fundamental point.</p> <p>Para 178 to 181 of the NPPF clearly requires planning across administrative boundaries, the fact that SDDC lies within the former East Midlands RS area and ESBC is with the West Midland RS area does not negate the geography of East Staffs.</p> <p>The plan does not appear to indicate a threshold size for a SUE but includes SUE's of various scales and it is questionable that land at Forest Road Burton for 300 dwellings should not only be included as an allocation in SP4, but also listed as a smaller SUE in policy SP7.</p> <p>SP 8 We object to SP 8 on the basis that it is not flexible enough to deal with the many situations that arise outside development boundaries for example a redevelopment of a brownfield site that would bring design and environmental benefits and was within reasonable distance of a sustainable settlement should be permitted. The policy makes no provision for such sites and is over prescriptive.</p> <p>SP 9 We object to policy SP 9 the council have not produced a draft charging schedule for CIL and it is unclear what the impact of such a charging regime would be on the viability of development and how this would affect the delivery of the strategy. The policy implies that a CIL will definitely be</p>				

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					<p>introduced, but the preceding paragraphs do not imply that this is a certainty, it is unclear how the plan can be sound when the impact of this is not known.</p> <p>SP 11 We object to policy SP11 on the basis that it is not considered that it will deliver homes given the character and nature of the site, the proposal is for a mixed use and the council is seeking a development partner to bring the site forward. It is considered that the potential for this sort of mixed development and the ensuing living arrangements are currently unattractive to the market and this site may not therefore deliver for many years. Alternative sites exist that are deliverable and should be allocated see our comments SP4/ SP7.</p> <p>SP12 We object to policy SP12 on the basis that this is a site straddling the Derby Road which is currently occupied by business uses the acquisition of land and properties is likely to mean that this site will not deliver 250 homes early in the plan period and should not be relied upon. Alternative sites exist that are deliverable and should be allocated, see our comments SP4/ SP7.</p> <p>SP15 We object to policy SP15 on the basis that new tourist accommodation should not be limited to within existing settlements. Tourist accommodation should not have to demonstrate that it cannot go within a settlement, but should be located in relation to the attraction it is serving. The policy is poorly worded and needs modification.</p> <p>SP16 We object to policy SP16 on the basis that this mix is far too prescriptive and does not allow sufficient flexibility for the market to</p>				

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					<p>determine the type of homes that can be sold. The basis of the mix is said to be based on the new housing needed over the plan period, but the mix will change over time and it inappropriate to include a prescriptive mix in the local plan that will be applied over the plan period. Furthermore the mix of dwellings on sites should be designed to reflect the character of the area in the area they are located and it may be inappropriate for some locations to have a prescribed mix. It is unclear how the mix in table 3.1 is to be applied.</p> <p>Outside the main towns and tier one settlements sites are required to meet a need based on housing needs survey this is not workable.</p> <p>SP17 We object to policy on the basis that the threshold for affordable housing is too low and should be increased to developments of 15 dwellings and over or sites of 0.5 hectares.</p> <p>Thresholds that are set too low simply stifle development or make small sites unviable. The policy as drafted leaves uncertainty as to the general level of affordability required on sites, is it 25% or less? This should be clearer.</p> <p>This policy needs rewriting to make clear what percentage of affordable is required as a starting point and that viability issues will alter this. The plan should be clearer about what matters need to be taken in account in any viability assessment such as reasonable profit levels and residual land values to encourage sites to come forward and to diminish uncertainty. This will enable the development industry to assess sites in the early stages before embarking on major and costly viability exercises. We are concerned about the spending of commuted sums</p>				

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					<p>offsite, if this is part of the policy it should be within the policy and be capable of justification.</p> <p>SP18 We object to policy SP18 on the basis that exception sites do not have to be within or on the edge of a settlements. There could be other sites which are appropriate, which do not directly abut a settlement. The policy as drafted does not make sense.</p> <p>SP23 We object to policy SP23 on the basis that there are no plans showing where the green infrastructure corridors are. They comprise natural and manmade green spaces and are to be safeguarded but you cannot tell where they are from the proposals map. If they are a land use allocation they must be shown, so that they can be clearly identified and the polices that are to be applied over them have a clear plan base. The policy anticipates developer contributions to make improvements to the green infrastructure corridors, but is not clear how this is related to development and if it complies with the CIL regulations.</p> <p>SP30 We object to policy SP30 on the basis that the policy says that within locally significant landscape areas development will be restricted if it affects the character, however there is no way of knowing where these areas area. They are not shown on the proposals map or the insets. Page 148 indicates that the council is working with the County Council to update the landscape character areas and assessments, this is due to be completed in 2014 and will describe which areas are most sensitive. This begs the question of how the current strategy has been determined if the</p>				

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					<p>council have not had any overall consideration of landscape character and sensitivity. The policy itself is flawed because the evidence required to support it is not yet available and so there is no knowledge of where it will apply.</p> <p>This point has been recently considered in a series of sec 78 appeals where it has become apparent that the Council has had no overall consideration of the relative merits of development sites based on their landscape impact and this has not been part of the original sieving mechanism to distinguish which sites should come forward for development and is part of the flaws of the SA of the preferred options document.</p> <p>SP31 We object to policy SP31 on the basis that an area of the strategic green infrastructure is identified between Rolleston and Stretton on the proposals map, which included land east of Craythorne Lane and the old railway line. This it is unnecessary to be included within the notation and this should be removed and the boundary redrawn as per the attached plan.</p> <p>DP 4 We object to the policy as drafted on the basis that the policy is inflexible and seeks to limit replacement buildings by reference to buildings which have special qualities of "traditional rural building" this is unnecessary and open to miss interoperation if a building is listed in a conservation area or protected by any other means then clearly demolition is not normally allowed. If buildings are special they will already be in the category and there is no need to create a further category in this policy to prevent the redevelopment of dwellings. The policy should be phrased in the positive, not the negative. There</p>				

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					<p>is nothing wrong with replacement dwellings in principal according to the NPPF and the policy should be redrafted to reflect a positive approach.</p> <p>DP 10 We object to the policy on the basis that it fails to include the locations in the borough that are existing recreation and tourist destinations, such as Barton Marina, which should be shown on the proposals map and recited in this policy.</p> <p>D12 We object to policy D12 on the basis that it fails to acknowledge Barton Marina either in the policy or on the proposals map as a comparable destination. The policy implies that there will be future development on the site to support the growth of the site and it is thought this may include uses which are normally located in town centres. This location does not adjoin any settlement and is remote from any main towns or villages. Settlement Boundaries and inset plans SP2 sets out that development will be concentrated within the towns villages etc. and these are shown on the accompanying plans.</p> <p>We object to the following inset plans. 1. Burton We object to the omission of the following sites from the settlement boundary Land at Craythorne Lane Stretton Adjacent to the built up area on the northern edge of Burton in a sustainable location, outside the proposed green wedge, with strong market interest in developing the site. No technical obstacles to development and a logical extension to the development boundary</p> <p>Land at St Mary's Drive Stretton Adjacent to the built up area on the northern edge of Burton in a sustainable</p>				

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					<p>location, outside the proposed green wedge also strong market interest in developing the site. No technical obstacles to development and a logical extension to the development boundary adjacent to recently approved site at Guinevere Avenue. The development boundary should be amended to include the land adjacent to the consented site in addition to this adjoin field and former farm off St Mary's Drive</p> <p>Land at Forest Road Burton Adjacent to the built up area on the western edge of Burton in a sustainable location, outside the proposed green wedge and strong market interest in developing the site. No technical obstacles to development and a logical extension to the development boundary. The land is the subject of a live planning application and sec 78 appeal.</p> <p>Land at Postern Road Henhurst Hill Adjacent to the built up area on the western edge of Burton in a sustainable location, outside the proposed green wedge and strong market interest in developing the site. No technical obstacles to development and a logical extension to the development boundary. This is small site which requires a rationalisation of the development boundary in this location. A planning application is being prepared and will be submitted shortly.</p> <p>5. Barton under Needwood Land at Barton Marina The Barton Marina complex includes land and buildings which are closely linked to the village of Barton and the recently approved site at Efflinch lane. The area should be included within the settlement boundary of Barton, which would be a logical way to extend the boundary. A proposal is being prepared for a scheme of</p>				

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					<p>waterside housing in this location which maximises the potential of the waterfront opportunity</p> <p>9. Denstone Land adjacent to the B5031 Adjacent to the built up area on the southern edge of the village in a sustainable location, close to the village school and the nearby JCB site. Strong market interest in developing the site. No technical obstacles to development and a logical extension to the development boundary. This is small site which requires a rationalisation of the development boundary in this location.</p> <p>13. Yoxall Land at Bond End The boundary of Yoxall should be extended to include the land south of Bond End. The lies outside the floodplain and there are no technical reasons why this site cannot come forward for development. Proposals and inset Maps We object to the proposals map on the basis that it is unclear and does not depict the green infrastructure corridors and the landscape character areas as set out in our objections to SP23/ SP30.</p>				
LP474 Cllr J Jones and Cllr J Jessel	Yes	Yes	Strategic Policy 31: Green Belt and Strategic Green Gaps and Borough wide Policies Map			Request that the inclusion of a strategic green gap be introduced south of Argos, at Catholme, to act as a buffer between the existing developments and any potential future Twin Rivers developments. This will provide an essential natural break between Burton and Branston, commercial developments at Barton and Graycar Business Parks and any new Twin Rivers development and prevent coalescence, which is totally undesirable	<p>The justification for strategic green gaps is set out in the Strategic Green Gap Topic paper. There is no certainty that the development in question would come forward and any buffers could be negotiated should an application be submitted.</p> <p>No change proposed</p>		
LP475 JVH	No	No		a. Positively		Amend the settlement boundary at	The relationship to the housing		

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Planning on behalf of Walton Homes Ltd				<p>prepared b. Justified c. Effective d. Consistent with National Policy</p>	<p>Para 1.86 to 1.100 At para 1.87 the plan identifies that the strategic housing market relationship is strongest between Burton and Swadlincote in South Derbyshire. However the SHMA of Oct 2013 goes on to consider the District as a discrete market area which itself is sub divided. We agree that the principal linkage in housing terms is between Burton and South Derbyshire as depicted on diagram 1.5 page 31. Which indicates the relationship between the two districts in terms of commuting patterns. It is considered illogical therefore to ignore the requirements of South Derbyshire and potentially more sustainable patterns of development thorough a misguided housing market boundary, furthermore there is little reference to the relationship with Lichfield District to the south and the pressures in that district to meet the requirements of Birmingham, which spill over into ESBC along the A38 corridor.</p> <p>Para 1.94 indicates that the housing requirement over the period 2012 to 2031 is some 11,408 households but this figure is considered to be flawed on two counts. Firstly the overall needs of the housing market area have not been fully assessed and secondly that the figure of 11,000 is below the RS Phase Two figures and is an under estimate of the requirement.</p> <p>The plan identifies at 1.119 and 1.126 the different characters of Burton and Uttoxeter however the development strategy in part two deals with Burton and Uttoxeter at the same level in the settlement hierarchy although clearly they are at a completely different scale and character.</p> <p>Para 1.134 sets out the strategic objectives of the plan and the objective of housing choice to provide a mix of homes is a valid objective, but which will be at the expensive</p>	<p>Burton to include development sites at Craythorne Road, Forest Road, St Marys Drive and Postern Road (Proposals Map) SP4</p> <ul style="list-style-type: none"> • Amend the development boundary at Yoxall to include land at Bond End (Proposals Map) SP4 • Amend the development boundary at Denstone and include land adjacent to the B5031 (Proposals Map) SP4 • Amend the development boundary at Barton under Need wood to include Barton Marina (Proposals Map) • Amend the list of SUEs to include Forest Road and Craythorne Road SP7 • Amend the housing requirement to at least the RS level of 650 per annum SP3 • Reconsider the reliability of the SHMA with regard to the housing market area • Reconsider the relationship with South Derbyshire through the SHMA and new potential allocations. • Amend the distribution of growth to reduce /eliminate a reliance on windfalls SP4 • Allocate specific sites in the villages. (Proposals Map) SP4 • Reduce the reliance on brownfield sites in the allocations and allocate more sites that will be deliverable SP4 • Remove sites from allocations sites that are unlikely to be deliverable such as Derby Road Burton. SP4 • Amend the distribution and 	<p>market area is set out in the SHMA.</p> <p>The SHMA sets out the justification for the housing numbers.</p> <p>The sustainability appraisal acknowledges the conflict with some of the plan objectives.</p> <p>The sustainability appraisal uses the current landscape descriptions to determine landscape impact</p> <p>The sustainability appraisal includes an appraisal of all site allocations and alternative site options. Where details are available through the planning application process these have been incorporated into the appraisal.</p> <p>The development strategy involves an element of windfall, which is likely to come forward based on the brownfield sites assessment and strategic housing land availability assessment.</p> <p>No change proposed.</p> <p>The settlement boundary topic paper sets out how amendments to settlement boundaries have been determined, in discussion with parish councils. Where a settlement is producing a neighbourhood plan, such as Yoxall, the boundary will be amended by the neighbourhood plan.</p>		

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					<p>of other objectives such as countryside, which must in places be allocated for new development. 5</p> <p>Part Two</p> <p>Para 2.3 the strategy is said to take account of various constraints including high quality landscape features. However there is no notation on the proposals map which deals with landscape character and indeed it is understood that this work is still in progress. This point has been recently considered in a series of Sec 78 appeals, where it has become apparent that the Council has had no overall consideration of the relative merits of development sites based on their landscape impact and this has not been part of the original sieving mechanism to distinguish which sites should come forward for development and is part of the flaws of the SA of the preferred options document. It is considered that the plan is fundamentally flawed on this basis alone as a landscape analysis has not underpinned the spatial strategy yet para 2.3 implies that it has.</p> <p>Para 2.8 the SA appraised broad options, but it is unclear if individual sites which are now proposed to be allocated have been subject to individual appraisals.</p> <p>Para 2.17 notes the suggested split of development with 6.3% in the tier one villages and 2.5% in tiers two and three, these percentages should be amended to allow for more development in village tiers one and two and the small amount of development in tier three, which is windfall and should not be counted as part of the specific allocations.</p> <p>Para 2.23 identifies that the two largest villages Abbott's Bromley and Yoxall are assigned 40 dwellings and indicates that this</p>	<p>allocate more sites for development</p> <p>SP4</p> <ul style="list-style-type: none"> Amend the settlement hierarchy to distinguish between Uttoxeter and Burton <p>SP2</p> <ul style="list-style-type: none"> Amend the housing trajectory to be more realistic over the plan period Amend the housing mix to be less prescriptive. SP16 Amend the proposals map to be useable and include names roads etc (Proposals Map) Amend the strategic green gaps (Proposals Map)• Identify the green infrastructure corridors (Proposals Map) Amend the affordable housing policy to increase the threshold and be more coherent SP17 Amend the plan to be clear about what landscape areas are protected and why SP23 SP30 SP31 Amend the development management policies to be less prescriptive over replacement buildings, note Barton Marina as tourist destination in Policy and on the proposals map (Proposals Map) SP8 DP4 DP12 Amend the Inset map boundaries (Proposals Map) 1,5,9, 13 	<p>It is important that housing is provided in all tiers in order to meet the housing needs of urban and rural communities. Whilst there have been few housing exceptions sites in East Staffordshire, there is a high rate of conversions and agricultural dwellings which is expected to continue and therefore it is important to include this element in the development strategy.</p> <p>No change proposed.</p> <p>There is no individual policy for Barton Marina, however a modification is to remove the symbol of the Barton Inset to avoid potential confusion.</p> <p>Change proposed.</p> <p>It has been advised by government that the presumption in favour of sustainable development is contained within the plan.</p> <p>The plan aims to ensure the majority of development takes place in Burton upon Trent and Uttoxeter.</p> <p>No change proposed</p> <p>An up to date 5 year housing land supply has been made available as part of the examination library. This includes the correct and current position regarding lapsed planning permissions.</p>	<p>Policies Map Inset 5 – Barton Under Needwood</p>	<p>Mod No. 154</p>

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					<p>allowance will be community led. It is not clear therefore if the plan is allocating sites in these settlements and if the plan is reliant on the housing from these villages. If it is then the plan should allocate the sites to achieve certainty. If the settlement boundaries are being decided in this plan then sites emerging that are outside these boundaries will be contrary to policy, therefore the boundaries need to be clear at this stage. It is not considered that this part of the plan has been thought through in policy terms.</p> <p>Para 2.2.4 it is not considered that the small villages need to have any housing allowance, any development here is small scale and cannot be relied upon to achieve the overall housing number.</p> <p>Para 2.29 and 2.30 the plan should not be reliant upon brownfield sites due to viability and marketing constraints. Many brownfield sites have been granted permission and have failed to be delivered to date including JCB Uttoxeter, and Pirelli both of which are relied upon in this strategy. The allocation of brownfield sites is considered to be unsound if the strategy over relies upon them to deliver the housing requirement. Specific comments on the allocations will be made under the relevant policy.</p> <p>Policy 2.33 talks about a brownfield windfall allowance in the villages, which is unlikely to deliver given the character and nature of these settlements, particularly given the definition of Garden land in the NPPF.</p> <p>Para 2.34 to 2.37 sets out that Greenfield sites will need to be released to meet the housing requirement based on the SUE's, however Greenfield sites in Burton will also be delivered from medium sized allocations such as Forest Road and Redhouse Farm. The council's strategy at 2.36 implies that</p>		<p>The plan sets out the mechanism for non delivery on brownfield sites and greenfield sites.</p> <p>The Red House Farm site now has planning permission following the appeal.</p> <p>Allocation of Barton Marina is not considered appropriate. Other policies in the plan would be applied should further development come forward. No additional floorspace is allocated at Barton Marina.</p> <p>The approach to windfall is supported by the Brownfields sites topic paper.</p> <p>No change proposed.</p> <p>Whilst the trajectory is aspirational, the numbers expected to be delivered on strategic sites have been provided by the applicant / agent. Proposed modification to update the trajectory.</p> <p>Change proposed.</p> <p>The strategy includes sites which the council consider sustainable and deliverable</p> <p>The councils approach to duty to cooperate with neighbouring South Derbyshire District Council is set out in the Duty to Cooperate paper. The site referred to in the representation is not an allocation within the South Derbyshire Pre-Submission Local Plan.</p>	<p>Page 85.</p> <p>SP8</p>	<p>Mod No. 39</p> <p>Mod No. 50</p>

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					<p>smaller sites are inferior to the SUE's, however we consider that this scale of site in the examples above are deliverable in the shorter term and more attractive to the market as they do not have the long lead in times and extensive infrastructure. On this basis therefore the strategy is not sound because it over relies upon SUE's and fails to recognise the benefits of other Greenfield sites.</p> <p>Page 69 the key diagram. The key diagram is not easy to understand, the villages and locations should be named in order to be able to interoperate the strategy. It is not understood why St George's Park is noted and Barton Marina is not given that they are both strategic Leisure destinations. The plans are too small and should be at least at A3 size. The strategic road network should also be shown.</p> <p>We consider that the Strategy is flawed on the basis that the strategy has been derived from an evidence base which failed to include any landscape appraisal or character assessment. This is clear from the Planning for Change July 2012 document, which shows on the constraints plan on page 42 that no constraint relating to landscape is considered therein. This is further reinforced by the fact that the authority are now undertaking a landscape appraisal to be completed in 2014, which should have underpinned the strategy and the sites.</p> <p>The strategy is further flawed by the inadequacies of the SHMA and its complete failure to deal with the acknowledged housing market area as require by the NPPF at Para 159. This failure puts into question the overall housing number and the distribution of development. The strategy proposes a housing target which is not based on a robust SHMA and which</p>		<p>No change proposed.</p> <p>Proposed modification to policy SP8 to make reference to reuse of rural buildings</p> <p>Change proposed.</p> <p>The plan is supported by a viability assessment. The charging schedule will be set out in a future document with S106 being used until that time.</p> <p>No change proposed.</p> <p>The Derby Road site contains many underused and vacant sites. The policy aims to achieve a coherent redevelopment scheme which may or may not include all current uses.</p> <p>No change proposed.</p> <p>The SHMA sets out the justification for the housing mix. The policy is considered flexible to allow for a range of mixes to come forward whilst also considering viability.</p> <p>The affordable housing policy is supported by the SHMA and Affordable Housing Viability Assessment.</p> <p>The council consider that exception sites should be those on the edge of settlements to ensure the sites are sustainable</p> <p>No change proposed.</p> <p>Proposed modifications to the</p>	<p>SP30</p>	<p>Mod No. 110</p>

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					<p>takes an average between scenarios to arrive at an annual rate. This cannot be a robust assessment of the requirement and be in accordance with the NPPF to boost the supply of housing.</p> <p>The evidence base on which the plan relies includes land supply calculations that have been found on appeal to be highly inaccurate and the SOS has recently concluded that the council do not have a five year supply of land in accordance with the NPPF. The plans strategy should seek to bring land forward speedily and with a degree of certainty and the approach that the authority have taken with regard to a huge windfall allowance and the non-allocation of sites outside the two main towns is not conducive to increasing the supply and achieving certainty. The inspector concluded at the Red house Farm Appeal on this point that:</p> <p>“The Council has failed to demonstrate that it has compelling evidence that 90 dwellings per year will consistently become available from windfall sites and will continue to provide a reliable source of supply, as required in paragraph 48 of the 7 Framework. Based on the above, I find that the Council’s supply of deliverable housing is likely to be significantly below its figure of 4.60 years”</p> <p>There is no certainty attached to windfall in either the urban area or the villages and this is a fundamental failing of the plan.</p> <p>Part Three Policies SP1 Object - it is unclear why the plan is repeating the NPPF.</p> <p>SP 2 Object The plan should distinguish between Burton as the principal town and Uttoxeter as a town. These settlements are vastly different</p>		<p>wording of policy SP30.</p> <p>Change proposed.</p> <p>Identifying green infrastructure meets the requirements of the NPPF. Its identification does not preclude development from taking place.</p> <p>No change proposed.</p>		

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					<p>in scale and character and this should be recognised in the hierarchy.</p> <p>The policy sets out the new development should be located within the settlement boundaries yet the settlement boundaries depicted on the policy maps fail to include developable sites at Burton, Yoxall, Denstone, and Barton under Needwood. The policy maps should be amended to include the development opportunities attached to this objection.</p> <p>Namely Land at Forest Road Burton Land at Postern Road Burton Land at St Mary's Drive Stretton/Burton Land at Craythorne Lane Stretton/Burton Land to the South of Bond End Yoxall Land at B5031 Denstone Land at Barton Marina Barton under Needwood.</p> <p>SP3 The plan provides for 11,648 homes over the plan period or 613 dwellings PA. The rationale behind this requirement is set out in the June 2013 update which indicates that 613 dwellings PA is an average figure from two alternative scenarios. It is unclear why an average figure is take rather than the higher figure of 630 PA. This is not in accordance with the NPPF to boost the supply of housing and the reasoning behind this is flawed. It is not clear why the LPA have deferred from meeting the RS Phase two requirement for 650 dwellings PA, which was a figure derived from a conjoined approach with neighbouring authorities which took account of the interrelationships' between ESBC and Lichfield and for which the council expressed support. Policy SP3 should explain that the numbers are a minima for the plan period.</p> <p>SP4</p>				

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					<p>The plan seeks to allocate 10,284 dwellings over the plan period this is below the overall requirement of 11,648 as the council believe that at April 2012 they had 1,582 extant permissions or 1,379, (including a lapse rate). We do not consider that the level of extant permissions is as the council have set out and work submitted in two recent appeal cases indicate that the extant permissions were around 800 dwellings at 2012. This means that the plan is under allocating land to meet the requirement because it is overestimating the contribution of the exiting permissions on day one of the plan.</p> <p>Burton We object to the brownfield allocations in table one which amount to 1,683 dwellings. In Burton these sites are not considered to be deliverable particularly Derby Road 250, which comprises a large number of individual dwellings and sites in private ownership. The plan should rely less on these brownfield sites, some of which have been in the pipeline for many years and have failed to be delivered.</p> <p>The Greenfield allocations in Burton should be increased by the addition of Forest Road for 300 Dwellings and Redhouse Farm which already has a planning permission. It should also include land at Stretton both a Craythorne Lane for 500 dwellings and for St Mary's Drive for 150 dwellings.</p> <p>A windfall allowance of 1,359 in Burton is ill conceived. Land should be allocated to meet the housing requirement and not rely on windfalls for this strategic planning process.</p> <p>The historic windfall rate in the Borough has been skewed by the fact that there was a moratorium on sites over 10 dwellings operating from 2005 for a significant period.</p>				

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					<p>This drove developers onto smaller sites where planning permission could be obtained and has artificially increased the windfall figures.</p> <p>At the time that the last Local Plan was examined and adopted in 2006 most of the allocated sites already had planning permission and there was no scope for new developments other than the windfall sites, again this artificially increased the numbers of windfalls.</p> <p>In the future sites which may have been large windfalls, should be identified in the SHLAA and will become allocations and there should be no allowance for these type of larger sites.</p> <p>Uttoxeter We support the allocation of the Brookside Industrial estate and a planning application is to be submitted shortly, however we raise concern over the reliance on the JCB site at Pinfold Road which has been in the pipeline for many years and remains undeveloped. If sites fail to be delivered alternative provision needs to be made in alternative locations.</p> <p>Strategic Villages Barton under Needwood The allocation in Barton relates to the extant consent at Efflinch Lane the plan fails to acknowledge the development potential at Barton Marina for an additional 100 dwellings located around the marina basin and the lakesides. It is proposed that the whole of the Barton Marina complex be included in the Barton development boundary as the site is functioning as part of the settlement given the wide range of facilities including shops, restaurants and a cinema. Therefore the total development allocation for these villages should be increased to allow for the potential on the Barton Marina site.</p>				

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					<p>Windfall development allowances in the villages We object to the concept of this part of the housing requirement being met by windfalls the NPPF is clear at Para 48 that windfalls should not be relied upon unless there is completing evidence that they are a reliable source of supply. The LPA have themselves acknowledged that windfalls are unreliable by their discounting exercise in their land supply calculations if these villages in tiers one, two and three are to assist in meeting the strategic housing requirement then land should be allocated for the express purpose, which is the view that we take. We consider that land should be allocated at Yoxall and Denstone to meet the express requirement referred to in detail in our comments the inset plans. If the council want to retain the windfall only strategy in these villages then the requirement of 351 should be met and allocated in the higher tier locations to ensure the delivery of the strategy. Reliance on sites coming forward through neighbourhood plans is unsound as evidenced by the events in Rolleston where in the neighbored plan it included no strategic development as proposed in the local plan and planning permission has been refused by the council on the basis that the development is out of step with the neighbourhood plan.</p> <p>Housing trajectory Page 84 implies that most of the strategic housing sites have planning permission but this is not the case. There is no permission at Branston Locks or Beamhill, which is the subject to a Judicial Review. The council cannot therefore rely on these sites in drafting the housing trajectory, these sites will not come on-stream early in the plan period and this is why the strategy is unsound because it is over reliant upon</p>				

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					<p>large strategic housing sites and fails to include medium sized allocations that do not have such significant lead in and completion times. It is unclear how the build rate will increase from 200 homes pa in 2015 to over 900 in 2017 as shown on the trajectory. A more realistic trajectory would be one achieving the annual target of 613 or thereabouts in the next two of three years and then being maintained thereafter.</p> <p>SP 6 We object to the policy as drafted on the basis that the proposal to regularly monitor the housing land availability is unlikely to be achieved given the history of this subject. The authority have never had a robust evidence base for the supply of housing land and their assessments have contained unrealistic expectations on both the quantum of supply and the rates of delivery. Furthermore they have not regularly updated these documents which have been many years out of date. The five year land supply should be reviewed annually and the council must have a robust database which has credibility. The policy implies that if the council are falling behind on delivery then they will bring sites forward through a DPD, this seems to be a long winded approach to what is required which is the granting of planning permissions it is not clear what type of DPD they might be considering using.</p> <p>SP 7 We object to policy SP7 that the SUE's identified exclude the land at Craythorne Lane Stretton, which is a logical and sustainable development location and to support the housing strategy. Planning permission has already been granted at Guinevere Avenue, Stretton as a sustainable development and the adjoining land at Craythorne Lane should be allocated.</p>				

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					<p>Development along this northern edge of the Burton urban area has been further indorsed by the Tutbury Road/ Harehedge Lane. The strategy of locating sufficient land adjacent to the urban area to specifically bring sites forward is a much better strategy than relying on 1,359 windfalls in the main towns. In addition land at St Mary's Drive on the former chicken farm together with the land at the rear should be allocated. See plans attached, an application is currently being worked up for land off St Mary's drive and will be submitted shortly. The location has already been established as an appropriate one by the approval of the dwellings at Guinevere Avenue.</p> <p>Both of these proposals at Stretton are superior to sites identified in the urban area which have severe delivery problems and may never materialise including over the very large proposed SUE's, which have long lead in and delivery times.</p> <p>It is noted that the Harehedge Lane Tutbury Lane allocation is allocated for 500 units but the capacity of this site is questioned given the construction of a large new school on the central part of the allocation.</p> <p>The plan omits any mention of the relationship with South Derbyshire and the potential of land to the east of making a contribution to the housing requirement. Land is available at Winshill adjoining the urban area of Burton, which could support the housing requirement for both authorities, but this potential has been overlooked due to the fact that the council have failed to undertake a proper SHMA looking at the true housing market area. Sites to the east of Burton would be ideally placed to deal with this type of need and would support a sustainable pattern of development given the acknowledged relationship and the</p>				

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					<p>commuting patterns identified in this plan on page 31. Work is being undertaken on a master planning exercise on this land and representations have been made upon it to South Derbyshire.</p> <p>The duty to cooperate between adjoining authorities must cover how the housing requirements are to be met, in this case the two authorities should have cooperated to produce a SHMA that covers the agreed housing market area. ESBC acknowledge this. A previous iteration included counting the housing numbers at the Drakelow Site within the SDDC as part of the ESBC's requirement, confirming that the relationship on the boundary is a highly significant one this has been completely overlooked in this new document. Para 159 of the NPPF sets out that authorities should have a clear understand of housing needs in their area and prepare a SHMA working with neighbouring authorities where housing market areas cross administrative boundaries, this has not been done and the plan is out of step with the NPPF on this fundamental point.</p> <p>Para 178 to 181 of the NPPF clearly requires planning across administrative boundaries, the fact that SDDC lies within the former East Midlands RS area and ESBC is with the West Midland RS area does not negate the geography of East Staffs.</p> <p>The plan does not appear to indicate a threshold size for a SUE but includes SUE's of various scales and it is questionable that land at Forest Road Burton for 300 dwellings should not only be included as an allocation in SP4, but also listed as a smaller SUE in policy SP7.</p> <p>SP 8 We object to SP 8 on the basis that it is not</p>				

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					<p>flexible enough to deal with the many situations that arise outside development boundaries for example a redevelopment of a brownfield site that would bring design and environmental benefits and was within reasonable distance of a sustainable settlement should be permitted. The policy makes no provision for such sites and is over prescriptive.</p> <p>SP 9 We object to policy SP 9 the council have not produced a draft charging schedule for CIL and it is unclear what the impact of such a charging regime would be on the viability of development and how this would affect the delivery of the strategy. The policy implies that a CIL will definitely be introduced, but the preceding paragraphs do not imply that this is a certainty, it is unclear how the plan can be sound when the impact of this is not known.</p> <p>SP 11 We object to policy SP11 on the basis that it is not considered that it will deliver homes given the character and nature of the site, the proposal is for a mixed use and the council is seeking a development partner to bring the site forward. It is considered that the potential for this sort of mixed development and the ensuing living arrangements are currently unattractive to the market and this site may not therefore deliver for many years. Alternative sites exist that are deliverable and should be allocated see our comments SP4/ SP7.</p> <p>SP12 We object to policy SP12 on the basis that this is a site straddling the Derby Road which is currently occupied by business uses the acquisition of land and properties is likely to mean that this site will not deliver 250 homes early in the plan period and should not be relied upon. Alternative sites</p>				

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					<p>exist that are deliverable and should be allocated, see our comments SP4/ SP7.</p> <p>SP15 We object to policy SP15 on the basis that new tourist accommodation should not be limited to within existing settlements. Tourist accommodation should not have to demonstrate that it cannot go within a settlement, but should be located in relation to the attraction it is serving. The policy is poorly worded and needs modification.</p> <p>SP16 We object to policy SP16 on the basis that this mix is far too prescriptive and does not allow sufficient flexibility for the market to determine the type of homes that can be sold. The basis of the mix is said to be based on the new housing needed over the plan period, but the mix will change over time and it inappropriate to include a prescriptive mix in the local plan that will be applied over the plan period. Furthermore the mix of dwellings on sites should be designed to reflect the character of the area in the area they are located and it may be inappropriate for some locations to have a prescribed mix. It is unclear how the mix in table 3.1 is to be applied.</p> <p>Outside the main towns and tier one settlements sites are required to meet a need based on housing needs survey this is not workable.</p> <p>SP17 We object to policy on the basis that the threshold for affordable housing is too low and should be increased to developments of 15 dwellings and over or sites of 0.5 hectares.</p> <p>Thresholds that are set too low simply stifle</p>				

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					<p>development or make small sites unviable. The policy as drafted leaves uncertainly as to the general level of affordability required on sites, is it 25% or less? This should be clearer.</p> <p>This policy needs rewriting to make clear what percentage of affordable is required as a starting point and that viability issues will alter this. The plan should be clearer about what matters need to be taken in account in any viability assessment such as reasonable profit levels and residual land values to encourage sites to come forward and to diminish uncertainly. This will enable the development industry to assess sites in the early stages before embarking on major and costly viability exercises. We are concerned about the spending of commuted sums offsite, if this is part of the policy it should be within the policy and be capable of justification.</p> <p>SP18 We object to policy SP18 on the basis that exception sites do not have to be within or on the edge of a settlements. There could be other sites which are appropriate, which do not directly abut a settlement. The policy as drafted does not make sense.</p> <p>SP23 We object to policy SP23 on the basis that there are no plans showing where the green infrastructure corridors are. They comprise natural and manmade green spaces and are to be safeguarded but you cannot tell where they are from the proposals map. If they are a land use allocation they must be shown, so that they can be clearly identified and the polices that are to be applied over them have a clear plan base. The policy anticipates developer contributions to make improvements to the green infrastructure corridors, but is not clear how this is related to development and if it complies with the</p>				

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					<p>CIL regulations.</p> <p>SP30 We object to policy SP30 on the basis that the policy says that within locally significant landscape areas development will be restricted if it affects the character, however there is no way of knowing where these areas area. They are not shown on the proposals map or the insets. Page 148 indicates that the council is working with the County Council to update 14 the landscape character areas and assessments, this is due to be completed in 2014 and will describe which areas are most sensitive. This begs the question of how the current strategy has been determined if the council have not had any overall consideration of landscape character and sensitivity. The policy itself is flawed because the evidence required to support it is not yet available and so there is no knowledge of where it will apply.</p> <p>This point has been recently considered in a series of sec 78 appeals where it has become apparent that the Council has had no overall consideration of the relative merits of development sites based on their landscape impact and this has not been part of the original sieving mechanism to distinguish which sites should come forward for development and is part of the flaws of the SA of the preferred options document.</p> <p>SP31 We object to policy SP31 on the basis that an area of the strategic green infrastructure is identified between Rolleston and Stretton on the proposals map, which included land east of Craythorne Lane and the old railway line. This it is unnecessary to be included within the notation and this should be removed and the boundary redrawn as per the attached plan.</p>				

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					<p>DP 4 We object to the policy as drafted on the basis that the policy is inflexible and seeks to limit replacement buildings by reference to buildings which have special qualities of “traditional rural building” this is unnecessary and open to miss interoperation if a building is listed in a conservation area or protected by any other means then clearly demolition is not normally allowed. If buildings are special they will already be in the category and there is no need to create a further category in this policy to prevent the redevelopment of dwellings. The policy should be phrased in the positive, not the negative. There is nothing wrong with replacement dwellings in principal according to the NPPF and the policy should be redrafted to reflect a positive approach.</p> <p>DP 10 We object to the policy on the basis that it fails to include the locations in the borough that are existing recreation and tourist destinations, such as Barton Marina, which should be shown on the proposals map and recited in this policy.</p> <p>D12 We object to policy D12 on the basis that it fails to acknowledge Barton Marina either in the policy or on the proposals map as a comparable destination. The policy implies that there will be future development on the site to support the growth of the site and it is thought this may include uses which are normally located in town centres. This location does not adjoin any settlement and is remote from any main towns or villages.</p> <p>Settlement Boundaries and inset plans SP2 sets out that development will be concentrated within the towns villages etc. and these are shown on the accompanying</p>				

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					<p>plans. We object to the following inset plans.</p> <p>1.Burton We object to the omission of the following sites from the settlement boundary</p> <p>Land at Craythorne Lane Stretton Adjacent to the built up area on the northern edge of Burton in a sustainable location, outside the proposed green wedge, with strong market interest in developing the site. No technical obstacles to development and a logical extension to the development boundary</p> <p>Land at St Mary's Drive Stretton Adjacent to the built up area on the northern edge of Burton in a sustainable location, outside the proposed green wedge also strong market interest in developing the site. No technical obstacles to development and a logical extension to the development boundary adjacent to recently approved site at Guinevere Avenue. The development boundary should be amended to include the land adjacent to the consented site in addition to this adjoin field and former farm off St Mary's Drive</p> <p>Land at Forest Road Burton Adjacent to the built up area on the western edge of Burton in a sustainable location, outside the proposed green wedge and strong market interest in developing the site. No technical obstacles to development and a logical extension to the development boundary. The land is the subject of a live planning application and sec 78 appeal.</p> <p>Land at Postern Road Henhurst Hill Adjacent to the built up area on the western edge of Burton in a sustainable location, outside the proposed green</p>				

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					<p>wedge and strong market interest in developing the site. No technical obstacles to development and a logical extension to the development boundary. This is small site which requires a rationalisation of the development boundary in this location. A planning application is being prepared and will be submitted shortly.</p> <p>5. Barton under Needwood Land at Barton Marina The Barton Marina complex includes land and buildings which are closely linked to the village of Barton and the recently approved site at Eflinch lane. The area should be included within the settlement boundary of Barton, which would be a logical way to extend the boundary. A proposal is being prepared for a scheme of waterside housing in this location which maximises the potential of the waterfront opportunity</p> <p>9. Denstone Land adjacent to the B5031 Adjacent to the built up area on the southern edge of the village in a sustainable location, close to the village school and the nearby JCB site. Strong market interest in developing the site. No technical obstacles to development and a logical extension to the development boundary. This is small site which requires a rationalisation of the development boundary in this location.</p> <p>13. Yoxall Land at Bond End The boundary of Yoxall should be extended to include the land south of Bond End. The lies outside the floodplain and there are no technical reasons why this site cannot come forward for development.</p> <p>Proposals and inset Maps We object to the proposals map on the basis that it is unclear and does not depict the</p>				

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					green infrastructure corridors and the landscape character areas as set out in our objections to SP23/ SP30. •				
LP476 JVH Planning on behalf of A and S Enterprise Ltd	No	No	All	a. Positively prepared b. Justified c. Effective d. Consistent with National Policy	<p>Part One Para 1.86 to 1.100 At para 1.87 the plan identifies that the strategic housing market relationship is strongest between Burton and Swadlincote in South Derbyshire. However the SHMA of Oct 2013 goes on to consider the District as a discrete market area which itself is sub divided. We agree that the principal linkage in housing terms is between Burton and South Derbyshire as depicted on diagram 1.5 page 31. Which indicates the relationship between the two districts in terms of commuting patterns. It is considered illogical therefore to ignore the requirements of South Derbyshire and potentially more sustainable patterns of development thorough a misguided housing market boundary, furthermore there is little reference to the relationship with Lichfield District to the south and the pressures in that district to meet the requirements of Birmingham, which spill over into ESBC along the A38 corridor.</p> <p>Para 1.94 indicates that the housing requirement over the period 2012 to 2031 is some 11,408 households but this figure is considered to be flawed on two counts. Firstly the overall needs of the housing market area have not been fully assessed and secondly that the figure of 11,000 is below the RS Phase Two figures and is an under estimate of the requirement.</p> <p>The plan identifies at 1.119 and 1.126 the different characters of Burton and Uttoxeter however the development strategy in part two deals with Burton and Uttoxeter at the same level in the settlement hierarchy although clearly they are at a completely</p>	<p>Proposed changes</p> <ul style="list-style-type: none"> Amend the settlement boundary at Burton to include development sites at Craythorne Road, Forest Road, St Marys Drive and Postern Road (Proposals Map) SP4 Amend the development boundary at Yoxall to include land at Bond End (Proposals Map) SP4 Amend the development boundary at Denstone and include land adjacent to the B5031 (Proposals Map) SP4 Amend the development boundary at Barton under Need wood to include Barton Marina (Proposals Map) Amend the list of SUEs to include Forest Road and Craythorne Road SP7 Amend the housing requirement to at least the RS level of 650 per annum SP3 Reconsider the reliability of the SHMA with regard to the housing market area Reconsider the relationship with South Derbyshire through the SHMA and new potential allocations. Amend the distribution of growth to reduce /eliminate a reliance on windfalls SP4 Allocate specific sites in the villages. (Proposals Map) SP4 Reduce the reliance on brownfield sites in the allocations and 	<p>The relationship to the housing market area is set out in the SHMA.</p> <p>The SHMA sets out the justification for the housing numbers.</p> <p>The sustainability appraisal acknowledges the conflict with some of the plan objectives.</p> <p>The sustainability appraisal uses the current landscape descriptions to determine landscape impact</p> <p>The sustainability appraisal includes an appraisal of all site allocations and alternative site options. Where details are available through the planning application process these have been incorporated into the appraisal.</p> <p>The development strategy involves an element of windfall, which is likely to come forward based on the brownfield sites assessment and strategic housing land availability assessment.</p> <p>No change proposed.</p> <p>The settlement boundary topic paper sets out how amendments to settlement boundaries have been determined, in discussion with parish councils. Where a</p>		

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					<p>different scale and character.</p> <p>Para 1.134 sets out the strategic objectives of the plan and the objective of housing choice to provide a mix of homes is a valid objective, but which will be at the expensive of other objectives such as countryside, which must in places be allocated for new development.</p> <p>Part Two Para 2.3 the strategy is said to take account of various constraints including high quality landscape features. However there is no notation on the proposals map which deals with landscape character and indeed it is understood that this work is still in progress. This point has been recently considered in a series of Sec 78 appeals, where it has become apparent that the Council has had no overall consideration of the relative merits of development sites based on their landscape impact and this has not been part of the original sieving mechanism to distinguish which sites should come forward for development and is part of the flaws of the SA of the preferred options document. It is considered that the plan is fundamentally flawed on this basis alone as a landscape analysis has not underpinned the spatial strategy yet para 2.3 implies that it has.</p> <p>Para 2.8 the SA appraised broad options, but it is unclear if individual sites which are now proposed to be allocated have been subject to individual appraisals.</p> <p>Para 2.17 notes the suggested split of development with 6.3% in the tier one villages and 2.5% in tiers two and three, these percentages should be amended to allow for more development in village tiers one and two and the small amount of development in tier three, which is windfall and should not be counted as part of the</p>	<p>allocate more sites that will be deliverable SP4</p> <ul style="list-style-type: none"> Remove sites from allocations sites that are unlikely to be deliverable such as Derby Road Burton. SP4 Amend the distribution and allocate more sites for development SP4 Amend the settlement hierarchy to distinguish between Uttoxeter and Burton SP2 Amend the housing trajectory to be more realistic over the plan period Amend the housing mix to be less prescriptive. SP16 Amend the proposals map to be useable and include names roads etc (Proposals Map) Amend the strategic green gaps (Proposals Map)• Identify the green infrastructure corridors (Proposals Map) Amend the affordable housing policy to increase the threshold and be more coherent SP17 Amend the plan to be clear about what landscape areas are protected and why SP23 SP30 SP31 Amend the development management policies to be less prescriptive over replacement buildings, note Barton Marina as tourist destination in Policy and on the proposals map (Proposals Map) SP8 DP4 DP12 Amend the Inset map boundaries (Proposals Map) 1,5,9, 13 	<p>settlement is producing a neighbourhood plan, such as Yoxall, the boundary will be amended by the neighbourhood plan.</p> <p>It is important that housing is provided in all tiers in order to meet the housing needs of urban and rural communities. Whilst there have been few housing exceptions sites in East Staffordshire, there is a high rate of conversions and agricultural dwellings which is expected to continue and therefore it is important to include this element in the development strategy.</p> <p>No change proposed.</p> <p>There is no individual policy for Barton Marina, however a modification is to remove the symbol of the Barton Inset to avoid potential confusion.</p> <p>Proposed change</p> <p>It has been advised by government that the presumption in favour of sustainable development is contained within the plan.</p> <p>The plan aims to ensure the majority of development takes place in Burton upon Trent and Uttoxeter.</p> <p>No change proposed</p> <p>An up to date 5 year housing land supply has been made available as part of the</p>	<p>Policies Map Inset 5 – Barton Under Needwood</p>	<p>Mod No. 154</p>

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					<p>specific allocations.</p> <p>Para 2.23 identifies that the two largest villages Abbott's Bromley and Yoxall are assigned 40 dwellings and indicates that this allowance will be community led. It is not clear therefore if the plan is allocating sites in these settlements and if the plan is reliant on the housing from these villages. If it is then the plan should allocate the sites to achieve certainty. If the settlement boundaries are being decided in this plan then sites emerging that are outside these boundaries will be contrary to policy, therefore the boundaries need to be clear at this stage. It is not considered that this part of the plan has been thought through in policy terms. Para 2.2.4 it is not considered that the small villages need to have any housing allowance, any development here is small scale and cannot be relied upon to achieve the overall housing number.</p> <p>Para 2.29 and 2.30 the plan should not be reliant upon brownfield sites due to viability and marketing constraints. Many brownfield sites have been granted permission and have failed to be delivered to date including JCB Uttoxeter, and Pirelli both of which are relied upon in this strategy. The allocation of brownfield sites is considered to be unsound if the strategy over relies upon them to deliver the housing requirement. Specific comments on the allocations will be made under the relevant policy. Policy 2.33 talks about a brownfield windfall allowance in the villages, which is unlikely to deliver given the character and nature of these settlements, particularly given the definition of Garden land in the NPPF.</p> <p>Para 2.34 to 2.37 sets out that Greenfield sites will need to be released to meet the housing requirement based on the SUE's, however Greenfield sites in Burton will also be delivered from medium sized allocations</p>		<p>examination library. This includes the correct and current position regarding lapsed planning permissions.</p> <p>The plan sets out the mechanism for non delivery on brownfield sites and greenfield sites.</p> <p>No change proposed.</p> <p>The Red House Farm site now has planning permission following the appeal.</p> <p>Allocation of Barton Marina is not considered appropriate. Other policies in the plan would be applied should further development come forward. No additional floorspace is allocated at Barton Marina.</p> <p>The approach to windfall is supported by the Brownfields sites topic paper</p> <p>Whilst the trajectory is aspirational, the numbers expected to be delivered on strategic sites have been provided by the applicant / agent. Proposed modification to update the trajectory.</p> <p>Change proposed.</p> <p>The strategy includes sites which the council consider sustainable and deliverable</p> <p>The councils approach to duty to cooperate with neighbouring South Derbyshire District Council is set out in the Duty to</p>	<p>Page 85.</p> <p>SP8</p>	<p>Mod No. 39</p> <p>Mod No. 50</p>

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					<p>such as Forest Road and Redhouse Farm. The council's strategy at 2.36 implies that smaller sites are inferior to the SUE's, however we consider that this scale of site in the examples above are deliverable in the shorter term and more attractive to the market as they do not have the long lead in times and extensive infrastructure. On this basis therefore the strategy is not sound because it over relies upon SUE's and fails to recognise the benefits of other Greenfield sites.</p> <p>Page 69 the key diagram. The key diagram is not easy to understand, the villages and locations should be named in order to be able to interoperate the strategy. It is not understood why St George's Park is noted and Barton Marina is not given that they are both strategic Leisure destinations. The plans are too small and should be at least at A3 size. The strategic road network should also be shown. We consider that the Strategy is flawed on the basis that the strategy has been derived from an evidence base which failed to include any landscape appraisal or character assessment. This is clear from the Planning for Change July 2012 document, which shows on the constraints plan on page 42 that no constraint relating to landscape is considered therein. This is further reinforced by the fact that the authority are now undertaking a landscape appraisal to be completed in 2014, which should have underpinned the strategy and the sites.</p> <p>The strategy is further flawed by the inadequacies of the SHMA and its complete failure to deal with the acknowledged housing market area as require by the NPPF at Para 159. This failure puts into question the overall housing number and the distribution of development. The strategy proposes a housing target which is not</p>		<p>Cooperate paper. The site referred to in the representation is not an allocation within the South Derbyshire Pre-Submission Local Plan.</p> <p>No change proposed.</p> <p>Proposed modification to policy SP8 to make reference to reuse of rural buildings.</p> <p>Change proposed.</p> <p>The plan is supported by a viability assessment. The charging schedule will be set out in a future document with S106 being used until that time.</p> <p>The Derby Road site contains many underused and vacant sites. The policy aims to achieve a coherent redevelopment scheme which may or may not include all current uses.</p> <p>The SHMA sets out the justification for the housing mix. The policy is considered flexible to allow for a range of mixes to come forward whilst also considering viability.</p> <p>The affordable housing policy is supported by the SHMA and Affordable Housing Viability Assessment.</p> <p>The council consider that exception sites should be those on the edge of settlements to ensure the sites are sustainable</p> <p>No changes proposed.</p>	<p>SP30</p>	<p>Mod No. 110</p>

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					<p>based on a robust SHMA and which takes an average between scenarios to arrive at an annual rate. This cannot be a robust assessment of the requirement and be in accordance with the NPPF to boost the supply of housing.</p> <p>The evidence base on which the plan relies includes land supply calculations that have been found on appeal to be highly inaccurate and the SOS has recently concluded that the council do not have a five year supply of land in accordance with the NPPF. The plans strategy should seek to bring land forward speedily and with a degree of certainty and the approach that the authority have taken with regard to a huge windfall allowance and the non-allocation of sites outside the two main towns is not conducive to increasing the supply and achieving certainty. The inspector concluded at the Red house Farm Appeal on this point that:</p> <p>“The Council has failed to demonstrate that it has compelling evidence that 90 dwellings per year will consistently become available from windfall sites and will continue to provide a reliable source of supply, as required in paragraph 48 of the 7 Framework. Based on the above, I find that the Council’s supply of deliverable housing is likely to be significantly below its figure of 4.60 years”</p> <p>There is no certainty attached to windfall in either the urban area or the villages and this is a fundamental failing of the plan.</p> <p>Part Three Policies SP1 Object - it is unclear why the plan is repeating the NPPF.</p> <p>SP 2 Object The plan should distinguish between Burton as the principal town and Uttoxeter as a</p>		<p>Proposed modifications to the wording of policy SP30.</p> <p>Change proposed.</p> <p>Identifying green infrastructure meets the requirements of the NPPF. Its identification does not preclude development from taking place.</p> <p>No change proposed.</p>		

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					<p>town. These settlements are vastly different in scale and character and this should be recognised in the hierarchy. The policy sets out the new development should be located within the settlement boundaries yet the settlement boundaries depicted on the policy maps fail to include developable sites at Burton, Yoxall, Denstone, and Barton under Needwood. The policy maps should be amended to include the development opportunities attached to this objection. Namely:</p> <p>Land at Forest Road Burton Land at Postern Road Burton Land at St Mary's Drive Stretton/Burton Land at Craythorne Lane Stretton/Burton Land to the South of Bond End Yoxall Land at B5031 Denstone Land at Barton Marina Barton under Needwood.</p> <p>SP3 The plan provides for 11,648 homes over the plan period or 613 dwellings PA. The rationale behind this requirement is set out in the June 2013 update which indicates that 613 dwellings PA is an average figure from two alternative scenarios. It is unclear why an average figure is taken rather than the higher figure of 630 PA. This is not in accordance with the NPPF to boost the supply of housing and the reasoning behind this is flawed. It is not clear why the LPA have deferred from meeting the RS Phase two requirement for 650 dwellings PA, which was a figure derived from a conjoined approach with neighbouring authorities which took account of the interrelationships' between ESBC and Lichfield and for which the council expressed support. Policy SP3 should explain that the numbers are a minima for the plan period.</p> <p>SP4</p>				

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					<p>The plan seeks to allocate 10,284 dwellings over the plan period this is below the overall requirement of 11,648 as the council believe that at April 2012 they had 1,582 extant permissions or 1,379, (including a lapse rate). We do not consider that the level of extant permissions is as the council have set out and work submitted in two recent appeal cases indicate that the extant permissions were around 800 dwellings at 2012. This means that the plan is under allocating land to meet the requirement because it is overestimating the contribution of the exiting permissions on day one of the plan.</p> <p>Burton We object to the brownfield allocations in table one which amount to 1,683 dwellings. In Burton these sites are not considered to be deliverable particularly Derby Road 250, which comprises a large number of individual dwellings and sites in private ownership. The plan should rely less on these brownfield sites, some of which have been in the pipeline for many years and have failed to be delivered.</p> <p>The Greenfield allocations in Burton should be increased by the addition of Forest Road for 300 Dwellings and Redhouse Farm which already has a planning permission. It should also include land at Stretton both a Craythorne Lane for 500 dwellings and for St Mary's Drive for 150 dwellings.</p> <p>A windfall allowance of 1,359 in Burton is ill conceived. Land should be allocated to meet the housing requirement and not rely on windfalls for this strategic planning process.</p> <p>The historic windfall rate in the Borough has been skewed by the fact that there was a moratorium on sites over 10 dwellings operating from 2005 for a significant period.</p>				

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					<p>This drove developers onto smaller sites where planning permission could be obtained and has artificially increased the windfall figures.</p> <p>At the time that the last Local Plan was examined and adopted in 2006 most of the allocated sites already had planning permission and there was no scope for new developments other than the windfall sites, again this artificially increased the numbers of windfalls.</p> <p>In the future sites which may have been large windfalls, should be identified in the SHLAA and will become allocations and there should be no allowance for these type of larger sites.</p> <p>Uttoxeter</p> <p>We support the allocation of the Brookside Industrial estate and a planning application is to be submitted shortly, however we raise concern over the reliance on the JCB site at Pinfold Road which has been in the pipeline for many years and remains undeveloped. If sites fail to be delivered alternative provision needs to be made in alternative locations.</p> <p>Strategic Villages Barton under Needwood The allocation in Barton relates to the extant consent at Eflinch Lane the plan fails to acknowledge the development potential at Barton Marina for an additional 100 dwellings located around the marina basin and the lakesides. It is proposed that the whole of the Barton Marina complex be included in the Barton development boundary as the site is functioning as part of the settlement given the wide range of facilities including shops, restaurants and a cinema. Therefore the total development allocation for these</p>				

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					<p>villages should be increased to allow for the potential on the Barton Marina site.</p> <p>Windfall development allowances in the villages We object to the concept of this part of the housing requirement being met by windfalls the NPPF is clear at Para 48 that windfalls should not be relied upon unless there is completing evidence that they are a reliable source of supply. The LPA have themselves acknowledged that windfalls are unreliable by their discounting exercise in their land supply calculations if these villages in tiers one, two and three are to assist in meeting the strategic housing requirement then land should be allocated for the express purpose, which is the view that we take. We consider that land should be allocated at Yoxall and Denstone to meet the express requirement referred to in detail in our comments the inset plans. If the council want to retain the windfall only strategy in these villages then the requirement of 351 should be met and allocated in the higher tier locations to ensure the delivery of the strategy. Reliance on sites coming forward through neighbourhood plans is unsound as evidenced by the events in Rolleston where in the neighboured plan it included no strategic development as proposed in the local plan and planning permission has been refused by the council on the basis that the development is out of step with the neighbourhood plan.</p> <p>Housing trajectory Page 84 implies that most of the strategic housing sites have planning permission but this is not the case. There is no permission at Branston Locks or Beamhill, which is the subject to a Judicial Review. The council cannot therefore rely on these sites in drafting the housing trajectory, these sites will not come on-stream early in the plan period and this is why the strategy is</p>				

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					<p>unsound because it is over reliant upon large strategic housing sites and fails to include medium sized allocations that do not have such significant lead in and completion times. It is unclear how the build rate will increase from 200 homes pa in 2015 to over 900 in 2017 as shown on the trajectory. A more realistic trajectory would be one achieving the annual target of 613 or thereabouts in the next two of three years and then being maintained thereafter.</p> <p>SP 6 We object to the policy as drafted on the basis that the proposal to regularly monitor the housing land availability is unlikely to be achieved given the history of this subject. The authority have never had a robust evidence base for the supply of housing land and their assessments have contained unrealistic expectations on both the quantum of supply and the rates of delivery. Furthermore they have not regularly updated these documents which have been many years out of date. The five year land supply should be reviewed annually and the council must have a robust database which has credibility. The policy implies that if the council are falling behind on delivery then they will bring sites forward through a DPD, this seems to be a long winded approach to what is required which is the granting of planning permissions it is not clear what type of DPD they might be considering using.</p> <p>SP 7 We object to policy SP7 that the SUE's identified exclude the land at Craythorne Lane Stretton, which is a logical and sustainable development location and to support the housing strategy. Planning permission has already been granted at Guinevere Avenue, Stretton as a sustainable development and the adjoining land at Craythorne Lane should be</p>				

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					<p>allocated. Development along this northern edge of the Burton urban area has been further indorsed by the Tutbury Road/ Harehedge Lane. The strategy of locating sufficient land adjacent to the urban area to specifically bring sites forward is a much better strategy than relying on 1,359 windfalls in the main towns. In addition land at St Mary's Drive on the former chicken farm together with the land at the rear should be allocated. See plans attached, an application is currently being worked up for land off St Mary's drive and will be submitted shortly. The location has already been established as an appropriate one by the approval of the dwellings at Guinevere Avenue. Both of these proposals at Stretton are superior to sites identified in the urban area which have severe delivery problems and may never materialise including over the very large proposed SUE's, which have long lead in and delivery times.</p> <p>It is noted that the Harehedge Lane Tutbury Lane allocation is allocated for 500 units but the capacity of this site is questioned given the construction of a large new school on the central part of the allocation. The plan omits any mention of the relationship with South Derbyshire and the potential of land to the east of making a contribution to the housing requirement. Land is available at Winshill adjoining the urban area of Burton, which could support the housing requirement for both authorities, but this potential has been overlooked due to the fact that the council have failed to undertake a proper SHMA looking at the true housing market area. Sites to the east of Burton would be ideally placed to deal with this type of need and would support a sustainable pattern of development given the acknowledged relationship and the commuting patterns identified in this plan on page 31. Work is being undertaken on a master planning exercise on this land</p>				

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					<p>and representations have been made upon it to South Derbyshire.</p> <p>The duty to cooperate between adjoining authorities must cover how the housing requirements are to be met, in this case the two authorities should have cooperated to produce a SHMA that covers the agreed housing market area. ESBC acknowledge this. A previous iteration included counting the housing numbers at the Drakelow Site within the SDDC as part of the ESBC's requirement, confirming that the relationship on the boundary is a highly significant one this has been completely overlooked in this new document. Para 159 of the NPPF sets out that authorities should have a clear understand of housing needs in their area and prepare a SHMA working with neighbouring authorities where housing market areas cross administrative boundaries, this has not been done and the plan is out of step with the NPPF on this fundamental point. Para 178 to 181 of the NPPF clearly requires planning across administrative boundaries, the fact that SDDC lies within the former East Midlands RS area and ESBC is with the West Midland RS area does not negate the geography of East Staffs.</p> <p>The plan does not appear to indicate a threshold size for a SUE but includes SUE's of various scales and it is questionable that land at Forest Road Burton for 300 dwellings should not only be included as an allocation in SP4, but also listed as a smaller SUE in policy SP7.</p> <p>SP 8 We object to SP 8 on the basis that it is not flexible enough to deal with the many situations that arise outside development boundaries for example a redevelopment of a brownfield site that would bring design and environmental benefits and was within</p>				

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					<p>reasonable distance of a sustainable settlement should be permitted. The policy makes no provision for such sites and is over prescriptive.</p> <p>SP 9 We object to policy SP 9 the council have not produced a draft charging schedule for CIL and it is unclear what the impact of such a charging regime would be on the viability of development and how this would affect the delivery of the strategy. The policy implies that a CIL will definitely be introduced, but the preceding paragraphs do not imply that this is a certainty, it is unclear how the plan can be sound when the impact of this is not known.</p> <p>SP 11 We object to policy SP11 on the basis that it is not considered that it will deliver homes given the character and nature of the site, the proposal is for a mixed use and the council is seeking a development partner to bring the site forward. It is considered that the potential for this sort of mixed development and the ensuing living arrangements are currently unattractive to the market and this site may not therefore deliver for many years. Alternative sites exist that are deliverable and should be allocated see our comments SP4/ SP7.</p> <p>SP12 We object to policy SP12 on the basis that this is a site straddling the Derby Road which is currently occupied by business uses the acquisition of land and properties is likely to mean that this site will not deliver 250 homes early in the plan period and should not be relied upon. Alternative sites exist that are deliverable and should be allocated, see our comments SP4/ SP7.</p> <p>SP15 We object to policy SP15 on the basis that</p>				

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					<p>new tourist accommodation should not be limited to within existing settlements. Tourist accommodation should not have to demonstrate that it cannot go within a settlement, but should be located in relation to the attraction it is serving. The policy is poorly worded and needs modification.</p> <p>SP16 We object to policy SP16 on the basis that this mix is far too prescriptive and does not allow sufficient flexibility for the market to determine the type of homes that can be sold. The basis of the mix is said to be based on the new housing needed over the plan period, but the mix will change over time and it inappropriate to include a prescriptive mix in the local plan that will be applied over the plan period.</p> <p>Furthermore the mix of dwellings on sites should be designed to reflect the character of the area in the area they are located and it may be inappropriate for some locations to have a prescribed mix. It is unclear how the mix in table 3.1 is to be applied.</p> <p>Outside the main towns and tier one settlements sites are required to meet a need based on housing needs survey this is not workable.</p> <p>SP17 We object to policy on the basis that the threshold for affordable housing is too low and should be increased to developments of 15 dwellings and over or sites of 0.5 hectares. Thresholds that are set too low simply stifle development or make small sites unviable. The policy as drafted leaves uncertainly as to the general level of affordability required on sites, is it 25% or less? This should be clearer. This policy needs rewriting to make clear what percentage of affordable is required as a starting point and that viability issues will</p>				

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					<p>alter this. The plan should be clearer about what matters need to be taken in account in any viability assessment such as reasonable profit levels and residual land values to encourage sites to come forward and to diminish uncertainty. This will enable the development industry to assess sites in the early stages before embarking on major and costly viability exercises. We are concerned about the spending of commuted sums offsite, if this is part of the policy it should be within the policy and be capable of justification.</p> <p>SP18 We object to policy SP18 on the basis that exception sites do not have to be within or on the edge of a settlement. There could be other sites which are appropriate, which do not directly abut a settlement. The policy as drafted does not make sense.</p> <p>SP23 We object to policy SP23 on the basis that there are no plans showing where the green infrastructure corridors are. They comprise natural and manmade green spaces and are to be safeguarded but you cannot tell where they are from the proposals map. If they are a land use allocation they must be shown, so that they can be clearly identified and the policies that are to be applied over them have a clear plan base. The policy anticipates developer contributions to make improvements to the green infrastructure corridors, but is not clear how this is related to development and if it complies with the CIL regulations.</p> <p>SP30 We object to policy SP30 on the basis that the policy says that within locally significant landscape areas development will be restricted if it affects the character, however there is no way of knowing where these areas are. They are not shown on the</p>				

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					<p>proposals map or the insets. Page 148 indicates that the council is working with the County Council to update 14the landscape character areas and assessments, this is due to be completed in 2014 and will describe which areas are most sensitive. This begs the question of how the current strategy has been determined if the council have not had any overall consideration of landscape character and sensitivity. The policy itself is flawed because the evidence required to support it is not yet available and so there is no knowledge of where it will apply. This point has been recently considered in a series of sec 78 appeals where it has become apparent that the Council has had no overall consideration of the relative merits of development sites based on their landscape impact and this has not been part of the original sieving mechanism to distinguish which sites should come forward for development and is part of the flaws of the SA of the preferred options document.</p> <p>SP31</p> <p>We object to policy SP31 on the basis that an area of the strategic green infrastructure is identified between Rolleston and Stretton on the proposals map, which included land east of Craythorne Lane and the old railway line. This it is unnecessary to be included within the notation and this should be removed and the boundary redrawn as per the attached plan.</p> <p>DP 4</p> <p>We object to the policy as drafted on the basis that the policy is inflexible and seeks to limit replacement buildings by reference to buildings which have special qualities of “traditional rural building” this is unnecessary and open to miss interoperation if a building is listed in a conservation area or protected by any other means then clearly demolition is not</p>				

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					<p>normally allowed. If buildings are special they will already be in the category and there is no need to create a further category in this policy to prevent the redevelopment of dwellings. The policy should be phrased in the positive, not the negative. There is nothing wrong with replacement dwellings in principal according to the NPPF and the policy should be redrafted to reflect a positive approach.</p> <p>DP 10 We object to the policy on the basis that it fails to include the locations in the borough that are existing recreation and tourist destinations, such as Barton Marina, which should be shown on the proposals map and recited in this policy.</p> <p>D12 We object to policy D12 on the basis that it fails to acknowledge Barton Marina either in the policy or on the proposals map as a comparable destination. The policy implies that there will be future development on the site to support the growth of the site and it is thought this may include uses which are normally located in town centres. This location does not adjoin any settlement and is remote from any main towns or villages. Settlement Boundaries and inset plans SP2 sets out that development will be concentrated within the towns villages etc. and these are shown on the accompanying plans.</p> <p>We object to the following inset plans.</p> <p>1.Burton We object to the omission of the following sites from the settlement boundary Land at Craythorne Lane Stretton Adjacent to the built up area on the northern edge of Burton in a sustainable location, outside the proposed green wedge, with strong market interest in developing the site. No</p>				

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					<p>technical obstacles to development and a logical extension to the development boundary</p> <p>Land at St Mary's Drive Stretton Adjacent to the built up area on the northern edge of Burton in a sustainable location, outside the proposed green wedge also strong market interest in developing the site. No technical obstacles to development and a logical extension to the development boundary adjacent to recently approved site at Guinevere Avenue. The development boundary should be amended to include the land adjacent to the consented site in addition to this adjoin field and former farm off St Mary's Drive</p> <p>Land at Forest Road Burton Adjacent to the built up area on the western edge of Burton in a sustainable location, outside the proposed green wedge and strong market interest in developing the site. No technical obstacles to development and a logical extension to the development boundary. The land is the subject of a live planning application and sec 78 appeal.</p> <p>Land at Postern Road Henhurst Hill Adjacent to the built up area on the western edge of Burton in a sustainable location, outside the proposed green wedge and strong market interest in developing the site. No technical obstacles to development and a logical extension to the development boundary. This is small site which requires a rationalisation of the development boundary in this location. A planning application is being prepared and will be submitted shortly.</p> <p>5. Barton under Needwood</p> <p>Land at Barton Marina</p>				

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					<p>The Barton Marina complex includes land and buildings which are closely linked to the village of Barton and the recently approved site at Efflinch lane. The area should be included within the settlement boundary of Barton, which would be a logical way to extend the boundary. A proposal is being prepared for a scheme of waterside housing in this location which maximises the potential of the waterfront opportunity</p> <p>9. Denstone Land adjacent to the B5031 Adjacent to the built up area on the southern edge of the village in a sustainable location, close to the village school and the nearby JCB site. Strong market interest in developing the site. No technical obstacles to development and a logical extension to the development boundary. This is small site which requires a rationalisation of the development boundary in this location.</p> <p>13. Yoxall Land at Bond End The boundary of Yoxall should be extended to include the land south of Bond End. The lies outside the floodplain and there are no technical reasons why this site cannot come forward for development.</p> <p>Proposals and inset Maps We object to the proposals map on the basis that it is unclear and does not depict the green infrastructure corridors and the landscape character areas as set out in our objections to SP23/ SP30.</p>				
LP477 JVH Planning on behalf of Mr Chris Davies	No	No	All	<p>a. Positively prepared b. Justified c. Effective d. Consistent with National Policy</p>	<p>Para 1.86 to 1.100 At para 1.87 the plan identifies that the strategic housing market relationship is strongest between Burton and Swadlincote in South Derbyshire. However the SHMA of Oct 2013 goes on to consider the District as</p>	<p>Proposed changes</p> <ul style="list-style-type: none"> Amend the settlement boundary at Burton to include development sites at Craythorne Road, Forest Road, St Marys Drive and Postern Road (Proposals 	<p>The relationship to the housing market area is set out in the SHMA.</p> <p>The SHMA sets out the justification for the housing numbers.</p>		

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					<p>a discrete market area which itself is sub divided. We agree that the principal linkage in housing terms is between Burton and South Derbyshire as depicted on diagram 1.5 page 31. Which indicates the relationship between the two districts in terms of commuting patterns. It is considered illogical therefore to ignore the requirements of South Derbyshire and potentially more sustainable patterns of development thorough a misguided housing market boundary, furthermore there is little reference to the relationship with Lichfield District to the south and the pressures in that district to meet the requirements of Birmingham, which spill over into ESBC along the A38 corridor.</p> <p>Para 1.94 indicates that the housing requirement over the period 2012 to 2031 is some 11,408 households but this figure is considered to be flawed on two counts. Firstly the overall needs of the housing market area have not been fully assessed and secondly that the figure of 11,000 is below the RS Phase Two figures and is an under estimate of the requirement.</p> <p>The plan identifies at 1.119 and 1.126 the different characters of Burton and Uttoxeter however the development strategy in part two deals with Burton and Uttoxeter at the same level in the settlement hierarchy although clearly they are at a completely different scale and character.</p> <p>Para 1.134 sets out the strategic objectives of the plan and the objective of housing choice to provide a mix of homes is a valid objective, but which will be at the expensive of other objectives such as countryside, which must in places be allocated for new development.</p> <p>Part Two Para 2.3 the strategy is said to take account of various constraints including high quality</p>	<p>Map) SP4</p> <ul style="list-style-type: none"> Amend the development boundary at Yoxall to include land at Bond End (Proposals Map) SP4 Amend the development boundary at Denstone and include land adjacent to the B5031 (Proposals Map) SP4 Amend the development boundary at Barton under Need wood to include Barton Marina (Proposals Map) Amend the list of SUEs to include Forest Road and Craythorne Road SP7 Amend the housing requirement to at least the RS level of 650 per annum <p>SP3</p> <ul style="list-style-type: none"> Reconsider the reliability of the SHMA with regard to the housing market area Reconsider the relationship with South Derbyshire through the SHMA and new potential allocations. Amend the distribution of growth to reduce /eliminate a reliance on windfalls <p>SP4</p> <ul style="list-style-type: none"> Allocate specific sites in the villages. (Proposals Map) SP4 Reduce the reliance on brownfield sites in the allocations and allocate more sites that will be deliverable SP4 Remove sites from allocations sites that are unlikely to be deliverable such as Derby Road Burton. SP4 Amend the distribution and allocate more sites for development SP4 Amend the settlement hierarchy to distinguish between Uttoxeter and 	<p>The sustainability appraisal acknowledges the conflict with some of the plan objectives.</p> <p>The sustainability appraisal uses the current landscape descriptions to determine landscape impact</p> <p>The sustainability appraisal includes an appraisal of all site allocations and alternative site options. Where details are available through the planning application process these have been incorporated into the appraisal.</p> <p>The development strategy involves an element of windfall, which is likely to come forward based on the brownfield sites assessment and strategic housing land availability assessment.</p> <p>No change proposed.</p> <p>The settlement boundary topic paper sets out how amendments to settlement boundaries have been determined, in discussion with parish councils. Where a settlement is producing a neighbourhood plan, such as Yoxall, the boundary will be amended by the neighbourhood plan.</p> <p>It is important that housing is provided in all tiers in order to meet the housing needs of urban and rural communities. Whilst there have been few</p>		

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					<p>landscape features. However there is no notation on the proposals map which deals with landscape character and indeed it is understood that this work is still in progress. This point has been recently considered in a series of Sec 78 appeals, where it has become apparent that the Council has had no overall consideration of the relative merits of development sites based on their landscape impact and this has not been part of the original sieving mechanism to distinguish which sites should come forward for development and is part of the flaws of the SA of the preferred options document. It is considered that the plan is fundamentally flawed on this basis alone as a landscape analysis has not underpinned the spatial strategy yet para 2.3 implies that it has. Para 2.8 the SA appraised broad options, but it is unclear if individual sites which are now proposed to be allocated have been subject to individual appraisals.</p> <p>Para 2.17 notes the suggested split of development with 6.3% in the tier one villages and 2.5% in tiers two and three, these percentages should be amended to allow for more development in village tiers one and two and the small amount of development in tier three, which is windfall and should not be counted as part of the specific allocations.</p> <p>Para 2.23 identifies that the two largest villages Abbott's Bromley and Yoxall are assigned 40 dwellings and indicates that this allowance will be community led. It is not clear therefore if the plan is allocating sites in these settlements and if the plan is reliant on the housing from these villages. If it is then the plan should allocate the sites to achieve certainty. If the settlement boundaries are being decided in this plan then sites emerging that are outside these boundaries will be contrary to policy,</p>	<p>Burton SP2</p> <ul style="list-style-type: none"> Amend the housing trajectory to be more realistic over the plan period Amend the housing mix to be less prescriptive. SP16 Amend the proposals map to be useable and include names roads etc (Proposals Map) Amend the strategic green gaps (Proposals Map) Identify the green infrastructure corridors (Proposals Map) Amend the affordable housing policy to increase the threshold and be more coherent SP17 Amend the plan to be clear about what landscape areas are protected and why SP23 SP30 SP31 Amend the development management policies to be less prescriptive over replacement buildings, note Barton Marina as tourist destination in Policy and on the proposals map (Proposals Map) SP8 DP4 DP12 Amend the Inset map boundaries (Proposals Map) 1,5,9, 13 	<p>housing exceptions sites in East Staffordshire, there is a high rate of conversions and agricultural dwellings which is expected to continue and therefore it is important to include this element in the development strategy.</p> <p>No change proposed.</p> <p>There is no individual policy for Barton Marina, however a modification is to remove the symbol of the Barton Inset to avoid potential confusion.</p> <p>Change proposed.</p> <p>It has been advised by government that the presumption in favour of sustainable development is contained within the plan.</p> <p>The plan aims to ensure the majority of development takes place in Burton upon Trent and Uttoxeter.</p> <p>No change proposed</p> <p>An up to date 5 year housing land supply has been made available as part of the examination library. This includes the correct and current position regarding lapsed planning permissions.</p> <p>The plan sets out the mechanism for non delivery on brownfield sites and greenfield sites.</p> <p>No change proposed.</p>	<p>Policies Map Inset 5 – Barton Under Needwood</p>	<p>Mod No. 154</p>

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					<p>therefore the boundaries need to be clear at this stage. It is not considered that this part of the plan has been thought through in policy terms.</p> <p>Para 2.2.4 it is not considered that the small villages need to have any housing allowance, any development here is small scale and cannot be relied upon to achieve the overall housing number. Para 2.29 and 2.30 the plan should not be reliant upon brownfield sites due to viability and marketing constraints. Many brownfield sites have been granted permission and have failed to be delivered to date including JCB Uttoxeter, and Pirelli both of which are relied upon in this strategy. The allocation of brownfield sites is considered to be unsound if the strategy over relies upon them to deliver the housing requirement. Specific comments on the allocations will be made under the relevant policy. Policy 2.33 talks about a brownfield windfall allowance in the villages, which is unlikely to deliver given the character and nature of these settlements, particularly given the definition of Garden land in the NPPF.</p> <p>Para 2.34 to 2.37 sets out that Greenfield sites will need to be released to meet the housing requirement based on the SUE's, however Greenfield sites in Burton will also be delivered from medium sized allocations such as Forest Road and Redhouse Farm. The council's strategy at 2.36 implies that smaller sites are inferior to the SUE's, however we consider that this scale of site in the examples above are deliverable in the shorter term and more attractive to the market as they do not have the long lead in times and extensive infrastructure. On this basis therefore the strategy is not sound because it over relies upon SUE's and fails to recognise the benefits of other Greenfield sites.</p>		<p>The Red House Farm site now has planning permission following the appeal.</p> <p>Allocation of Barton Marina is not considered appropriate. Other policies in the plan would be applied should further development come forward. No additional floorspace is allocated at Barton Marina.</p> <p>The approach to windfall is supported by the Brownfields sites topic paper.</p> <p>No change proposed.</p> <p>Whilst the trajectory is aspirational, the numbers expected to be delivered on strategic sites have been provided by the applicant / agent. Proposed modification to update the trajectory.</p> <p>Change proposed.</p> <p>The strategy includes sites which the council consider sustainable and deliverable</p> <p>The councils approach to duty to cooperate with neighbouring South Derbyshire District Council is set out in the Duty to Cooperate paper. The site referred to in the representation is not an allocation within the South Derbyshire Pre-Submission Local Plan.</p> <p>No change proposed.</p> <p>Proposed modification to policy</p>	<p>Page 85.</p> <p>SP8</p>	<p>Mod No. 39</p> <p>Mod No. 50</p>

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					<p>Page 69 the key diagram. The key diagram is not easy to understand, the villages and locations should be named in order to be able to interoperate the strategy. It is not understood why St George's Park is noted and Barton Marina is not given that they are both strategic Leisure destinations. The plans are too small and should be at least at A3 size. The strategic road network should also be shown.</p> <p>We consider that the Strategy is flawed on the basis that the strategy has been derived from an evidence base which failed to include any landscape appraisal or character assessment. This is clear from the Planning for Change July 2012 document, which shows on the constraints plan on page 42 that no constraint relating to landscape is considered therein. This is further reinforced by the fact that the authority are now undertaking a landscape appraisal to be completed in 2014, which should have underpinned the strategy and the sites.</p> <p>The strategy is further flawed by the inadequacies of the SHMA and its complete failure to deal with the acknowledged housing market area as require by the NPPF at Para 159. This failure puts into question the overall housing number and the distribution of development.</p> <p>The strategy proposes a housing target which is not based on a robust SHMA and which takes an average between scenarios to arrive at an annual rate. This cannot be a robust assessment of the requirement and be in accordance with the NPPF to boost the supply of housing.</p> <p>The evidence base on which the plan relies includes land supply calculations that have been found on appeal to be highly inaccurate and the SOS has recently</p>		<p>SP8 to make reference to reuse of rural buildings</p> <p>Change proposed.</p> <p>The plan is supported by a viability assessment. The charging schedule will be set out in a future document with S106 being used until that time.</p> <p>The Derby Road site contains many underused and vacant sites. The policy aims to achieve a coherent redevelopment scheme which may or may not include all current uses.</p> <p>No change proposed.</p> <p>The SHMA sets out the justification for the housing mix. The policy is considered flexible to allow for a range of mixes to come forward whilst also considering viability.</p> <p>The affordable housing policy is supported by the SHMA and Affordable Housing Viability Assessment.</p> <p>The council consider that exception sites should be those on the edge of settlements to ensure the sites are sustainable</p> <p>No change proposed.</p> <p>Proposed modifications to the wording of policy SP30.</p> <p>Change proposed.</p> <p>Identifying green infrastructure meets the requirements of the</p>	<p>SP30</p>	<p>Mod No. 110</p>

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					<p>concluded that the council do not have a five year supply of land in accordance with the NPPF. The plans strategy should seek to bring land forward speedily and with a degree of certainty and the approach that the authority have taken with regard to a huge windfall allowance and the non-allocation of sites outside the two main towns is not conducive to increasing the supply and achieving certainty. The inspector concluded at the Red house Farm Appeal on this point that:</p> <p>“The Council has failed to demonstrate that it has compelling evidence that 90 dwellings per year will consistently become available from windfall sites and will continue to provide a reliable source of supply, as required in paragraph 48 of the 7 Framework. Based on the above, I find that the Council’s supply of deliverable housing is likely to be significantly below its figure of 4.60 years”</p> <p>There is no certainty attached to windfall in either the urban area or the villages and this is a fundamental failing of the plan. Part Three Policies SP1 Object - it is unclear why the plan is repeating the NPPF.</p> <p>SP 2 Object The plan should distinguish between Burton as the principal town and Uttoxeter as a town. These settlements are vastly different in scale and character and this should be recognised in the hierarchy. The policy sets out the new development should be located within the settlement boundaries yet the settlement boundaries depicted on the policy maps fail to include developable sites at Burton, Yoxall, Denstone, and Barton under Needwood. The policy maps should be amended to include the development opportunities attached to this objection. Namely</p>		<p>NPPF. Its identification does not preclude development from taking place.</p> <p>No change proposed.</p>		

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					<p>Land at Forest Road Burton Land at Postern Road Burton Land at St Mary's Drive Stretton/Burton Land at Craythorne Lane Stretton/Burton Land to the South of Bond End Yoxall Land at B5031 Denstone Land at Barton Marina Barton under Needwood.</p> <p>SP3 The plan provides for 11,648 homes over the plan period or 613 dwellings PA. The rationale behind this requirement is set out in the June 2013 update which indicates that 613 dwellings PA is an average figure from two alternative scenarios. It is unclear why an average figure is take rather than the higher figure of 630 PA. This is not in accordance with the NPPF to boost the supply of housing and the reasoning behind this is flawed. It is not clear why the LPA have deferred from meeting the RS Phase two requirement for 650 dwellings PA, which was a figure derived from a conjoined approach with neighbouring authorities which took account of the interrelationships' between ESBC and Lichfield and for which the council expressed support. Policy SP3 should explain that the numbers are a minima for the plan period.</p> <p>SP4 The plan seeks to allocate 10,284 dwellings over the plan period this is below the overall requirement of 11,648 as the council believe that at April 2012 they had 1,582 extant permissions or 1,379, (including a lapse rate). We do not consider that the level of extant permissions is as the council have set out and work submitted in two recent appeal cases indicate that the extant permissions were around 800 dwellings at 2012. This means that the plan is under allocating land to meet the</p>				

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					<p>requirement because it is overestimating the contribution of the exiting permissions on day one of the plan.</p> <p>Burton We object to the brownfield allocations in table one which amount to 1,683 dwellings. In Burton these sites are not considered to be deliverable particularly Derby Road 250, which comprises a large number of individual dwellings and sites in private ownership. The plan should rely less on these brownfield sites, some of which have been in the pipeline for many years and have failed to be delivered.</p> <p>The Greenfield allocations in Burton should be increased by the addition of Forest Road for 300 Dwellings and Redhouse Farm which already has a planning permission. It should also include land at Stretton both a Craythorne Lane for 500 dwellings and for St Mary's Drive for 150 dwellings. A windfall allowance of 1,359 in Burton is ill conceived. Land should be allocated to meet the housing requirement and not rely on windfalls for this strategic planning process. The historic windfall rate in the Borough has been skewed by the fact that there was a moratorium on sites over 10 dwellings operating from 2005 for a significant period. This drove developers onto smaller sites where planning permission could be obtained and has artificially increased the windfall figures. At the time that the last Local Plan was examined and adopted in 2006 most of the allocated sites already had planning permission and there was no scope for new developments other than the windfall sites, again this artificially increased the numbers of windfalls.</p> <p>In the future sites which may have been large windfalls, should be identified in the SHLAA and will become allocations and</p>				

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					<p>there should be no allowance for these type of larger sites.</p> <p>Uttoxeter We support the allocation of the Brookside Industrial estate and a planning application is to be submitted shortly, however we raise concern over the reliance on the JCB site at Pinfold Road which has been in the pipeline for many years and remains undeveloped. If sites fail to be delivered alternative provision needs to be made in alternative locations.</p> <p>Strategic Villages Barton under Needwood The allocation in Barton relates to the extant consent at Eflinch Lane the plan fails to acknowledge the development potential at Barton Marina for an additional 100 dwellings located around the marina basin and the lakesides. It is proposed that the whole of the Barton Marina complex be included in the Barton development boundary as the site is functioning as part of the settlement given the wide range of facilities including shops, restaurants and a cinema. Therefore the total development allocation for these villages should be increased to allow for the potential on the Barton Marina site. 10 Windfall development allowances in the villages We object to the concept of this part of the housing requirement being met by windfalls the NPPF is clear at Para 48 that windfalls should not be relied upon unless there is compelling evidence that they are a reliable source of supply. The LPA have themselves acknowledged that windfalls are unreliable by their discounting exercise in their land supply calculations if these villages in tiers one, two and three are to assist in meeting the strategic housing requirement then land should be allocated for the express purpose, which is the view that we take. We consider that land should</p>				

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					<p>be allocated at Yoxall and Denstone to meet the express requirement referred to in detail in our comments the inset plans. If the council want to retain the windfall only strategy in these villages then the requirement of 351 should be met and allocated in the higher tier locations to ensure the delivery of the strategy. Reliance on sites coming forward through neighbourhood plans is unsound as evidenced by the events in Rolleston where in the neighboured plan it included no strategic development as proposed in the local plan and planning permission has been refused by the council on the basis that the development is out of step with the neighbourhood plan.</p> <p>Housing trajectory Page 84 implies that most of the strategic housing sites have planning permission but this is not the case. There is no permission at Branston Locks or Beamhill, which is the subject to a Judicial Review. The council cannot therefore rely on these sites in drafting the housing trajectory, these sites will not come on-stream early in the plan period and this is why the strategy is unsound because it is over reliant upon large strategic housing sites and fails to include medium sized allocations that do not have such significant lead in and completion times. It is unclear how the build rate will increase from 200 homes pa in 2015 to over 900 in 2017 as shown on the trajectory. A more realistic trajectory would be one achieving the annual target of 613 or thereabouts in the next two of three years and then being maintained thereafter.</p> <p>SP 6 We object to the policy as drafted on the basis that the proposal to regularly monitor the housing land availability is unlikely to be achieved given the history of this subject. The authority have never had a robust</p>				

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					<p>evidence base for the supply of housing land and their assessments have contained unrealistic expectations on both the quantum of supply and the rates of delivery. Furthermore they have not regularly updated these documents which have been many years out of date. The five year land supply should be reviewed annually and the council must have a robust database which has credibility. The policy implies that if the council are falling behind on delivery then they will bring sites forward through a DPD, this seems to be a long winded approach to what is required which is the granting of planning permissions it is not clear what type of DPD they might be considering using.</p> <p>SP 7 We object to policy SP7 that the SUE's identified exclude the land at Craythorne Lane Stretton, which is a logical and sustainable development location and to support the housing strategy. Planning permission has already been granted at Guinevere Avenue, Stretton as a sustainable development and the adjoining land at Craythorne Lane should be allocated.</p> <p>Development along this northern edge of the Burton urban area has been further indorsed by the Tutbury Road/ Harehedge Lane. The strategy of locating sufficient land adjacent to the urban area to specifically bring sites forward is a much better strategy than relying on 1,359 windfalls in the main towns. In addition land at St Mary's Drive on the former chicken farm together with the land at the rear should be allocated. See plans attached, an application is currently being worked up for land off St Mary's drive and will be submitted shortly. The location has already been established as an appropriate one by the approval of the dwellings at Guinevere</p>				

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					<p>Avenue. Both of these proposals at Stretton are superior to sites identified in the urban area which have severe delivery problems and may never materialise including over the very large proposed SUE's, which have long lead in and delivery times.</p> <p>It is noted that the Harehedge Lane Tutbury Lane allocation is allocated for 500 units but the capacity of this site is questioned given the construction of a large new school on the central part of the allocation.</p> <p>The plan omits any mention of the relationship with South Derbyshire and the potential of land to the east of making a contribution to the housing requirement. Land is available at Winshill adjoining the urban area of Burton, which could support the housing requirement for both authorities, but this potential has been overlooked due to the fact that the council have failed to undertake a proper SHMA looking at the true housing market area. Sites to the east of Burton would be ideally placed to deal with this type of need and would support a sustainable pattern of development given the acknowledged relationship and the commuting patterns identified in this plan on page 31. Work is being undertaken on a master planning exercise on this land and representations have been made upon it to South Derbyshire.</p> <p>The duty to cooperate between adjoining authorities must cover how the housing requirements are to be met, in this case the two authorities should have cooperated to produce a SHMA that covers the agreed housing market area. ESBC acknowledge this. A previous iteration included counting the housing numbers at the Drakelow Site within the SDDC as part of the ESBC's requirement, confirming that the relationship on the boundary is a highly</p>				

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					<p>significant one this has been completely overlooked in this new document. Para 159 of the NPPF sets out that authorities should have a clear understand of housing needs in their area and prepare a SHMA working with neighbouring authorities where housing market areas cross administrative boundaries, this has not been done and the plan is out of step with the NPPF on this fundamental point. Para 178 to 181 of the NPPF clearly requires planning across administrative boundaries, the fact that SDDC lies within the former East Midlands RS area and ESBC is with the West Midland RS area does not negate the geography of East Staffs.</p> <p>The plan does not appear to indicate a threshold size for a SUE but includes SUE's of various scales and it is questionable that land at Forest Road Burton for 300 dwellings should not only be included as an allocation in SP4, but also listed as a smaller SUE in policy SP7.</p> <p>SP 8 We object to SP 8 on the basis that it is not flexible enough to deal with the many situations that arise outside development boundaries for example a redevelopment of a brownfield site that would bring design and environmental benefits and was within reasonable distance of a sustainable settlement should be permitted. The policy makes no provision for such sites and is over prescriptive.</p> <p>SP 9 We object to policy SP 9 the council have not produced a draft charging schedule for CIL and it is unclear what the impact of such a charging regime would be on the viability of development and how this would affect the delivery of the strategy. The policy implies that a CIL will definitely be introduced, but the preceding paragraphs do</p>				

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					<p>not imply that this is a certainty, it is unclear how the plan can be sound when the impact of this is not known.</p> <p>SP 11 We object to policy SP11 on the basis that it is not considered that it will deliver homes given the character and nature of the site, the proposal is for a mixed use and the council is seeking a development partner to bring the site forward. It is considered that the potential for this sort of mixed development and the ensuing living arrangements are currently unattractive to the market and this site may not therefore deliver for many years. Alternative sites exist that are deliverable and should be allocated see our comments SP4/ SP7.</p> <p>SP12 We object to policy SP12 on the basis that this is a site straddling the Derby Road which is currently occupied by business uses the acquisition of land and properties is likely to mean that this site will not deliver 250 homes early in the plan period and should not be relied upon. Alternative sites exist that are deliverable and should be allocated, see our comments SP4/ SP7.</p> <p>SP15 We object to policy SP15 on the basis that new tourist accommodation should not be limited to within existing settlements. Tourist accommodation should not have to demonstrate that it cannot go within a settlement, but should be located in relation to the attraction it is serving. The policy is poorly worded and needs modification.</p> <p>SP16 We object to policy SP16 on the basis that this mix is far too prescriptive and does not allow sufficient flexibility for the market to determine the type of homes that can be</p>				

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					<p>sold. The basis of the mix is said to be based on the new housing needed over the plan period, but the mix will change over time and it inappropriate to include a prescriptive mix in the local plan that will be applied over the plan period. Furthermore the mix of dwellings on sites should be designed to reflect the character of the area in the area they are located and it may be inappropriate for some locations to have a prescribed mix. It is unclear how the mix in table 3.1 is to be applied.</p> <p>Outside the main towns and tier one settlements sites are required to meet a need based on housing needs survey this is not workable.</p> <p>SP17 We object to policy on the basis that the threshold for affordable housing is too low and should be increased to developments of 15 dwellings and over or sites of 0.5 hectares.</p> <p>Thresholds that are set too low simply stifle development or make small sites unviable. The policy as drafted leaves uncertainly as to the general level of affordability required on sites, is it 25% or less? This should be clearer. This policy needs rewriting to make clear what percentage of affordable is required as a starting point and that viability issues will alter this. The plan should be clearer about what matters need to be taken in account in any viability assessment such as reasonable profit levels and residual land values to encourage sites to come forward and to diminish uncertainly. This will enable the development industry to assess sites in the early stages before embarking on major and costly viability exercises. We are concerned about the spending of commuted sums offsite, if this is part of the policy it should be within the policy and be capable of justification.</p>				

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					<p>SP18 We object to policy SP18 on the basis that exception sites do not have to be within or on the edge of a settlements. There could be other sites which are appropriate, which do not directly abut a settlement. The policy as drafted does not make sense.</p> <p>SP23 We object to policy SP23 on the basis that there are no plans showing where the green infrastructure corridors are. They comprise natural and manmade green spaces and are to be safeguarded but you cannot tell where they are from the proposals map. If they are a land use allocation they must be shown, so that they can be clearly identified and the polices that are to be applied over them have a clear plan base. The policy anticipates developer contributions to make improvements to the green infrastructure corridors, but is not clear how this is related to development and if it complies with the CIL regulations.</p> <p>SP30 We object to policy SP30 on the basis that the policy says that within locally significant landscape areas development will be restricted if it affects the character, however there is no way of knowing where these areas area. They are not shown on the proposals map or the insets. Page 148 indicates that the council is working with the County Council to update the landscape character areas and assessments, this is due to be completed in 2014 and will describe which areas are most sensitive. This begs the question of how the current strategy has been determined if the council have not had any overall consideration of landscape character and sensitivity. The policy itself is flawed because the evidence required to support it is not yet available and so there is no</p>				

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					<p>knowledge of where it will apply.</p> <p>This point has been recently considered in a series of sec 78 appeals where it has become apparent that the Council has had no overall consideration of the relative merits of development sites based on their landscape impact and this has not been part of the original sieving mechanism to distinguish which sites should come forward for development and is part of the flaws of the SA of the preferred options document.</p> <p>SP31 We object to policy SP31 on the basis that an area of the strategic green infrastructure is identified between Rolleston and Stretton on the proposals map, which included land east of Craythorne Lane and the old railway line. This it is unnecessary to be included within the notation and this should be removed and the boundary redrawn as per the attached plan.</p> <p>DP 4 We object to the policy as drafted on the basis that the policy is inflexible and seeks to limit replacement buildings by reference to buildings which have special qualities of "traditional rural building" this is unnecessary and open to miss interoperation if a building is listed in a conservation area or protected by any other means then clearly demolition is not normally allowed. If buildings are special they will already be in the category and there is no need to create a further category in this policy to prevent the redevelopment of dwellings. The policy should be phrased in the positive, not the negative. There is nothing wrong with replacement dwellings in principal according to the NPPF and the policy should be redrafted to reflect a positive approach.</p>				

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					<p>DP 10 We object to the policy on the basis that it fails to include the locations in the borough that are existing recreation and tourist destinations, such as Barton Marina, which should be shown on the proposals map and recited in this policy.</p> <p>D12 We object to policy D12 on the basis that it fails to acknowledge Barton Marina either in the policy or on the proposals map as a comparable destination. The policy implies that there will be future development on the site to support the growth of the site and it is thought this may include uses which are normally located in town centres. This location does not adjoin any settlement and is remote from any main towns or villages. Settlement Boundaries and inset plans SP2 sets out that development will be concentrated within the towns villages etc. and these are shown on the accompanying plans.</p> <p>We object to the following inset plans. 1.Burton</p> <p>We object to the omission of the following sites from the settlement boundary</p> <p>Land at Craythorne Lane Stretton Adjacent to the built up area on the northern edge of Burton in a sustainable location, outside the proposed green wedge, with strong market interest in developing the site. No technical obstacles to development and a logical extension to the development boundary</p> <p>Land at St Mary's Drive Stretton Adjacent to the built up area on the northern edge of Burton in a sustainable location, outside the proposed green wedge also strong market interest in developing the site. No technical obstacles</p>				

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					<p>to development and a logical extension to the development boundary adjacent to recently approved site at Guinevere Avenue. The development boundary should be amended to include the land adjacent to the consented site in addition to this adjoin field and former farm off St Mary's Drive</p> <p>Land at Forest Road Burton Adjacent to the built up area on the western edge of Burton in a sustainable location, outside the proposed green wedge and strong market interest in developing the site. No technical obstacles to development and a logical extension to the development boundary. The land is the subject of a live planning application and sec 78 appeal.</p> <p>Land at Postern Road Henhurst Hill Adjacent to the built up area on the western edge of Burton in a sustainable location, outside the proposed green wedge and strong market interest in developing the site. No technical obstacles to development and a logical extension to the development boundary. This is small site which requires a rationalisation of the development boundary in this location. A planning application is being prepared and will be submitted shortly.</p> <p>5. Barton under Needwood Land at Barton Marina The Barton Marina complex includes land and buildings which are closely linked to the village of Barton and the recently approved site at Efflinch lane. The area should be included within the settlement boundary of Barton, which would be a logical way to extend the boundary. A proposal is being prepared for a scheme of waterside housing in this location which maximises the potential of the waterfront opportunity</p>				

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					<p>9. Denstone Land adjacent to the B5031 Adjacent to the built up area on the southern edge of the village in a sustainable location, close to the village school and the nearby JCB site. Strong market interest in developing the site. No technical obstacles to development and a logical extension to the development boundary. This is small site which requires a rationalisation of the development boundary in this location.</p> <p>13. Yoxall Land at Bond End The boundary of Yoxall should be extended to include the land south of Bond End. The lies outside the floodplain and there are no technical reasons why this site cannot come forward for development. Proposals and inset Maps We object to the proposals map on the basis that it is unclear and does not depict the green infrastructure corridors and the landscape character areas as set out in our objections to SP23/ SP30.</p>				
LP478 JVH Planning on behalf of MJ Barrett Developments Ltd	No	No	All	<p>a. Positively prepared b. Justified c. Effective d. Consistent with National Policy</p>	<p>Para 1.86 to 1.100</p> <p>At para 1.87 the plan identifies that the strategic housing market relationship is strongest between Burton and Swadlincote in South Derbyshire. However the SHMA of Oct 2013 goes on to consider the District as a discrete market area which itself is sub divided. We agree that the principal linkage in housing terms is between Burton and South Derbyshire as depicted on diagram 1.5 page 31. Which indicates the relationship between the two districts in terms of commuting patterns. It is considered illogical therefore to ignore the requirements of South Derbyshire and potentially more sustainable patterns of development thorough a misguided housing market boundary, furthermore</p>	<p>Proposed changes</p> <ul style="list-style-type: none"> Amend the settlement boundary at Burton to include development sites at Craythorne Road, Forest Road, St Marys Drive and Postern Road (Proposals Map) SP4 Amend the development boundary at Yoxall to include land at Bond End (Proposals Map) SP4 Amend the development boundary at Denstone and include land adjacent to the B5031 (Proposals Map) SP4 Amend the development boundary at Barton under Need wood to include Barton Marina (Proposals Map) 	<p>The relationship to the SHMA is explained in a separate topic paper.</p> <p>The SHMA sets out the justification for the housing numbers.</p> <p>The sustainability appraisal acknowledges the conflict with some of the plan objectives The sustainability appraisal uses the current landscape descriptions to determine landscape impact.</p> <p>The sustainability appraisal includes an appraisal of all site allocations and alternative site options. Where details are</p>		

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					<p>there is little reference to the relationship with Lichfield District to the south and the pressures in that district to meet the requirements of Birmingham, which spill over into ESBC along the A38 corridor.</p> <p>Para 1.94 indicates that the housing requirement over the period 2012 to 2031 is some 11,408 households but this figure is considered to be flawed on two counts. Firstly the overall needs of the housing market area have not been fully assessed and secondly that the figure of 11,000 is below the RS Phase Two figures and is an under estimate of the requirement.</p> <p>The plan identifies at 1.119 and 1.126 the different characters of Burton and Uttoxeter however the development strategy in part two deals with Burton and Uttoxeter at the same level in the settlement hierarchy although clearly they are at a completely different scale and character.</p> <p>Para 1.134 sets out the strategic objectives of the plan and the objective of housing choice to provide a mix of homes is a valid objective, but which will be at the expensive of other objectives such as countryside, which must in places be allocated for new development.</p> <p>Part Two Para 2.3 the strategy is said to take account of various constraints including high quality landscape features. However there is no notation on the proposals map which deals with landscape character and indeed it is understood that this work is still in progress. This point has been recently considered in a series of Sec 78 appeals, where it has become apparent that the Council has had no overall consideration of the relative merits of development sites based on their landscape impact and this has not been part of the original sieving mechanism to</p>	<ul style="list-style-type: none"> • Amend the list of SUEs to include Forest Road and Craythorne Road SP7 • Amend the housing requirement to at least the RS level of 650 per annum SP3 • Reconsider the reliability of the SHMA with regard to the housing market area • Reconsider the relationship with South Derbyshire through the SHMA and new potential allocations. • Amend the distribution of growth to reduce /eliminate a reliance on windfalls SP4 • Allocate specific sites in the villages. (Proposals Map) SP4 • Reduce the reliance on brownfield sites in the allocations and allocate more sites that will be deliverable SP4 • Remove sites from allocations sites that are unlikely to be deliverable such as Derby Road Burton. SP4 • Amend the distribution and allocate more sites for development SP4 • Amend the settlement hierarchy to distinguish between Uttoxeter and Burton SP2 • Amend the housing trajectory to be more realistic over the plan period • Amend the housing mix to be less prescriptive. SP16 • Amend the proposals map to be useable and include names roads etc (Proposals Map) • Amend the strategic green gaps (Proposals Map) • Identify the green infrastructure corridors (Proposals Map) • Amend the affordable housing 	<p>available through the planning application process these have been incorporated into the appraisal.</p> <p>The development strategy involves an element of windfall, which is likely to come forward based on the brownfield sites assessment and strategic housing land availability assessment.</p> <p>The settlement boundary topic paper sets out how amendments to settlement boundaries have been determined, in discussion with parish councils. Where a settlement is producing a neighbourhood plan, such as Yoxall, the boundary will be amended by the neighbourhood plan.</p> <p>It is important that housing is provided in all tiers in order to meet the housing needs of communities. Whilst there has been few housing exceptions sites in East Staffordshire, there is a high rate of conversions and agricultural dwellings which is expected to continue and therefore it is important to include this element in the development strategy.</p> <p>No change proposed.</p> <p>There is no individual policy for Barton Marina, however it is identified on the Barton Under Needwood proposals map inset.</p> <p>Change proposed.</p>	<p>Policies Map Inset 5 – Barton Under Needwood</p>	<p>Mod No. 154</p>

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					<p>distinguish which sites should come forward for development and is part of the flaws of the SA of the preferred options document. It is considered that the plan is fundamentally flawed on this basis alone as a landscape analysis has not underpinned the spatial strategy yet para 2.3 implies that it has.</p> <p>Para 2.8 the SA appraised broad options, but it is unclear if individual sites which are now proposed to be allocated have been subject to individual appraisals.</p> <p>Para 2.17 notes the suggested split of development with 6.3% in the tier one villages and 2.5% in tiers two and three, these percentages should be amended to allow for more development in village tiers one and two and the small amount of development in tier three, which is windfall and should not be counted as part of the specific allocations.</p> <p>Para 2.23 identifies that the two largest villages Abbott's Bromley and Yoxall are assigned 40 dwellings and indicates that this allowance will be community led. It is not clear therefore if the plan is allocating sites in these settlements and if the plan is reliant on the housing from these villages. If it is then the plan should allocate the sites to achieve certainty. If the settlement boundaries are being decided in this plan then sites emerging that are outside these boundaries will be contrary to policy, therefore the boundaries need to be clear at this stage. It is not considered that this part of the plan has been thought through in policy terms. Para 2.2.4 it is not considered that the small villages need to have any housing allowance, any development here is small scale and cannot be relied upon to achieve the overall housing number.</p> <p>Para 2.29 and 2.30 the plan should not be</p>	<p>policy to increase the threshold and be more coherent SP17</p> <ul style="list-style-type: none"> Amend the plan to be clear about what landscape areas are protected and why SP23 SP30 SP31 Amend the development management policies to be less prescriptive over replacement buildings, note Barton Marina as tourist destination in Policy and on the proposals map (Proposals Map) SP8 DP4 DP12 Amend the Inset map boundaries (Proposals Map) 1,5,9, 13 	<p>It has been advised by government that the presumption in favour of sustainable development is contained within the plan.</p> <p>The plan aims to ensure the majority of development takes place in Burton upon Trent and Uttoxeter.</p> <p>No change proposed</p> <p>An up to date 5 year housing land supply has been made available as part of the examination library. This includes the correct and current position regarding lapsed planning permissions.</p> <p>The plan sets out the mechanism for non delivery on brownfield sites and greenfield sites.</p> <p>The Red House Farm site now has planning permission following the appeal. This is contained within the 5 year housing land supply paper.</p> <p>No change proposed.</p> <p>Allocation of Barton Marina is not considered appropriate. Other policies in the plan would be applied should further development come forward. No additional floorspace is allocated at Barton Marina.</p> <p>No change proposed.</p> <p>The approach to windfall is</p>	<p>Page 85.</p>	<p>Mod No. 39</p>

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					<p>reliant upon brownfield sites due to viability and marketing constraints. Many brownfield sites have been granted permission and have failed to be delivered to date including JCB Uttoxeter, and Pirelli both of which are relied upon in this strategy. The allocation of brownfield sites is considered to be unsound if the strategy over relies upon them to deliver the housing requirement. Specific comments on the allocations will be made under the relevant policy.</p> <p>Policy 2.33 talks about a brownfield windfall allowance in the villages, which is unlikely to deliver given the character and nature of these settlements, particularly given the definition of Garden land in the NPPF.</p> <p>Para 2.34 to 2.37 sets out that Greenfield sites will need to be released to meet the housing requirement based on the SUE's, however Greenfield sites in Burton will also be delivered from medium sized allocations such as Forest Road and Redhouse Farm. The council's strategy at 2.36 implies that smaller sites are inferior to the SUE's, however we consider that this scale of site in the examples above are deliverable in the shorter term and more attractive to the market as they do not have the long lead in times and extensive infrastructure. On this basis therefore the strategy is not sound because it over relies upon SUE's and fails to recognise the benefits of other Greenfield sites.</p> <p>Page 69 the key diagram.</p> <p>The key diagram is not easy to understand, the villages and locations should be named in order to be able to interoperate the strategy. It is not understood why St George's Park is noted and Barton Marina is not given that they are both strategic Leisure destinations. The plans are too small and should be at least at A3 size. The strategic</p>		<p>supported by the Brownfields sites topic paper.</p> <p>No change proposed.</p> <p>Whilst the trajectory is aspirational, the numbers expected to be delivered on strategic sites have been provided by the applicant / agent. Proposed modification to update the trajectory.</p> <p>Change proposed.</p> <p>The strategy includes sites which the council consider sustainable and deliverable.</p> <p>The councils approach to duty to cooperate with neighbouring South Derbyshire District Council is set out in the Duty to Cooperate paper. The site referred to in the representation is not an allocation within the South Derbyshire Pre-Submission Local Plan.</p> <p>Proposed modification to SP8 to make reference to reuse of rural buildings The plan is supported by a viability assessment. The charging schedule will be set out in a future document with S106 being used until that time.</p> <p>No change proposed.</p> <p>The Derby Road site contains many underused and vacant sites. The policy aims to achieve a coherent redevelopment scheme which may or may not include all current uses.</p>	<p>SP8</p> <p>SP30</p>	<p>Mod No. 50</p> <p>Mod No. 110</p>

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					<p>road network should also be shown.</p> <p>We consider that the Strategy is flawed on the basis that the strategy has been derived from an evidence base which failed to include any landscape appraisal or character assessment. This is clear from the Planning for Change July 2012 document, which shows on the constraints plan on page 42 that no constraint relating to landscape is considered therein. This is further reinforced by the fact that the authority are now undertaking a landscape appraisal to be completed in 2014, which should have underpinned the strategy and the sites.</p> <p>The strategy is further flawed by the inadequacies of the SHMA and its complete failure to deal with the acknowledged housing market area as require by the NPPF at Para 159. This failure puts into question the overall housing number and the distribution of development.</p> <p>The strategy proposes a housing target which is not based on a robust SHMA and which takes an average between scenarios to arrive at an annual rate. This cannot be a robust assessment of the requirement and be in accordance with the NPPF to boost the supply of housing.</p> <p>The evidence base on which the plan relies includes land supply calculations that have been found on appeal to be highly inaccurate and the SOS has recently concluded that the council do not have a five year supply of land in accordance with the NPPF.</p> <p>The plans strategy should seek to bring land forward speedily and with a degree of certainty and the approach that the authority have taken with regard to a huge windfall allowance and the non-allocation of sites</p>		<p>The SHMA sets out the justification for the housing mix. The policy is considered flexible to allow for a range of mixes to come forward whilst also considering viability.</p> <p>The affordable housing policy is supported by the SHMA and Affordable Housing viability Assessment.</p> <p>The council consider that exception sites should be those on the edge of settlements to ensure the sites are sustainable.</p> <p>No change proposed.</p> <p>Proposed modifications to policy SP30.</p> <p>Change proposed.</p> <p>Identifying green infrastructure meets the requirements of the NPPF. Its identification does not preclude development from taking place</p>		

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					<p>outside the two main towns is not conducive to increasing the supply and achieving certainty. The inspector concluded at the Red house Farm Appeal on this point that:</p> <p>“The Council has failed to demonstrate that it has compelling evidence that 90 dwellings per year will consistently become available from windfall sites and will continue to provide a reliable source of supply, as required in paragraph 48 of the Framework. Based on the above, I find that the Council’s supply of deliverable housing is likely to be significantly below its figure of 4.60 years”</p> <p>There is no certainty attached to windfall in either the urban area or the villages and this is a fundamental failing of the plan.</p> <p>Part Three Policies SP1 Object - it is unclear why the plan is repeating the NPPF.</p> <p>SP 2 Object The plan should distinguish between Burton as the principal town and Uttoxeter as a town. These settlements are vastly different in scale and character and this should be recognised in the hierarchy.</p> <p>The policy sets out the new development should be located within the settlement boundaries yet the settlement boundaries depicted on the policy maps fail to include developable sites at Burton, Yoxall, Denstone, and Barton under Needwood. The policy maps should be amended to include the development opportunities attached to this objection. Namely:</p> <p>Land at Forest Road Burton Land at Postern Road Burton Land at St Mary’s Drive Stretton/Burton Land at Craythorne Lane Stretton/Burton</p>				

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					<p>Land to the South of Bond End Yoxall Land at B5031 Denstone Land at Barton Marina Barton under Needwood.</p> <p>SP3 The plan provides for 11,648 homes over the plan period or 613 dwellings PA. The rationale behind this requirement is set out in the June 2013 update which indicates that 613 dwellings PA is an average figure from two alternative scenarios. It is unclear why an average figure is take rather than the higher figure of 630 PA. This is not in accordance with the NPPF to boost the supply of housing and the reasoning behind this is flawed. It is not clear why the LPA have deferred from meeting the RS Phase two requirement for 650 dwellings PA, which was a figure derived from a conjoined approach with neighbouring authorities which took account of the interrelationships' between ESBC and Lichfield and for which the council expressed support. Policy SP3 should explain that the numbers are a minima for the plan period.</p> <p>SP4 The plan seeks to allocate 10,284 dwellings over the plan period this is below the overall requirement of 11,648 as the council believe that at April 2012 they had 1,582 extant permissions or 1,379, (including a lapse rate). We do not consider that the level of extant permissions is as the council have set out and work submitted in two recent appeal cases indicate that the extant permissions were around 800 dwellings at 2012. This means that the plan is under allocating land to meet the requirement because it is overestimating the contribution of the exiting permissions on day one of the plan.</p> <p>Burton</p>				

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					<p>We object to the brownfield allocations in table one which amount to 1,683 dwellings. In Burton these sites are not considered to be deliverable particularly Derby Road 250, which comprises a large number of individual dwellings and sites in private ownership. The plan should rely less on these brownfield sites, some of which have been in the pipeline for many years and have failed to be delivered.</p> <p>The Greenfield allocations in Burton should be increased by the addition of Forest Road for 300 Dwellings and Redhouse Farm which already has a planning permission. It should also include land at Stretton both a Craythorne Lane for 500 dwellings and for St Mary's Drive for 150 dwellings.</p> <p>A windfall allowance of 1,359 in Burton is ill conceived. Land should be allocated to meet the housing requirement and not rely on windfalls for this strategic planning process.</p> <p>The historic windfall rate in the Borough has been skewed by the fact that there was a moratorium on sites over 10 dwellings operating from 2005 for a significant period. This</p> <p>drove developers onto smaller sites where planning permission could be obtained and has artificially increased the windfall figures.</p> <p>At the time that the last Local Plan was examined and adopted in 2006 most of the allocated sites already had planning permission and there was no scope for new developments other than the windfall sites, again this artificially increased the numbers of windfalls.</p> <p>In the future sites which may have been large windfalls, should be identified in the</p>				

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					<p>SHLAA and will become allocations and there should be no allowance for these type of larger sites.</p> <p>Uttoxeter We support the allocation of the Brookside Industrial estate and a planning application is to be submitted shortly, however we raise concern over the reliance on the JCB site at Pinfold Road which has been in the pipeline for many years and remains undeveloped. If sites fail to be delivered alternative provision needs to be made in alternative locations.</p> <p>It is considered that the location of growth a Uttoxeter should be reconsidered to evaluate the land to the east of Highwood Road which relates well to the centre of the town.</p> <p>Strategic Villages Barton under Needwood The allocation in Barton relates to the extant consent at Eflinch Lane the plan fails to acknowledge the development potential at Barton Marina for an additional 100 dwellings located around the marina basin and the lakesides. It is proposed that the whole of the Barton Marina complex be included in the Barton development boundary as the site is 10 functioning as part of the settlement given the wide range of facilities including shops, restaurants and a cinema. Therefore the total development allocation for these villages should be increased to allow for the potential on the Barton Marina site.</p> <p>Windfall development allowances in the villages We object to the concept of this part of the housing requirement being met by windfalls the NPPF is clear at Para 48 that windfalls should not be relied upon unless there is compelling evidence that they are a reliable source of supply. The LPA</p>				

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					<p>have themselves acknowledged that windfalls are unreliable by their discounting exercise in their land supply calculations if these villages in tiers one, two and three are to assist in meeting the strategic housing requirement then land should be allocated for the express purpose, which is the view that we take. We consider that land should be allocated at Yoxall and Denstone to meet the express requirement referred to in detail in our comments the inset plans. If the council want to retain the windfall only strategy in these villages then the requirement of 351 should be met and allocated in the higher tier locations to ensure the delivery of the strategy. Reliance on sites coming forward through neighbourhood plans is unsound as evidenced by the events in Rolleston where in the neighboured plan it included no strategic development as proposed in the local plan and planning permission has been refused by the council on the basis that the development is out of step with the neighbourhood plan.</p> <p>Housing trajectory</p> <p>Page 84 implies that most of the strategic housing sites have planning permission but this is not the case. There is no permission at Branston Locks or Beamhill, which is the subject to a Judicial Review. The council cannot therefore rely on these sites in drafting the housing trajectory, these sites will not come on-stream early in the plan period and this is why the strategy is unsound because it is over reliant upon large strategic housing sites and fails to include medium sized allocations that do not have such significant lead in and completion times. It is unclear how the build rate will increase from 200 homes pa in 2015 to over 900 in 2017 as shown on the trajectory. A more realistic trajectory would be one achieving the annual target of 613 or</p>				

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					<p>thereabouts in the next two of three years and then being maintained thereafter.</p> <p>SP 6 We object to the policy as drafted on the basis that the proposal to regularly monitor the housing land availability is unlikely to be achieved given the history of this subject. The authority have never had a robust evidence base for the supply of housing land and their assessments have contained unrealistic expectations on both the quantum of supply and the rates of delivery. Furthermore they have not regularly updated these documents which have been many years out of date. The five year land supply should be reviewed annually and the council must have a robust database which has credibility. The policy implies that if the council are falling behind on delivery then they will bring sites forward through a DPD, this seems to be a long winded approach to what is required which is the granting of planning permissions it is not clear what type of DPD they might be considering using.</p> <p>SP 7 We object to policy SP7 that the SUE's identified exclude the land at Craythorne Lane Stretton, which is a logical and sustainable development location and to support the housing strategy. Planning permission has already been granted at Guinevere Avenue, Stretton as a sustainable development and the adjoining land at Craythorne Lane should be allocated.</p> <p>Development along this northern edge of the Burton urban area has been further indorsed by the Tutbury Road/ Harehedge Lane. The strategy of locating sufficient land adjacent to the urban area to specifically bring sites forward is a much better strategy than relying on 1,359 windfalls in the main towns.</p>				

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					<p>In addition land at St Mary's Drive on the former chicken farm together with the land at the rear should be allocated. See plans attached, an application is currently being worked up for land off St Mary's drive and will be submitted shortly. The location has already been established as an appropriate one by the approval of the dwellings at Guinevere Avenue.</p> <p>Both of these proposals at Stretton are superior to sites identified in the urban area which have severe delivery problems and may never materialise including over the very large proposed SUE's, which have long lead in and delivery times.</p> <p>It is noted that the Harehedge Lane Tutbury Lane allocation is allocated for 500 units but the capacity of this site is questioned given the construction of a large new school on the central part of the allocation.</p> <p>The plan omits any mention of the relationship with South Derbyshire and the potential of land to the east of making a contribution to the housing requirement. Land is available at Winshill adjoining the urban area of Burton, which could support the housing requirement for both authorities, but this potential has been overlooked due to the fact that the council have failed to undertake a proper SHMA looking at the true housing market area. Sites to the east of Burton would be ideally placed to deal with this type of need and would support a sustainable pattern of development given the acknowledged relationship and the commuting patterns identified in this plan on page 31. Work is being undertaken on a master planning exercise on this land and representations have been made upon it to South Derbyshire.</p> <p>The duty to cooperate between adjoining authorities must cover how the housing</p>				

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					<p>requirements are to be met, in this case the two authorities should have cooperated to produce a SHMA that covers the agreed housing market area. ESBC acknowledge this. A previous iteration included counting the housing numbers at the Drakelow Site within the SDDC as part of the ESBC's requirement, confirming that the relationship on the boundary is a highly significant one this has been completely overlooked in this new document. Para 159 of the NPPF sets out that authorities should have a clear understand of housing needs in their area and prepare a SHMA working with neighbouring authorities where housing market areas cross administrative boundaries, this has not been done and the plan is out of step with the NPPF on this fundamental point.</p> <p>Para 178 to 181 of the NPPF clearly requires planning across administrative boundaries, the fact that SDDC lies within the former East Midlands RS area and ESBC is with the West Midland RS area does not negate the geography of East Staffs.</p> <p>The plan does not appear to indicate a threshold size for a SUE but includes SUE's of various scales and it is questionable that land at Forest Road Burton for 300 dwellings should not only be included as an allocation in SP4, but also listed as a smaller SUE in policy SP7.</p> <p>SP 8 We object to SP 8 on the basis that it is not flexible enough to deal with the many situations that arise outside development boundaries for example a redevelopment of a brownfield site that would bring design and environmental benefits and was within reasonable distance of a sustainable settlement should be permitted. The policy makes no provision for such sites and is</p>				

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					<p>over prescriptive.</p> <p>SP 9 We object to policy SP 9 the council have not produced a draft charging schedule for CIL and it is unclear what the impact of such a charging regime would be on the viability of development and how this would affect the delivery of the strategy. The policy implies that a CIL will definitely be introduced, but the preceding paragraphs do not imply that this is a certainty, it is unclear how the plan can be sound when the impact of this is not known.</p> <p>SP 11 We object to policy SP11 on the basis that it is not considered that it will deliver homes given the character and nature of the site, the proposal is for a mixed use and the council is seeking a development partner to bring the site forward. It is considered that the potential for this sort of mixed development and the ensuing living arrangements are currently unattractive to the market and this site may not therefore deliver for many years. Alternative sites exist that are deliverable and should be allocated see our comments SP4/ SP7.</p> <p>SP12 We object to policy SP12 on the basis that this is a site straddling the Derby Road which is currently occupied by business uses the acquisition of land and properties is likely to mean that this site will not deliver 250 homes early in the plan period and should not be relied upon. Alternative sites exist that are deliverable and should be allocated, see our comments for SP4/ SP7.</p> <p>SP15 We object to policy SP15 on the basis that new tourist accommodation should not be limited to within existing settlements. Tourist accommodation should not have to</p>				

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					<p>demonstrate that it cannot go within a settlement, but should be located in relation to the attraction it is serving. The policy is poorly worded and needs modification.</p> <p>SP16</p> <p>We object to policy SP16 on the basis that this mix is far too prescriptive and does not allow sufficient flexibility for the market to determine the type of homes that can be sold. The basis of the mix is said to be based on the new housing needed over the plan period, but the mix will change over time and it inappropriate to include a prescriptive mix in the local plan that will be applied over the plan period. Furthermore the mix of dwellings on sites should be designed to reflect the character of the area in the area they are located and it may be inappropriate for some locations to have a prescribed mix. It is unclear how the mix in table 3.1 is to be applied.</p> <p>Outside the main towns and tier one settlements sites are required to meet a need based on housing needs survey this is not workable.</p> <p>SP17</p> <p>We object to policy on the basis that the threshold for affordable housing is too low and should be increased to developments of 15 dwellings and over or sites of 0.5 hectares. Thresholds that are set too low simply stifle development or make small sites unviable. The policy as drafted leaves uncertainly as to the general level of affordability required on sites, is it 25% or less? This should be clearer.</p> <p>This policy needs rewriting to make clear what percentage of affordable is required as a starting point and that viability issues will alter this. The plan should be clearer about</p>				

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					<p>what matters need to be taken in account in any viability assessment such as reasonable profit levels and residual land values to encourage sites to come forward and to diminish uncertainly. This will enable the development industry to assess sites in the early stages before embarking on major and costly viability exercises. We are concerned about the spending of commuted sums offsite, if this is part of the policy it should be within the policy and be capable of justification.</p> <p>SP18 We object to policy SP18 on the basis that exception sites do not have to be within or on the edge of a settlement. There could be other sites which are appropriate, which do not directly abut a settlement. The policy as drafted does not make sense.</p> <p>SP23 We object to policy SP23 on the basis that there are no plans showing where the green infrastructure corridors are. They comprise natural and manmade green spaces and are to be safeguarded but you cannot tell where they are from the proposals map. If they are a land use allocation they must be shown, so that they can be clearly identified and the polices that are to be applied over them have a clear plan base. The policy anticipates developer contributions to make improvements to the green infrastructure corridors, but is not clear how this is related to development and if it complies with the CIL regulations.</p> <p>SP30 We object to policy SP30 on the basis that the policy says that within locally significant landscape areas development will be restricted if it affects the character, however there is no way of knowing where these areas area. They are not shown on the</p>				

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					<p>proposals map or the insets. Page 148 indicates that the council is working with the County Council to update the landscape character areas and assessments, this is due to be completed in 2014 and will describe which areas are most sensitive. This begs the question of how the current strategy has been determined if the council have not had any overall consideration of landscape character and sensitivity. The policy itself is flawed because the evidence required to support it is not yet available and so there is no knowledge of where it will apply. This point has been recently considered in a series of sec 78 appeals where it has become apparent that the Council has had no overall consideration of the relative merits of development sites based on their landscape impact and this has not been part of the original sieving mechanism to distinguish which sites should come forward for development and is part of the flaws of the SA of the preferred options document.</p> <p>SP31</p> <p>We object to policy SP31 on the basis that an area of the strategic green infrastructure is identified between Rolleston and Stretton on the proposals map, which included land east of Craythorne Lane and the old railway line. This it is unnecessary to be included within the notation and this should be removed and the boundary redrawn as per the attached plan.</p> <p>DP 4</p> <p>We object to the policy as drafted on the basis that the policy is inflexible and seeks to limit replacement buildings by reference to buildings which have special qualities of "traditional rural building" this is unnecessary and open to miss interoperation if a building is listed in a conservation area or protected by any other</p>				

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					<p>means then clearly demolition is not normally allowed. If buildings are special they will already be in the category and there is no need to create a further category in this policy to prevent the redevelopment of dwellings. The policy should be phrased in the positive, not the negative. There is nothing wrong with replacement dwellings in principal according to the NPPF and the policy should be redrafted to reflect a positive approach.</p> <p>DP 10 We object to the policy on the basis that it fails to include the locations in the borough that are existing recreation and tourist destinations, such as Barton Marina, which should be shown on the proposals map and recited in this policy.</p> <p>D12 We object to policy D12 on the basis that it fails to acknowledge Barton Marina either in the policy or on the proposals map as a comparable destination. The policy implies that there will be future development on the site to support the growth of the site and it is thought this may include uses which are normally located in town centres. This location does not adjoin any settlement and is remote from any main towns or villages.</p> <p>Settlement Boundaries and inset plans SP2 sets out that development will be concentrated within the towns villages etc. and these are shown on the accompanying plans.</p> <p>We object to the following inset plans. 1.Burton We object to the omission of the following sites from the settlement boundary</p> <p>Land at Craythorne Lane Stretton Adjacent to the built up area on the northern edge of Burton in a sustainable</p>				

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					<p>location, outside the proposed green wedge, with strong market interest in developing the site. No technical obstacles to development and a logical extension to the development boundary</p> <p>Land at St Mary's Drive Stretton Adjacent to the built up area on the northern edge of Burton in a sustainable location, outside the proposed green wedge also strong market interest in developing the site. No technical obstacles to development and a logical extension to the development boundary adjacent to recently approved site at Guinevere Avenue. The development boundary should be amended to include the land adjacent to the consented site in addition to this adjoin field and former farm off St Mary's Drive</p> <p>Land at Forest Road Burton Adjacent to the built up area on the western edge of Burton in a sustainable location, outside the proposed green wedge and strong market interest in developing the site. No technical obstacles to development and a logical extension to the development boundary. The land is the subject of a live planning application and sec 78 appeal.</p> <p>Land at Postern Road Henhurst Hill Adjacent to the built up area on the western edge of Burton in a sustainable location, outside the proposed green wedge and strong market interest in developing the site. No technical obstacles to development and a logical extension to the development boundary. This is small site which requires a rationalisation of the development boundary in this location. A planning application is being prepared and will be submitted shortly.</p> <p>5. Barton under Needwood</p>				

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					<p>Land at Barton Marina The Barton Marina complex includes land and buildings which are closely linked to the village of Barton and the recently approved site at Efflinch lane. The area should be included within the settlement boundary of Barton, which would be a logical way to extend the boundary. A proposal is being prepared for a scheme of waterside housing in this location which maximises the potential of the waterfront opportunity</p> <p>9. Denstone Land adjacent to the B5031 Adjacent to the built up area on the southern edge of the village in a sustainable location, close to the village school and the nearby JCB site. Strong market interest in developing the site. No technical obstacles to development and a logical extension to the development boundary. This is small site which requires a rationalisation of the development boundary in this location.</p> <p>13. Yoxall Land at Bond End The boundary of Yoxall should be extended to include the land south of Bond End. The lies outside the floodplain and there are no technical reasons why this site cannot come forward for development.</p> <p>3. Uttoxeter Reconsider the development boundary at Uttoxeter particularly with reference to an expansion of the built up area east of Highwood Road, which direction of growth relates well to the centre of the town and is preferable to more peripheral extensions</p> <p>Proposals and inset Maps We object to the proposals map on the basis that it is unclear and does not depict the green infrastructure corridors and the</p>				

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					landscape character areas as set out in our objections to SP23/ SP30.				
LP479 R Crow, Barton Wilmore on behalf of Taylor Wimpey		Yes			<p>Barton Willmore is instructed by Taylor Wimpey UK Ltd to submit representations to East Staffordshire Borough Council in response to the Pre-Submission Local Plan consultation (November 2013). Taylor Wimpey UK Ltd is committed to the successful delivery of residential development at the land south of Henhurst Hill and our representations reflect this objective.</p> <p>The Site measures approximately 4.4 hectares and is capable of delivering approximately 120 dwellings; a Site Plan is attached to these representations.</p> <p>We note that the Site falls within the Neighbourhood Plan area for Branston, however, a draft of this document has yet to be produced. We would welcome the opportunity to engage with this process as the Parish moves forwards in its role as one of the designated neighbourhood plan areas in East Staffordshire.</p> <p>In addition, we welcome the acknowledgement in paragraph 1.55 that there is potentially a need for authorities within the West Midlands to assist Birmingham City Council in meeting their housing needs. Given that this position has advanced somewhat - with the Pre-Submission version of the Birmingham Development Plan being taken to Cabinet in October 2013 and Full Council scheduled for December 2013 - we would consider it clear that other Authorities do need to plan for additional sustainable growth locations to assist Birmingham.</p> <p>Therefore we consider it appropriate to set out within the Submission Local Plan how</p>	<p>In summary, we are generally supportive of the strategy adopted by the Council we consider that an additional allocation on the land at Henhurst Hill would provide for a more flexible and effective Local Plan. In particular, given the high level of growth envisaged on the housing trajectory in the early parts of the Plan period it is essentially that there are sufficient opportunities in sustainable locations for developers to provide the required number of dwellings.</p> <p>The Council should also consider increasing the housing target to promote growth within the Borough and seek to achieve consistency with the pro-growth strategy of the NPPF. Such an amendment would also leave the Council in a better position to respond to the wider-development needs emerging from Birmingham City Council.</p> <p>We trust that the above representations will assist you in progressing the Local Plan and would be grateful if you could give consideration to our comments and continue to advise us of progress on the Local Plan.</p>	<p>The site has been assessed through the Sustainability Appraisal and does not form part of the allocations to meet the development strategy.</p> <p>The strategy provides sufficient land to meet the housing figure which is based on objectively assessed housing need.</p> <p>No change proposed.</p>		

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					<p>the Council will respond to this known matter. The release of the land to the south of Henhurst Hill as an additional allocation would leave the Council in a position to respond more fully to the wider housing needs emerging from Birmingham City.</p> <p>We respond to individual policies contained within the document below:</p> <p>The Vision</p> <p>We support in general the vision as set out on page 50, particularly the section stating that, 'Quality housing will be available with a variety that meets the needs of all sectors of the community and the aspirations of a growing population.' In addition, in specific relation to Burton-on-Trent, that the envisaged economic growth '... will be supported by housing to ensure that development is sustainable and reduces overall levels of commuting, especially by car.'</p> <p>The promoted Site is capable of assisting the Council in achieving these key aspects of the stated Vision for the Borough and Burton-on-Trent. Strategic Objectives:</p> <p>We specifically support SO1 and SO2, which seek to provide well-designed communities and an appropriate mix of housing respectively. Careful design of the land to the south of Henhurst Hill would clearly contribute towards the achievement of these individual strategic objectives which, when combined, deliver the Council's vision for the Borough.</p> <p>SP1 - East Staffordshire Approach to Sustainable Development</p> <p>Policy SP1 sets out the Council's approach to achieving sustainable development at the local level and encourages development</p>				

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					<p>which has good links to the strategic highway network and meets the needs of pedestrians.</p> <p>The land to the south of Henhurst Hill would achieve the requirements of this policy as it has excellent links to the strategic highway network, with access to the A5121 and A38 located approximately 2.5km and 5km to the east respectively. In addition the Site would enable pedestrians to travel into Burton town centre on the Number 10 bus service, which operates on an hourly basis.</p> <p>A well-designed and sensitive scheme with appropriate planning obligations would also assist in ensuring that any development delivered on this Site was consistent with all aspects of the Council's vision to achieve sustainable development - including by virtue of its location immediately adjacent to the proposed settlement boundary for Burton-on-Trent.</p> <p>SP2 - A Strong Network of Settlements</p> <p>The Site is located immediately adjacent to the settlement boundary of Burton-on-Trent as set out on Inset Plan 1 of the Pre-Submission Local Plan.</p> <p>We welcome the extension of the settlement boundary along Shobnall Road and Forest Road to the west of the main urban area of Burton; acknowledging the sustainability of growth in this direction.</p> <p>As a result of the eastern boundary of the Borough tightly constraining any growth to the east of Burton-on-Trent, it is entirely appropriate to look for sustainable opportunities to grow to the west of the town. Given the significant difference in the level of growth envisaged in Burton-on-Trent and Uttoxeter respectively, it is suggested that the settlement hierarchy is split further</p>				

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					<p>to provide a distinct separation between Burton-on-Trent and Uttoxeter. Currently they are both simply classified as 'Main Towns' however it is clear from the detail of policies throughout the Plan that Burton-on-Trent itself is clearly the focal point for sustainable residential growth in the Borough.</p> <p>SP3 - Provision of Homes and Jobs 2012 - 2031</p> <p>Policy SP3 should be amended to make it clear that the number of dwellings to be proposed in the Local Plan is a minimum level of development over the Plan period. This amendment would ensure that the Local Plan complies with the Government's aspirations as set out in the NPPF to achieve sustainable growth and significantly boost the level of housing development in order to support the economy and provide housing choice.</p> <p>In addition, given the need to plan positively for growth, the Council should consider using Scenario 2a in the SHMA as a starting point, which would set the minimum level of housing growth at 11,976 dwellings. Given the sustainable development locations available near to Burton-on-Trent, such as the land to the south of Henhurst Hill, it is considered that the Council could sustainably deliver a higher housing target.</p> <p>SP4 - Distribution of Housing Growth 2012 - 2031</p> <p>The distribution of growth primarily to the Burton-on-Trent urban area and as sustainable urban extensions to the town is supported. However, in order to provide for sufficient choice for developers and future residents it is considered that additional development locations should be allocated, including the Site to the south of Henhurst</p>				

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					<p>Hill.</p> <p>The need for additional sites in sustainable locations is further supported by the Housing Trajectory as shown in figure 3.1 of the document. This shows development rates increasing from approximately 200 dwellings in 2013/14 up to approximately 950 dwellings in 2016/17. The Council consider that a delivery rate of 40 dwellings per developer per Site is achievable; with this level of development requires approximately 23 developers to be building at the maximum rate seen as being achievable across the sites allocated.</p> <p>Given the need to achieve this level of growth, and the substantial increase required over past delivery rates, the Council should consider the release of additional housing sites to provide a more achievable strategy for the Borough.</p> <p>SP16 - Meeting Housing Needs</p> <p>Whilst the Council has clearly set out the mix and type of housing provision required in and around Burton-on-Trent, there is a danger of being overly prescriptive in this regard - especially over a Plan period stretching to 2031.</p> <p>Therefore we would consider than in order to progress a flexible and effective Local Plan the housing mix targets are referred to as an indicative guide as opposed to a precise requirement. This will allow for developers to take account fully of local circumstances and economic conditions at the time that sites are brought forward for development.</p> <p>In addition, we would question the requirement for all dwellings to be built to 'lifetime home' standard. Whilst there is a growing elderly population nationally and a</p>				

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					<p>need to respond accordingly with housing provision, many of the aspects of lifetime homes are not in accordance with the requirements of younger persons. We would therefore recommend that lifetime homes standards are sought across a robust proportion of new dwellings as opposed to it being a blanket requirement across all new housing stock.</p> <p>SP17 - Affordable Housing</p> <p>It is considered inappropriate to expect all residential schemes to carry out viability exercises to assess the level of affordable housing that is viable. Paragraph 173 of the NPPF states that, 'the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened' .</p> <p>The Council should use their evidence base to set a robust requirement which is deliverable on most sites under normal circumstances. Once this target has been set within the Local Plan, viability assessments should only be required where exceptional circumstances relating to a particular Site are such that the target cannot be achieved. The policy should be amended to reflect the above position. However, we do welcome the opportunity to consider the appropriateness of suitable off-site contributions so as the Council can best direct the provision of affordable housing across the Borough.</p> <p>SP26 - National</p> <p>We acknowledge that the Site is within the defined National Forest area on the proposals map. A sympathetically designed landscaping scheme could assist the Council in meeting their aspirations for the National Forest area and could impact</p>				

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					<p>positively on the area in this regard.</p> <p>SP31 - Green Belt and Strategic Green Gaps</p> <p>We note and support that this Site is not included within a Strategic Green Gap on the Proposals Map. Given the proximity of the Site to the existing built form it is apparent that a sympathetically designed development would not negatively impact on the openness of this area and therefore this is considered to be an appropriate assessment of the Site.</p>				
LP480 Mr G Willard on behalf of a Uttoxeter landowner		No	SP4 Distribution of Housing Growth and Inset Maps 3 and 4 – Uttoxeter and Uttoxeter Town Centre	c. Effective d. consistent with national policy	<p>My late instructions arise from a landowner in Uttoxeter. He owns a site adjacent to the Town. It is not within the present settlement boundary. It adjoins it however and is the most logical and modest urban extension I have encountered. Whilst the council have concentrated on large scale housing sites in preparing this plan my client is concerned about the plan in 2 regards:</p> <p>a There is no proper review of the Uttoxeter settlement boundary and no clear indication that it will be reviewed as part of any later site allocations document.</p> <p>b In concentrating on large urban extensions in the draft plan the council have given NO attention to the need to provide for small urban and rural sites whether previously developed or not to meet the needs of small scale local house-builders or those who wish to self-build. This is often the most sustainable form of house building. The draft plan makes no allowance for this need. The Plan fails to provide certainty about a mix of housing and does not provide certain small scale sites for self builders or local builders.</p>	<p>I have sought to discuss my options for change with council officers. They have not been prepared to meet and discuss any alternative boundary review instead only inviting submissions through this consolation format. A further request to meet will be made. A revised Settlement boundary plan that includes land at the East of De Montfort Way is being prepared for this purpose.</p>	<p>Such a proposal would be considered against policy SP8 and SP18. The approach to settlement boundary amendments is set out in the settlement boundary Topic Paper.</p> <p>No change proposed.</p>		

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					<p>STRATEGIC POLICY 16 and any provision within the plan that commits to the Uttoxeter settlement boundary is considered unsound. Certain provision should be made for both self build sites and certain provision for small sites (under 10 units) suitable for local builders to undertake. The policy does not provide for this. In addition the Settlement boundary for Uttoxeter ought to be reviewed to allow for limited windfall developments both on brownfield sites and accessible greenfield sites.</p>				

Pre-Submission Local Plan – Summary Schedule of Representations

Rep No. & Name	Legally Compliant?	Sound?	Section to which rep relates	Reason for Unsoundness	Summary of Representation	Changes requested	Council Response	Section change	Mod No.
LP481 (Mr Louth, Turley Associates on behalf of Hallam Land)	No	No	SP4 Distribution of Housing Growth	<p>a. Positively prepared</p> <p>b. Justified</p> <p>c. Effective</p> <p>d. Consistent with national policy</p>	<p>Whilst it is noted that Policy SP3: 'Provision of Homes' identifies a requirement for 11,648 dwellings over the plan period of 2012 - 2031, paragraph 47 of the NPPF outlines that Council's must objectively assess their housing needs. In the context of the above, it is noted that the East Staffordshire SHMA (October 2013) focuses on the East Staffordshire area only and fails to reflect the requirements of the wider housing market area. The failure to objectively assess the 'true' housing market requirement is contrary to the guidance set out at Paragraph 47 of the NPPF and may result in the plan being found unsound at Examination. We therefore strongly recommend that the shortcomings of the SHMA be addressed and that the requisite quantum of housing be delivered through the Local Plan.</p> <p>In addition to the above, we question whether East Staffordshire has discharged its 'Duty to Co-operate', the requirement for which is set out at paragraphs 17, 157 and 178 of the NPPF. In particular, it is noted that no firm strategy has been put in place to deal with the unmet housing requirements in Birmingham, should it materialise as the Birmingham Local Plan progresses throughout 2014. Failure to discharge the Duty to Co-Operate is likely to result in the plan being found unsound, as has been the case elsewhere in the Country e.g. Coventry City Council.</p> <p>Finally, the recent appeal at Red House Farm in Burton on Trent (reference APP/B3410/A/13/2197299) confirmed that the Council is unable to demonstrate a 5 year housing land supply and that current position is approximately 2.37 years. If the Core Strategy is not to be out of date on adoption in this regard, then it is important</p>	<p>Reconsider whether the Duty to Cooperate has been satisfied in the context of the NPPF.</p> <p>Reconsider whether the objectively assessed need has been correctly assessed.</p> <p>Acknowledge and address the 5 year housing land supply position.</p>	<p>The Duty to Co-operate Statement sets out the comprehensive co-operation that has taken place. In undertaking a SHMA, the Council worked closely with those Districts with which ESBC shares a housing market. The Council also employed the consultant who prepared the Derby/South Derbyshire /Amber Valley SHMA to review the East Staffordshire Housing Requirement work.</p> <p>ESBC is working with GB&SLEP, but the housing capacity work being undertaken is too embryonic to justify more of a response than that set out in para 1.55. Similarly, ESBC works closely with its neighbours on their updates of housing need. But it is premature to respond before any results are published. All neighbouring authorities have confirmed their intention to accommodate housing requirements within their own boundaries.</p> <p>It is the responsibility of each authority to objectively assess its housing need. When each authority does this and then plans to meet that need, all the need will be met.</p> <p>The housing allocations in the Local Plan in addition to the stock of permissions that the Council already has and coupled with a modest windfall allowance delivers against an objectively assessed housing requirement. The Council has been proactively approving sites for housing over the last 12 months and will continue to respond to applications as they are submitted.</p>		

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					that the land supply requirement is achieved. If this matter is not addressed then the plan cannot be considered effective or consistent with national policy and is therefore likely to be found unsound . The allocation of sites in sustainable locations such as Ashbrook Lane, Abbots Bromley would therefore make a small but valuable contribution towards addressing this deficit.		No change proposed.		
LP482 (Mr Louth, Turley Associates on behalf of Hallam Land)			The Vision		<p>In response to the 'vision' set out within the consultation document, we support the overarching objective of the Strategic Objectives set out at paragraph 1.134 to deliver good quality jobs, high quality housing and vibrant town centres throughout the East Staffordshire region.</p> <p>Housing plays an important role in underpinning new economic development and also supporting existing services and facilities. The vision is therefore consistent with paragraph 50 of the National Planning Policy Framework (NPPF), which highlights a need to deliver a wide choice of high quality homes and widen opportunities for home ownership.</p> <p>HLM is promoting land at Ashbrook Lane, Abbots Bromley (SHLAA reference 116 - refer to plan enclosed), a greenfield site located immediately to the rear of residential properties fronting Lichfield Road.</p> <p>Abbots Bromley is considered to be one of the more sustainable villages in East Staffordshire by virtue of the fact there is a primary school, local shop, doctors surgery and local sports provision. Many of these facilities are within close proximity to the site.</p> <p>The site at Ashbrook Lane extends to circa 9.5 hectares in size. The most easterly section of the site is identified by the</p>		<p>The approach to settlement boundaries and associated amendments is set out in the settlement boundary topic paper.</p> <p>Chapter 2 sets out the justification for the settlement hierarchy and the development strategy. A site of this size is not considered appropriate for a tier 2 settlement.</p> <p>No change proposed.</p>		

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					<p>Environment Agency as being susceptible to flooding, however, the remainder of the site is entirely unconstrained. Crucially, the site is one of the few locations outside the Conservation Area boundary where development could be accommodated without detriment to the character and setting of the historic core of the village.</p> <p>The site is available now, is in a suitable location and can be developed immediately and completed in 5 year period, therefore helping to meet the Council's housing land supply requirement. From a deliverability perspective, the site is therefore considered to be in accordance with Footnote 11 of Paragraph 47 of the NPPF.</p>				
LP483 (Mr Louth, Turley Associates on behalf of Hallam Land)		No	SP2 A Strong Network of Settlements	<p>a. Positively prepared c. Effective</p>	<p>We support the identification of Abbot's Bromley as a 'Tier 2 Local Service Centre' and a location for the development of 40 dwellings. The village is relatively large and offers a range of essential services which would benefit from an increase in local spending.</p> <p>Whilst it is acknowledged that there is a balance to be struck between safeguarding the character of the village and meeting local housing need, it is strongly recommended that the housing growth figure is increased for Abbots Bromley or that it be expressed as an 'at least' figure. Not only would either of these revisions help to demonstrate that the plan has been positively prepared in the context of the NPPF, it would also provide greater flexibility to meet any future increase in housing numbers as part of a Borough wide initiative or to address a local viability constraints. In essence, sufficient development must be permitted in order to subsidise/deliver essential infrastructure and affordable housing.</p>	That the housing growth figure is increased for Abbots Bromley or that it is expressed as an 'at least' figure.	<p>The plan aims to ensure the majority of development takes place in Burton upon Trent and Uttoxeter.</p> <p>No change proposed</p>		

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					<p>Paragraph 2.23 debates whether development in Tier 2 villages such as Abbots Bromley should be delivered through housing allocations or through windfall infill development only. We strongly recommend that the Local Authority pursues the allocation of housing sites in each of the Tier 2 villages as this would be the most effective way of delivering essential infrastructure and affordable housing. Furthermore, the allocation of a specific housing site(s) would increase the likelihood of development being delivered during the plan period. It would also ensure that new development is approached and designed in a comprehensive manner, rather than in a piecemeal fashion to the detriment of the character and setting of the existing village.</p> <p>In terms of the village boundary, we object to the proposed extensions to the west and south of Abbots Bromley as defined by Inset Map 8. The extension to the west is constrained by its location within the Conservation Area and the extension to the south would significantly extend into the countryside to the detriment of visual amenity and the character of the village. The site at Ashbrook Lane is a more logical location for growth given its central location and close proximity to services/amenities. The site is large enough to accommodate the full housing requirement (40 dwellings) and could be delivered without detriment to the Conservation Area or elongation of the village into the countryside. Visually, the site would be integrated into the setting of the village with little of any impact and would be defined by strong defensible boundaries.</p>				
LP484 (Sarah Victor, Environment Agency)	Yes	Yes			<p>KEY CHALLENGES FOR THE LOCAL PLAN</p> <p>We welcome inclusion in the 'Key challenges for the Local Plan' the need to</p>		<p>Support noted.</p> <p>No change proposed.</p>		

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					<p><i>protect and enhance the Boroughs natural environment both for recreational use and to safeguard important habitats (p45), to ensure development is not subject to the effects of climate change and does not increase flood risk elsewhere (p45) and to re-use previously developed (brownfield) sites to ensure the efficient use of land and lift environmental quality (p35).</i></p> <p>We welcome inclusion of the wording on page 45, stating that Burton upon Trent is situated within the River Trent corridor / the 'Washlands' and that the floodplain dominates the centre of the town and provides a unique feature and valued recreation resource for residents. This sets the scene for the distinctive water environment that characterises this area.</p>				
LP485 (Sarah Victor, Environment Agency)			Strategic Objectives		We welcome Strategic Objectives (SO); SO1, SO10, SO11, and SO12.		Support noted. No change proposed.		
LP486 (Sarah Victor, Environment Agency)			Policies SP19, SP23, SP27 and SP29		We commend Strategic Policies (SP) SP19 Sites for Gypsies, Travellers and Travelling Showpeople, SP23 Green Infrastructure, SP27 Climate Change, Water Body Management and Flooding SP29 Biodiversity and Geodiversity and supporting text.		Support noted. No change proposed.		
LP487 (Sarah Victor, Environment Agency)			SP19 Sites for Gypsies, Travellers and Travelling Showpeople		<p>Flood Risk</p> <p>We welcome that in assessing the suitability of sites for residential and mixed use occupation by Gypsies, Travellers and Travelling Showpeople, proposals will be supported where the site is not at risk of flooding (p118). This is in line with national planning policy which states in Table 2 of the NPPF's Technical Guide that caravan sites of permanent occupation are classified as being Highly Vulnerable to the effects of</p>		Support noted. No change proposed.		

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					flooding, with Table 3 stating that such land uses are only appropriate when located within the lowest risk Flood Zone 1 or potentially in Flood Zone 2 if the Exception Test is applied and passed				
LP488 (Sarah Victor, Environment Agency)			SP27 Climate Change, Water Body Management and Flooding		<p>In regards to SP27, we welcome the elements of the policy that protect specific flood risk interests from the effects of development, and also the detail on requirements of FRAs in areas located behind defences. This policy reflects the locally distinctive characteristics of flood risk management in this area and should help steer both applicants and decision makers to address the potential consequences of inappropriate development in the floodplain. This local policy should be read in conjunction with sections of the NPPF that require that the Sequential and Exception Tests should be applied when considering the location of development.</p> <p>We support the inclusion of the reference to the Water Framework Directive (WFD) and associated River Basin Management Plan (RBMP). We feel that in conjunction with the specific references to watercourses easements and deculverting / renaturalisation these elements of the policy will ensure that development supports the meeting of European requirements for local waterbodies in time for the deadline of 2026. We feel these aspects of the policy have been effectively translated into Detailed Policies 10-9 and 12.</p> <p>The section of the policy relating to water quality and quantity will also support the implementation of the RBMP as it will protect against pollution of the water environment and ensure there is sufficient water resources available to not only support growth but to support the life in our rivers. This will help to improve the range of</p>		Support noted. No change proposed.		

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					<p>ecology within our watercourses which is one of the measurements of WFD compliance. This policy is adequately supported by Policy DP7.</p> <p>There are 24 waterbodies identified by the RBMP as flowing through some part of your district. Only 4 of these are currently at Good Status. It is essential that everything is done to ensure these watercourses do not deteriorate and that the others improve in quality to meet Good Status (or Good Potential) by 2026.</p>				
LP489 (Sarah Victor, Environment Agency)			Policy SP27 Climate Change, Water Body Management and Flooding Evidence base		<p>We welcome the update of both your Water Cycle Study (WCS) and Strategic Flood Risk Assessment (SFRA) as this ensures that the evidence base is as accurate as possible to inform both the policies but also new infrastructure requirements.</p> <p>Clarification should be provided as to whether any of the models which have been used to redefine the flood extents at certain locations across the borough have undergone peer review. In order to fully comment of the accuracy of this assessment, we would welcome a list of what modelling amendments have been made and where new modelling has been completed. We would be interested in potentially obtaining these models for free and using them to update our own flood maps (should they be fit for this purpose.</p> <p>The Water Cycle Study (WCS) appears to recognise some capacity issues within the catchment at Clay Mills and Uttoxeter. The WCS also recognises that there is extensive investment in Clay Mills sewage treatment works. According to the WCS, Severn Trent Water (STW) have also confirmed that there will not be an issue with the provision of additional treatment capacity at Uttoxeter STW. Therefore, we are satisfied that the</p>		<p>Information is set out in the Water Cycle Study and Strategic Flood Risk Assessment.</p> <p>No change proposed.</p>		

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					<p>study pays due regard to the future capacity at both Uttoxeter and Clay Mills STW.</p> <p>Despite this, paragraph 8.3.2 states that since the full consultation with STW was carried out, an extra 2,010 houses will be built within the sewerage catchment for Claymills STW. Clarification should be provided as to whether STW have been notified of this fairly substantial increase in the housing numbers draining to Clay Mills STW, and details submitted to confirm the impact of this prior to Submission.</p> <p>Strategic Policy 27 should be sufficient to ensure that should additional infrastructure works be required to support development this would not pose a risk of pollution to the water environment, however any additional works that may be required to accommodate this increase in loading on the system should be included within the Infrastructure Delivery Plan to make it clear what is required and any timescales involved.</p>				
LP490 Picknall Valley Preservation Group	Yes	No	Policies Map - Inset Map 3 Uttoxeter	<p>a. Positively prepared b. Justified</p>	<p>Whilst the Strategic Policies of the ESBC Local Plan draft provide adequate protection for the Picknall Valley, this level of protection is not evident in the Local Plan map of Uttoxeter entitled "Insert Three". The Strategic Green Gap shown between Bramshall and Uttoxeter has an eastern boundary that is drawn in the wrong place. Given that Bramshall Road Park is an amenity for all Uttoxeter residents and visitors, surely this Strategic Green Gap MUST continue to the western boundary of the Park? This argument is close to the heart of many Uttoxeter residents and is amply supported by many of the Strategic Policies contained in the text of the Local Plan, as detailed below.</p> <p>On Page 11 of the Pre-submission Local Plan in describing "What is a Local Plan"</p>	<p>Extend the Strategic Green Gap shown on Policy Map Insert No. 3 below Bramshall Road to the boundary of Bramshall Road Park, thereby establishing a mile of protected green space between Bramshall and Uttoxeter, fully in line with several Strategic Policies given the open landscape of the area.</p>	<p>The justification for Strategic Green Gaps is set out in the Strategic Green Gaps Topic Paper.</p> <p>No change proposed.</p>		

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					<p>says "The purpose of the Local Plan is to afford protection to the natural and built environment to ensure that those assets that are valuable to the Borough are protected, conserved and enhanced." The current proposals as shown in Insert 3 in relations to the Picknall Valley and in particular the Bramshall Road Park do not comply with that statement.</p> <p>The Local Authority's proposals specifically exclude Roycroft Farm from the Plan's Proposed Strategic Housing sites. Therefore it makes considerable sense that the Strategic Green Gap should extend to the boundary of the Bramshall Road Park (Members of PVPG have raised this matter with Mr Somerfield and await a reply). A one mile Strategic Green Gap between Bramshall and Bramshall Road Park is fully compliant with Strategic Policy 31.</p> <p>We also believe that any development in the Picknall Valley, adjacent to Bramshall Road Park, would not conform to Strategic Policy 23(a) on Page 130 in the Draft Local Plan. Neither would it be in keeping with Strategic Policy 25, Historic Environment, on Page 137, where it says in the first paragraph "Development proposals should protect, conserve and enhance heritage assets and their setting, as well as the distinctive character of the Borough's townscapes and landscapes. Such heritage assets may consist of undesignated and designated assets including conservation areas, listed buildings, scheduled monuments, archaeological sites, registered parks and gardens and historic landscapes which contribute to the Borough's historic environment and local distinctiveness."</p> <p>Detailed Policy 6 is also relevant in that on Page 172 it refers to Registered Parks and Gardens and other Significant Landscapes. Strategic Policy 8 on Page 95 (which we</p>				

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					<p>understand will supersede Policy NE1 which is currently in force) is also strongly supports the need to protect Bramshall Road Park.</p> <p>It can be seen that there is ample support within the body of the Local Plan where many Policies fully justify this minor alteration.</p>				
LP491 Picknall Valley Preservation Group	Yes	No	Policies Map - Inset Map 3 Uttoxeter	a. Positively prepared b. Justified	<p>On Page 11 of the Pre-submission Local Plan in describing "What is a Local Plan" says "The purpose of the Local Plan is to afford protection to the natural and built environment to ensure that those assets that are valuable to the Borough are protected, conserved and enhanced." We believe that the current proposals in relation to the Picknall Valley and in particular the Bramshall Road Park do not comply with that statement.</p> <p>Whilst we welcome the Local Authority's proposal to exclude Roycroft Farm from the Plan's Proposed Strategic Housing sites, we regret that the Strategic green gap does not come up to boundary of the Bramshall Road Park. (Inset No.3) (Members of PVPG have raised this matter with Mr Somerfield and await a reply.)</p> <p>For the same reason we believe strongly that the land at Mount Pleasant, Stone Road should not be included as a Strategic Housing site.</p> <p>We also believe that any development in the Picknall Valley, adjacent to Bramshall Road Park, would not conform to Strategic Policy 23(a) on Page 130 in the Draft local Plan. Neither would it be in keeping with Strategic Policy 25, Historic Environment, on Page 137, where it says in the first paragraph "Development proposals should protect, conserve and enhance heritage assets and their setting, as well as the distinctive</p>	Extend Strategic Green Gap to the boundaries of Stone Road and Stafford Road or indicate on Policy Map Inset 3 a demonstrable indication of protection for the open spaces of the Picknall Valley that should be enjoyed by all present and future residents of Uttoxeter.	<p>The justification for Strategic Green Gaps is set out in the Strategic Green Gaps Topic Paper.</p> <p>No change proposed.</p>		

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					<p>character of the Borough's townscapes and landscapes. Such heritage assets may consist of undesignated and designated assets including conservation areas, listed buildings, scheduled monuments, archaeological sites, registered parks and gardens and historic landscapes which contribute to the Borough's historic environment and local distinctiveness."</p> <p>Detailed Policy 6 is also relevant in that on Page 172 it refers to Registered Parks and Gardens and other Significant Landscapes. Strategic Policy 8 on Page 95 (which we understand will supersede Policy NE1 which is currently in force) is also relevant to the need to protect Bramshall Road Park.</p> <p>The Policy Map Insert 3 needs to reflect the protected status of Picknall Valley.</p>				
LP492 Picknall Valley Preservation Group	Yes	No	Policies Map Inset Map 3 - Uttoxeter	<p>a. Positively prepared b. Justified</p>	<p>We believe strongly that the land at Mount Pleasant (land at Stone Road) should not be included as a Strategic Housing site.</p> <p>On Page 11 of the Pre-submission Local Plan in describing "What is a Local Plan" says "The purpose of the Local Plan is to afford protection to the natural and built environment to ensure that those assets that are valuable to the Borough are protected, conserved and enhanced." We believe that the current proposals in relation to the Picknall Valley and in particular the Bramshall Road Park do not comply with that statement were housing to built on the Stone Road land.</p> <p>We also believe that any development in the Picknall Valley, adjacent to Bramshall Road Park, would not conform to Strategic Policy 23(a) on Page 130 in the Draft Local Plan. Neither would it be in keeping with Strategic Policy 25, Historic Environment, on Page 137, where it says in the first paragraph</p>	<p>Remove the Strategic Site Allocation (red hatching) shown round Stone Road/Mount Pleasant Land on Policy Map Insert No 3 which is contrary to several Strategic local Plan Policies. It should be allocated to sports facilities not housing.</p>	<p>Chapter 2 sets out the approach to sites in the development strategy.</p> <p>A proposed modification is to remove the Stone Road allocation.</p> <p>Change proposed.</p>	SP4 and Uttoxeter Inset Map	Mod No. 37 and 153

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					<p>"Development proposals should protect, conserve and enhance heritage assets and their setting, as well as the distinctive character of the Borough's townscapes and landscapes. Such heritage assets may consist of undesignated and designated assets Including conservation areas, listed buildings, scheduled monuments, archaeological sites, registered parks and gardens and historic landscapes which contribute to the Borough's historic environment and local distinctiveness."</p> <p>There are several other issues relating to the proposed development of this land which we believe affect the Soundness of the Plan.</p> <p>(A) The explanation in Paragraph 4.9 in the Statement of Consultation that "impacts of the scheme is mainly dealt with through the planning application process" is not practical in that any housing development on this site would destroy the current heritage and tranquillity of Bramshall Road Park.</p> <p>(B) The analysis of Land at Stone Road (Mount Pleasant) Ref.334, which is part of the evidence base for the Local Plan, is erroneous in its description of the site. Neither in the section of uses/character of the area nor the section on "Would the residential development have an impact on the surrounding area" make reference to the fact that this land adjoins Uttoxeter's main park, i.e. Bramshall Road Park. It wrongly affirms that it "should have no detrimental impact on the character of the area". The description refers to there being "open land" to the south without saying that the "open land" is the historic Bramshall Road Park. It is blatantly factually incorrect to describe this land as in the middle of a residential area. To the North is a sports field, to the West Oldfields School, to the East Picknalls School and to the South Bramshall Road</p>				

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					<p>Park!</p> <p>(C) We believe that the Proposed Plan fails to address the need for more sports fields and recreational facilities in Uttoxeter (see Item 5). We also have the situation whereby local junior football teams have to play matches outside the Town, for example using a pitch at Marchington because of the lack of Junior football pitches. On Page 150 reference is made to a shortfall of Junior football pitches in Burton. There is no reference to the current shortage in Uttoxeter. Whilst the Burton Junior Football league, which includes teams from the Uttoxeter area, plays all their matches in Burton South Derbyshire, some of our local teams are members of the Derby League and require home pitches in Uttoxeter. Oldfields Sports and Social Club has already made strong representation to the County Council that they be allowed to develop the Mount Pleasant, Stone Road site for more pitches.</p> <p>On Page 150 the Plan states that Oldfields Sports and Social Club is one of 3 Sports Hubs identified for protection and improvement and clearly the greatest improvement for the Club would be for them to be able to expand across the road onto the site currently proposed for housing. Such a use of the site would not be detrimental to the Bramshall Road Park and to the outlook to the two neighbouring schools. Oldfields Sports and Social Club have confirmed to the PVPG that they have a strong intent to develop this land for sports facilities and they have a very strong case.</p>				
LP493 Picknall Valley Preservation Group	Yes	No	SP4 Distribution of Housing Growth	a. Positively prepared b. Justified	In ESBC's Statement of Consultation, Paragraph 4.8 recognises that there is a considerable opposition to this site but does not quantify this. The reason for retaining the site in this plan despite strong and	Change the Table in Strategic Policy 4 under Uttoxeter to read: Brookside Industrial Estate 150	Dove Way is subject to two separate planning applications, both below the threshold set out in the plan for strategic sites. Such applications would be considered 'windfall', contributing		

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					<p>known opposition is given as "housing requirement for deliverable sites mean the site has been retained". This reason would not be valid if the numbers of proposed houses for Uttoxeter reflected the inclusion of the land West of Dove Way which provides for 121 houses (Ref 179 in the evidence base). There are 2 current planning applications on this land West of Dove Way giving a total of 105- we are suggesting the lower figure of 100 is used in Strategic Policy 4. These applications date after April 2012 and can thus legitimately be used in the Local Plan.</p> <p>Also the explanation in Paragraph 4.9 in the Statement of Consultation that "impacts of the scheme are mainly dealt with through the planning application process" is not in fact a practical approach in that any housing development on this site would destroy the current heritage and tranquillity of the Park no matter what conditions might be imposed during the planning application process. Also any such development is completely contradictory to Strategic Policies 23(a) and 25.</p>	<p>JCB, Pinfold Road 257</p> <p>Uttoxeter West 700</p> <p>Dove Way 100</p> <p>Hazelwalls 350</p> <p>Total 1557</p>	<p>towards the development strategy for Uttoxeter.</p> <p>No change proposed.</p>		
LP493 Picknall Valley Preservation Group	Yes	No	SP32 Outdoor Sports and Open Space	<p>a. Positively prepared b. Justified</p>	<p>We believe that the Proposed Plan fails to address the need for more sports fields and recreational facilities in Uttoxeter. Oldfields Sports and Social Club has already requested the County Council that they be allowed to develop the Mount Pleasant, Stone Road site for more pitches.</p> <p>On Page 150 the Plan states that Oldfields Sports and Social Club is one of 3 Sports Hubs identified for protection and improvement and clearly the greatest improvement for the Club would be for them to be able to expand across the road onto the site currently proposed for housing. Such a use of the site would not be detrimental to the Bramshall Road Park and</p>	<p>Change 1: page 150, paragraph 4. 2-4 should read "... with the most acute current shortage and potential shortfall being for junior football pitches in Burton and Uttoxeter."</p> <p>Change 2: Strategic Policy 32, Table to read:</p> <p>Burton 1.73</p> <p>Rural 1 2.47</p> <p>Rural 2 2.12</p>	<p>The plan is supported by evidence on open space, sports and recreation.</p> <p>No change proposed.</p>		

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					<p>to the outlook to the two neighbouring schools.</p> <p>We also have the situation whereby local junior football teams have to play matches outside the Town, for example using a pitch at Marchington because of the lack of Junior football pitches. On Page 150 reference is made to a shortfall of Junior football pitches in Burton. There is no reference to the current shortage in Uttoxeter. Whilst the Burton Junior Football League, which includes teams from the Uttoxeter area, plays all their matches in Burton South Derbyshire, some of our local teams are members of the Derby League and require home pitches in Uttoxeter.</p> <p>The PVPG is also concerned about and questions why in Strategic Policy 32 the standard for Uttoxeter is 1.40ha per 1000 population whereas Burton is 1.73 ha per 100 and the rural areas are even greater. WE believe that Uttoxeter's ratio should be between Burton's and the Rural areas.</p> <p>With a planned increase in the population of Uttoxeter of 30% there is clearly a need to develop more recreational facilities in the Town.</p>	Uttoxeter 2.00			
LP495 Residents of Stubby Lane, Draycott in the Clay	Yes	Yes	Policies Map Inset 11 - Draycott in the Clay		<p>You will be aware that The Duchy of Lancaster has made representations to build houses on Stubby Lane west of the Methodist Chapel. This land is on a Green field site, outside the village boundary and is subject to countryside protection policies, it is also identified as being of high landscape sensitivity in the County Council's Supplementary Planning Document Planning for Landscape Change (ref Jonathan Imber to Ian Boardman 18-09-13) The Duchy's proposals received a high level of opposition at their presentation at a</p>		Support noted. No change proposed.		

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					<p>Parish Council Meeting earlier in the year.</p> <p>We have since become aware that Pipehay farm, directly adjacent to the east of the village and the majority of the village housing, is to be demolished and will become a brownfield site. We note that the Pre-Submission Plan for Draycott in the Clay (inset 11) recognises the land east of Pipehay Lane as a suitable site for the construction of up to 20 houses The site of the defunct Farm, immediately adjacent, is also suitable for the housing proposed by the Duchy (should they proceed). We the undersigned support the Pre-Submission Plan for Draycott in the Clay and also using the site of Pipehay Farm for the housing proposed by the Duchy for the following reasons:</p> <p>a) The construction of the proposed housing by the Duchy will be on a brownfield site and therefore preserve the natural beauty of the landscape south of Stubby lane, which rises to woods within the National Forest. This landscape is enjoyed by those living in the area and those who pass along Stubby Lane.</p> <p>b) The Pipehay Lane site is within easy reach of the Post Office, children’s playing field, Village School and Hall on roads with very low traffic density. Stubby Lane is on a B road used by large numbers of articulated lorries travelling to and from the Marchington Industrial Sites. To get to the village amenities requires crossing the busy A515; therefore the Pipehay lane site provides a much safer environment for families occupying the new homes.</p> <p>c) Stubby Lane has a dangerous bend where the proposed access was planned; there have been numerous near misses with large lorries passing the parked cars narrowing the road. Having another access</p>				

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					<p>and even more traffic will make this worse. When the A50 is closed for repairs or in the case of accidents, the traffic is diverted along Stubby Lane making it even more hazardous.</p> <p>d) In 2012 there was extensive flooding from runoff from the hills south of Stubby Lane during a summer storm – it blocked Stubby Lane and the A515. Any development here is likely to make this worse.</p> <p>We also note that the latest housing survey identified only 2 x 2 and 2 x 3 bedroom houses and 2 x 1 bedroom flats needed for Draycott in the Clay. We understand that the Pipehay Farmhouse is to be converted to rented accommodation and will therefore satisfy a large proportion of the current need.</p>				
LP500 Picknall Valley Preservation Group	Yes	No	SP9 Infrastructure Delivery and Implementation and supporting Transport evidence base	<p>a. Positively prepared b. Justified</p>	<p>ESBC, as the Planning Authority, and SCC, as the local Highway Authority, should be mindful of the impact of the developments currently proposed in Uttoxeter. There is already a considerable problem of traffic around the 5 schools in the centre of Uttoxeter which has a detrimental effect on the Smithfield Road/ Stone Road and Bramshall Road area of the Town. We also hope that the Authorities are mindful of the fact that in 1989 a Planning Application for housing on Roycroft Farm was refused because the development was deemed dangerous in Highway terms. Since then there have been major increases in the size of Bramshall Village and of Bramshall industrial Estate, all of which impact on the traffic in this area.</p> <p>We do not believe that sufficient consideration has been given to the potential cumulative effect of development of several sites. We welcome the statement in the Uttoxeter local Transport Package in</p>	<p>Either:</p> <ol style="list-style-type: none"> 1. Insert a Strategic Policy relating to traffic, drawing attention to the major problems currently highly evident and acknowledged by SCC Highways in Uttoxeter (and elsewhere in the Borough?) and committing that no development will exacerbate these problems and if possible redress them. 2. Modify the drafting of Strategic Policy 9 to reflect the issue above. <p>Also the Land South of Ryecroft (Roycroft) Farm (Ref 95 in the evidence base) should be amended in the paragraph "Are there any physical problems on the site which would affect residential development" to include "This site was refused planning permission in 1985 because of the highway</p>	<p>Current applications for Land West of Uttoxeter and Roycroft Farm include relevant traffic assessments and mitigation/traffic management proposals. The plan is supported by evidence on transport produced by Staffordshire County Council.</p> <p>No change proposed.</p>		

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					<p>the Infrastructure Development Plan that one priority is to "deliver junction improvements along A50(T) through negotiations between developers and the Highways Agency, including land west of Uttoxeter" However we regret that the current problems of Highway safety in the vicinity of Stone Road and Smithfield Road are not acknowledged in that document. Those problems will be exacerbated by the development of land West of the Parks and would be further greatly worsened by the development of Land at Stone Road.</p> <p>A suitable development at land West of the Parks could provide an HGV route from the Bramshall Industrial Estate on to the ASO if that junction is suitably improved. That would then allow for weight restriction orders to be placed on local roads such as Bramshall Road, Stone Road, Smithfield Road and Holly Road. However, overall traffic would still increase along those roads as well as New Road.</p> <p>I suggest B6 should say that we would like to amend SP9 to add at the end of the first paragraph "It is important that the cumulative impact of increased traffic which would be generated by proposed development sites are considered and addressed before those sites are included in the final plan."</p>	<p>dangers such a development would cause."</p>			
LP501 Friends of Outwoods		No	SP3 Provision of Homes and Jobs and SP4 Distribution of Housing Growth	a. Positively prepared	<p>I have read and studied the recently published revised Local Plan (Pre submission) for East Staffordshire, and wish to register my objection to it in its current form.</p> <p>It certainly appears that ESBC has NOT taken into account feedback from previous consultations and completely ignored objections to the overdevelopment of</p>		<p>The development strategy is supported by an up to date assessment of housing needs. All previous consultation responses have been responded to, and where possible, in line with the development strategy, these comments have lead to a change in the document. The statement of consultation sets out clearly what consultation has taken place at each stage..</p>		

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					<p>Outwoods.</p> <p>I believe that this version of the plan has not been positively prepared, and is unsound for the following reasons:-</p> <ol style="list-style-type: none"> 1. ESBC has failed to engage in genuinely meaningful consultation by comprehensively dismissing feedback obtained from the process, and is now imposing its own agenda regardless of the wishes of local residents. 2. The methodology used to assess the required level of house building as unsound. It is based on the overambitious growth aspirations of ESBC and their colleagues at the GBSLEP which has not been subject to public consultation. This results in a housing requirement far in excess of that required for normal population growth and migration. 3. We believe that the concept of allocating such a high percentage of ESBC's planned development to Burton has now become unsound. It results in unsustainable levels of growth which are going to overwhelm the local infrastructure and destroy the very character of the town and surrounding countryside. 4. The impact of development on highways has not been properly assessed. The evidence base relies on assessments <i>provided</i> by developers which seek to conceal the true impact on the road network in order to justify their projects. In the case of Upper Outwoods Farm, this has been achieved by using artificially low trip generation levels, a failure to use the most likely traffic growth figures for 'the full duration of the Local Plan and not properly accounting for all other related development. 5. The amount of development proposed for Outwoods is <i>not</i> compatible with 		No change proposed.		

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					<p>Sustainable Urban Extensions. They amount to nothing more than a huge high density housing estate. The proposals provide little in the way of employment provision and are located too far from commercial centres and major highways to reduce <i>the</i> impact of car use.</p> <p>6. By imposing such a large amount of development on Outwoods, ESBC is effectively denying both current and future generations the ability to shape their community through neighbourhood planning. This policy of forcing development on communities that is not needed or wanted is in conflict with the Localism Act and should be abandoned before any more irreversible damage is done.</p>				
LP502 (Turley Associates on behalf of Bellway Homes)	Yes	No	SP4 Distribution of Housing Growth	a. Positively prepared	<p>We support draft Strategic Policy 4 'Distribution of Housing Growth 2012-2031' which identifies that the majority of growth should be directed to the settlements of Burton upon Trent and Uttoxeter. Sites such as the one at Shobnall Road can help the Council in meeting this identified requirement.</p> <p>Bellway Homes Limited controls land at Shobnall Road, Burton upon Trent. A site plan is provided at Appendix 1, only the land shown edged red relates to Bellway Homes Limited's land interests.</p> <p>The site forms part of the Shobnall Sports and Social Club and currently comprises disused tennis courts, two bowling greens and a pavilion. The site forms part of a larger site which has been assessed through the Strategic Housing Land Availability Assessment (2013) (SHLAA). The wider site is afforded the reference '94. Shobnall Sports and Social Club'. The assessment confirms that the site is brownfield land in a predominately</p>		<p>The site referred to within the representation is a smaller than the allocated strategic sites threshold. The site is within the settlement boundary of Burton Upon Trent and should it be developed in line with other plan policies, would contribute towards the windfall element of the strategy.</p> <p>No change proposed.</p>		

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					<p>residential area. The site is assessed as suitable, available and achievable.</p> <p>Neither the adopted Local Plan (July, 2006) nor the Pre-Submission Local Plan propose to allocate the site for a specific land use. The site is within the area designated as National Forest.</p> <p>Whilst we recognise that the site at Shobnall Road is a small site and not of strategic significance we do consider that it can nevertheless play a role in helping the Council to meet its identified housing need.</p> <p>The site is available now, is in a suitable location and can be developed immediately and completed within the first five year period, therefore helping the Council to meet its housing land supply requirement. From a deliverability perspective, the site is therefore considered to be in accordance with Footnote 11 of the Framework.</p>				
LP503 (Knight Frank on behalf of Molson Coors Brewing Company)	Yes	Yes	SP21 Managing Town and Local Centres		<p>Strategic Policy 21 provides guidance relating to appropriate uses in the town centre.</p> <p>The proposed policy confirms that if new development contributes to the overall attractiveness and vitality of the town centres it would be considered appropriate;</p> <p>‘As well as new retail floor space, suitable uses that support and promote both day time and night time economies include: offices; residential; cultural; leisure and educational uses. Other uses may also be appropriate if they contribute to the overall attractiveness and vitality of the town centres. New Development should;</p> <ul style="list-style-type: none"> ● Safeguard the retail character and function of the town centre and not detract 		Support noted. No change proposed.		

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					<p>from its vitality and viability;</p> <ul style="list-style-type: none"> • Respecting and enhancing the historic fabric, encouraging housing opportunities; • Encouraging a mix of uses.' <p>Our client supports Strategic Policy 21 and welcomes the Council's view that other uses are acceptable within the town centre.</p> <p>The encouragement of a mix of uses is something MCBC would fully support. The town centre should aim to retain its retail character but should understand that other uses can help to revitalise the town centre and bring economic benefits.</p>				
LP504 (Knight Frank on behalf of Molson Coors Brewing Company)	Yes	Yes	Policies Map Inset 2 – Burton Town Centre		<p>Molson Coors Brewing Company (UK)'s land holdings at High Street in Burton Town Centre is allocated as a strategic site within the Pre-Submission Local Plan. The site is covered by Strategic Policy 11 'Bargates/Molson Coors Strategic Allocation'.</p> <p>To accompany the Local Plan text a revised Town Centre Proposals Map has been produced. It is important to draw a distinction between the proposals map and the proposed text. On the proposals map the following designations are proposed:</p> <ul style="list-style-type: none"> • An individual strategic allocation; • Inclusion within the town centre boundary <p>Our client fully supports the proposed changes to the proposals map. In order to allow MCBC to operate its business efficiently and plan for the future the proposed amendments are critical as the site is recognised as being within the town centre and the strategic allocation highlights the importance that the Council attributes to</p>		Support noted. No change proposed.		

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					the site to potential developers/purchasers.				
LP505 (Knight Frank on behalf of Molson Coors Brewing Company)	Yes	No	Strategic Policy 4 Distribution of Housing Growth & Appendix 3 Housing Trajectory	c. Effective d. Consistent with national policy	<p>Comment 1</p> <p>Strategic Policy 4 and Appendix 3 of the Pre-Submission Local Plan sets out the phasing of housing for High Street.</p> <p>The trajectory states that the High Street site will deliver 250 dwellings between 2023 and 2029. However Strategic Policy 4 states that High Street will provide 350 dwellings, this figure is clearly inclusive of the Bargates site.</p> <p>Comment 2</p> <p>Strategic Policy 4 and Appendix 3 set out the housing trajectory over the plan period for Hawkins Lane.</p> <p>The trajectory states that 300 dwellings will be delivered between 2016 and 2023.</p> <p>Our client supports the figures set out in Strategic Policy 4 and Appendix 3.</p>	<p>Solution to Comment 1</p> <p>Strategic Policy 4 and Appendix 3 should be amended to provide separate figures for High Street and Bargates in order to maintain them as separate sites that will be delivered at different times.</p> <p>Solution to Comment 2</p>	<p>The Council wish to see the principles of masterplanning / designing the wider area addressed in both sites, particularly the need to take into account the area and reflect that it is a key development site and gateway to the town centre. .</p> <p>No change proposed.</p>		
LP506 (Knight Frank on behalf of Molson Coors Brewing Company)	Yes	Yes	Strategic Policy 6 Managing the Release of Housing and Employment Land		<p>The East Staffordshire Local Plan looks ahead to 2031. During this time period situations will change, therefore the Local Plan must be flexible to market conditions in accordance with the NPPF.</p> <p>Strategic Policy 6 concerns managing the release of housing and employment land.</p> <p>The policy aims to identify the need for housing and employment land and provide measures in case other factors, such as the economic climate, prevent development coming forward. Strategic Policy 6 sub text reads as follows;</p> <p>‘(i) if the economic climate resulted in the</p>		<p>Support noted.</p> <p>No change proposed.</p>		

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					<p>expected amount of development not coming forward the Council will:</p> <ul style="list-style-type: none"> • Work with landowners and developers to bring sites forward.' <p>The acknowledgement from the Council that landowners and developers can help to bring sites forward and address housing and employment issues is welcomed by our client and is accordance with paragraph 157 of the NPPF.</p> <p>Similarly Strategic Policy 6 indicates that continual monitoring will be carried out in order to maintain an up to date evidence base which will be used to assess the current and future need and demand for housing;</p> <p>'The Council will review every five years the evidence base which assesses the current and future levels of need and demand for housing to provide an appropriate basis for longer term housing and employment provision.'</p> <p>From an operational point of view MCBC is attempting to consolidate its landholdings to make its business run more efficiently. Therefore the release of some of its landholdings for residential or employment use will be crucial in order to maintain the business.</p> <p>Our client supports the criteria set out in Strategic Policy 6.</p>				
LP507 (Knight Frank on behalf of Molson Coors Brewing Company)	Yes	No	Strategic Policy 7 Sustainable Urban Extensions	b. Justified c. Effective d. Consistent with national policy	<p>East Staffordshire Borough Council supports the concept of Sustainable Urban Extensions (SUEs).</p> <p>A revised definition of SUEs has been provided within the evidence base (Housing Choice Supplementary Planning Document</p>	<p>Additional wording in the sub text (underlined) should be provided as follows;</p> <p>'Sustainable Urban Extensions support the Council's intention to deliver truly sustainable growth</p>	The Council do not consider that the changes requested would assist the council meeting housing needs or ensure a five year supply of land. The strategy has where possible allocated brownfield sites but acknowledges these are insufficient for meeting all housing		

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					<p>Revision 1 of Appendix 1);</p> <p>'Major Sustainable Urban Extensions means Greenfield sites adjacent to the development boundaries of Burton and Uttoxeter which will accommodate 600+ dwellings and a range of other development uses, on which the Council requires 30% public green infrastructure, and which will be developed in multiple phases over 6+ years'.</p> <p>Strategic Policy 7 promotes the implementation of SUEs in order to provide housing (market and affordable) and contribute to the five year housing supply, which the Council have acknowledged being unable to demonstrate. The policy continues that the Council will not look favourably on scattered growth throughout the town, the policy reads as follows, page 88;</p> <p>'The Council does not want a strategy based upon piecemeal development whereby growth is scattered around the town and sites are unable to contribute in full to the infrastructure required by new and existing communities'</p> <p>It is the interest of our client to ensure that there is not an overreliance on SUEs to deliver the borough's housing need and that other sites within the urban area are considered first.</p> <p>Development should be considered on brownfield land and other suitable and available sites within the existing urban area first. The over reliance of SUEs in order to meet housing targets will result in the unnecessary loss of greenfield sites outside the existing urban area, which is not generally supported by the NPPF.</p> <p>This being said, it is also important to acknowledge that brownfield sites are likely to have more development constrains than</p>	<p>and developments that the borough can be proud of. The Council does not want a strategy based upon piecemeal development whereby growth is scattered around the town and sites are unable to contribute in full to the infrastructure required by new and existing communities.</p> <p>Prior to the implementation of SUEs it is important that all phase 1 sites (brownfield land within the urban area) are developed first. Only when brownfield sites within the development boundary cannot meet the needs of the borough should SUEs be considered.'</p> <p>Additional wording within the policy text should read as follows;</p> <p>'Sustainable Urban Extensions</p> <p>Prior to approving planning applications relating to SUEs the Council will consider all phase 1 housing sites, brownfield land within the existing urban area to establish their deliverability. Only when it is shown these sites within the existing urban area cannot meet housing and employment needs should SUEs be considered favourably.'</p>	<p>needs.</p> <p>Viability work to support the plan indicates that brownfield sites are deliverable and as such can be deliverable alongside greenfield sites.</p> <p>No change proposed.</p>		

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					<p>greenfield land, for example contamination. Therefore the Council needs to provide a balanced policy which recognises this issue. Paragraph 2.30 of the sub text reflects this but this needs highlighting within the policy text.</p> <p>We object to the Council's reliance on SUEs and the equal balance that greenfield and brownfield land are given within the proposed Local Plan. If the Council want to ensure that vacant and underused sustainable brownfield sites within the urban area are realistically considered by developers then the Council must consider a phasing approach to housing allocations.</p> <p>Before SUEs are considered the Council should considered all brownfield land for development. ESBC should be looking for previously developed land to come forward as currently 74% of allocations are greenfield.</p>				
LP508 (Knight Frank on behalf of Molson Coors Brewing Company)	Yes	No	Strategic Policy 8 Development Outside Settlement Boundaries	c. Effective	<p>Strategic Policy 8 concerns the Council's strategy to protect the countryside and prevent inappropriate development outside of the settlement boundaries. Page 94 states;</p> <p>'The Council is anxious to ensure that there is a good reason to site new development in the countryside, and will not permit development that would be better situated in an accessible urban location (large scale retail, for example) or that contributes little to the benefit of the countryside, or where the benefits to the countryside are greatly outweighed by the disbenefits.'</p> <p>This policy is generally supported by MCBC however, it is important to note that whilst Strategic Policy 8 is focused on retaining the countryside and not allowing inappropriate development outside of the settlement</p>	<p>Our client agrees with the principles set out in Strategic Policy 8 however suggests the following additional wording;</p> <p>'Development Outside Settlement Boundaries</p> <p>Development outside settlement boundaries will not be permitted unless it is:</p> <p>Demonstrated that brownfield sites within the urban area cannot deliver housing and employment needs.'</p>	<p>Do not consider this requested change would be consistent with national policy or practical.</p> <p>No change proposed.</p>		

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					<p>boundaries, 74% of Burton Upon Trent's Allocations are located on green field land. This further exaggerates the incorrect phasing of green field land as set out previously.</p> <p>Appendix 3 of the Pre-Submission Local Plan 'Housing Trajectory' highlights the imbalance between brownfield and greenfield allocations. This imbalance should be prompting the Council to ensure that brownfield sites are coming forward before greenfield and the proposed policies within the Local Plan needs to ensure this.</p> <p>A proposed amendment to the policy is set out below.</p>				
LP509 (Knight Frank on behalf of Molson Coors Brewing Company)	Yes	No	Strategic Policy 11 Bargates / Molson Coors Strategic Allocation	b. Justified c. Effective d. Consistent with national policy	<p>Comment 1</p> <p>The Bargates site and Molson Coors Strategic Allocation are proposed as one strategic policy, albeit as two individual sites on the proposals map. The NPPF sets out that plans should be clear and concise and the proposed policy insinuates that the two allocations should be considered as one site. Further confusion is created in the sub text (pg. 102) as the sites are described as follows;</p> <p>'The Bargates/Molson Coors Strategic Allocation area on the High Street in Burton Upon Trent are two important sites...'</p> <p>'...however it is likely that the two sites would be delivered separately...'</p> <p>Comment 2</p> <p>Strategic Policy 11 states:</p> <p>'Represent a comprehensive approach for the whole area or demonstrate a phased approach which would not undermine the</p>	<p>Solution to Comment 1</p> <p>Given the significant discrepancies between the proposals map, the proposed policy and the proposed sub text supporting the policy it is proposed that Strategic Policy 11 is divided into two distinct policies; this would enable a clear vision for the two sites and allow them to be delivered separately. To even have the sites as policy a) and b) would be acceptable given that they are situated adjacent to each other, albeit with a highway that serves the leisure centre in between.</p> <p>Solution to Comment 2</p> <p>The following wording is suggested for the two individual policies:</p> <p>'Can deliver two separate phases of development which, while stand alone, also take into account the needs of the area as a whole, and understand the importance of both</p>	<p>The Council wish to see the sites considered under one scheme or where separate applications are submitted, neither scheme will impact on the ability for the other scheme to develop. Consider the policy is flexible enough to allow separate schemes to come forward should this happen.</p> <p>Due to its location, the Council consider it appropriate to develop the site as a mixed use development.</p> <p>The Council consider, due to the location of the site and gateway position to the town centre it is important that applications are supported by a design brief.</p> <p>No change proposed.</p>		

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					<p>delivery of the whole site.'</p> <p>A proposed rewording is outlined below.</p> <p>Comment 3</p> <p>Strategic Policy 11 states that redevelopment on these sites will be generally supported provided they;</p> <p>'Include a mix of uses, particularly retail, office, residential and leisure.'</p> <p>A proposed rewording is outline below.</p> <p>Comment 4</p> <p>Page 102 of the Pre-Submission Local Plan introduces the concept of a 'development brief' and states that:</p> <p>'A development brief will be produced which sets out the development principles for the two sites and guides development in the area.'</p> <p>MCBC does not support the concept of a development brief. Given the timescales of preparing this Local Plan document to date, preparing an additional development brief is wholly unnecessary and importantly is likely to seriously delay any prospective planning applications and/or future development. It is MCBC's view that this conflicts with the NPPF's requirement to provide flexibility. Policy included within the Local Plan has the capacity to provide development principles and guide development within the area without the need for a stand-alone document.</p>	<p>sites being delivered within the plan period.'</p> <p>The above wording ensures the Bargates and Molson Coors Strategic sites are considered separately and do not have to be delivered alongside each other. The proposed separation of the policies still recognises the importance of the sites being delivered within the plan period and in respect of each other. It is MCBC's view that this would conform with paragraph 157 of the NPPF which requires Local Authorities to, 'allocate sites to promote development and flexible use of land.'</p> <p>It is in our client's interest to be able to progress with redevelopment and not be dictated by the Bargates site, as this could delay future development. In making these amendments it is MCBC's view that this element of the plan would have been prepared in accordance with paragraph 157 of the NPPF, which states that Local Plans should, 'be based on co-operation with neighbouring authorities, public, voluntary and private sector organisations.'</p> <p>Solution to Comment 3</p> <p>The following rewording is proposed;</p> <p>'If appropriate, include a mix of uses, particularly retail, office, residential and leisure'.</p> <p>The rationale for the revised</p>			

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						<p>wording it so that the policy does not preclude one single use on the site.</p> <p>Again this is in accordance with the NPPF's requirement of ensuring flexibility.</p> <p>Solution to Comment 4</p> <p>Remove the requirement for a development brief.</p>			
LP510 (Knight Frank on behalf of Molson Coors Brewing Company)		No	Strategic Policy 16 Meeting Housing Needs	d. Consistent with national policy	<p>Strategic Policy 16 states;</p> <p>'Residential development in the main towns and tier 1 settlements shall provide an appropriate mix of market housing based on the mix required in that part of the borough, including Housing for old people.'</p> <p>A proposed rewording of this policy is set out below.</p>	<p>In principle the policy is generally supported, however the following suggestion is made;</p> <p>'Residential development in the main towns and tier 1 settlements shall provide an appropriate mix of market housing based on the mix required in that part of the borough, and where appropriate include housing for old people.'</p> <p>This amended wording creates a more flexible policy regarding the delivery of new homes and does not require all new housing to be provide an element of older persons housing which the market may not support at that time during the plan period.</p>	<p>The justification for requiring housing for older people is set out in the SHMA. There are features which as lifetime homes which will enable dwellings to be suitable for older people.</p> <p>No change proposed.</p>		
LP511 (Knight Frank on behalf of Molson Coors Brewing Company)		No	Strategic Policy 17 Affordable Housing	d. Consistent with national policy	<p>Strategic Policy 17 states that new developments of 4 or more dwellings will require a contribution to affordable housing. On sites over 0.14 ha or more 25% affordable housing should be provided.</p> <p>It is the view of MCBC that the proposed affordable housing policy is vague and unclear and is not supported by the guidance in the NPPF. It is not clear from</p>	<p>MCBC would support a revision to Strategic Policy 17 which conforms with the revised SPD figures as this would recognise the constraints to developing brownfield sites as set out elsewhere within the Local Plan.</p> <p>With regard to a proposed wording, that which is set out in the revised</p>	<p>The policy allows for consideration of viability which is likely to differ for some brownfield sites.</p> <p>No change proposed.</p>		

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					<p>reading the proposed wording the required provision for each site. It does not provide the clarity and confidence that developers and landowners need during these particularly turbulent economic market conditions.</p> <p>To compound the confusion the Council are also consulting on a revision to Appendix 1 of the Housing Choice Supplementary Planning Document from 20 November 2013. This is a revision to the original document that was published in December 2010. This document does clearly set out the affordable housing contributions depending upon the nature of the site. It confirms that the affordable housing contributions being sought are; 10% of dwellings on urban brownfield sites, up to 30% of dwellings on Major Sustainable Urban Extensions and 30% of dwellings on all other sites.</p> <p>Other than the mix of units, there is no mention of the adopted or proposed revised wording of the Housing Choice SPD within the proposed Local Plan text. Furthermore there are clearly inconsistencies between what the contributions set out the emerging Local Plan and that sought in the revised SPD.</p>	SPD would be acceptable.			