



East Staffordshire Borough Council  
Local Development Framework

## POLICY STATEMENT GREENFIELD LAND RELEASE FOR NEW COMMUNITIES





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## 1 Context

The Council is preparing a Core Strategy for the Borough which will provide strategic direction for the location of new communities, and policy guidance on how these communities should be developed. East Staffordshire is designated as a Growth Point, and the Panel examining the Regional Spatial Strategy Phase 2 Revision recommended that the Borough accommodate 13000 new homes between 2006 and 2026 in line with this designation. The majority of these homes are to be provided in and around Burton upon Trent. It is also clear that a proportion of this development will need to occur on Greenfield sites.

## Why a policy statement? 2

The Core Strategy is due to be submitted to the Secretary of State in late 2012, with Adoption, following a Hearing, due for 2013. Before Submission the Council will be putting forward Options for general consultation, and listening to the responses to consultation before deciding which Option to formally promote.

In the meantime, planning applications may come forward for greenfield sites and, in order to guide both applicants and Planning Delivery officers in coming to a decision on these applications, a Policy Statement, approved by the Council, is considered to be necessary.

The setting forward of policy positions within this Policy Statement is without prejudice to the formulation and refining of Core Strategy policies, through consultation, Examination and Adoption.

### 3 Guiding principles

The Council has undertaken extensive consultation already, at the Core Strategy's "Issues and Options" stage, to gauge the views of the community on how the Borough should evolve over the next 15-20 years. From this consultation, some strong principles have emerged. These will underpin all the Options that will be included in the emerging Core Strategy, and it is clear that any future greenfield development must conform with these principles. These principles are:

1. *The creation of new sustainable communities, not merely housing estates, with easy access (by means other than the car) to places of work, shops, health, leisure, recreational and cultural facilities, and the provision of services and infrastructure.*
2. *Contribution to substantially benefiting the regeneration of older housing stock in Burton upon Trent and Uttoxeter, particularly in the inner areas, and also where these contributions can help to maintain the stock of affordable housing.*
3. *Green infrastructure-led – that is, a relatively high proportion of the total area is designed from the outset as structural open space running through the area. This open space needs to be designed to perform a number of roles: recreational space; protecting existing natural habitats and creating new ones to increase biodiversity; and providing for Sustainable Drainage Systems (SuDS). Structural open space needs to reflect the landscape character of the surrounding area.*
4. *The design standard of all development is to be of the highest quality. This starts with the creation of a sense of place. Breaking up larger sites with structural open space allows the creation of smaller communities that people will more easily relate to. All buildings need to be designed to a high quality, in accordance with the Council's Design Guide.*
5. *The creation of new communities provides opportunities to ensure that all new developments are sustainable. They should be built to the highest viable energy efficiency standards. Local area-based low or zero carbon energy generation would also be expected, as well as design which allowed resilience to changing climatic conditions.*

More specifically, to ensure sustainable development, the Council will expect that all proposals should:

*(a) be located and designed to minimise energy needs arising from the construction, maintenance and running of the building, through careful siting of buildings to minimise exposure, maximising opportunities for retention of existing buildings, and recycling building materials. Developments should use the appropriate materials, siting, form, orientation and layout of buildings to maximise the benefits of passive solar heating, cooling, lighting and natural ventilation*

*(b) be designed so as to incorporate the best environmental practice and sustainable construction techniques appropriate to the type and size of development, utilising those techniques that minimise the use of non – renewable resources and which maximise the use of recycled and locally sourced materials.*

*(c) incorporate facilities to minimise the use of water and the creation of waste, and which maximise opportunities for recycling.*

*(d) limit any adverse effects on water quality, reduce water consumption and minimise the risk of flooding and promote the use of Sustainable Urban Drainage Schemes*

*(e) include the use of local and sustainable sources of materials, and where appropriate Site Waste Management Plans should be prepared to ensure that at least 25% of the total minerals used derive from recycled and reused content.*

*(f) meet the Code for Sustainable Homes standards as set out at national level. The Council will encourage exemplar developments in the Borough and will encourage and view favourably developments that meet higher levels of the Code for Sustainable Homes standards provided they do not conflict with other policies in the Core Strategy.*

1) The starting point for considering any planning application is that the Council in general seeks the development of brownfield sites before greenfield, in line with government policy.

**If the Council CAN demonstrate a 5 year supply of deliverable housing sites (as required by Planning Policy Statement 3 - Housing) on brownfield land, then:**

2) Greenfield sites for housing will not be permitted, unless there are exceptional circumstances. These circumstances are likely to be either (i) a rural “exception site” for 100% affordable housing, in accordance with Local Plan Policy H13 and PPS3 para. 30; or (ii) a large strategic greenfield site meeting the tests set out in paras 5 and 6(a - j) below and therefore where there are overwhelming reasons to set aside the ‘brownfield first’ principle.

**When the Council CANNOT demonstrate a 5 year supply of deliverable housing sites on brownfield land, for applications for the development of 9 HOUSES OR LESS, then:**

3) The Council will apply a sequential test:

(A) brownfield within a development boundary;

(B) greenfield within a development boundary;

(C) greenfield adjacent to the development boundary, as defined in the adopted Local Plan, capable of

being developed as a natural and well-designed “rounding-off” extension to the existing urban form of Burton or Uttoxeter, or the strategic villages of Barton under Needwood, Rocester, Rolleston, Abbots Bromley or Tutbury, and not creating a prominent urban salient into the countryside and not being obtrusive and highly visible in the landscape. Development adjacent to existing ribbon development (and outside the development boundary), and development in other unsustainable locations, is unlikely to be acceptable. The development of the site should not prejudice the viability or comprehensive planning of a strategic housing site (see paras 5 and 6 (a-j)). The development must conform with the tests in para 6 (a), (c), (d), (e), (h), (i) and (j) below.

Sequentially, (A) is the most preferable, followed by (B). The applicant proposing a site which meets the criterion under (B) must demonstrate that there are no demonstrably deliverable sites meeting the description in (A) above which on their own or in aggregate would yield a similar number of homes as the site proposed. Similarly, if a site is proposed which meets the criteria under (C) the applicant should demonstrate to the Council that (A) and (B) are fully exhausted.

Amenity space, recreation grounds, playing fields, parks, play areas, Sites of Biological Importance and other areas protected by Local Plan or national policies continue to be so protected by these policies, which normally preclude built development entirely or permit it in certain circumstances only.

**The following paragraphs (4) to (6) apply to all applications for more significant greenfield sites (I.E. 10 HOMES OR MORE), IRRESPECTIVE OF WHETHER THE COUNCIL CAN DEMONSTRATE A 5 YEAR SUPPLY OF DELIVERABLE HOUSING OR NOT.**

## 4 Policy Statement

4) When adjacent to Burton or Uttoxeter urban areas, or the strategic villages will need to meet the requirements below and in paras 5 and 6 (as well as all relevant Local Plan policies, Supplementary Planning Documents and national policy guidance). No other types of greenfield development will be permitted, in order to protect the countryside, and to be in conformity with Planning Policy Statement 7 - Sustainable Development in Rural Areas (PPS7). Permission for a large-scale greenfield release within the next 5 years will be exceptional and must show a range of benefits to the community sufficient to outweigh the general presumption against greenfield release when there is deliverable and developable brownfield land in existence (that is, land capable of being developed within the next 5 years and between 6 and 10 years respectively, using the PPS3 definitions).

5) Until further work has been completed on preparing the Core Strategy and the preferred locations for strategic housing areas have been decided, it is unlikely that developments greater than around 50 units will be able to meet the requirement below not to prejudice the proper planning process of allocating strategic sites. This is because they are likely to need major infrastructure provision which will need to be coordinated on a comprehensive basis with that required for the future Core Strategy allocated strategic sites. However, each application will be looked at on its merits, and developments larger than 50 dwellings may be able to meet these criteria depending on their location, proximity to existing high-capacity infrastructure, and phasing.

6) The requirements are:

(a) The applicant must demonstrate that there are no deliverable, sustainable brownfield site or combination of several deliverable, sustainable sites, that can achieve a similar number and mix of dwellings (and on larger sites a mix of land uses - see (g) below) within the same community or district of a town. The applicant must also demonstrate the sustainability of the proposed site in relation to existing facilities, and that there are no deliverable sites that would be able to enjoy greater overall levels of sustainability in terms of access to facilities (public transport, employment, shops, etc) and enhancement of the local natural environment and ecology.

(b) Via a suitable legal agreement, the applicant proposing a site that is an urban extension to Burton or Uttoxeter may, if appropriate, and in line with the Council's Housing Choice SPD, be requested to provide part of the affordable housing requirement on-site, and part as a commuted sum. The latter will be used to help provide affordable housing in areas where there is a significant need, or to regenerate existing stock that can continue to provide a good supply of low cost and affordable housing. It may also be used to assist in bringing forward brownfield sites for affordable housing where there are difficulties in doing so. When the Council has drawn up its Charging Schedule for Community Infrastructure Levy, the contribution for off-site regeneration will form part of the charge made, and will cease to be part of any subsequently signed Section 106 Agreements on affordable housing. With regard to extensions to the strategic villages, the split between on-site provision and commuted sum will be as set out in the Housing Choice SPD. Commuted sums should contribute towards bringing forward affordable housing within that village.

(c) The proposal must not prejudice the bringing forward of other urban extension options. These options are large greenfield sites located to the west and south of Burton, to the west, east and south of Uttoxeter, and around the strategic villages, that are supported by a masterplan produced to contribute to the Council's Core Strategy evidence base, in accordance with the Council's Development Principles document, which has robustly proven its deliverability and compliance with the Guiding Principles and paras 4-6 of this document. The feasibility of other possible sites can be prejudiced in a number of ways, including: inappropriate phasing causing access difficulties to these other sites in the future; infrastructure such as link roads not being planned to connect up to other sites in the future; or infrastructure being planned with capacity only for the proposal, not allowing for the additional capacity required for future development.

(d) The effect on the existing road network must not be unacceptable in capacity and road safety terms, with mitigation measures off-site being installed at the developer's expense. Adequate priority measures for buses and cyclists to access the development from other parts of the town is essential.

(e) There must be proper connectivity with the adjacent urban area, and the new development must relate well to existing built form.

(f) The proposal should be designed so as to accommodate a mix of housing sizes at different price brackets within the overall housing market (see Housing Choice SPD when this is adopted).

(g) The proposal needs to include appropriate provision for: employment land; local shopping; and health, education and community facilities. These should be commensurate with the size of the proposal site, and take into account any existing facilities with sufficient spare capacity to serve the additional population of the site. The existing facilities must be capable of being linked to their new extended catchment by direct routes, and be within easy walking distance. For more strategic facilities such as hospitals or secondary schools/colleges, there should be direct bus links, and good cycling facilities.

(h) The proposal should show sensitivity to the landscape, including the historic landscape, and to nature conservation interests. Proposals that are highly visible from surrounding areas are unlikely to be acceptable, neither are proposals that have an adverse effect on Sites of Biological Importance (SBIs).

(i) The layout and design of built form and of the land about buildings should accord with the Council's Design Guide, and should result in the creation of identifiable communities related to the provision of local facilities. Extensions to the strategic villages should be of an appropriate size so that the character of the village, including its historical heritage, is not undermined and the development does not require substantial new facilities.

(j) Substantially meeting the Guiding Principles at Section 3 above will be regarded as an important positive factor when assessing the merits of any major scheme.

Developers are reminded that the greenfield areas of East Staffordshire contain a number of mineral consultation areas. It is the responsibility of the developer to consult with the Minerals Planning Authority (Staffordshire County Council) to ensure that valuable mineral resources are not sterilised, or their extraction seriously hindered, in accordance with Adopted Minerals Local Plan Policies MLP5 and MPS1 (and the Minerals Core Strategy policies that will eventually supersede them).