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PLANNING SUPPORT STATEMENT FOR:

1. **FULL APPLICATION FOR 212 DWELLINGS, BUSINESS UNITS, ACCESS, PUBLIC OPEN SPACE, ALLOTMENTS, SPORTS PITCH AND CHANGING ROOMS/ COMMUNITY BUILDING; &**
2. **OUTLINE APPLICATION FOR 12 SELF BUILD RESIDENTIAL PLOTS AND ACCESS**

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SECTION 1: INTRODUCTION

1.1 Signet Planning Limited is instructed by Peveril Homes to prepare and submit two interlinked planning applications relating to land off Burton Road, Tutbury.

1.2 This Statement relates to two applications:

A. A full planning application for the erection of 212 dwellings, 1,604 sq m of business units (B1 use) together with football pitch and changing rooms (106.6 sq m), community building (150.9 sq m), allotments, accesses and public open space facilities; and

B. An outline application for 12 self build residential plots and access off Burton Road.

1.3 The purpose of this planning statement is to describe the development proposals and set out the case in support of the applications including a review of relevant policy and guidance and an assessment within the context of this. In support of the planning application and to be read in conjunction with this planning statement, the following is also included:

1. Planning Application forms, certificate and declaration.
2. Planning Support Statement
3. Design & Access Statement.
4. Buildings for Life Assessment.
5. Plans to support the application.
6. Ecology Study including amphibian and bat study
7. Tree Survey.
8. Habitat Enhancement & Management Strategy.
9. Landscape & Visual Impact Assessment
10. Desktop Site Investigation.
11. Transport Assessment.
12. Draft Travel Plan
13. Flood Risk Assessment
14. Landscape Rationale & Master Plan
15. Sustainable Construction & Emission Mitigation Strategy.

The suite of reports was agreed at the pre-application stage with officers at East Staffordshire DC and is generally relevant to both applications.

1.4 Section 2 of this statement sets out a description of the sites and surroundings, and provides details of the development proposals, Section 3 then goes on to set out the Planning Policy context and Section 4 provides the case in support of the planning applications including an assessment against the policies and guidance in the previous section together with all relevant material considerations. Finally, Section 5 sets out conclusions in support of the development proposals.

1.5 Whilst this Statement relates to two application sites the assessment against planning policy and other material considerations is considered as if it was one site. Generally references to the "development", and "site" is to the combined scheme.

SECTION 2: THE SITE & PROPOSAL

Application Site

2.1 A stated in Section 1 this Statement refers to two sites. Site A covers some 14.38 hectares of land located on the south-eastern side of the settlement of Tutbury. Site B covers approximately 1.18 hectares of land towards the South East of the main site (Site A). There is a degree of overlap between the two sites as both include part of the southern access to Burton Road. The "composite site" covers 15.22 hectares; of which approximately 14.3 hectares relates to the residential and community infrastructure and 0.9 hectares employment.

2.2 The settlement of Tutbury lies five miles to the north-west of Burton upon Trent and to the south of the A50, which is a key vehicular route through Staffordshire and the Midlands, including links to Uttoxeter, Derby, Stoke and Nottingham.

2.3 The site is located on the southern side of Tutbury to the west of the Burton Road.

2.4 The site consists of a series of fields, used for arable farming and the grazing of livestock, measuring approximately 15.22 ha. The fields are separated by a series of hedgerows which run through the site. There is one significant tree which is located in the centre, along the path of the main hedgerow that runs east-to-west through the centre of the site. Other trees are found along the boundaries.

2.5 The site slopes gradually from a high point in the south west. It grades down to the north east and south east and gently to the south west. Furthermore, there is a gradual slope from the centre of the site to the southern boundary. Burton Road is generally at a lower level than the site particularly in the southern section where is in a cutting. As the land falls away to the north east Burton Road and the main roundabout is slightly higher than the application site at that point. Green Lane along the western boundary is fairly level with the application site.

2.6 In terms of the site boundaries, it is well contained; the western boundary of the site constitutes rear gardens of properties which currently are located on the edge of the settlement; these are relatively modern suburban dwellings set back from the road

and are not of any particular architectural merit. There is also a strong hedge along Green Lane. The eastern boundary of the site is defined by the A511, at a much lower level, and includes semi-mature planting/landscaping and hedgerows screening the highway. The southern boundary of the site is demarcated by mature hedgerows, beyond which are fields extending out into the open countryside.

2.7 There is no heritage, landscape or environmental designation on the application sites.

2.8 In terms of the character of the settlement, the area from the centre of Tutbury (around the High Street) towards the castle to the north, falls within a designated conservation area, with buildings preserved from the late Tudor/Elizabethan era, as well as the subsequent Georgian and Victorian periods. The south side of Tutbury has been subject to modern suburban development which is more open in character, with buildings predominantly set back from the road behind front gardens and driveways.

2.9 The site represents a logical and well-contained extension to the existing settlement. It is also considered to be in a sustainable location within five minutes walk of essential services, including the Richard Wakefield C of E Primary School and also the facilities along Tutbury High Street, including a bank, convenience store, pharmacy, Tutbury Health Centre is approximately 1km north of the site on Monk Street. Appendix A provides a Facilities Plan for Tutbury.

Application Proposal – Site A

2.10 Application A is made in full and provides for a mixed use development of the site comprising 212 dwellings of which 31 will be affordable units together with 1,604 sq m of business units (B1 use) a football pitch and changing rooms, community building, allotments, accesses and public open space facilities.

2.11 The final scheme layout for the site has evolved after lengthy discussions with officers of the Borough Council. This has taken account of the numerous constraints and opportunities relating to the site which are outlined in greater detail in the accompanying Design and Access Statement.

2.12 Two points of vehicular access have been incorporated into the scheme, both off Burton Road. Within the site, there is a clearly defined main access, including a loop system onto which direct access is limited. The main access road will also provide the bus route and it is anticipated there will be two bus stops along its length. The highway hierarchy incorporating secondary routes, private drives and courtyards serving a small number of properties, and individual access drives. There is no access onto Green Lane save for Plots 59 to 62 which are served by a private drive.

2.13 Pedestrian access into and out of the site is achieved at a number of points, with three points onto Green Lane and two onto Burton Road. This provides good pedestrian penetration across, through and within the site.

2.14 The site does contain a number of hedgerows and, where possible, these have been retained. The single mature tree on the site will be contained within Plot 1438 and buildings have been located a sufficient distance away to ensure its longevity. Other trees are retained along the perimeter of the site.

2.15 There are a number of focal points within the scheme layout. These include the village pond located at the north of the site, the corridors of open space which run north south through the site and lead into an extensive area of open space adjacent to the southern boundary. A play area will be provided at the southern end of the eastern green corridor, whilst at the southern end of the site will be a football pitch with changing rooms adjacent.

2.16 Key street scenes have been identified and there has been particular attention to the provision of gateway buildings on particular focal points. In conjunction with the Borough Council, we have brought forward specific designs for specific plots to accentuate their position within the overall layout and to provide interest. The two north south green corridors will be important pedestrian links through the development and will be overlooked by properties on all sides to ensure the highest level of natural surveillance. Similarly, the sports pitch to the south will have a high degree of natural surveillance from properties across the road to the north. The leap will have similar high levels of natural surveillance. Through the two green corridors will run small ditches which will deal with the surface water run off from parts of the

site. These may be dry for part of the year, but are designed to be permanent water features should such be necessary. The pond at the northern confluence of the two ditches will be a permanent wet feature; the Village Pond. It is anticipated that this will be the main focal point for residents of the development.

2.17 The sports pitch to the south provides the transition from the residential development to the open land further south. The southern boundary will be heavily landscaped, again to soften the edge. Adjacent to the southern boundary and towards the west of the site will be allotments available for residents of the site and existing residents of Tutbury.

2.18 The south west corner of the site will accommodate a number of business units built in a layout and form to reflect a farmhouse and yard. This area will also provide the changing rooms and community building. These are detailed later in this statement.

2.19 The site layout is shown on the submitted plans but it is useful to outline the main design components of the application.

Housing

2.20 The 212 houses will range from 2 bedroom to 5 bedroom units**.** These will be built to Level 3 of the Code for Sustainable Homes, subject to satisfying criteria SUR1. (see Energy Statement). These will comprise:

House Type	**Number**
2 bed	30
3 bed	50
4 bed	110
5 bed	22
TOTAL	**212**

2.21 Some 31 units of affordable housing will be provided throughout the site. These will comprise 2, 3 and 4 bedroom dwellings including 3 bungalows. These will be provided as follows:

Size	***Phase 1***	***Phase 2***	***Phase 3***	***Phase 4***	***Total***
2 bed	8	2	0	4	14
3 bed	3	0	5	7	15
4 bed	2	0	0	0	2
TOTAL	**13**	**2**	**6**	**11**	**31**

2.22 There has been detailed discussion with the Council's Planning Officers regarding the site layout and house types. Full details are provided within the Design & Access Statements that accompany the applications.

2.23 4.53 hectares of Green Space spread throughout the development comprising:

- Sports Pitch and surrounding area (2.23) hec
- Allotments (0.57)
- Open Space corridors running through the heart of the development incorporating play areas, swales, village pond, informal recreation areas and planting (1.73 hec)

This represents some 29.8% of the residential site. In addition, 0.12 hectare of planting and ecological enhancement is proposed along the southern boundary of the site adjacent the business units. Hence the total open space on site is 4.65 hectares representing 30% of the site area.

2.24 All of open space will be provided to a very high standard and be offered for adoption to the Borough Council with an appropriate management sum. The allotments will be provided suitable for cultivation, fenced, have a water supply and small car park. Whilst the Council will manage their letting it is considered that there are sufficient plots to accommodate demand from the application site and existing

residents in Tutbury. They are located on the Green Lane frontage with pedestrian access to the west.

2.25 A LEAP will be provided on the site towards the southern end of the eastern green corridor. This will be timber constructed.

Changing Room

2.26 This will provide some 106.6 square metres of floorspace and be sufficient to accommodate two teams, officials' room and shower facilities. It will be constructed in a red brick with a tile roof. The precise material specification will be agreed with the Local Planning Authority.

Community Facility

2.27 A Community Space will be attached to the Changing Room/Pavilion and cover some 150.9 square metres. We are committed to providing a fully inclusive scheme and consider that a community space attached to the pavilion will provide a community facility either to be managed by a specific group or by one of the tiers of local government. It will be constructed in a red brick with a tile roof. The precise material specification will be agreed with the Local Planning Authority.

Business Space

2.28 This will comprise some 1,604 square metres of B1 space to be built in two phases. Access will be gained off Burton Road. The units have been carefully designed to reflect the site's surroundings and together with the changing rooms and community building and residential plot 160 are laid out and designed to reflect the farmhouse and yard style prevalent in the Borough.

2.29 Units 1 -3 will be "Agricultural barn" in style and be single storey with a red brick plinth, vertical timber boarding with a ribbed metal roof. Each unit will have a metal roller shutter door and personnel door with glazing. These will be approximately 3 metres to eaves and 5.5 metres to ridge.

2.30 Units 4-6 will be red brick and tile in nature replicating the farm outbuildings. These will be approximately 2.3 metres to eaves and 5 metres to ridge.

2.31 Units 7 – 14 will form around a courtyard with internal parking. Those units will be constructed in red brick with a tiled roof. These are designed around a courtyard with access through an arched two storey entrance which will have a ridge height of approximately 6 metres. The majority of the courtyard buildings will be 2.3 metres to eaves and 6 metres to ridge.

2.32 The business units will vary in size and be constructed to enable maximum flexibility. They will provide the following floor space:

Unit	**Floorspace (sq m)**	**Development Phase**
1	104.2	2
2	104.2	2
3	104.2	2
4	87.7	2
5	92.5	2
6	85.8	2
7	183.4	4
8	91.4	4
9	183.7	4
10	62.8	4
11	145.4	4
12	75.5	4
13	105.5	4
14	178.0	4
TOTAL	**1,604.3**	**-**

2.33 This range of sizes and building styles makes the units suitable for the full range of B1 uses.

2.34 On site car parking will be provided. In addition there will be overflow parking on the adjacent grassed area. It is intended that the parking will serve both the Business Units and the Changing Rooms/Community building.

2.35 It is maintained that in addition to meeting the housing needs in the Borough, the development brings wider benefits to the local community through the provision of open space, which will include a football pitch and an associated sports pavilion, children's play areas, allotments and green corridors, including sustainable urban drainage systems (SUDS) which enhance the bio diversity of the site.

2.36 In addition the development will serve to diversify the mix of housing in Tutbury with the provision of bungalows for the elderly, affordable housing and 12 aspirational "self-build" plots on the site (Site B). It is also maintained that the business units will provide local jobs for local people and the proposed community space a focal point for suitable community activities.

Application Proposal – Site B

2.37 Application B is made in outline and relates to 12 self build residential plots with only access to be determined now. The plots will range from 769 square metres to 561 square metres. High quality individual designs will be encouraged with details being submitted by way of applications for the approval of Reserved Matters. Flexibility is required to encourage sustainable design within a general framework that establishes baseline parameters.

2.38 Access to these will be gained off the main site and the outline application site boundary includes an access to Burton Road. There will be no vehicular access off Green Lane. The plots will be offered on the open market to individuals who wish to construct high quality design led dwellings.

2.39 Buildings will be varied in their relationship to the street scene to create interest. It is anticipated that buildings will incorporate a degree of variety in height, form, mass, scale, detail and orientation to avoid creating a monotonous, austere and incoherent edge to the larger development. Innovation and creativity in design and form should be encouraged.

2.40 It is recognised that some basic parameters are necessary to guide the development of the plots and maximum and minimum build heights, widths and depths are indicated in the table below.

Tutbury Self Build Plots

Design Parameters

Plot No.	Plot Area	Developable Area	Maximum Height	Minimum Height	Maximum Width	Minimum Width	Maximum Depth	Minimum Depth	Minimum Set Back	Minimum Rear Garden	Minimum Rear to Rear
1	601 sq m	270 sq m	10.5m	6m	18m	10m	15m	10m	4.85m	7.5m	15m
2	602 sq m	270 sq m	10.5m	3m	18m	10m	15m	10m	4.85m	7.5m	15m
3	645 sq m	270 sq m	10.5m	6m	18m	10m	15m	10m	4.85m	7.5m	15m
4	644 sq m	270 sq m	10.5m	6m	18m	10m	15m	10m	4.85m	7.5m	15m
5	602 sq m	270 sq m	10.5m	3m	18m	10m	15m	10m	4.85m	7.5m	15m
6	648 sq m	275 sq m	10.5m	6m	18m	10m	15m	10m	4.85m	7.5m	15m
7	769 sq m	398 sq m	10.5m	6m	18m	10m	15m	10m	3m	7.5m	15m
8	561 sq m	270 sq m	10.5m	3m	18m	10m	15m	10m	3m	7.5m	15m
9	592 sq m	270 sq m	10.5m	3m	18m	10m	15m	10m	3m	7.5m	15m
10	605 sq m	270 sq m	10.5m	3m	18m	10m	15m	10m	3m	7.5m	15m
11	561 sq m	270 sq m	10.5m	3m	18m	10m	15m	10m	3m	7.5m	15m
12	666 sq m	288 sq m	10.5m	6m	18m	10m	15m	10m	3m	7.5m	15m

2.41 A soft edge has been provided to the western boundary with the introduction of landscaping. Dwellings on plots 6 and 7 are likely to "front" the open space to increase natural surveillance.

2.42 We will work with the Council to establish a set of parameters to ensure a degree of consistency whilst encouraging innovative design solutions. Further comment is provided within the Design & Access Statement.

2.43 5 of these will be built to Code 4 (subject to criteria SUR 1) or higher of the Code for Sustainable Homes.

Phasing

2.44 It is proposed to undertake the overall development in a number of phases as shown on Plan 6640/P/06 accompanying the application. Four Phases are indicated:

Phase 1 – This will relate to the construction of the main access and drainage infrastructure and housing around the site entrance on Burton Road and comprise 67 dwellings including 13 affordable.

Phase 2 – This comprises 20 dwellings of which 2 will be affordable and the construction of the second access point off Burton Road. It also includes the laying out of the football pitch, the provision of the changing rooms, community space and the first phase of the business units (578.6 square metres) and associated car parking. The southern boundary will also be landscaped.

Phase 3 – This comprises 74 residential units of which 5 will be affordable. The self build plots would be serviced and released and the allotments provided.

Phase 4 - relates to the central area of the site and comprises 63 dwellings including 11 affordable. In addition there will be 1,025.7 square metres of business space.

	Phase 1	Phase 2	Phase 3	Phase 4
Market Housing	54	18	69	52
Affordable Housing	13	2	5	11
Self Build			12	
Community Room		150.8 sq m		
Changing Room		106.6 sq m		
Business Space		578.6 sq m		1,025.7 sq m
Sports Pitch		Completed		
Allotments			All	

Period of Consent

2.45 Development of the Outline application site is dependent on the delivery of infrastructure proposed in the larger full planning application for 212 houses, business space, changing rooms/community building etc. As a consequence it is requested that a 6 year outline planning consent is issued for the self build application.

Heads of Terms

2.46 The need for a Section 106 Agreement compliant with the Community Infrastructure Levy Regulations 2010 is recognised and it is anticipated that it will cover the following matters:

i. Affordable housing.
ii. Education contribution. This has been discussed with Staffordshire County Council.
iii. Contribution towards the maintenance of the open space on the site which will be offered for adoption by the Council.

2.47 A full Section 106 Agreement will be progressed during the consideration of the planning application.

Reports Accompanying the Planning Application

2.48 A number of specialist reports have been commissioned to accompany the planning applications.

2.49 Ecological Assessment (Ecus). This identifies that the habitats in the arable fields, semi-improved grassland and hedgerows, are generally 'species poor' and not important to Nature Conservation above and beyond the local level with an abundance of these habitats present in the area. Ecus was also commissioned to undertake a Bat and Amphibian survey which confirmed that no Great Crested Newts or roosting bats were present on the site. No other activity relating to protected species was found with the exception of bird life. However, it is maintained that the retention of key hedgerows and trees and supplementary planning, planting and management will continue to support bird life in this area with no significant adverse effects to wintering or foraging birds.

2.50 Tree Survey (Ecus). This identified that the majority of trees on the site are Category C (of low quality and value) with the exception of 3 category B trees (moderate quality and value with these being 2 ash and 1 sycamore tree). The three

Category B trees - ash tree in the centre of the site and the two hedgerow trees are retained.

2.51 There are a number of mature hedgerows on the site both on the outer boundaries and within. A number of these have been retained and will be incorporated into the public realm. However, following discussions with the Council's officers some have been lost in the interests of improving the overall design quality of the scheme.

2.52 Habitat Enhancement & Management Strategy – (Ecus) and following careful assessment and analysis makes a series of recommendations:

a. Hedgerow enhancement with hedge planting, tree planting and the provision of a 2 metre wide margin in selected locations.
b. Wetland area incorporating a permanently wet pond and two seasonally wet ponds connected by swales.
c. Soft landscaping throughout the development.
d. Bat roosting and bird nesting provision.
e. Hibernacular for common amphibian species will be incorporated within the wetland area.
f. Management Plan for 5 years.

2.53 We believe that our proactive approach with regard to habitat enhancement represents a step change for developments in the Borough.

2.54 Landscape Strategy – (Ecus). The planting proposals have evolved to achieve a number of design principles that include providing a strong green framework as a cohesive element that integrates the proposed development with the rural-urban edge setting, providing a quality attractive environment for future site users, to enhance the visual character of the site and integrate proposals that will benefit biodiversity in the long-term.

2.55 The Key objectives are outlined below:

1) To create a gradual transition from the edge of Tutbury settlement to surrounding countryside. This will be achieved by:

- reinforcing and integrating native hedgerows to site boundaries supplemented by hedgerow trees;
- proposed native tree planting to soften development south of the site;
- informal tree groups of large native species are proposed as their stature will create a strong green framework for the central corridor and public open space
- transitional character trees are specified for garden and public realm areas;
- Field Maple 'Elegant' for example, to relate to the characteristics of the nearby countryside;
- meadows, native bulb planting and wet grassland species supplemented by marginal planting to the pond areas are proposed to create a naturalistic environment.

2) To enhance the visual character of the site, create a safe environment with good natural surveillance. This is achieved by:

- the creation of clear vistas across the sports field to the countryside beyond;
- native hedgerow planting for screening where required.
- the specification of clear stemmed trees and low planting adjacent access routes and maintaining clear views between neighbouring properties, footpaths and the proposed play area will ensure good natural surveillance across the site.

3) The following proposals seek to enhance the biodiversity of the site:

- the creation of linear habitat corridors across the site, including hedgerows to benefit farmland bird species and natural grasslands associated with the swales and wetlands;
- native tree planting will provide shelter and nesting opportunities;
- the wildflower /arable margin to the southern hedgerow will provide seed and invertebrates as a food source for farmland birds and will

provide a buffer strip between the hedge and amenity areas that is beneficial for other species such as bees;

- ornamental plant species within public realm areas incorporates nectar and berrying plants of wildlife value.

4) To create an attractive setting for the proposed development and a quality attractive environment for future site-users. The high quality parkland environment will provide interest across the seasons and create a setting for a range of informal recreational activities. The incorporation of edible hedgerows and fruiting trees are proposed to encourage site users to participate with local food growing and foraging activities as well as benefiting allotment users. Sensory planting enhances the setting of the playground incorporating plants for fragrance, movement, colour and touch

2.55 Landscape & Visual Impact Appraisal – (Ecus). This concludes that the site comprises arable and pastoral farmland on the residential fringe of Tutbury. The proposals incorporate a high proportion of open space that will provide multiple functions for both the site occupiers and the surrounding community. The integration of the open space will soften transition to countryside and enhance the recreational and amenity value of the site. Adverse impacts resulting from changing land cover and land user would be balanced with beneficial impacts resulting from access improvements, recreational use and increased vegetation cover. The proposal will not impact any landscape designations. Adverse visual impacts are considered to be limited to the localised area. However, this will be mitigated by the high quality landscape setting, additional planting and sensitive siting of buildings.

2.56 Flood Risk Assessment (Armstrong Stokes and Clayton). This demonstrates that the site is in Flood Zone 1 and therefore is in a sequentially preferred location. Flooding is highly unlikely. A sustainable surface water drainage strategy has been devised which ensures that any flood risk from surface water run-off will be mitigated. The submitted scheme provides for Sustainable Drainage techniques including swales, a permanently wet attenuation pond and two seasonally wet areas.

2.57 Transport Assessment (Armstrong Stokes and Clayton). This identifies that the development will not result in a detrimental impact on the surrounding highway network and that the proposed site accesses onto Burton Road are acceptable and safe. Furthermore there will be no impact on junctions in the locality. The layout provides for bus penetration and discussions will be held to divert the bus route through the site.

2.58 Within the development there is a clear highway hierarchy that seeks to prioritise the movement of pedestrians and cyclists ahead of vehicular movements. The hierarchy will be clearly distinguished within the site and all highways will be designed to "Manual for Streets" standard.

2.59 The street hierarchy provides for bus penetration and two access points onto Burton Road are provided. The Design & Access Statement provides an analysis of the existing linkages to the site and these will be developed further to encouraged less use of the motor car.

2.60 Outline Travel Plan (Armstrong Stokes and Clayton). This framework provides a number of measures to encourage using alternative modes of transport including vouchers for 3 months of use on local bus services, information on bus timetables and also car sharing and walking to school clubs. Bus services currently run along Burton Road and these will be re-routed to pass through the application site. There are good pedestrian links onto Burton Road and Green Lane and these will be developed further. Tutbury/Hatton railway station is a short drive away.

2.61 Specific targets could include the following:

1. Trips to /from the development in the evening peak reduced by 10% in 1 year.
2. 75% of residents should be aware of the Travel Plan and its targets within 1 year of the initial survey.
3. The framework for the walking to school club should be established within 2 months of the first unit being occupied.
4. The framework for the car share database should be set up within 2 months of the first unit being occupied.

2.62 Desktop Site Investigation prepared by Geodyne. In view of its past agricultural use this found no particular issues. It is recognised that further work may be required.

2.63 Sustainable Construction and Emissions Mitigation Strategy – This has been prepared by Pegasus Environmental and seeks to establish how the development will meet local aspirations to exceed the current National minimum standards relating to sustainable construction and mitigation of greenhouse gas emission. Local Plan Policy is set out in the East Staffordshire Borough Local Plan adopted in July 2006, since which time higher level policy on sustainable development has radically evolved. No specific local targets for sustainable building or on-site renewable energy generation exists in adopted Local Plan policy, which pre-dates the emergence of the Zero Carbon agenda.

2.64 In July 2007 the Emerging LDF Core Strategy signalled the intent of East Staffordshire to consider an acceleration of the standards set out in the National Trajectory to Zero Carbon. However, no specific policy has been framed, nor specific standards established.

2.65 The Adopted Local Plan has been supplemented with a Policy Statement on Green Field Land Release, issued in December 2010, where the Council reaffirms its intent to ensure early release of development sites to meet housing need. Specific expectations of new residential development concerning layout and development design, materials, water use and waste minimisation, surface water run-off and flood risk mitigation and the benchmarking of development against the Code for Sustainable Homes are set out. However, no specific standards are proposed.

2.66 The link between changes to National Building Regulations and the Code for Sustainable Homes has led to a major series of changes to the Code which was substantially reviewed to take effect in October 2010. Alongside this was the introduction of revised building regulations Parts L, F and J. National regulations across a broad range of other areas have evolved, tending to catch up or even overtake the code requirements at Level 3.

2.67 The Code sets mandatory standards and a mitigation hierarchy for surface water run-off that are especially prescriptive and duplicate a much stronger National regulatory regime which is now established under the Flooding and Water Management Act 2010. This itself mandates sustainable drainage systems as is proposed on the site. Given the bolder clay sub strata underlying most of the Burton Road site, it is in practice technically impossible to achieve using the mitigation strategy set out in support of the Code.

2.68 In mapping out the Code against National Legislation and Regulations and future committed changes it is shown that development on the site will meet and exceed in virtually all respects, those mandatory standards set out in the Code for Sustainable Homes at the Level 3 benchmark as currently defined. In particular Peveril Homes commits to building low emissions dwellings, emitting no more than 20kg $C0_2$ per metre squared per annum and pathfinder solutions towards a Minimum Fabric Energy Efficiency Standard supporting Zero Carbon development by aiming to achieve a space heat demand on most dwellings of no more than 52kw hours per metre squared per annum. Both these metrics are established within the SAP2009 compliance tool and will be used to establish the new regulatory requirements from 2013.

2.69 The East Staffordshire Core Strategy Issues and Options Report of 2007 posited that all new development should seek to meet at least 10% of predicted energy demand from on-site renewable or low carbon energy sources. It is technically feasible to secure 10% of predicted energy demand on the site but it is not intended to commit to this until the actual implications on streetscene and aesthetics are known. Peveril will consider accommodating photovoltaic panels on as many plots as appropriate and these may, at 2kW rating, allow the 10% figure to be met across the site as a whole.

2.70 Communal biomass fired heating is also possible, but this has been assessed as being unlikely to be viable from either a practical or a financial perspective of the site. The report goes into this in much greater detail.

2.71 Peveril Homes preferred immediate approach is to maximise the scope for energy efficiency in line with the emerging hierarchy of measures within the National trajectory towards zero carbon, which will establish the learning and innovation required to meet the future minimum energy efficiency standards which will take effect from 2016, and possible as soon as 2013.

2.72 With regard to the 12 self build plots, these will serve as focus exemplars to meet the emissions reduction and minimum energy efficiency standards for proposed 2013 regulations, and / or the emissions and efficiency standards of the code at Level 3, whichever are the most appropriate at the time Reserved Matters are sought.

Education

2.73 Discussions have taken place with Staffordshire Country Council regarding Education provision. The current position is that there is capacity at the Richard Wakefield primary school in the village so there is no contribution required for primary education. However, a contribution will be required towards improvements at de Ferrers Specialist Technology School.

Pre-Application Discussion

2.74 We are very eager to develop a high quality housing scheme in Tutbury which will satisfy the needs of the village and allow for the retention and expansion of community facilities. Hence, prior to submission we have entered into meaningful discussions with the Council's planning, leisure and housing officers together with highway officers from Staffordshire County Council. As a consequence there have been numerous changes to the original layout to meet the competing challenges. We now believe that we have submitted a scheme that will deliver the high quality and distinctive development that we seek to achieve.

2.75 At this stage we do not know who will build the "self build" plots or the individual designs. We want to encourage flexibility of design whilst ensuring a degree of discipline. In view of this we are not in a position to submit full details relating to the 12 self build plots; we can only submit in outline.

Community Consultation

2.76 Details of the application were displayed at an exhibition held at the Tutbury Institute on November 30th between 2pm and 6pm. Display boards were provided and visitors were encouraged to pass comment on the proposal. Representatives of the applicant attended the exhibition between 2pm and 5pm; their attendance curtailed due to inclement weather.

2.77 Generally there was little support for additional housing in Tutbury. With regard to the indicated site layout the following verbal comments were made:

- There is no need for a further cricket pitch.
- Local football team (Tutbury Tigers) could utilise the sports facility.
- Access onto Green Lane would be dangerous
- Hedges on Green Lane need trimming.
- Possible noise from dog kennels
- Local doctors at capacity.
- Inclusion of bungalows welcome.
- Do not want loss of green belt and agricultural land.
- Potential for Great Crested Newts on the site.
- Concerns that development would spread even further towards Burton.
- Development could become a village in itself and not integrate with Tutbury.
- Inclusion of affordable housing generally welcomed.
- Local school is full.
- Would not want proposed footpath link onto Green Lane to become a vehicular access for the site thus creating a through route.
- Hopefully there would be opportunities for local people to get construction jobs.
- Residents backing onto the site were concerned about loss of view and loss of house value.
- Support for footpath link from Green Lane giving access to bus service.
- Will another community building affect existing?
- Allotments are a good idea.
- Shop needed on the site.
- Is there a need for business units?

2.78 Careful consideration has been given to the issues raised and adjustments made to the layout where appropriate. There was significant concern regarding vehicular access points onto Green Lane. As a consequence we have re-consulted the Highway Authority and amended the private drive access to improve visibility. In addition we have abandoned the creation of vehicular access to serve the allotments and 6 of the self build plots. These will now be accessed via the main site although it will delay their provision.

2.79 There is an identified need for a cricket pitch in the broader "rural" area. However, following receipt of these comments and further discussion with the Council the cricket pitch has been replaced with a football pitch.

2.80 Similarly the community building; we firmly believe that the Tutbury community, in conjunction with the Borough Council should decide its end use(s). It is not intended that it should compete directly with existing community facilities.

2.81 It is our understanding that there is both medical and educational capacity.

2.82 We have held further meetings the Council's Planning Officers and the resultant schemes have been submitted.

2.83 This Section of the statement has described the application site and the proposal. It has also provided a précis of the findings of the numerous reports that accompany the application. Finally it has detailed the Section 106 Heads of Terms and the pre-application consultation that has taken place. The Statement now outlines the Planning Policy context.

SECTION 3: PLANNING POLICY CONTEXT

3.1 Section 38 (6) of the Planning and Compulsory Purchase Act 2004, states that all planning applications must be determined in accordance with the development plan, unless material considerations indicate otherwise. In this instance, the Statutory Development Plan comprises the Regional Spatial Strategy and the East Staffordshire Local Plan Revision which was adopted in July 2006. In addition to the Development Plan, there are other important material considerations including National Planning Policy statements and guidance and Supplementary Planning Guidance and documents. The purpose of this chapter is to set out the relevant planning policy background which is pertinent to the site and the proposed development, as well as identifying any key studies or reports which will assist in the justification of these proposals. For ease of reference, these are considered under the following headings:

1. National Planning Policy and Guidance.
2. Regional Plan
3. Structure Plan
4. Local Policy
5. Other material considerations including 5 Year Housing Supply.

National Planning Policy and Guidance

Planning Policy Statement 1: Delivering Sustainable Development – Published 2005

3.2 PPS1 sets out the Government's objectives for the planning system, and states at paragraph 1 that:

"Planning shapes the places where people live and work and the country we live in. Good planning ensures we get the right development, in the right place and at the right time. It makes a positive difference to people's lives and helps to deliver homes, jobs, and better opportunities for all, whilst protecting and enhancing the natural and historic environment, and conserving the countryside and open spaces that are vital resources for everyone".

3.3 The core principle underpinning these objectives is sustainable development, the four principal aims for which were set out in the Government's 1999 strategy "A Better Quality of Life – a Strategy for Sustainable Development in the UK":

- Social progress which recognises the needs for everyone;
- Effective protection of the environment;
- The prudent use of natural resources; and
- The maintenance of high and stable levels of economic growth and employment.

3.4 These principles are evident in the mixed use proposals for the application site.

PPS3 : Housing (2010)

3.5 PPS 3 was published in response to the Barker Review of Housing Supply (2004) with a principle aim to ensure a "step change in housing delivery, through a more responsive approach to land supply at a local level".

3.6 The Government's key policy goal in PPS3 is that everyone should have the opportunity of living in a decent home, which they can afford, in a community where they want to live. To achieve this, paragraph 9 states that the Government seeks, inter alia:

- **"To achieve a wide choice of high quality homes, both affordable and market housing, to address the requirements of the community" and,**
- **"To create sustainable, inclusive, mixed communities in all areas, both urban and rural".**

3.7 In support of its objective of creating mixed and sustainable communities, PPS3 advises the Government's policy is:

> **"To ensure that housing is developed in suitable locations which offer a range of community facilities and with good access to jobs, key services and infrastructure".** (Paragraph 36)

3.8 PPS3 builds upon the ambitions of PPS1 in terms of promoting high quality design and establishes numerous matters to consider when assessing design quality, including the extent to which the proposed development, inter alia:

- **"Is easily accessible and well connected to public transport and community facilities and services, and is well laid out so that all the spaces used efficiently, is safe, accessible and user friendly.**
- **Provides, or enables good access to, community and green and open amenity and recreational space (including play space) as well as private adult space such as residential gardens, patios and balconies.**
- **Creates, or enhances, a distinctive character that relates well to the surroundings and supports a sense of local pride and civic identity.**
- **Provides for the retention or re-establishment of the bio-diversity within residential environments".** (Paragraph 16)

3.9 The guidance also states that, particularly where family housing is proposed:

"It will be important to ensure that the needs of children are taken into account and that there is good provision of recreational areas, including private gardens, play areas and informal play space". (Paragraph 17)

3.10 Paragraph 23 advises that:

"Developers should bring forward proposals for market housing which reflect demand and the profiles of households requiring market housing, in order to sustain mixed communities".

3.11 Paragraph 24 acknowledges the importance of achieving a mix of households as well as a mixture of tenure and price and which reflects the proportions of households that require market or affordable housing on large strategic sites.

3.12 Paragraph 25 advises that one of the Government's key objectives is:

"To provide a variety of high quality market housing" and that this should address **"any shortfalls in the supply of market housing".**

3.13 Paragraph 40 advises of the key objective of local planning authorities to continue to make effective use of land by re-using land that has been previously developed, with paragraph 40 subsequently advising of the national annual target of at least 60% of new housing being provided on previously developed land. [Budget 2011 indicated that this target will be removed].

3.14 PPS3 no longer prescribes minimum densities to be achieved in residential developments. Paragraph 46 states that policies on density should be reflective of a number of factors including the level of market demand, the capacity of infrastructure and services, accessibility by public transport and the desirability of achieving high quality, well designed housing. Therefore paragraph 47 states that LPA's **"may wish to set out a range of densities across the plan area rather than one broad density range"**.

3.15 Further to this, paragraph 50 advises that:

"The density of existing development should not dictate that of new housing by stifling change or requiring replication of existing style and form" and that **"if done well, imaginative design and layout of new development can lead to a more efficient use of land without compromising the quality of the local environment".**

3.16 Paragraph 52 advises that the Government's objective is to ensure that the planning system delivers a flexible responsive supply of housing land and that, reflective of the principles of "Plan, Monitor, Manage" local planning authorities should ensure that sufficient, suitable land is available to achieve their housing objectives.

3.17 PPS3 acknowledges that LPA's should set out their policies and strategies for delivering the level of housing provision by indentifying broad locations and specific sites that will enable continuous delivery of housing over a period of 15 years (see paragraph 52-53).

3.18 Furthermore, paragraph 54 advises that local planning authorities should:

"Identify sufficient specific deliverable sites to deliver housing in the first five years".

3.19 In this context, 'deliverable' is defined as sites that are:

- Available – the site is available now.
- Suitable – the site offers a suitable location for development now, contributes to the creation of sustainable, mixed communities.
- Achievable – there is a reasonable prospect that housing will be delivered on the site within five years.

3.20 Paragraph 59 advises that allowances for windfalls should not be included in the first ten years of land supply unless local planning authorities can provide robust evidence of genuine local circumstances that prevents specific sites being identified.

3.21 In determining planning applications, paragraph 68 advises that local planning authorities should take into consideration the policies set out in the Development Plan, as well as other material considerations. Furthermore, paragraph 68 states that:

"When making planning decisions for housing developments after 1 April 2007, local planning authorities should have regard to the policies in this statement as material considerations which may supersede the policies in existing development plans".

3.22 Paragraph 69 advises that, in general, in deciding planning applications, local planning authorities should have regard to:

- **"Achieving high quality housing.**
- **Ensuring developments achieve a good mix of housing reflecting the accommodation requirements of specific groups, in particular, families and older people.**
- **The suitability of a site for housing, including its environmental sustainability.**
- **Using land effectively and efficiently.**

- **Ensuring the proposed development is in line with planning for housing objectives, reflecting the need and demand for housing in, and the spatial vision for, the area and does not undermine wider policy objectives, eg addressing the housing market renewal issues".**

3.23 Furthermore, paragraph 71 advises that, where local planning authorities cannot demonstrate an up to date five year supply of deliverable housing sites, for example where local development documents have not been reviewed to take into account policies in PPS3 or where there is less than a five year supply of deliverable sites, they should consider favourably planning applications for housing, having regard to the policies in the PPS, including the considerations in its paragraph 69. Paragraph 72 advises that:

"Local planning authorities should not refuse applications solely on the grounds of prematurity".

3.24 The proposals provide for a mix of housing including affordable units 2, 3, 4 and 5 bedroom units, including an area of bungalows, as well as a number of self build plots in order to provide a diverse range of housing options to assist in providing inclusive mixed communities.

3.25 The site is suitable, available and achievable within the next five years and this is demonstrated in the next section of this statement. The proposals are therefore fully compliant with the aims and objectives of PPS3.

PPS4: Planning for Sustainable Economic Growth

3.26 PPS4 sets out the government's objectives for prosperous economies in urban areas as well as more rural areas such as Tutbury. Policy EC6: Planning for Economic Development in Rural Areas seeks to ensure the countryside is protected whilst balancing the need to strengthen the local economy. Paragraph EC6.2 states that LPA's should: -

"identify local service centres (which might be a county town, a single large village or a group of villages) and locate most new development in or

on the edge of existing settlements where employment, housing (including affordable housing), services and other facilities can be provided close together".

3.27 In addition Policy EC12: Determining Planning Applications for Economic Development in Rural Areas states that in determining applications for economic development in rural areas, local planning authorities should "**support development which enhances the vitality and viability of market towns and other rural service centres".**

PPS9: Biodiversity and Geological Conservation

3.28 Given that the application proposes development on greenfield land it is necessary to consider national planning policy in relation to conserving and enhancing biological diversity in England. The government's main objectives are threefold: -

- **To promote sustainable development by ensuring that biological and geological diversity are conserved and enhanced as an integral part of social, environmental and economic development**.
- **To conserve, enhance and restore the diversity of England's wildlife and geology by sustaining, and where possible improving, the quality and extent of natural habitat and the populations of naturally occurring species which they support.**
- **To contribute to rural renewal and urban renaissance by enhancing biodiversity in green spaces and among developments so that they are used by wildlife and valued by people, recognising that healthy functional ecosystems can contribute to a better quality of life and to people's sense of well-being.**

An Ecological Assessment, Tree Survey, Protected Species Survey and Habitat Enhancement Management Plan accompany the application.

PPG13: Transport – Published 2001

3.29 The emphasis in PPG13, as set out in the introduction to that guidance, is to see the integration of transport and land use planning. The objectives of the guidance, as set out in paragraph 4, are to:

- Promote more sustainable transport choices for people and moving freight;
- Promote accessibility to jobs, shopping, leisure facilities and services by public transport, walking and cycling; and
- Reduce the need to travel, especially by car.

3.30 Paragraph 6 lists those matters that local planning authorities should take into account when considering planning applications. The application proposals largely comply with these in that:

- The scale of parking will accord with Council standards;
- Pedestrians and cyclists are specifically considered by the proposals, and facilities for these users will be significantly improved above and beyond current levels of provision both on and through the area. This includes links through the site to existing and proposed routes; and
- The objective of reducing crime through design has been incorporated within the proposed layout.

3.31 PPG13 summarises the guidance in PPS3: Housing at paragraphs 12-17. Encouragement is made to more efficient use of land, and to placing the needs of people before ease of traffic movement.

3.32 A Transport Assessment and Framework Travel Plan accompany the application.

PPG 17 – Planning for Sport & Outdoor Recreation (2002)

3.33 This recognises that open space can deliver broader government objectives. Development should incorporate public open space where appropriate and satisfy

identified needs across a range of typologies. There are a range of typologies include within the proposal to reflect local need.

PPG25: Development & Flood Risk

3.34 This sets out government policy with regard to flood risk. Fundamentally planning applications should be considered on a risk based approach that seeks to divert development away from the most vulnerable areas. The application site falls within Zone 1. A Flood Risk Assessment is submitted.

Regional Spatial Strategy for the West Midlands

3.35 Whilst the Secretary of State revoked Regional Spatial Strategies in July 2010 the more recent challenge by Cala homes has resulted in their reinstatement. The Secretary of State has resolved not to appeal this decision although is still of the view that his "intention to revoke" is a material planning consideration; this opinion is in itself also now the subject of challenge. The issue of revocation is likely to be considered in the Localism Bill; however it is unlikely to be enacted until late 2011 at the earliest. As a consequence the RSS is an integral part of the Development Plan.

3.36 The West Midlands Regional Spatial Strategy was first issued as Regional Planning Guidance in June 2004. Following this initial publication the document has gone through several stages of partial revision. Phase 1 was published on 15 January 2008 and dealt with key issues including designation of strategic centres at Brierley Hill/Merry Hill and the urban renaissance and environmental transformation of the Black Country sub-region. The Phase 2 revisions are of particular significance to this application as they review housing, employment, shopping centres, waste and transport. Phase 2 went to Examination in Public between April and June 2009 and the Report published in September 2009. Whilst Phase 2 is yet to be published it is sufficiently advanced to be afforded weight and LPA's are looking to accommodate the increased housing and employment requirements in their Local Development Frameworks. Finally Phase 3 will cover environmental issues, gypsies and travellers, renewable energy, culture, critical rural services and minerals, but is only at an initial issues and options stage.

Phase 1 Revision

3.37 The Phase 1 revision which was published in January 2008 is therefore the most up to date version of the Regional Spatial Strategy to the West Midlands region. However, the emerging Phase 2 which incorporates the findings of Nathanial Litchfield and Partners studies into how additional housing growth can be accommodated in the region, is particularly pertinent to these proposals which are in East Staffordshire, given that the authority has been confirmed as a Growth Point which is suitable for accommodating additional growth. Within the published version of the West Midlands RSS, Burton upon Trent is identified as a strategic centre, as well as being identified as a local regeneration area outside of a regeneration zone. No other settlements within the East Staffordshire administrative boundary are specifically identified in this document.

3.38 Policy CS3 relates to levels and distribution of housing development and advises that development plans should make provision for additional dwellings to be built at the annual rate specified. Within Staffordshire, the average annual rate of housing provision up to 2007 is 2,900 dwellings, between 2007 and 2011, 2,500 dwellings and between 2011 and 2021, 1,600 dwellings. These figures are, however, being reviewed as part of the Phase 2 revisions.

3.39 Policy PA 14: Economic development in the rural economy states that development plans and other strategies should support the sustainable diversification in development of the rural economy through the growth of existing businesses and the creation of new enterprise. This should be undertaken in ways that meet local employment needs, maintain viable and sustainable local communities, conserve and enhance environmental assets and respect local character and distinctiveness. Priority should be given to economic activity with strong links to the rural area, including for example food and drink processing, tourism and leisure, the environmental economy and businesses ancillary to farming and forestry; and to sustainable new activity which will strengthen the region's rural economy. Encouragement will be given to the provision of affordable Broadband services in rural areas to aid the development of businesses using ICT, including increased opportunities for home working.

3.40 Policy EN1 advises that local authorities should within their development plans, encourage proposals for the use of renewable energy resources, including biomass, onshore wind power, active solar systems, small scale hydroelectricity schemes and energy from waste combustion and landfill gas. Development plans should also identify the environmental and other criteria that will be applied to determining the acceptability of proposals including impact upon the landscape, surrounding residents, traffic implications etc.

Phase 2 Revision Draft

3.41 Within the draft Phase 2 revisions, Burton on Trent is identified as a "Settlement of Significant Development" and is recognised as an area currently experiencing a significant period of economic restructuring and where there is a need to stimulate further regeneration in growth. The identification of the town as a Growth Point in the West Midlands offers the opportunity to act as a sub-regional focus for the longer term growth and prosperity.

3.42 Policy RR1 Rural Renaissance states:

"Rural areas of the West Midlands will be regenerated through the improvement of choice in housing; the diversification of the rural economy; better transport links both within rural areas and between urban and rural areas; improving health, education, skills training, social, shopping, community facilities and other services, the sustainable use of environmental assets, and the prudent use of natural resources".

3.43 Paragraph 6.19 of the Phase 2 Revision Draft of the RSS discusses housing beyond the urban areas and states:

"Attractive and sustainable communities need to be developed and maintained across all parts of the region. It is important that communities are allowed to grow and change and that housing demands are met, including through greenfield extensions where appropriate. However, it is also important that development does not undermine urban renaissance of the MUAs. As a result of the Habitats

Regulation Assessment, the importance of consolidating habitats and buffering impact of development, on European Nature Conservation sites must be considered".

3.44 Policy CF2 of the Phase 2 Revision Draft of the RSS goes on to state that beyond MUAs, strategic housing development should be concentrated in and adjacent to towns which are capable of balanced and sustainable growth. These are the Settlements of Significant Development namely Worcester, Telford, Shrewsbury, Hereford, Rugby, Burton upon Trent, Stafford, Nuneaton/Bedworth, Warwick, Leamington Spa and Redditch. Areas for new housing development, on a smaller scale, will also be accommodated within and adjacent to other urban areas, and market towns of the Region. The settlements, which need to be capable of creating balanced opportunities for housing and employment and which should already have a range of local services, will be identified through LDDs.

3.45 Updated housing targets are provided within the Phase 2 Revision Draft with 12,900 homes to be provided within East Staffordshire 2006–2026; equating to 645 per annum. This has, however, been rounded up to 13,000 in the most recently published Panel Report (although not adopted). Of this, 11,000 is to be directed towards Burton upon Trent averaging 550 per annum. The remainder is to be distributed throughout the remainder of the authority.

3.46 Policy PA6A of the Phase 2 Revision Draft advises that local authorities should make provision for a continuing 5 year reservoir of readily available employment land outside town centres throughout the plan period. In the case of East Staffordshire a 50 ha rolling 5 year reservoir is endorsed and indicative long term requirement of 150 ha is suggested.

3.47 Policy PA14 Economic Development in the Rural Economy goes on to state:

"Development plans and other strategies should support the sustainable diversification and development of the rural economy through the growth of existing businesses and the creation of new enterprise. This should be undertaken in ways that meet local employment needs, maintained viable and sustainable local

communities, conserve and enhance environmental assets in respect of local character and distinctiveness".

3.48 This policy then goes on to state inter alia that most economic development is concentrated in towns and other large settlements accessible to their rural hinterlands. Development should be consistent with the character and environment of the settlement.

Structure Plan Policy

3.49 The RSS for the West Midlands was progressing to adoption. The Joint Staffordshire and City of Stoke Structure Plan did provide the strategic planning guidance for the area including East Staffordshire. As the RSS advanced it gained more weight such that main of the policies within the Structure Plan were not saved.

East Staffordshire Local Plan 2006

3.50 The East Staffordshire Local Plan was adopted in July 2006 and provides the basis for development control decision-making. The Proposals Map shows the application site lies outside of development boundary and within countryside. A number of policies within the Local Plan have not been saved; however, the following remain and continue to be relevant.

3.51 Saved Policy CSP5 Infrastructure and Community Provision requires that in appropriate cases development proposals make provision for Local Transport Plan initiatives including implementation of projects associated with the 3 Area Strategies, contribution towards the National Forest Strategy 2004 including provision of on and off-site planting within the National Forest Area, and also contributions where appropriate towards the initiatives within the Community Strategy 2003 to 2020, Central Rivers Strategy, East Staffordshire Housing Strategy and the East Staffordshire Regeneration Strategy.

3.52 Saved Policy NE1: Development outside Development Boundaries states:

"Outside the Development Boundary shown on the inset plans planning permission will not be granted for development unless it cannot reasonably be located within them and is either:

a. Essential to the efficient working of the rural economy; or

b. Development otherwise appropriate in the countryside;or

c. Development close to an existing settlement and providing facilities for the general public or local community which are reasonably accessible on foot, by bicycle or by public transport.

Proposals falling within one of these categories would be judged against the following criteria:

a. The proposed development must not adversely affect amenities enjoyed by existing land users, including, in the case of proposals for development close to an existing settlement, the occupiers of residential and other property within that settlement.

b. The detailed siting of the proposed development and its associated environmental impact compatible with the surrounding area and safeguard the Nature Conservation interests.

c. The design of the buildings, structures and materials relate satisfactorily to the proposed site and its setting.

d. Landscape associated with the proposal takes into account both the immediate impact and distant views of the development.

e. Access roads can accommodate traffic likely to be generated by the proposed development in terms of number, size and type of vehicles whilst meeting the needs of cyclists and pedestrians too.

f. The proposed development provides for adequate access for pedestrians, cyclists and drivers, servicing and parking arrangements, and provision within the site for plant, equipment and the storage of goods and materials."

3.53 Saved Policy H2 Housing; Large Windfall Sites advises that the Council will manage the release of housing sites by ensuring that urban sites and previously developed land are released for development before greenfield sites. Greenfield sites will not be permitted unless it can be clearly demonstrated that the structure plan requirement cannot be met through use of the sites on previously developed land.

3.54 Saved Policy H6 is a general policy relating to housing design and requires that as part of housing developments, applicants indicate how they have taken account of

the need for good design in their development proposals by means of a Design Statement.

3.55 Saved Policy H6 of the Local Plan provides guidance on housing densities to be achieved within new development and states that outside of town centres a minimum of 30 dwellings per hectare should be achieved.

3.56 Saved Policy H12 sets out the local planning authority's affordable housing requirements and thresholds and identifies it on sites with a capacity of 25 or more dwellings that they will negotiate for the inclusion of an appropriate element of affordable housing where a need for such housing is shown to exist.

3.57 Paragraph 22 of the Local Plan relates specifically to Tutbury and recognises the completion of the Tutbury bypass allows for new opportunities for the improvement of the centre of Tutbury. Saved Policy R13 then goes on to state that the Borough Council recognises the importance of Tutbury as a tourist centre and will *approve proposals for limited growth in retailing within the High Street subject to compliance with car parking standards and compliance with conservation and environmental policies.*

3.58 Saved Policy L2 relates to Landscaping and Green Space and states:

> "**Where development of 10 or more dwellings occurs in areas that are deficient either in terms of basic access to green space or to green space of an appropriate quality, the developer will be required to contribute towards addressing these deficiencies – in proportion to the demand created by the development.**

3.59 Since the adoption of the Landscaping & Green Space SPD in July 2006 the Council has published and adopted an Open Space SPD which is considered later in this statement. Notwithstanding the proposal incorporates a very significant element of public open space within the development with green wedges, formal and informal play areas, a full size sports pitch with changing rooms, allotments and areas dedicated to enhancing the bio-diversity across the site.

3.60 The proposals fully reflect the requirements of the Saved Local Plan as demonstrated in the next section of this statement.

Emerging Policy and Evidence Base

3.61 The local planning authority is progressing its future plans for the development of the Borough through the Local Development Framework which will eventually replace the Saved Policies of the Local Plan Review. This is being undertaken within the context of the Council's award of Growth Point status. Another important consideration is that emerging policy is being prepared in relatively uncertain times given the Coalition Government's decision, now reversed following the Cala judgement, to abolish the regional tier of planning governance including the Regional Spatial Strategies and associated housing targets.

3.62 The letter from Rt Hon Grant Shapps MP, Minister for Housing and Local Government, dated 2 July 2010 confirmed however that funding for local authorities who have previously been awarded Growth Point Status will be safeguarded. When East Staffordshire Borough Council was awarded Growth Point Status a requirement to provide 12,900 homes (13,000) between the period of 2006 to 2026 was ratified by members at Planning Committee and on this basis it is maintained that these targets remain in force and will continue to be used in the development of emerging policy such as the Local Development Framework. However, the East Staffordshire Borough Council Core Strategy Preferred Options Document will be the subject of consultation in summer 2011 with this document setting out the Council's plan to meet the requirements of Growth Point Status in locating suitable sites for 11,000 dwellings within Burton upon Trent and the remaining 2,000 dwellings to be located in other settlements within the Borough. This will also accord with the stalled RSS.

3.63 As part of the preparation of the Local Development Framework various appraisals and studies are and have been undertaken which form an evidence base to influence and assist in the production of the Development Plan documents. These are very material considerations and are considered in turn below.

3.64 The Council's Local Development Scheme (June 2010) is the statutory project management plan for the purposes of the LDF covering at least 3 years. It provides two purposes:

a. A starting point for the local community to find out about planning policy in the area; and
b. To tell interested parties about the various stages of the preparation of any development plan documents.

3.65 The Core Strategy (DPD1) has been under preparation since July 2006. The LDS indicates that the "Preferred Option" would be pre-published for consultation in September 2010 with formal publication in March 2011. Submission was indicated from July 2011, the Hearing in November 2011 and adoption in May 2012. However, the Council resolved not to progress the Core Strategy in accordance with the published timetable. As a consequence the "Pre-Publication including Preferred Option" was not published in September 2010; it is not anticipated until June/July 2011. This is a delay of 9-10 months; if this was to continue then Core Strategy adoption is unlikely until Spring 2013.

Strategic Housing Land Availability Assessment (May 2010)

3.66 As part of the ongoing monitoring of the Local Planning Authority's housing supply and available land an updated Strategic Housing Land Availability Assessment (SHLAA) was published in May 2010. This was an update on the Phase 1 and Phase 2 Housing Land Assessment which was prepared on a staged basis in 2009 with Phase 1 identifying sites in Burton upon Trent and Phase 2 in other settlements. Within the Phase 2 SHLAA document the application site (site reference Phase 2 SHLAA 21) was identified as having potential for residential development. The assessment of its suitability states:

> "**The site is capable of being developed for residential development. Whilst the majority of residential development will be provided in and around Burton, appropriate sites in village locations, like this one, will need to be considered for housing delivered within the sustainable settlements".**

3.67 The updated SHLAA (May 2010) has been refined to identify potentially deliverable sites by discounting sites totally unrelated to existing settlements, sites retained for employment use etc, however it is noted that despite this process sites identified through the SHLAA have not gone through the full rigour of planning assessment and as such cannot be relied upon to directly calculate a 5 year housing land supply.

3.68 The results of the SHLAA indicated that 122 sites have been identified of which 67 are considered to be deliverable within the first 5 years which provides an estimated yield of 7,945 dwellings with a further 25 sites identified as developable within 6-15 years, making a total yield of 17,449 units over the 15 year period. It should be noted that these yields are purely estimations and therefore cannot be wholly relied upon. For example, the application site is listed within the SHLAA as being capable of yielding 456 dwellings when in reality 224 dwellings are proposed due to the more comprehensive planning assessment that has been undertaken, this is less than half of the estimated yield. This also reflects the Council's desire for green infrastructure led development and lower densities generally.

Local Development Framework: Settlement Hierarchy

3.69 The East Staffordshire Borough Council Local Development Framework Settlement Hierarchy is another important emerging policy document which will guide and influence the Local Development Framework in identifying suitable sites for development within the Borough. This document is important as it identifies the most sustainable settlements outside of the main urban areas of Burton upon Trent and Uttoxeter where housing development would be most appropriate. This is considered to be important as 2,000 homes need to be delivered outside of Burton-upon-Trent.

3.70 These villages are placed into Category 1, 2 and 3 villages through an objective structured scoring system which relates to the size of the village in terms of population and the number of dwellings, and also the accessibility to various services and facilities. Category 1 villages are classed as settlements most suited to accommodate further levels of development. The areas have a greater ability to accept growth given their local facilities and services and can sustain new development, with Category 3 villages considered to be the least appropriate.

3.71 The analysis assessed each settlement against a number of criteria such as accessibility, shopping and retail, community facilities, health care and education provision. From this 5 Category 1 villages have been identified. Tutbury and Barton under Needwood gaining the joint highest scores by some margin. This baseline information informs the "Development Principles" advice (see later in this statement) although reference to Strategic Villages is then reduced to 4 – Tutbury, Barton, Rocester and Rolleston.

East Staffordshire BC Open Space SPD

3.72 This document was the subject of public consultation in summer 2010 and a report was presented to the Council's Cabinet on 13th September 2010 adopting the SPD. Its aim is to give clear guidance to both the Council and developers on what is expected throughout the Borough to ensure there is sufficient open space of an acceptable standard on development sites. It supports Saved Policy L2.

3.73 The SPD establishes a number of standards which are assessed below in terms of the application site. Tutbury is located within the "Rural 1" area. :

a. Playing Pitches – this is assessed on the basis of 1.99 pitches per 1,000 people. 1 dwelling = 2.32 people; hence a 224 house scheme will generate 520 people. Hence, the proposal will generate the need for one pitch. Appendix 6 of the SPD indicates a need for 3.2 cricket pitches in the "Rural 1 " area, 2.5 junior rugby pitches and 1 senior football pitch.
b. Children's Play – 1.16 sq m/dwelling equates to 259.84 sq m
c. Open Space (Park & Garden) – 3.02 sq m /dwelling equates to 676.48 sq m
d. Semi Natural Grassland – 68.4 sq m /dwelling equates to 15,321.6 sq m.
e. Amenity Green Space – 29.7 sq m/dwelling equates to 6,652.8 sq m.
f. Allotments – 7.89 sq m /dwelling equates to 1,767.36 sq m.

3.74 In addition there is a requirement for changing facilities and for maintenance of the open space if adopted by the Council.

3.75 An assessment of the open space provision on the site is provided later in this statement; suffice to say that there is a considerable overprovision to reflect the Council's desire for Green Infrastructure led development.

East Staffordshire BC Housing Choice SPD.

3.76 This document was adopted in December 2010. In its introduction the document states:

> "**We want to have good quality jobs, high quality homes, vibrant town centres and above all a good quality of life for all our residents"**

3.77 It goes on to state that the Council wishes to ensure a "Step Change" to deliver "radical enhancement" of the housing on offer. There are a number of aims:

a. To accommodate 13,000 homes across the Borough with 80% in Burton.
b. To achieve a high end housing mix. There are concerns of a need to achieve a more balanced mix.
c. With a high proportion of professional workers living outside the Borough it is essential that a balanced mix of housing is provided across the Borough.
d. To provide affordable housing to meet local needs.
e. To address the changing housing issues with the young and elderly.
f. To achieve mixed communities.

3.78 The SPD makes reference to aspirational housing and indicates a needs to develop mixed communities.

3.79 The SPD proceeds to consider the issue of affordable housing. Tutbury is located within the area defined as "Rural" where there is a 30% affordable housing requirement and where the housing mix should reflect a range of house types. It should all be intermediate.

1 bed home	10%
2 bedroom flat	20%
2 bedroom house	25%
3 bedroom house	40%
4 bedroom house	5%

3.80 As an alternative to on site provision, half of the requirement can be dealt with by way of a financial contribution. This would be used to improve existing housing, bring empty homes back into use, purchase existing houses and the building of new affordable houses. Guidance regarding commuted payments is provided in the SPD and this will be the subject of negotiation.

3.81 Further advice on affordable housing is contained within the Strategic Housing Market Assessment conclusions (see below).

Strategic Housing Market Assessment Conclusions

3.82 This paper was issued in December 2010. It recognised that there are 4 local Housing Market Areas in the District. September 2009-March 2010 some 90 affordable units were built or acquired, involving 20 shared equity houses. A further 305 were under construction or finished. Hence a maximum of 395 units. This is less than half the need.

3.83 The paper states that intermediate housing is not needed in Burton or Uttoxeter and hence affordable housing in these areas is entirely social rented housing. Outside these areas, including Tutbury, the need will depend on the findings of a local housing needs survey, Choice Based Lettings and/or Housing Register evidence. Intermediate housing needs to be available at 60% of market price.

3.84 Of the 840 units/year need some 151 (18%) are in the Rural East HMA which includes Tutbury. With regard to Expressions of Interest (Choice Based Letting) there were 108 in 2009 and approximately 65% of these were for 2 and 3 bed units. With regard to the mix of housing 25% is for 2 bed units, 40% for 3 bed and 5% for 4 bed.

3.85 It also confirms that sites of 25 units or more will continue to be the threshold for on site provision of affordable housing. Furthermore the Council assumes that out of an annual requirement of 533 houses (see later section relating to 5 year housing supply) that some 520 houses will be provided on sites >25 units and so generate

affordable housing. A 30% target is indicated, subject to viability. The needs of the elderly are recognised with a need for 2 bedroom units.

Policy Statement –Greenfield Land Release for New Communities (2010)

3.86 This statement was prepared by the Council in November 2010 in response to the delay in producing the Core Strategy and in recognition that some greenfield sites are likely to come forward ahead of Core Strategy adoption.

3.87 The Statement lists four main principles to which greenfield development must conform:

a. *The creation of sustainable communities not just housing estates, with easy access to facilities.*
b. *A green infrastructure led scheme where there is a relatively high proportion of the total area set aside from the outset as structural open space running through the area. The open space should be designed to perform a number of roles – recreation space, protecting habitats and creating new ones to increase bio-diversity; and providing for Sustainable Drainage Systems (SuDS).*
c. *The design standard of all development to be of the highest standard. This starts with the creation of a sense of space. All buildings need to be designed to a high quality, in accordance with the Council's Design Guide.*
d. *The creation of new communities provides opportunities to ensure that all new developments are built to high energy efficiency standards.*

3.88 The overriding principle, where there is not a 5 year supply of housing, is that the Council will seek to develop brownfield sites before greenfield and greenfield will not be permitted unless there are exceptional circumstances. Applications for more than 10 dwellings on greenfield sites will need to meet National, Local Plan and Supplementary Planning Document guidance. It goes on to state that permission for the release of large scale greenfield sites will be exceptional and should show benefits to the community.

3.89 It also states that it is unlikely that development greater than 100 units will be able to meet the specific requirements listed in the Draft "because they are likely to need

major infrastructure provision which will need to be co-ordinated on a comprehensive basis".

3.90 It goes on to state:

"However, each application will be looked at on its merits, and developments larger than 100 may be able to meet these criteria depending on their location, proximity to existing high capacity infrastructure and phasing".

3.91 The development requirements are:

a. The proposal should not prejudice the bringing forward of other urban extension options.
b. There should be no adverse impact on the local highway network. Mitigation should be provided at the developer's expense. There should be adequate priority measures for cyclists and pedestrians.
c. There must be proper connectivity to the existing urban area, and the new development must relate well to the existing built form.
d. The site should accommodate a mix of house sizes at different price brackets.
e. The proposal should include appropriate provision for employment land, local shopping, health, and education and community facilities. Existing facilities must be capable of being linked to their extended catchment by direct routes and be within easy walking distances. There should be good bus linkages with hospitals and schools.
f. The proposals should show sensitivity to the landscape and nature conservation interests.
g. Layout and form of the proposal should accord with the Council's Design Guide. The character of the village should not be undermined and the development should not require substantial new facilities.
h. Sustainable development will be seen as a positive factor in assessing the merits of schemes.

Guidance on the Development Principles to inform the Master Planning of Potential Core Strategy Allocations November 2010.

3.92 This guidance was published in November 2010. It sets out the general principles for the development of "Potential Core Strategy Allocations".

3.93 The vision for the Borough is expressed in Section 4 of the document and recognises that the "larger villages will be the rural centres for services, facilities and jobs acting to sustain the rural areas". Section 6 recognises Tutbury as one of only four Strategic Villages suitable for development; the Settlement Hierarchy had recognised 5 strategic villages; Abbots Bromley is not considered for strategic development.

3.94 Section 7 outlines the four core principles that will define development in the Borough; these reflect those outlined in the Greenfield Release SPD:

a. Creation of sustainable communities.

b. Green Infrastructure led development.

c. High quality design that creates a sense of space.

d. Developments built on the highest viable energy efficiency standards.

3.95 More specifically the Council expects that all proposals should:

a. Be designed and located so as to minimise energy needs.
b. Incorporate the best environmental practices and sustainable construction techniques
c. Incorporate facilities to minimise the use of water and maximise opportunities to recycle.
d. Limit adverse impacts on water quality, reduce water consumption, minimise flooding and promote SUDs.
e. Include the use of local and sustainable sources of materials and develop a Site Waste Management Plan that ensure that at least 25% of the total minerals use are derived from recycled and reused sources.
f. Meet the Code for Sustainable Homes standards.

3.96 Section 8 deals with High Quality Design and indicates that schemes should respond positively to the context of their areas in a number of ways:

a. Build on the local character, respecting patterns of development and the historic environment.
b. Provide safe communities
c. Enhance the landscape and bio diversity.
d. Aid movement through accessibility, connectivity, permeability and legibility.
e. Enable a mix of uses.
f. Provide innovative architecture.
g. Provide well designed and integrated public art.
h. Comply with National Forest standards

3.97 The document also lists out other issues that need to be considered:

a. Provision of the necessary on and off site infrastructure.
b. A housing mix that creates a mixed community. A variety of house types and sizes and homes at the higher end of the market – premium homes.
c. Specialist housing and developments for older people close to shops, medical facilities and public transport.
d. Housing to be built at the appropriate density for the locality.
e. New housing to meet Lifetime Homes standard.
f. Houses to be sustainably designed and constructed.

Tutbury Village Design Statement – July 2007

3.98 This guidance was produced by the Tutbury Village Design Statement Core Team Group and was adopted as a material consideration in the determination of planning applications by East Staffordshire Borough Council on the 23 April 2007.

3.99 Within this document the settlement pattern, local landmarks, Conservation Area, listed buildings, accessibility, community facilities, trees, social and economic patterns and other key features which contribute to the characteristics of the settlement are considered. The document identifies a variety of designs and styles of buildings within the settlement from historical buildings such as the castle through to more recent development including modern housing developments. This more

modern development is identified as lying to the south of the settlement and it is stated that some of this has not contributed positively to the historic context and should not be taken as a precedent for similar unsympathetic development. These more modern areas are characterised as being open in character with buildings set back from the road behind front gardens and driveways. Any new development in these areas should respect this character. The conclusions within the housing needs survey are also re-affirmed and the Design Statement recognises that affordable homes are needed within Tutbury on the basis that provision of such homes allow for young people to stay in the village thus maintaining a balanced population profile.

3.100 In terms of the design of new development, the statement is clear that it should not detract from views of landmark features of the village including the castle, St. Mary's Priory Church and the Dog and Partridge. New development should also respect the character and appearance of its surroundings in terms of scale, form, layout, detail and use of materials. Housing should, where appropriate, ensure mixed tenure and should meet the needs of the diverse range of occupiers.

East Staffordshire Design Guide Supplementary Planning Document – February 2008

3.101 The purpose of this document is to promote high quality design in new development across East Staffordshire and to promote better practice in the formulation of design proposals and raising the awareness of the importance and value of good urban design.

3.102 It provides design guidance on both residential and employment buildings and expects them to be well designed and well related to their context. With regard to housing, developers are encouraged to avoid repetitive use of standard house types and that where standard house types are used that they are modified to suit specific site context. The guidance provides details on layouts and materials for developments as well as detailing and finishings to improve the overall quality of the development. Advice is also provided on the landscaping of areas within residential developments and effective measures to integrate car parking into development schemes. Whilst not a mandatory requirement, the Council encourages the use of the Code for Sustainable Homes. In respect of commercial development, similar

design advice is provided to that for residential development and it is recommended that plant and machinery associated with development is carefully and discreetly located and signage and branding should be considered as part of the overall design of the development. Activity generating uses within buildings should be designed and located to enliven public areas and that they should be accessible to pedestrians and cyclists.

Tutbury Housing Needs Survey - March 2009

3.103 The Midlands Rural Housing in partnership with East Staffordshire Borough Council and Trent and Dove Housing Association undertook a Housing Needs Survey of Tutbury in March 2009. This report concludes that a mixed development of 21 affordable dwellings should be considered to alleviate the current housing needs in Tutbury and this is broken down into the following requirements:

6 x 1 or 2 bedroom bungalows for rent.
1 x 1 or 2 bed bungalow (special needs) for rent.
1 x 1 or 2 bed bungalow for Homebuy.
4 x 1 or 2 bed houses for rent.
6 x 2 or 3 bed houses for rent.
1 x 2 or 3 bed house for Homebuy.
1 x 3 bed house for rent.
1 x 3 bed house for Homebuy

3.104 The report states that Tutbury is a pleasant and popular place to live that has adequate facilities and good transport links to major towns nearby and within easy reach of employment such as Burton, Derby and the Midlands. Proximity to employment areas and popularity as a place to live means that demand for housing is high and the supply of housing on the open market is relatively low leading to house prices being substantially higher than elsewhere within the region.

3.105 Notwithstanding the Survey it is now understood that the Council has made a Cabinet decision in favour of the following specific requirement:

a. 1 No 1 or 2 bedroom house.
b. 1 No 2 or 3 bedroom house.

c. 1 No 3 bedroom house.

5 Year Housing Land Supply

3.106 The Government's key housing policy goal is to ensure that everyone has the opportunity of living in a decent home, which they can afford, in a community in which they want to live. A key objective in achieving this broad principle is to ensure that there is a sufficient quantity of housing taking into account need and demand and seeking to improve choice. Thus, a flexible response to the supply of housing land is necessary.

3.107 East Staffordshire Borough Council comprises the main urban area of Burton, together with the smaller area of Uttoxeter and a number of outlying villages of various sizes. The Burton Growth Point was declared in 2006 with an ambition to build some 5,000 high quality homes by 2016, with a further 7,000 by 2026. It also sought to bring forward high quality premium employment land, a comprehensive redevelopment of the town centre and improvements to gateways and the preservation of the rural character of Burton. Councillor Alex Fox MBE, the leader of East Staffordshire Borough Council at that time, declared:

> **"Our vision is to make East Staffordshire a place where people can evolve and achieve their aspirations. We want to have good quality jobs, high quality homes, vibrant town centres and, above all, a good quality of life for all our residents. Our ambition is to create a 'step change' in the areas economic performance and housing offer, and be nationally recognised as a champion of regeneration."**

3.108 The West Midlands Regional Spatial Strategy is a material planning consideration. It indicated the likelihood that the then indicative figure of 12,900 dwellings (2006 to 2026) would be rounded up to 13,000 dwellings in the Borough. This would be subdivided, with 11,000 dwellings in Burton and 2,000 dwellings elsewhere.

3.109 The East Staffordshire Local Plan (July 2006) made no new housing allocations, but referred to housing numbers as defined in the adopted Staffordshire and Stoke Structure Plan (1996 to 2011). Paragraph 2 of the housing chapter in the East

Staffordshire Local Plan (July 2006) indicates that future supply will be 6,500 dwellings during the plan period. Of these most will be in Burton and Uttoxeter, with 50% on brownfield sites. At that time, the Local Plan indicated that there was an oversupply of dwellings in the borough.

3.110 In September 2009 the ESBC 5 year supply position was the subject of debate at a planning appeal against the Council's decision to refuse permission for 20 dwellings at 98 Kitling Greaves Lane, Burton (APP/B3410/A/09/21073333). The appeal was upheld and it concluded that a 5 year supply of housing when assessed against the RSS targets was not deliverable. The Inspector expressed a number of concerns:

a. The reliance on sites that were currently in employment use coming forward. He opined that mere agreement with owners to place sites on a list for consideration was not enough to demonstrate that a site can be delivered in 5 years.
b. The need for a "lapse rate" to be built into the calculations.
c. Certain sites are included that could well be the subject of significant objection. If the sites have not made sufficient progress through the planning system they cannot be considered to be deliverable.
d. Exaggerated yields had been applied to some sites at a time when the appetitive for flatted development was likely to fall away.
e. That the anticipated rate of development for some large sites. Market conditions may slow the identified delivery rate.

3.111 The Council is currently reviewing its position with regard to the five year supply of housing land and considering whether there is an evidence base to support the extension of the plan period to 2031. The Council has not published any evidence base to extend the plan period. Extending it by 5 years without any increase in the quantum of housing or reliance on revised population and household projections is not, in my view, defendable; it is not evidence based and could be subject to challenge.

3.112 The Council has kindly shared its latest assessments and it is understood that two additional scenarios are under consideration

1. Extend Plan Period by 5 years to 2031 and base of 650/year

From 2006-10 ESBC should have delivered 650 x 4 = 2,600 (4 years)

Identified Need 2600

Built 1804

Shortfall 796

Hence residual = 796/21 years left (2031) =38/year

If now 25 year plan period then 13,000 homes = 520/year

Residual = 520 + 38 = 558.

5 year requirement therefore 558 x 5 = 2,790

2. Extend by 5 years and assume 520 per year (13,000 / 25)

From 2006-10 ESBC should have delivered 520 x 4 = 2080 (4 years)

Identified Need 2080

Built 1804

Shortfall 276

Hence residual = 276/21 years left (2031) =13/year

If now 25 year plan period then 13,000 homes = 520/year

Residual = 520 + 13 = 533.

5 year requirement therefore 533 x 5 = 2665

3.113 Notwithstanding the Council's assessment I believe that until such time as there is an evidence base to support the "stretching" of the "Plan Period" to 2031 the 5 year supply should be assessed against the 2006-26 requirement as outlined in the RSS.

East Staffs Borough Council accepted the "Preferred Option" figure of 12,900 which was rounded up to 13,000 in the Panel Report. Subsequently the Council has published SPD which makes reference to 13,000 homes. This position reflects the Growth Point vision set out by the Council.

3.114 The 5 year calculation based on the RSS figure is therefore as follows:

From 2006-10 ESBC should have delivered 650 x 4 = 2,600 (4 years)

Identified Need 2600

Built 1804

Shortfall 796

Hence residual = 796/16 years left (2026) =50/year

Residual = 650 + 50 = 700.

5 year requirement therefore 700 x 5 = 3,500

3.115 Turning to housing supply, the Council has provided figures which demonstrate the following:

	Houses	Houses
Under Construction	503	
With Planning Permission		1,624
With pp less Lapse Rate (10%)	1,462	
Brownfield SHLAA sites	815	
TOTAL SUPPLY	**2,780**	

3.116 Hence, the position with regard the three scenarios based on the Council's figures is as follows:

Scenario	**Supply**	**+ Excess / - Deficit**
1. Extend to 2031 650/year (residual 558) x 5 = 2790	2780	-10
2. Extend to 2031 520/year (residual 533) x 5 = 2665	2780	+115
3. RSS 650/year (residual 700) x 5 = 3500	2780	-720

3.117 This demonstrates that using the Council's figures there is a deficit ranging from -10 to -720 on two of the three scenarios. On the second scenario, extending the plan period to 2031 and taking 533 as a base, there is a small surplus of 115 dwellings. This represents less than three months supply. In my view, this is not material.

3.118 Fundamentally the Council is not able to demonstrate that it has a 5 year supply of deliverable housing sites; this is considered later in the statement.

Ministerial Statements March 2011

3.119 The Rt Hon Greg Clark MP – Minister for Decentralisation issued a Written Statement – Planning for Growth - on 23rd March 2011 in which he announced a "strong presumption in favour of sustainable development".

3.120 He stressed the need for Local Planning Authorities to :

" … (ii) take into account the need to maintain a flexible and responsive supply of land for key sectors, including housing".

3.121 The Chancellor of the Exchequer also issued a statement calling for ambitious proposals to rebuild the economy. A key priority is to promote sustainable economic growth and jobs. He indicated that targets for the proportion of development on brownfield sites, introduced by John Prescott MP, are likely to be removed. He also reiterated the Presumption in Favour of Sustainable Development.

3.122 The Government's intention to abolish the RSS is clear. Notwithstanding Government still wishes houses to be built. In 2010 only 146,730 new houses were built in the UK. Hugh Harris, the Prime Minister's deputy director of policy, has recently advised that 450,000 homes/year will be set out as a target in the forthcoming "Housing Strategy". Such as figure would exceed the highest number of homes delivered on record – 426,000 in 1968. To achieve this a "step change" is required.

3.123 This Section of the Statement has outlined the planning policy that should be taken into account in the determination of this planning application. Much of the new evidence base is emerging as the Council produces its Core Strategy. This statement now assesses the proposal against the policy base.

SECTION 4: CASE IN SUPPORT OF THE APPLICATION

4.1 In considering the development proposals, it is necessary to assess the application within the context of the Development Plan and other relevant guidance as set out in the previous section and also other material considerations which assist in the justification of the grant of planning permission. A number of main issues emerge:

a. The general principle of the broad range of uses assessed against planning policy.
b. The 5 year housing supply position and whether the Council currently complies with advice contained in PPS 3.
c. Whether Tutbury is a suitable location for development in the Borough
d. Whether the application site is a suitable location for a mixed use development within Tutbury
e. Does the development of the site satisfy the 4 main principles as set out in the Greenfield Release SPD and the development principles set out in the Development Principles publication?
f. Will the development deliver Affordable Housing benefits and deliver a range of dwellings?
g. Will the development deliver aspirational housing?
h. Does the development meet the needs of the elderly?
i. Is there any additionality associated with the development?
j. Any there any technical matters that would prevent development? In essence is it deliverable?
k. Compliance with Ministerial Statements March 2011

a) General Principle of Development

<u>Residential</u>

4.2 Saved Policy H7 of the East Staffordshire Local Plan Revision relates to housing outside of Development Boundaries. This states inter alia that housing outside Development Boundaries will not be permitted unless it either meets a recognised local housing need, it is essential to enable farm or forestry workers to live, it is essential to the operational needs of a rural based enterprise or it involves the

conversion of a rural building, subject to compliance with criteria in Policy Saved BE15.

4.3 With the exception of the affordable housing element of the proposals, which undoubtedly meet a local need as identified within the Tutbury Housing Needs Survey and subsequent Cabinet Decision, the remainder of the residential development does not comply with Saved Policy H7. Notwithstanding this, it is important to give weight to Planning Policy Statement 3 which requires local planning authorities to identify sufficient specific deliverable sites to maintain a 5 year housing land supply. PPS3 then goes on to state that the sites as identified must be available, suitable and achievable, and that in instances where local planning authorities are unable to demonstrate an up to date 5 year supply of deliverable housing sites, they should favourably consider planning applications for housing having regard to policies in Planning Policy Statement 3. The 5 year supply issue is considered further later in this statement.

Business Space

4.4 The provision of B1 business units within the southern part of the site will offer a synergy with the proposed residential units, together with the existing settlement of Tutbury by providing new employment opportunities for both existing and start up businesses and has the potential to reduce the need for travel to places of work for those living within the vicinity who currently travel to locations such as Burton and Uttoxeter.

4.5 Locationally, Tutbury is well placed for the A38 and A50 transport corridors and the site is within easy reach of existing residential properties as well as those proposed as part of this application, and also within easy reach of existing services and facilities within Tutbury. The suitability of the site for the small scale business units is therefore in accordance with regional policies as well as Planning Policy Statement 4 which also provides support towards rural employment in sustainable locations.

Sports Facilities, Play Areas and Allotments

4.6 The provision of sports pitches, allotments and play areas within the development proposals are all in accordance with countryside policies which seek to provide new

recreational opportunities, subject to them being appropriate in scale and sensitively designed and sited.

4.7 The sport and play facilities to be provided within the development significantly exceed the traditional requirements of the National Playing Fields Association standards and is in accordance with the local open space requirements of 'Rural 1' areas as set out in the recently adopted East Staffordshire BC Open Space SPD. The table below illustrates the level of green infrastructure required if the SPD standards are applied: -

Type of Open Space	***Rural 1 Area Requirement***
Playing Pitches	0.65 ha.
Parks & Gardens	0.07 ha (680 sq m)
Children's Play Areas	0.03 ha (260 sq m)
Semi Natural Green space	1.50 ha
Recreational Amenity Space	0.70 ha
Allotments	0.20 ha
TOTAL	**2.88 ha**

4.8 It is maintained that the quality of this open space at the heart of the development creates a high quality and attractive residential environment whilst at the same time enhancing biodiversity through the use of swales and a permanently wet attenuation pond. Indeed given that the proposals provide additional open space above and beyond the requirements it is maintained that one of the most attractive aspects of the proposals is the green infrastructure at the heart of the scheme and as such it is considered that the proposals are in accordance with the Open Space SPD. The value of this area is enhanced further with the submission of the Habitat Enhancement & Management Strategy which will further develop the quality and bio-diversity of the site.

4.9 The overall scheme provides 4.53 hectares of green infrastructure on the residential site and a further 0.12 hectares on the employment site resulting in 4.65 hectares of green infrastructure. Assessment of the Open Space SPD indicates that approximately 2.88 hectares of land should be set out as green infrastructure.

Hence there is a surplus of 1.65 hectares on the residential site representing a 57% increase. Across the entire site there is a 61% excess of green infrastructure.

4.10 In addition a 2 team changing room will be constructed adjacent the football pitch. The LEAP will be provided with timber equipment to the requirements of the Council. Open space will be provided across all phases of the development and all of it will be offered for adoption with a commuted sum.

4.11 Housing development on this site, on the edge of Tutbury, does not conform to Saved Policy H7 of the Local Plan. However, it is contended that the weight attached to "”other material considerations” is such that it outweighs the presumption of the Development Plan. Primarily the development complies with advice contained within PPS 3 and represents a sustainable development. Government has announced its intention for a Presumption in Favour of Sustainable Development.

b) 5 Year Housing Supply and PPS 3 compliance

4.12 Based upon the requirements of PPS3, a review of the Housing Land Supply position of East Staffordshire Council has been undertaken with a view to identifying whether a 5 year deliverable supply of housing exists in order to meet the housing need.

4.13 The Council has provided figures in the 2010 Annual Monitoring Report which demonstrate the following supply position:

	Houses	Houses
Under Construction	503	
With Planning Permission		1,624
With pp less Lapse Rate (10%)	1,462	
Brownfield SHLAA sites	815	
TOTAL SUPPLY	**2,780**	

4.14 The 2009 Annual Monitoring Report indicated that 1,624 units had planning permission. These were distributed a follows:

Settlement Level	Village	Nos	% of Total
Burton		1130	70%
Uttoxeter		205	13%
Category A Villages		131	
	Tutbury	14	
	Barton	56	
	Rolleston	25	8%
	Rocester	14	
	Abbots Bromley	25	
Category B		152	9%
Category C			
TOTAL		**1624**	**100**

4.15 Hence out of a total of 1624 units just 131 are found in Category A Settlements (Strategic Villages). This represents just 8% of total supply. Of these just 14 are in Tutbury which represents 0.86% of the total supply from extant planning permissions.

4.16 Some 29.3% of the supply (815 units) is assumed to come from brownfield sites that have come forward in the SHLAA exercise. This is a heavy dependence on the potential deliverability of sites and for these to be considered to generally contribute to supply, they must pass the tests outlined in paragraph 54 of PPS3. In effect, they need to be available, suitable and achievable over the five year period. It is in fact noted that the five year supply assessment indicates that these units will be delivered at the back end of the five year period. The ability of these sites to deliver such a quantum over a more concentrated period must be open to question.

4.17 Paragraph 54 of PPS 3 defines the three tests of deliverability:

1. Available – the site is available now.
2. Suitable – the site offers a suitable location for development now and would contribute to the creation of sustainable mixed communities
3. Achievable – there is a reasonable prospect that housing will be delivered on the site within 5 years.

4.18 Whist the Council's approach to have some reliance on brownfield SHLAA sites is recognised, this must be balanced with the advice in paragraph 59 of PPS3 which advises Local Authorities not to include windfalls in their housing supply in the first ten years. It is therefore questioned whether it is appropriate for such a high percentage (29.3%) of the Council's five year supply to be dependant on potential brownfield sites identified in the SHLAA. A number of these represent potential future windfalls and should, therefore, be discounted in the five year supply.

4.19 Several factors need to be taken into account in determining the potential yield of any of the sites identified through the SHLAA. There are four main issues which will reduce the yields indicated on the SHLAA forms which are as follows:

1. PPS3 at paragraph 47 required that a minimum density of 30 dwellings per hectare should be achieved. This requirement was written out of PPS3 in its 2010 version and, as a result, it is now open for Local Authorities to develop at much lower densities, to reflect local character, should they wish to.

2. There is a clear message evolving from the SPDs published by East Staffordshire Borough Council. These indicate the need for a much broader spread of house type and, in particular, the delivery of high quality homes that meet local aspirations. There is reference to "Aspirational Housing". This was one of the main driving forces behind the growth point bid. This is likely to reduce densities and, therefore, increase land take overall.

3. The Housing Choice SPD is clear in recognising that there have been more than sufficient apartments constructed in the Burton area over recent

years. Furthermore, the development industry does not have an appetite to construct apartments and, therefore, high density developments are very unlikely to come forward.

4. The Council's recent policy statement on Greenfield Land Release for New Communities identifies four guiding principles which are as follows:
    a. Creation of sustainable communities.
    b. Green infrastructure led developments.
    c. High design quality.
    d. Developments built to high energy efficiency standards.

4.20 Supporting the desire for green infrastructure led developments is the recently adopted Open Space SPD. This requires open space under a number of categories:

a. Children's play.
b. Parks and gardens.
c. Semi natural green space
d. Amenity green space
e. Allotments.

4.21 In addition, there are requirements to provide playing pitches based on the number of people on any one development. For the rural area, this is two pitches per 1,000 population and this in itself is based on 2.32 people per dwelling. Hence a 224 dwelling development would generate 520 people and, therefore, the need for one pitch. Our calculations indicate that for a development of circa 224 dwellings, there would be a need for some 2.88 hectares of open space. Assuming a development of 30 per hectare, a 224 unit development would require some 7.5 hectares. Hence, to accommodate the green infrastructure led development together with the housing, some 10.38 hectares of land would be required. This reduces the density down to 21.6 dwellings per hectare. It is recognised that whilst these POS requirements are not universal across the Borough they will require significant areas of land which will reduce overall densities. In addition a large part of the Borough lies within the National Forest which in itself places further demand on the release of land for planting. The application site falls outside the National Forest area else a further reduction in density could have resulted.

4.22 It is recognised that not all sites will have POS contained within the site boundaries and that some will be dealt with by commuted payments, the desire for green infrastructure led developments, as outlined in the SPD, will have a major bearing on the land take within sites in the borough and this needs to be taken into consideration in assessing the yield of the SHLAA sites.

4.23 In view of the above the Council's reliance on the delivery of 815 dwellings from the identified "brown field SHLAA" sites is challenged. This is based on three issues:

a. Advice contained within the Kitling Greaves Lane appeal decision.
b. Compliance with advice contained within PPS 3.
c. The impact on yield of the evolving policy base.

4.24 The Annual Monitoring Report indicates some 14 "Brownfield SHLAA sites" being considered as having the potential to contribute towards the 5 year supply. A number of the sites should be discounted as they are not sufficiently advanced through the planning system, others cannot be delivered in isolation, others have been on the market for some considerable time during a period when land values were high and have not delivered whilst others have overstated potential yields.

4.25 In my view 8 of the identified sites cannot be relied upon within the spirit of PPS3 to deliver any housing during the first 5 years:

a) Old Citroen Garage – this has been on the market for a considerable period of time. It is unlikely to deliver housing in the current economic climate. Development is unviable.
b) Layfields Farm, Burton – this is an isolated site that is not suitable for development in isolation of a more comprehensive scheme.
c) Brookside Road, Uttoxeter – this site currently accommodates a number of active employment uses. There is no reasonable prospect of the site coming forward. Whilst part is now vacant it cannot be developed in isolation.
d) Stafford Road, Uttoxeter – this accommodates a Council Depot. There is no indication that this is to be vacated. It is not available.
e) West of Dove Way, Uttoxeter – this is not available. Alternative facilities first need to be provided. Such will not be without their planning issues. It is not available.

f) Shobnall Road, Burton - This site has planning permission for residential development issued in 2008. However, this site has been marketed for a number of years without success. There can be very little certainty that this site will come forward in the next 5 years unless there is a very significant reduction in the expected land price or house prices recover dramatically. This site should be discounted.

g) Dovecliffe Road – this site is greenfield under the revised PPS3 definition and should not be included in this "brownfield" list of sites.

h) Mayfield House, Mayfield – this site is unlikely to accommodate 13 units. It is located within a Conservation Area, access is limited and the setting of the listed building needs to be preserved and enhanced.

4.26 There is sufficient uncertainty regarding delivery at these sites that the 815 unit SHLAA site contribution is highly questionable. The SHLAA site contribution should be no more than 423 units.

4.27 Turning to the Annual Monitoring Report for 2010, this indicates some 1,864 completions over the four years 2006 to 2010. However, completions in 2009/10 reduced significantly to 207 units. The Annual Monitoring Report for 2009 actually estimated completions of 352 in that year. Completions for 2010/11 were projected in the 2009 AMR at 492 and this has been reduced in the 2010 AMR to 278.

4.28 I would suggest that the housing trajectory now shows an increasing deficit over the future years. PPS3 refers to a "step change" in housing provision and this is reiterated in the Council's own Growth Point bid to DCLG. Paragraph 67 of PPS3 suggests that Local Authorities should take action where there is "significant underperformance" on the housing trajectory. One suggestion is the release of greenfield sites, with the inference being that they are both deliverable and available and, therefore, can provide the necessary housing to give the local housing market the impetus it needs.

4.29 To summarise and using what I consider to be the more realistic supply figures from the "identified" brownfield SHLAA sites the 5 year supply position is as follows:

Under Construction	503	
With Planning Permission		1,624
With pp less Lapse Rate (10%)	1,462	
Brownfield SHLAA sites	423	
TOTAL SUPPLY	**2,388**	

4.30 If this supply is now set against the three scenarios identified in Section 3 of this statement the position is as follows:

Scenario	**Supply**	**+ Excess / - Deficit**
1. Extend to 2031 650/year (residual 558) x 5 = 2790	2388	-402
2. Extend to 2031 520/year (residual 533) x 5 = 2665	2388	-277
3. RSS 2026 650/year (residual 700) x 5 = 3500	2388	-1112

4.31 Hence there is a supply of just over 3.5 years when assessed against the RSS figures of 13,000 units over a 20 year period.

4.32 The Authority does not have a 5 year supply of housing land and therefore fails para 71 of PPS 3. **This lack of a 5 year supply is acknowledged in the Annual Monitoring Report 2010**.

4.33 The Tutbury site will deliver 224 houses. On the basis that a planning consent would be forthcoming by Spring 2011, we would anticipate the following delivery:

- 2012 – 50 units
- 2013 – 60 units

- 2014 – 60 units
- 2015 – 54 units

All of this delivery would be within the five year period.

4.34 Where a Council does not have a five year supply of housing, paragraph 71 of PPS3 advises that authorities should consider favourably any planning application for housing having regard to policies within the PPS and, in particular, those in paragraph 69. Paragraph 69 has been outlined earlier in this statement but I believe in the context of a shortfall in housing supply in the Borough it is appropriate to reiterate the site's credentials when tested against the paragraph 69 criteria.

4.35 Achieving High Quality Housing – we have liaised very closely with the Council's planning and urban design officers to achieve a high quality development. A Buildings for Life Assessment accompanies the planning application and we believe that a "Gold" score is achievable. Furthermore, the layout has taken account of the amenity of residents where existing dwellings border the site to ensure there is no detrimental impact. The Design & Access Statement fully outlines the design process and how the scheme has developed in response to the opportunities and constraints and the workshops with Council Officers. A high quality scheme has evolved.

4.36 Good Mix of Houses – a range of house types will be developed across the site from two bedroom through to five bedroom. These will include affordable housing that meets local need, together with bungalows in response to the increasing needs of the elderly. In addition a commuted payment is offered for off site affordable housing.

4.37 The outline application also relates to 12 self build plots which provides a further element of housing that will broaden the general mix.

4.38 Site Suitability – there are no ecological or heritage designations on the site. A thorough ecological assessment has been undertaken and a Habitat Enhancement & Management Strategy is submitted with the proposal. The site is within easy walking distance of a number of facilities needed for every day living and it is intended to re-route the existing bus route through the site. There will be business units and public

open space opportunities on the site. Overall, we believe that this is a highly sustainable site with very high environmental credentials, particularly with the green infrastructure led development.

4.39 Using Land Effectively and Efficiently – the site is not brownfield. Notwithstanding, we do believe that the high quality nature of this development should attract considerable weight in the decision making process. The Council is eager to achieve a green infrastructure led development and, consequently, we have acquired sufficient land to meet that need. Whilst the site is greenfield it is not green belt.

4.40 Wider Policy Objectives – it is recognised that the Core Strategy is still work in the progress. There have been numerous delays due to the failed revocation of the RSS and the Council has now decided to hold matters in abeyance until summer of 2011. Adoption is not anticipated until Spring 2013. We believe that the provision of development on this site will not affect the broader strategic objectives of the Council. The site will deliver some 224 dwellings which is well below the threshold of the definition of "strategic sites". It will make a modest contribution to the overall supply of housing and we forecast that it will deliver 50, 60, 60, and 54 dwellings over a four year period. This would represent less than 10% of the overall need in the Borough during each of those years. There is no case to resist the proposal on grounds of prematurity.

4.41 Overall the development of the site will satisfy the criteria as outlined in paragraph 69 of PPS3.

4.42 The Council accepts that it does not have a 5 year supply of deliverable housing sites. The proposal has been assessed against the advice and criteria in PPS 3 and it is in full compliance.

c) Settlement Hierarchy – Suitability of Tutbury to Accommodate Development

4.43 On the basis that the Council will need to look beyond existing development boundaries in order to achieve and demonstrate a deliverable 5 year supply of housing land, it is necessary to consider whether the settlement of Tutbury offers a

suitable location to address the shortfall in terms of the capacity and housing needs of the settlement and the suitability of the site to accommodate development for housing.

4.44 There is a commitment to 13,000 houses in the RSS and subsequent East Staffordshire BC publications over a 20 (or 25) year period commencing 2006. These assume some 80% of these located in Burton with the remainder elsewhere. Accommodating 11,000 houses in Burton against the emerging policy base will be very challenging. Burton is severely constrained by the Trent Flood Zone. A number of strategic sites are emerging but the densities that will be attained in satisfying the green infrastructure and mixed use led strategy are likely to be such that much more land is required than has been anticipated. Potentially there may be an inadequate number of sites in and around Burton to accommodate 11,000 units such that the non Burton area has to accommodate more. Notwithstanding and in recognition of the apportionment the ESBC Settlement Hierarchy assessment was undertaken.

4.45 Tutbury is located within a "rural" housing market sub area where there is an expectation for some growth.

4.46 The Settlement Hierarchy is part of the evidence base to the Local Development Framework and is designed, in part, to establish which are the most sustainable settlements and which could most suitably accommodate housing growth. The Settlement Hierarchy identifies Tutbury as a Category 1 (Strategic Village) settlement which implies it is one of the primary settlements outside of Burton-upon Trent and Uttoxeter capable of accommodating growth. The other Category 1 settlements are Barton under Needwood, Rocester, Rolleston on Dove and Abbots Bromley, and o of these 5 Tutbury and Barton under Needwood score the highest by some margin.

4.47 On this basis it is maintained that Tutbury is one of the best options to satisfy the housing requirement outside of Burton-upon-Trent due to its sustainable location. The settlement is highly accessible, just 5 miles from a main town which constitutes a 30 minute bus journey with services running on a regular basis. Furthermore the existing services and facilities in Tutbury are superior to neighbouring settlements with access to local shops, a post office, healthcare facilities including doctors and dentists and a primary school all located within the settlement (see facilities plan-

Appendix A). Clearly, not only is Tutbury capable of accommodating growth but new residents to the area would also serve to increase patronage and sustain the local services, thus enhancing the vitality and viability of the settlement.

4.48 In addition, consideration should be given to the consequences of failing to locate development in Tutbury. A lack of development is likely to have an adverse affect on the settlement as the choice of housing available will continue to be limited and current pressures in terms of addressing the identified need for affordable houses in Tutbury and the broader sub regional rural housing market area will only be exacerbated. People local to Tutbury, who wish to remain in the settlement, will be forced to move elsewhere in order to find affordable housing. Whilst the need has since been modified discussions with the Council's Housing Strategy Manager indicates a desire for some 31 affordable units on the site. Tutbury forms part of a broader sub Housing Market Area where opportunities for the delivery of affordable housing may be more limited.

4.49 The Settlement Hierarchy provides clear justification for granting planning permission for housing in Tutbury.

d) Suitability of the Site within Tutbury

4.50 Having established the merits of locating development within Tutbury the next consideration is whether the site is suitable to meet that need. The primary consideration in assessing the suitability of the site are the criteria set out in paragraph 69 of PPS3 and the East Staffordshire Borough Council Policy Statement on the release of Greenfield sites.

4.51 Paragraph 69 of PPS3 identifies the key considerations when determining planning applications as: -

- Achieving high quality housing.
- Ensuring the development has a good mix of housing reflecting the accommodation requirements of specific groups, in particular families and older people.
- The suitability of the site for housing including it environmental sustainability.
- Using land effectively and efficiently.

- Ensuring the proposed development is in line with planning for housing objectives, reflecting the need and demand in, and spatial vision for, the area.

To a degree these have been examined earlier in this Statement; however it is worthy of repetition in the context of Tutbury.

4.52 In developing the proposals for the site achieving high quality housing has been a key priority. The application proposals comprise dwellings which will be constructed to outperform statutory minima in terms of building regulation. All dwellings will be constructed to Level 3 of the Code for Sustainable Homes (Subject to SUR 1 criteria - see separate report for precise details). It also includes the provision of 12 self build plots which will serve to provide a bespoke and interesting architectural quality to the site; 5 of these will be built to Code Level 4 (subject to SUR 1 criteria) . This is an opportunity for very special "Aspirational Housing". Throughout the formulation of the design proposals a professional working relationship has been established with the Council's officers and the scheme has evolved resulting in a well designed housing development with a strong sense of place; hence it is maintained that the proposals accord with the policy objective to achieve high quality housing.

4.53 In addition a full "Buildings for Life" assessment has been completed and we are confident that the site can be an exemplar in the Borough and achieve a "Gold Standard". This has been submitted with the planning application.

4.54 Furthermore the mix of housing proposed on the site is responsive to the identified local need in terms of affordable housing provision and also the aspirations of prospective homebuyers. The development provides an excellent mix of properties including bungalows, 2 and 3 bedroom houses and larger 4 and 5 bedroom properties. It is maintained that the mix accommodates a range of prospective occupiers including young people, the elderly, as well as families.

4.55 In terms of the suitability of the site it is well related to the existing settlement and represents a logical extension which is well contained by Burton Road, indeed the site will be viewed as an attractive 'gateway' into the settlement. It is noted that the subject site is located on greenfield land however this should be balanced by the fact that no previously developed sites of other than very limited scale are available

within what is considered to be one of the most sustainable settlements in terms of its location and local facilities.

4.56 In addition the site is considered to be environmentally sustainable as the ecological features of the site will be protected and enhanced with the preservation of existing hedgerows and trees, where possible, with this being supplemented by additional planting and soft landscaping together with a sustainable urban drainage (SUDS) system which will include a wet attenuation pond at the gateway thus creating new habitats and providing a new and attractive landscape feature.

4.57 A thorough Landscape & Visual Impact Appraisal has been undertaken and it concludes that any affects will be very localised and overall impacts are limited by the extensive mitigation.

4.58 It is maintained that the proposals make effective and efficient use of this greenfield land for many of the reasons stated in the above paragraphs. In addition the level of development on the site is considered to be appropriate and in proportion with the size of the existing settlement and the existing character and urban grain of the area. Furthermore the amount of development is considered to be consistent with the housing requirements for areas outside of Burton-upon-Trent. Delivering 224 homes together with the business units also provides an opportunity to utilise more of the site for open space and other community facilities in order to achieve wider community benefits from the release of the site. Hence this is considered to be both an effective and efficient use of the site.

4.59 On the basis of the above assessment it is maintained the development of the site is in accordance with paragraph 69, this is reinforced by the Phase 2 SHLAA assessment of the site which states: -

> **"The site is capable of being developed for residential development. Whilst the majority of residential development will be provided in and around Burton, appropriate sites in village locations, like this one, will need to be considered for housing delivered within the sustainable settlements".**

4.60 Furthermore the May 2010 updated SHLAA identifies only 1 other site in Tutbury and that would only come forward for housing over the next 20-25 years; this being another greenfield site on the south west periphery of Tutbury, east of Redhill Lane. The SHLAA trajectory identifies that site for delivery only in the long term, beyond 2026, whereas the application site is identified as capable of delivery between 2012-2016, the earliest specified time period. From this analysis it is clear that in order to deliver housing in Tutbury the release of some greenfield land is necessary and the application site is the only site deliverable during the Plan Period.

4.61 A development of this scale in Tutbury accords with the general thrust of the Council's planning for housing objectives. It reflects the need and demands of the locality, reflects Tutbury's position in the Settlement Hierarchy and the general spatial vision across the Borough. It is not of a scale such that issuing planning permission in advance of an adopted Core Strategy would undermine wider policy objectives. Neither is it of a scale such that it could be considered to be premature pending adoption of the Core Strategy.

4.62 Overall I conclude that this site is suitable for development. It is adjacent the existing settlement of Tutbury, a Strategic Village, it meets the tests of para 69 of PPS 3 and would not adversely impact on the broader strategic spatial vision for the Borough.

e) Compliance with Draft Greenfield Release SPD

4.63 Given that it is clear that greenfield land will need to be released in order to provide a 5 year supply of housing and that Tutbury should be a key focus for housing growth outside Burton upon Trent and Uttoxeter consideration must be given to the guiding principles within the East Staffordshire Borough Council Policy Statement – 'Greenfield Land Release for New Communities' which states that any future Greenfield development must be: -

- a sustainable community and not simply a housing estate;
- green infrastructure led;
- designed to a high standard;
- energy efficient.

4.64 It is maintained that the proposed development is in accordance with all four of these guiding principles. There will be a range of house types from 2 to 5 bed units together with bungalows and aspirational self build plots. Affordable housing will be provided on the site together with a contribution for off site provision. In addition the application also comprises business units and community facilities ensuring that the scheme has a suitable mix of uses. The scheme also has strong connectivity to the local area with pedestrian routes linking into existing and with the scheme also being designed for bus penetration. On this basis it is maintained that the proposed development will contribute to the creation of a sustainable community and draw existing residents of Tutbury into the site to utilise the facilities provided. A strong sense of place will emerge. Further details are provided in the Design & Access statement.

4.65 Furthermore, it is clear that from the outset the evolution of the design proposals has been green infrastructure led with wedges/corridors of green space providing a spine to the development. The open space on the site includes the provision of SUDS and retains existing hedgerows and trees, where possible, thereby performing a dual function of increasing biodiversity and habitat creation along with providing appropriate recreational space for informal activities such as walking but also the provision of equipped play areas, the football pitch and allotments.

4.66 Indeed the quality of the proposed development in terms of the provision and layout of green infrastructure as well as the built form is reflective of the priority given to high quality design from the outset. The Buildings for Life assessment reiterates the high quality.

4.67 Paragraph 16 of PPS 3 outlines those matters that need to be taken into consideration in assessing design.

a. The site is well located to public transport with regular bus connections to Burton and Uttoxeter. In addition Hatton & Tutbury rail station is only a 5 minute drive away.
b. The scheme provides excellent access to green space across a wide range of activities. Each property has a good size private garden and more generous in virtually all cases.
c. The development relates well to the village. It will have a distinctive style and character that builds on the general vernacular of the wider area.
d. Dwellings will be built to Level 3 (CfSH) or better. A Site Waste Management Plan will be developed.
e. A design led approach has been adopted to reduce the impact of the motor car and give priority to pedestrians and cyclists. We have worked closely with the Council's urban designer to achieve this.
f. There is a sense of place and distinctiveness within this green space led development. Specific house types have been developed to reflect the local vernacular. A strong sense of place will emerge.
g. Existing nature features have been retained where practical. The opens space led development provides numerous opportunities for increased bio-diversity. A Habitat Enhancement & Management Strategy accompanies the application.

We are firmly of the view that the guidelines in para 16 of PPS 3 are met.

4.68 In terms of achieving a high level of energy efficiency the report by Pegasus Environmental**,** which accompanies this application, establishes that local power generation is not a sustainable option given the scale of the proposal. However, it is proposed that energy efficient measures will be incorporated into the construction process in order to achieve significant reductions, over and above the statutory requirements. All properties will be constructed to Level 3 of the Code for Sustainable Homes and 5 of the self build units built to Level 4 (subject to SUR 1 criteria).

4.69 Whilst the proposal is for > 100 dwellings, it is opined that the proposal fully accords with the SPD. Development of the 224 unit site does not require comprehensive infrastructure that requires co-ordination with other sites. The infrastructure is site specific. Furthermore it satisfies all development criteria as outline in the SPD.

f) Affordable Housing Delivery and the delivery of a wide range of dwellings

4.70 The Strategic Housing Market Assessment Conclusions clearly indicate a severe shortage of affordable housing.

4.71 Policy H12 - Affordable Housing of the East Staffordshire BC Local Plan has been "saved" and the recently adopted Housing Choice SPD provides guidance. It proposes that in locations such as Tutbury the level of affordable housing contribution should be 30%. This reflects the lower text attached to saved Policy H12. In this instance this would equate to over 60 units which is considered to be far in excess of the identified need in Tutbury. Whilst it is recognised that some people in need of affordable housing would be prepared to move to Tutbury relocation cannot be the solution for many people in outlying villages who want to remain in their communities. Exception sites need to be brought forward in those settlements. The SPD provides for commuted payments on the Tutbury site which will assist other sites in coming forward.

4.72 The Tutbury Housing Needs Survey identifies a local need for 21 affordable units in the village. Subsequently there has been a Cabinet Decision to reduce this to 3 houses - 1 No 1 or 2 bed; 1 No 2 bed and 1 No 3 bed. Other evidence of need is found in the records of Choice Based Letting and the Housing Register.

4.73 From this we have two competing elements – an identified local need for 3 houses and an SPD/saved Policy requiring 30% provision for the broader sub housing market area. Following further discussion with the Housing Strategy Manager the following on site provision has been agreed:

Type	**No**	**% of Total**
2 bed unit	14	45%
3 bed unit	15	48%
4 bed unit	2	7%
TOTAL	**31**	**100%**

4.74 These will be provide across the following phases:

Type	**Phase 1**	**Phase 2**	**Phase 3**	**Phase 4**	**Total**
2 bed	8	2	0	4	14
3 bed	3	0	5	7	15
4 bed	2	0	0	0	2
	13	2	6	11	31

4.75 In addition a contribution to off site provision will be made and secured by way of a Section 106 Agreement

4.76 In summary, it is maintained that the application site represents an opportunity to deliver the level of affordable housing which otherwise could not be delivered in Tutbury given the absence of brownfield sites and rural (greenfield) exception sites in the SHLAA. Thus the release of this greenfield site has clear benefits with regard to affordable housing provision. Furthermore it is maintained that the 31 on site units will more than satisfy identified local need. Off site funding will assist in other areas within the sub Housing Market Area.

g) Will the development deliver "aspirational" housing?

4.77 The two applications will deliver a high degree of "aspirational" housing. A range of housing is proposed at a relatively low density reflecting the requirement for a green

infrastructure led development. The Full application will deliver some 212 dwellings and over half of these will be 4 and 5 bedroom units.

4.78 The outline application for the 12 self build dwellings will be on plots ranging from 561 sq m to 769 sq m. These are very significant plots and provide an opportunity for innovation and creativity of design. They will be built to high sustainability standards and provide a unique opportunity for self build in the Borough.

4.79 The need for larger housing has been a broad aim of the Borough as it seeks to provide a satisfactory range of housing. The Centrum and other commercial developments in Burton particularly have attracted a wide range of professional and managerial positions but unfortunately these people, and the associated economic spend they bring, is exported to other Boroughs eg Litchfield, where more attractive housing is available. The provision of 4 and 5 bedroom houses will help redress this balance.

4.80 The self build plots will attract a very particular resident who desires the opportunity to build their own house in a sizeable plot. This is a fairly unique opportunity in the Borough and may establish a benchmark for future developments. This innovative initiative will provide a further opportunity for aspirational housing

4.81 The combination of the high end range within the main site and the unique self build opportunity on the self build will provide genuine aspirational housing.

i) Does the development meet housing needs for the elderly?

4.82 Whilst there are no specific care home facilities in the scheme it does provide a dedicated area of bungalows. A number of these will be "affordable" whilst others will be market units. It is envisaged that these will help meet the needs of Tutbury residents who wish to down size but remain in the village.

4.83 In addition the Council is able to invest the commuted sum this in housing for the elderly.

h) Does "additionality" result from the development?

4.84 Notwithstanding the case set out above, which justifies in planning terms why a grant of planning permission is appropriate, it is also important to draw attention to the additional benefits which the proposed development would bring to the settlement of Tutbury.

4.85 Firstly, one of the key attractions of the development is the green infrastructure led approach to the design and layout; this will serve to create attractive neighbourhoods where residents will feel a sense of responsibility and ownership. In addition the range of public open space proposed will also be of benefit to a broad section of the local community with the provision of a football pitch, allotments and equipped children's play area as well as informal areas of open space which incorporate both the existing landscapes features and SUDS. All these features will serve to create an attractive and active new residential community. Open space provision on the site is significantly in excess of the requirement as outlined in the Open Space SPD.

4.86 The provision of additional community facilities will bring wider and long-term benefits to the local area. The application proposals include a community building and a changing rooms, both of which are located in a courtyard arrangement along with the B1 business units. The exact use of the community building is yet to be specified however it is intended that through consultation with the local community the most appropriate use for the building will be identified.

4.87 All dwellings will be constructed to Level 3 of the Code for Sustainable Homes; with five of the self build to Level 4 (subject to SUR 1 criteria). The adopted ESBC Design SPD indicates a desire for Level 3 development but makes it clear that it is not mandatory. We will exceed the desired position.

4.88 In addition it is maintained that the mix of housing will be of benefit to the local community, widening the housing choice for priority groups such as young people, young families and the elderly. Furthermore the self build plots will serve to

strengthen Tutbury's role by offering aspirational housing which will not only enhance the appearance and image of the area but also the new residents will make a monetary contribution to the local economy.

4.89 The scheme also provides an area of bungalows in a short cul de sac. We believe this will respond to the needs of older people who may want to downsize. Three of these units will be affordable.

4.90 Consideration has also been given to ensuring the proposed development is sustainable, the highway network has been designed in order to facilitate bus penetration into the scheme so it can be integrated with the existing public transport network.

4.91 The B1 business units also contribute to increasing the sustainability of the development as this will form a source of employment for local residents within the settlement of Tutbury itself, thus strengthening the rural economy.

4.92 A further benefit which can be derived from the proposed development is the overall ecological enhancement of the site as described in the accompanying management plan. Through the retention of the existing trees and hedgerows (where possible) and the introduction of swales and retention ponds as part of a sustainable urban drainage system (SUDS) it is maintained that new habitats will be created and biodiversity enhanced.

4.93 Jobs will be created at a number of levels:

a. On site construction jobs. Peveril has a policy to employ local labour and contractors where possible.
b. Peveril Homes will purchase construction materials locally wherever possible.
c. The self build plots will create opportunities for local craftsmen, lawyers, architects etc.
d. Jobs in the business units.
e. The maintenance of the open space will be labour intensive and funded by the developer.
f. Operating the community building will create jobs.

j) Delivery

4.94 There are no technical impediments to the delivery of the site. The site is capable of being accessed and drained. A robust comprehensive Transport Assessment, Draft Framework Travel Plan and Flood Risk Assessment have been submitted with the application. These demonstrate that the site can be accessed in a safe manner and in accordance with the requirements of the highway authority. The two main vehicle access points are off Burton Road and such have been designed to encourage bus penetration. Bus stops will be provided on the main access road. There are no unresolved access issues.

4.95 Flood Risk – there are no issues of flood risk.

4.96 There are no protected species on the site that have to be relocated and therefore there is no delay on implementation.

4.97 There are no contamination issues such that there is extensive remediation that would delay delivery.

4.98 It lies within a single ownership with no ransom strips, tenancies or restrictive covenants to delay delivery. The site is available for immediate delivery and we have previously indicated a supply trajectory from the site. This shows the first delivery of housing during 2011-12.

4.99 Peveril Homes is a local house builder with vast experience of delivery both in the Borough and the broader East Midlands region

4.100 Overall, and taking into account advice contained with PS3 and SHLAA practical guidance the site is highly deliverable.

j) Compliance with Ministerial Statements March 2011

4.101 The Rt Hon Greg Clark MP – Minister for Decentralisation issued a Written Statement – Planning for Growth - on 23rd March 2011 in which he announced a "strong presumption in favour of sustainable development".

4.102 He stressed the need for Local Planning Authorities to :
" … (ii) take into account the need to maintain a flexible and responsive supply of land for key sectors, including housing".

4.103 The Chancellor of the Exchequer also issued a statement (Planning for Growth) calling for ambitious proposals to rebuild the economy. A key priority is to promote sustainable economic growth and jobs. He indicated that targets for the proportion of development on brownfield sites, introduced by John Prescott MP, are likely to be removed. He also reiterated the Presumption in Favour of Sustainable Development.

4.104 The Government's intention to abolish the RSS is clear. Notwithstanding Government but still wishes houses to be built. In 2010 only 146,730 new houses were built in the UK. Hugh Harris, the Prime Minister's deputy director of policy, has recently advised that 450,000 homes/year will be set out as a target in the forthcoming "Housing Strategy". Such as figure would exceed the highest number of homes delivered on record – 426,000 in 1968. To achieve this, a "step change" is required.

4.105 The "New Homes Bonus" has been introduced to incentivise Local Authorities to deliver housing. The first round of allocations has been announced. The "Bonus" is based on an average Band D payment of £1,439/dweling for each of 6 years. Hence a 224 dwelling scheme could generate some £1.9m and a further £65,000 affordable payment over 6 years.

Summary

4.106 This section of the Statement has thoroughly examined the main issues against which the application should be assessed. The proposal will deliver an exemplar development in the Borough which will represent a step change in the quality of

development on offer. I believe that there are no reasons to resist the planning application. We are committed to working with the Council and interested parties to ensure the successful delivery of this scheme.

SECTION 5 CONCLUSION

5.1 This planning support statement has assessed the proposal against existing national, regional and local planning policy together with the emerging Local Development Framework evidence base, Supplementary Planning Documents and other material planning considerations such as the 5 year housing supply position. It has concluded that whilst the site is currently countryside it's development overall accords with policy at all levels.

5.2 Tutbury has been identified as a Category 1 Strategic Village in the Council's Settlement Hierarchy where a degree of development is anticipated.

5.3 The proposal is not of a scale that the issue of planning permission would affect the spatial vision for the Borough ahead of the adoption of the Core Strategy. Adoption continues to be delayed and there is a very significant shortage of housing. The proposal accords with the tests outlined in para 69 of PPS 3. The proposal is not premature.

5.4 The Council does not have a 5 year supply of deliverable housing sites; a fact acknowledged in the Annual Monitoring Report 2010. Whilst the Council has sought to rely on a number of sites put forward in the SHLAA it is opined that many of these cannot be relied upon. At best the Borough has a 4 year supply but in all likelihood considerably less. In the absence of a 5 year supply the Council needs to act to deliver the "step change" required by PPS 3. The release of suitable sites such as the application sites at Tutbury will make a valuable contribution to the supply of housing.

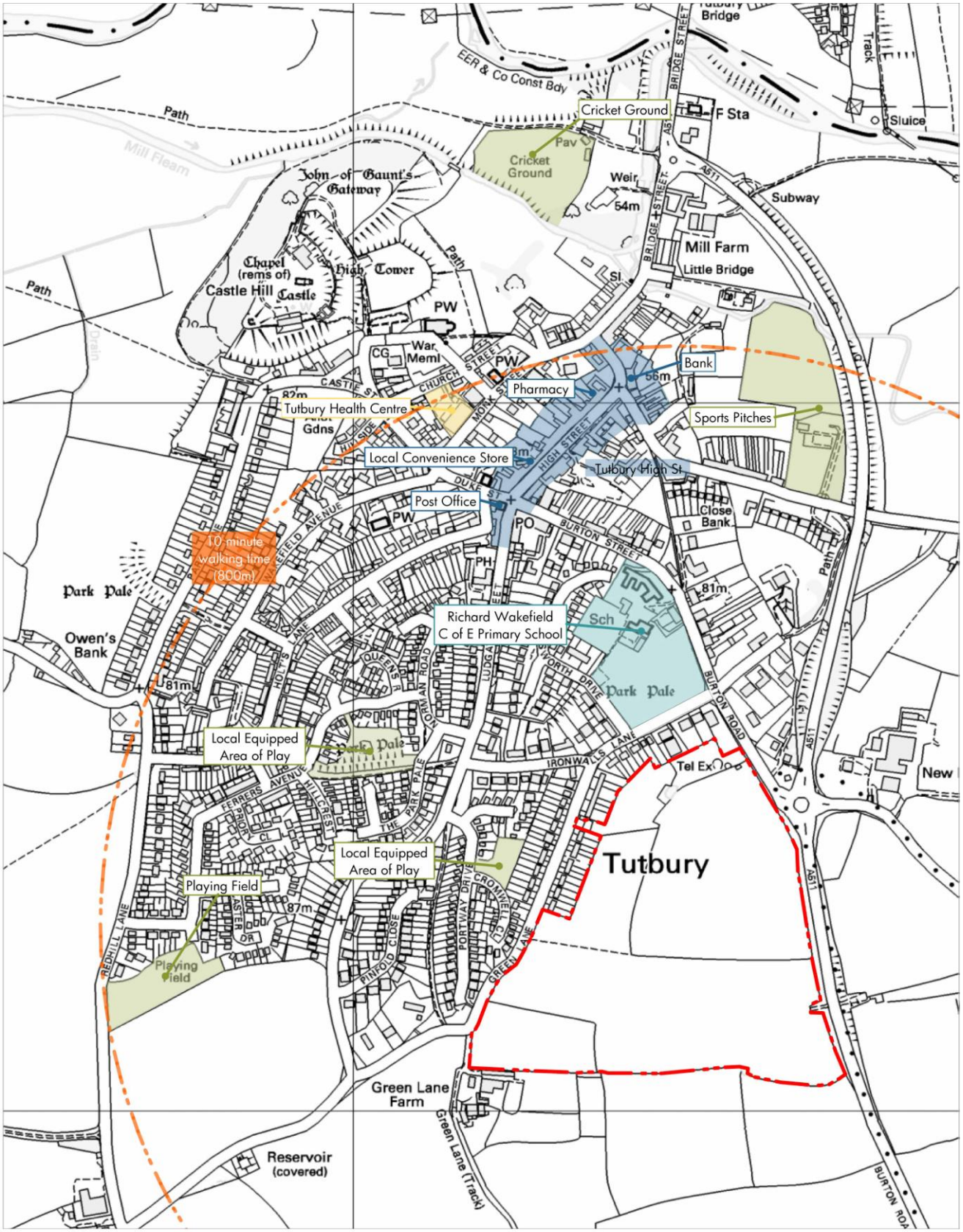
5.5 The proposal will also deliver a high quality scheme that accords with the Council latest principles for greenfield release.

5.6 Affordable housing will be delivered both on the site and off site by way of a financial contribution. There is a shortage of affordable housing in the Borough and this material consideration should be afforded considerable weight in the decision making process.

5.7 There will be no adverse impact on existing residents and there are no technical reasons to prevent delivery of the scheme.

5.8 It is respectfully requested that these applications be approved.

APPENDIX A: Local Facilities Plan



Local Facilities Plan

Proposed Development, Land West of Burton Road, Tutbury

SIGNET PLANNING
VISION | STRATEGY | ACTION

Drawing No: HG1133/01
Scale 1:5000 @ A3
Date: 03/11/10