

East Staffordshire Local Plan Review

Note of the Housing Round Table Session (RTS) Tuesday 11th and Wednesday 12th January 2005 DOVE ROOM, BURTON TOWN HALL

Participants:-

John Bagshaw	Inspector
Alan Nettey	Planning Officer from the Planning Inspectorate
Graham Machin	East Staffordshire Borough Council (ESBC)
Philip Somerfield	East Staffordshire Borough Council (ESBC)
James Norton	East Staffordshire Borough Council (ESBC)
Geoff Evens	East Staffordshire Borough Council (ESBC)
Jonathan Imber	East Staffordshire Borough Council (ESBC)
David Duckett	East Staffordshire Borough Council (ESBC)
David Green	Pirelli UK Tyres Ltd
Peter Diffey	Burton College and Tatenhill Developments
Carol Muston	House Builders Federation (HBF)
Valerie Burton	The Burton upon Trent Civic Society
Richard Gough	George Wimpey UK Ltd
Richard Wood	Roger Bullivant Ltd
Peter Frampton	JC Bamford Excavators Ltd
Gary Anderson	JC Bamford Excavators Ltd
John Wren	JMW Planning Ltd on behalf of various objectors
Jennifer Walters	Taylor Woodrow Developments Ltd
John Coleman	William Davis Ltd
Hugh Lufton	Staffordshire County Council (SCC)
Richard Moon	JR Wooley (day 1 and the morning section of day 2)
Richard Wooley	JR Wooley (day 1 and the morning section of day 2)
Joan Travis	JR Wooley (day 1 and the morning section of day 2)
Tim Pateman	Fordham Research (observing)
Alice Bolton	Fordham Research (observing)

Although the note is not a verbatim account, it generally follows the sequence of the RTS with summaries of the views expressed. Many of the questions asked by the Inspector are similar to those in the 'ISSUES AND QUESTIONS' paper which was prepared and issued in advance to aid the discussion.

1.0 Inspector's Introduction & Opening Remarks

1.1 **The Inspector** welcomed the participants to the RTS and then outlined the proceedings for the session. He explained that the purpose of the RTS is to seek an updated overview of housing land requirements and sources of housing and housing land supply. He also explained that it is not intended to explore the detailed merits

of particular sites, as such matters will be dealt with separately, however some sites may be referred to in support of general points that are made during the session.

2.0 Housing Requirement

- 2.1 **Taylor Woodrow Developments Ltd** stated that the RPG11 target should be used in place of those of the Structure Plan requirement to determine the Local Plan's housing provision. The RPG11 target is more up to date than the Structure Plan requirement, so the RPG11 target should be used to calculate a target for the Local Plan.
- 2.2 **The Inspector** stated that the use of RPG11's target would reduce the Structure Plan requirement up to 2011.
- 2.3 **George Wimpey UK Ltd** supported the use of RPG11's target, and then highlighted that its base date is different to that of the Structure Plan.
- 2.4 **ESBC** stated that the Structure Plan requirement should be maintained as the basis of the Local Plan's provision because the Borough has followed the Structure Plan's strategy.

3.0 10 year supply of housing land

- 3.1 **The Inspector** raised the issue of whether the Local Plan should make provision for a 10 year supply of housing land from the anticipated date of adoption.
- 3.2 **William Davis Ltd, and Taylor Woodrow Developments Ltd** stressed that in view of National Guidance and a Ministerial Statement by Keith Hill, the Local Plan should make provision for a 10 year supply of housing land from the anticipated date of adoption. **William Davis Ltd** drew attention to a Local Plan Inspector's Report, which followed Keith Hill's statement.
- 3.3 **The Inspector** asked what evidence that Inspector had received on the seemingly key issue of the capacity of Coventry outside the Green Belt.
- 3.4 **George Wimpey UK Ltd** suggested that the policies in the Local Plan should be revised to cover a 10 year period, therefore additional allocations should be included in the Local Plan.
- 3.5 **Roger Bullivant Ltd** indicated that, whilst it would not be feasible to extend the Local Plan at this point in the review process, the review process should show some consideration to the period after the Local Plan.
- 3.6 **ESBC** expressed its opposition to making provision for a 10 year supply of housing land. The Government Office had advised against it. ESBC indicated that it would address the matter during the production of the Borough's LDF and then suggested that

extrapolation of housing requirement post 2011 may not accord with the revised RSS which it did not wish to pre-empt.

- 3.7 In answer to the **Inspector's** question of how he could extend the whole of the Local Plan to 2016, **JC Bamford Excavators Ltd** argued that the Inspector should not extend the Local Plan period; **Pirelli UK Tyres Ltd** agreed and argued instead for flexibility in provision. **George Wimpey UK Ltd** advised the Inspector to frame general policies to cover an extended period.
- 3.8 **SCC** agreed with ESBC's position and added that the new LDF would come in quickly. RSS11 housing requirement figures for the districts should be available before 2008 with some informal figures from RPB beforehand.
- 3.9 **The Inspector** asked participants to indicate whether the Local Plan should be returned to ESBC if it failed to cover a 10 year period from adoption.
- 3.10 None of **the Participants** suggested that the Local Plan should be returned under those circumstances.

4.0 The implications of the RPG11 settlement ranking system

- 4.1 **The Inspector** enquired about how RPG11's reference to 'minima for MUA (Major Urban Areas) and maxima for areas elsewhere' should be regarded in view of the Local Plan's housing provision.
- 4.2 **ESBC** stated that RPG11 has designated Burton-upon-Trent as an 'other large settlement'. ESBC explained that Burton-upon-Trent's designation ranks below 'sub-regional foci' which in turn, ranks below MUA. ESBC stated that it had objected to Burton's original definition as a 'sub-regional foci' but now wanted this status for this part of Staffordshire, although it might not imply any reception of inward migration from the conurbation. If the revised RSS favoured regeneration of Drakelow, such provision would not feature in an LDF for East Staffordshire, although a joint LDF could be produced.
- 4.3 **The Inspector** asked how the RPG ranking could affect the Local Plan.
- 4.4 **Participants** generally agreed that there is no clear indication of how the RPG11 ranking system should influence housing provision in the Borough.

5.0 5 year supply of housing land

- 5.1 **The Inspector** raised the issue of whether the Proposals Map provides a 5 years supply of housing land.
- 5.2 **ESBC** took the position that in view of the number of completions as well as permitted and committed sites outlined in the Local Plan and the residual requirement, the Proposals Map provides sufficient land to meet the 5 years supply of housing land requirement.

- 5.3 **George Wimpey UK Ltd** disagreed with ESBC's position. The Proposals Map should show the first 5 years supply of housing land from the date of adoption. **George Wimpey UK Ltd** also suggested that the Proposals Map could show planning permissions and that there was no problem if the Local Plan met the Structure Plan requirement in whatever way.
- 5.4 **The Inspector** said that the purpose of showing a 5 year supply was to avoid undue reliance on windfalls for which this Local Plan made no allowance.
- 5.5 **William Davis Ltd** said that a major proportion of committed sites were windfall type sites.
- 5.6 **The Inspector** then highlighted William Davis Ltd's concern about sites that have been double counted in the Local Plan.
- 5.7 **ESBC** stated that the double counting of certain sites has been addressed in Pre-Inquiry Change (PIC) 42 and Inquiry Change (IC) 72. ESBC explained that it had double counted 5 sites with a capacity of 211 dwellings. The error had occurred on some sites that were subject to S106 agreements. This changed the residual requirement to 594 dwellings.

6.0 Flexibility allowance

- 6.1 **The Inspector** raised the issue of whether the Local Plan should include a flexibility allowance for permitted and committed sites that are not implemented.
- 6.2 **George Wimpey UK Ltd** stated that the Local Plan should be amended to include a 15% flexibility allowance.
- 6.3 **William Davis Ltd** suggested that the Local Plan should include a 15% flexibility allowance on committed and allocated sites. **Taylor Woodrow Developments Ltd** argued for a 20% flexibility allowance on the latter as they give rise to a greater degree of uncertainty.
- 6.4 **The Inspector** explained that the Inquiry should assess the viability of allocated sites and then asked whether uncertain sites should be excluded from the Local Plan.

7.0 Sites with doubts about their implementation

- 7.1 **The Inspector** enquired about whether there are any doubts about the implementation of any committed sites.
- 7.2 **ESBC** referred to 3 sites. The Old Post Office site (502300) (10 dwellings) had been committed for another use, the site at Shobnall Close (502530) (14 dwellings) had been renewed but not implemented. The site at Greensmiths Mill (502300) (22 dwells) is currently underway, but there were concerns about the amount of dwellings it would yield and whether it had sufficient funding. Further information will be provided in due course.

- 7.3 **The Inspector** enquired about whether there were any other sites that caused concern.
- 7.4 **Williams Davis Ltd** stated that the sites mentioned by ESBC illustrate the need for a flexibility allowance to cover non implementations.
- 7.5 **ESBC** explained that sites with planning permission had been implemented at a rate which exceeded the Structure Plan requirement. ESBC also stated that where appropriate, it would consider the use of Compulsory Purchase Orders (CPO) for sites that were not being implemented; thus a flexibility allowance is unnecessary.
- 7.6 **William Davis Ltd** observed that the high rate of completions reflects the mix of brownfield and greenfield site allocations in the previous Local Plan period, however the large amount of brownfield allocations in the 2nd Deposit Local Plan may be less deliverable.
- 7.7 **Burton College and Tatenhill Developments Ltd** raised doubts about the implementation of the site to the rear of Plasplugs on Wetmore Lane, but **JMW Planning Ltd** said that his clients were keen to proceed; the former Gas Works site also on Wetmore Lane, the Vancouver Drive site, the Winshill & Lynwood Road site in Branston, the Heritage Brewery/ Evershed Way site and the Goat Maltings on Anglesey Road.
- 7.8 **ESBC** stated that the application for the former Gas Works site is subject to an objection about site contamination but it's viable. The Vancouver Drive site and the Winshill & Lynwood Road site are being sold by ESBC to public or private developer/s. All sites mentioned by Burton College and Tatenhill Developments Ltd are viable.
- 7.9 **JC Bamford Excavators Ltd** suggested that the Vancouver Drive site and the Winshill & Lynwood Road site are greenfield sites.
- 7.10 **ESBC** disagreed because the sites comply with PPG3s criteria on classifying previously developed land.
- 7.11 **Burton College and Tatenhill Developments Ltd** suggested that the Heritage Brewery/ Evershed Way site and the Goat Maltings on Anglesey Road had also been double counted by ESBC.
- 7.12 **The Inspector** asked ESBC to provide details of each allocation including site size, assumed dwelling capacity and density.
- 7.13 **ESBC** agreed to forward this information for the Inspector and the Inquiry Library.
- 7.14 **JMW Planning Ltd** asked whether the proposed residential development of the Goat Maltings site is viable if the neighbouring industry activity failed to relocate.
- 7.15 **ESBC** responded that the whole site has been allocated for residential development and that £1.5 million had been invested toward the development of the site. It would be dealt with at a subsequent session.

8.0 Windfall sites

- 8.1 **The Inspector** explained that PPG3 advises against an allowance for future greenfield windfalls, but that all completions should be counted however they arose.
- 8.2 **The participants** agreed.
- 8.3 **ESBC** agreed that the 2nd Deposit Plan Policies H2 and H3 would allow consideration of small windfall sites with less than 10 dwellings. In view of the number of sites identified by the Urban Capacity Study, a reasonable estimate was about 200 dwellings permitted on windfall sites between April 2004 and 2011 (28 dwellings per annum). **The Inspector** pointed out that SCC figures showed that there had been 220 permissions granted on windfall sites in the past 3 years.
- 8.4 **SCC** confirmed the information.
- 8.5 In view of these differences, **The Inspector** asked ESBC to provide information on all windfall sites that had come forward in the adopted Local Plan period.
- 8.6 **ESBC** agreed to do so. ESBC subsequently (Wednesday 12th January 2005) revised its estimate to 310 windfall dwellings on urban sites of 9 or less but later appeared to revert to 200 dwellings.
- 8.7 **William Davis Ltd** pointed out that the Residential Land Availability Survey shows 98 windfall dpa and suggested a windfall forecast of 685 dwellings. William Davis Ltd also queried why Policy H2 in the 2nd Deposit version of the Plan would not permit windfall sites between 0.3 and 0.5 hectares (10 or more dwellings).
- 8.8 **The Inspector** asked ESBC to explain how it would determine whether a site of say 0.35 hectares (over 10 dwellings) would cause harm when a site of 0.3 hectares (9 dwellings) did not.
- 8.9 **ESBC** argued that a failure to rule out the larger sites would undermine the Structure Plan requirement and that the threshold was necessary.
- 8.10 **The Inspector** enquired about whether development of smaller sites would not cumulatively undermine the Structure Plan requirement. He asked whether the only harm that ESBC could identify in Policy H2 was the undermining of the Structure Plan requirement.
- 8.11 **ESBC** confirmed this was so.
- 8.12 **JMW Planning Ltd, Burton College and Tatenhill Developments Ltd** stressed that the Policy would deter the reuse/conversions of large existing buildings.
- 8.13 **ESBC** agreed that this could present a dilemma.

- 8.14 **The House Builders Federation** argued that the Local Plan is wrong to prevent regeneration of brownfield sites for housing, whilst enabling employment developments on greenfield sites.
- 8.15 **The Inspector** asked whether in view of this, there was a case for using larger brownfield sites for employment instead of housing. He enquired about what criteria existed for choosing between brownfield sites. Subsequently, **Roger Bullivant Ltd** agreed to suggest some when it maintained that the Balance Street site should be assessed alongside other sites.
- 8.16 **The Burton upon Trent Civic Society** asked if the 2nd Deposit version of the Plan contained a reference to ESBC's windfall estimate. The Civic Society also suggested that Policy H2 should allow windfall developments of any size until a predetermined total has been reached, as opposed to the existing 9 dwellings or less threshold.
- 8.17 **ESBC** replied that its windfall estimate is not in the 2nd Deposit version of the Plan, but it's covered in paragraph 10 of its Position Statement.

9.0 Housing Allocations

- 9.1 **The Inspector** asked whether potential changes to PPG6, might alter ESBC's approach to the Tesco store expansion in Uttoxeter. He requested the committee report on the planning application before Friday's RTS. He also requested that all future documents put in by ESBC should have a CD number.
- 9.2 **ESBC** agreed to do so.
- 9.3 **Taylor Woodrow Developments Ltd** explained its submitted table of Housing Requirements using the RSS11 figures and a 2004 base.
- 9.4 **SCC** said that it could not support this approach and advised that developers in other Staffordshire districts were pressing local planning authorities to stay with Structure Plan requirement, as they gave a higher requirement there. SCC commented that RPG11 had simply changed its name to RSS11 and that the maxima and minima in Policy CF3 had been introduced after the EIP.
- 9.5 **The Inspector** turning to the Table of Housing Allocations and asked Taylor Woodrow Developments Ltd to outline its concerns about the Cattle Market site, Uttoxeter.
- 9.6 **Taylor Woodrow Developments Ltd** expressed concerns about ESBC's measurement of the site, the sites relationship with the Maltings car park site, site density and capacity and the balance of uses (retail and residential) that would be appropriate on the site. It would continue to negotiate with ESBC in order to resolve their minor differences.
- 9.7 **The Inspector** enquired about the proposal for a major food store on the Cattle Market site.

- 9.8 **ESBC** explained that the proposal for a major food store on the site had now lapsed and was no longer to be pursued, although subsequently some interest had been shown by a major operator. ESBC were now contemplating about 25,000sq.ft. of retail floorspace.
- 9.9 **ESBC and Taylor Woodrow Developments Ltd** agreed to forward the finalised proposals for the site and the adjacent Maltings car park site, to the Inspector.
- 9.10 **Taylor Woodrow Developments Ltd** explained that given the location and context of the site, the site should be developed to provide 200 dwellings on 2.28 hectares.
- 9.11 **The Inspector** noted that ESBC had proposed 140 dwellings on the site and then enquired about the difference.
- 9.12 **ESBC** indicated that the 140 was not a limit and a higher figure might be acceptable.
- 9.13 **The Inspector** enquired about whether the JCB site at Balance Street is 5 hectares as stated by ESBC (East Staffordshire Local Plan Review - Housing Allocations) or 4 hectares as indicated by JC Bamford Excavators Ltd.
- 9.14 **JC Bamford Excavators Ltd** said that the site is 4 hectares and referred to the Uttoxeter Master Plan.
- 9.15 **ESBC** explained that it had no additional information to clarify the matter, but it would investigate the matter and report back.
- 9.16 **The Inspector** explained that he had noticed a significant degree of industrial activity in the eastern part of the JCB's complex east of Pinford Street. He enquired about the future of these works in view of the PIC proposed housing to the west of Pinfold Street and questioned the notation on the Proposals Map.
- 9.17 **JC Bamford Excavators Ltd** indicated that it would inform the Inspector about the site's status in due course.
- 9.18 **ESBC** suggested that Inset 15 illustrates the status of the JCB site and that UMAA 2 on page 29 of the 2nd Deposit version of the Plan covered the proposals for the site.
- 9.19 However, it became evident that Inset 15 illustrates the site as being in a flood risk area, without the proposed residential designation and that UMAA 2 on page 29 of the 2nd Deposit version of the Plan made reference to how developing the site could contribute to the aims of the Uttoxeter Master Plan.
- 9.20 **The Inspector** asked how the 2nd Deposit version of the Plan showed proposals for the site and which policies in the Plan detailed proposals for the site.
- 9.21 **ESBC** explained that the 2nd Deposit version of the Plan does not appropriately outline the proposals for the JCB site.
- 9.22 **The Inspector** asked whether proposals for the JCB site in the Local Plan were sufficiently clear, whether this created difficulties

for the reader, particularly the public and whether this complied with the guidance in PPG12.

- 9.23 These concerns were endorsed by an audience member who had made an objection to the PIC site allocation (Janet Hodson).
- 9.24 **The Inspector** enquired about whether there are any proposals for the works to the east of Pinfold Street and the adjacent land.
- 9.25 **ESBC** responded that there are no proposals for this site in the 2nd Deposit version of the Plan.
- 9.26 **The Inspector** asked whether ESBC wished to consider the status of UMAA 1 and UMAA 2 and their implementation in an appeal.
- 9.27 **JC Bamford Excavators Ltd** informed the Inspector that it would forward a development brief for the whole of the JCB complex in due course both to the west and east of Pinfold Street. The brief would outline the site as a mainly residential mixed use development with the residential units in the west of the site and other uses in the east of the site.
- 9.28 **The Inspector** enquired about whether there had been any objections to the proposals on those sites.
- 9.29 **ESBC** confirmed that there had been.

10.0 Site Density

- 10.1 **The Inspector** highlighted the argument put forward by Taylor Woodrow Developments Ltd for an increased density of 88dph (dwellings per hectare) for the Cattle Market site on the basis of its central location. In the light of this and Government advice he enquired about ESBC's reasons for suggesting a density of 30dph for this edge of town centre area.
- 10.2 **JC Bamford Excavators Ltd** stated that ESBC's suggested density of 30dph is unacceptable and that a density of 45dph would be more appropriate. A density and development similar to that on the Cattle Market might not fit the market and may not attract a developer.

11.0 Distribution of housing provision

- 11.1 **The Inspector** enquired about the balance of housing provision between Burton and Uttoxeter.
- 11.2 **ESBC** stated that it did not have that information available.
- 11.3 **The Burton upon Trent Civic Society** suggested that the balance in housing provision had shifted away from Burton and that this had been led by developers rather than ESBC's initiative.
- 11.4 **The Inspector** asked whether ESBC's approach to the distribution of housing provision as highlighted in paragraphs 11.4 of the Housing Topic Paper and paragraph 19 of its Position Statement is appropriate. He questioned whether it is logical for Uttoxeter to get

more housing because the Uttoxeter Master Plan (UMAA) exercise was more advanced than the Inner Burton Housing Initiative (IBHI) and before the potential of Burton was known.

- 11.5 **The Burton upon Trent Civic Society** argued that the IBHI is a study about the regeneration of the existing housing stock.
- 11.6 **The Inspector** however drew attention to ESBC's Position Statement which suggests that the IBHI 'could also throw up a number of opportunity sites in the way the UMAA has'.
- 11.7 **ESBC** explained that this reference should not have been included in its Position Statement, but it expressed confidence in new housing opportunities being identified by the IBHI.
- 11.8 **The Inspector** then enquired whether ESBC had undertaken a rigorous urban capacity study for Burton.
- 11.9 **ESBC** stated that the Urban Capacity Study is its definitive study for Burton and the area as a whole.
- 11.10 **SCC** stated that it had not made any comments about the distribution of housing provision between Burton and Uttoxeter, however it had objected to the greenfield housing site to the west of Uttoxeter. Uttoxeter is recognised as a market town in RSS11, in addition it serves the wider needs of a rural area and it has more relationship with Stoke-on-Trent, which created some housing demands. Statistics from the Office of National Statistics state that 4.1% of migrants to Uttoxeter originated from Stoke-on-Trent whilst only 0.1% of migrants to Burton originated from Stoke-on-Trent. SCC gave figures for inward and outward commuting for Burton and then suggested it's a relatively self contained town.
- 11.11 **Burton College and Tatenhill Developments Ltd** commented that the majority of housing should be in Burton, because it is the area of greatest demand. Excessive housing in Uttoxeter would benefit Stoke.
- 11.12 **ESBC** stated that in terms of current commitments, Burton has allocations for 1405 dwellings, whilst Uttoxeter has allocations for 1403 dwellings.
- 11.13 **The Inspector** highlighted paragraphs 21 and 22 of ESBC's Position Statement which suggests that the basis for selecting those villages (Policy CSP2 of the 2nd Deposit version of the Plan) with retained development boundaries and within which infilling development can take place. These factors were the range of facilities and services that are available but pointed out that these facilities and services were also present in other villages that have not been selected. This raised questions of principles, methodology and consistency.
- 11.14 **JR Woolley** enquired about how the village envelopes have been determined and why some developments are outside village boundaries. JR Wooley also expressed concern about the lack of affordable housing for the young and the elderly in villages.

- 11.15 **ESBC** explained that village boundaries were tightly drawn around the continuous built up core of villages and that, where appropriate, the boundaries excluded developments that are separated from the continuous built up core by undeveloped areas. ESBC would allow infilling development within the core.
- 11.16 **JR Wooley** enquired about whether the reference to the built up core includes churches and post offices.
- 11.17 **ESBC** explained that boundaries had been redrawn in order to exclude greenfield areas. Rural affordable housing exclusion sites could be permitted by Policy H13 in the Local Plan.
- 11.18 **JR Wooley** asked ESBC if it had conducted a housing needs survey for Marchington.
- 11.19 **ESBC** said no, but one could be conducted in future.
- 11.20 **JR Wooley** enquired about the weight given by the Local Plan to proposals for developments of high architectural merit and to green developments.
- 11.21 **ESBC** stated that Local Plan policies favour such initiatives in development proposals. ESBC also endorse Village Design Schemes.
- 11.22 **The Burton upon Trent Civic Society** commented that RPG11 and the Regional Assembly support's developments with green initiatives.
- 11.23 **JR Wooley** suggested that the Local Plan should provide increased coverage of such issues.
- 11.24 **ESBC** stated that its Ethical Policy Scrutiny Panel are examining the issue.
- 11.25 **The Burton upon Trent Civic Society** drew attention to infill in and around villages and then enquired about whether Policies H1 and H2 in the 2nd Deposit version of the Plan take priority over the need for infill in villages.
- 11.26 **ESBC** explained that Policy H2 applies to urban sites only, whilst Policy H3 applies to urban and rural sites.
- 11.27 **The Inspector** enquired about whether the 2nd Deposit version of the Plan had a policy for development within village boundaries.
- 11.28 **ESBC** stated that the 2nd Deposit version of the Plan does not have a specific policy for development within village boundaries, however, Policy H3 would partially address development proposals within village boundaries.
- 11.29 **William Davis Ltd** stated that in theory Policy H3 allows development in villages, but in practice village boundaries have been drawn so tightly that very few residential developments will be provided. William Davis Ltd highlighted paragraph 5.41 of the Housing Needs Survey which indicates that during the Local Plan period only 20 new dwellings will come from villages.

- 11.30 At this point ESBC explained that there were errors in the table entitled: East Staffordshire Local Plan Review – Housing Allocations. Subsequently, ESBC distributed a new version of the table entitled: East Staffordshire Local Plan Review – Housing Allocations – Revised Version. In the revised version of the table, the area measurement of the JCB site had been amended to read '4' hectares as opposed to '5' hectares in the previous version.
- 11.31 **ESBC** then revised its earlier response and said that Policy NE6 on page 43 of the 2nd Deposit version of the Plan applies to development within village boundaries and that it complements Policy H3.
- 11.32 **JMW Planning Ltd** disagreed with ESBC and suggested that Policy NE6 is for the protection open areas within settlement boundaries, not a development policy such as Policies CPS1 and CPS2 on page 21.
- 11.33 **ESBC** explained that within development boundaries, development proposals would be considered under Policy NE6.
- 11.34 **The Inspector** asked whether confusion arises about the purpose of Policy NE6, **ESBC** said that it would clarify its intent.
- 11.35 **ESBC** said that generally it would allow applications up to 10 dwellings within village development boundaries, subject to environmental considerations. This is supported by Structure Plan Policy H9.
- 11.36 **JMW Planning Ltd** suggested that ESBC's approach should be clearly outlined in the Local Plan, as opposed to the existing fragmented approach.
- 11.37 **SCC** commented that the Local Plan should not repeat the contents of the Structure Plan.
- 11.38 **The Inspector** advised that in this case the Local Plan should refer to these other Documents.
- 11.39 **William Davis Ltd** expressed concern about the practicality of the Local Plan's policies on development in rural areas.
- 11.40 **ESBC** would consider improving the clarity of the Local Plan in terms of policy for development in rural areas. ESBC would also produce a briefing which provides a better explanation of its approach.
- 11.41 **SCC** stated that the Local Plan's rural development policies are less restrictive than policies for development in urban areas and that this is contrary to national and strategic guidance. SCC also suggested that the idea of allowing some development in order to support local facilities and services is flawed, because experience showed that very large developments are required to make any difference in the support for local facilities and services; a bit of infill development will be insignificant.

- 11.42 **The Inspector** asked whether there was concern over ESBC's approach to selecting villages with a retained development boundary.
- 11.43 **JMW Planning Ltd** suggested that the Local Plan and its background documents lacked explanation, reasoning and consistency of methodology to explain how such villages were selected.
- 11.44 **Burton College and Tatenhill Developments Ltd** suggested that ESBC's approach to selecting villages with retained development boundaries lacked logic.
- 11.45 **The Inspector** referred to paragraph 5.41 of the Housing Needs Survey (which indicates that during the Local Plan period, 20 residential developments will come from villages) and then enquired how this level of development would 'trigger new services' and regeneration (as suggested in paragraph 21 of ESBC's Position Statement).
- 11.46 **ESBC** said that there were factors other than those written down in the village selection process such as village form.
- 11.47 **Burton College and Tatenhill Developments Ltd** commented that the village selection process should be based on a robust investigation.
- 11.48 **JMW Planning Ltd** argued that the Local Plan should be amended to include more market and affordable housing in villages.
- 11.49 **Burton College and Tatenhill Developments Ltd** argued that the Local Plan has effectively directed all rural growth to Uttoxeter. They suggested that the villages in the southern and eastern sections of the Borough have better links with Burton so growth in those villages will not be met in Uttoxeter. They emphasised their point by highlighting that paragraphs 11.4 and 11.5 of CD/A27 (the Housing Topic Paper) makes reference to Uttoxeter meeting rural needs, but no references are made to Burton meeting rural needs. They also commented that the greatest demand for housing is within the Burton area, however the demand is not being met by the Local Plan.
- 11.50 **JC Bamford Excavators Ltd** commented that the Local Plan's use of the UMAA is consistent with the guidance in RSS11. The UMAA assists the Local Plan to identify regeneration opportunities in Uttoxeter.
- 11.51 **Burton College and Tatenhill Developments Ltd** argued that housing provision seems to be focused along the A38 and that this would not meet the needs of the parts of the Borough where the greatest demand exists.
- 11.52 **The Inspector** asked ESBC and SCC to clarify the data in Table 7.B of document CD/B9 (Staffordshire Residential Land Availability Survey 2004 - Extract from draft). He also asked them to provide appropriate explanations for the columns in the Table.
- 11.53 **ESBC and SCC** agreed to do so.

- 11.54 **William Davis Ltd** suggested that, if the dip in the average annual rate of completions since 2001 continues, the Local Plan will be 200 dwellings short of the Structure Plan requirement, so it may be more appropriate for the Local Plan to adopt RPG11's housing target.
- 11.55 **ESBC** argued that the Structure Plan target should be met before it's disregarded.
- 11.56 **The Inspector** enquired whether ESBC would look to monitor and bring forward rejected brownfield sites if the Structure Plan requirement is not being met.
- 11.57 **ESBC** explained that Policy H2 of the 2nd Deposit version of the Plan is a moratorium on sites with a capacity of 10 or more dwellings coming forward for housing once the Structure Plan requirement has been met, and it could not say whether the trigger should operate now or at some future stage. ESBC subsequently said that it should bite now as there was already a danger. ESBC were also of the opinion that, if required, it could quickly stimulate renewed applications on brownfield sites if necessary to meet the Structure Plan requirement.
- 11.58 **JMW Planning Ltd** asked ESBC to explain what is meant by "strategic employment potential" in Policy H2 of the 2nd Deposit version of the Plan.
- 11.59 **ESBC** informed JMW Planning Ltd that it would consult its Economic Regeneration Department for an appropriate response. In the interim, ESBC suggested that 'strategic' can be regarded as being 'major'. Subsequently, ESBC stated it would be acceptable for the Inspector to recommend that the word 'strategic' is replaced with 'major'.

12.0 Phasing

- 12.1 **The Inspector** enquired about whether there was a need for a phasing mechanism in the Local Plan.
- 12.2 **ESBC** maintained its stance against the inclusion of a phasing mechanism in the Local Plan but if one was felt to be appropriate it would adopt the approach outlined in paragraph 17 of its Position Statement.

13.0 Housing Provision

- 13.1 **The Inspector** drew attention to paragraph 9 of the Local Plan's Housing Policies and Proposals section (page 83) and enquired whether there had been any changes in these factors which had led to the previous deferment of housing on the Balance Street site and asked ESBC whether the allocation of the JCB site on Balance Street is contrary to paragraph 9 of the 2nd Deposit version of the Plan's Housing Policies and Proposals section (page 83).

- 13.2 **ESBC** confirmed that these factors had not changed and agreed that the allocation of the Balance Street site goes against all that is said in the first part of para 9 (page 83).
- 13.3 **The Inspector** asked ESBC if it still opposed the provision of 10 years supply of housing land from the date of adoption.
- 13.4 **ESBC** confirmed this but said that housing needs would continue after the Local Plan period.

14.0 Affordable housing

- 14.1 **The Inspector** asked ESBC if it maintain the view that there is a significant need for affordable housing in the Borough, in view of the research by Fordham which suggest that there is a surplus.
- 14.2 **ESBC** stated that the matter is still being debated, however it maintain the position.
- 14.3 **The Inspector** turned to paragraph 16 of ESBC's Housing RTS Position Statement and asked if the 250 homes being reoccupied were included in ESBC's housing provision figures.
- 14.4 **ESBC** said no.
- 14.5 **The Inspector** asked if they were homes that will be provided before 2011.
- 14.6 **ESBC** said yes. ESBC explained that the 250 homes would be available to meet the Structure Plan requirement but that it would prefer them to be excluded from the housing provision figures.
- 14.7 **The Inspector** enquired about how long the homes had been empty.
- 14.8 **ESBC** replied that the homes had been empty for between 10 and 15 years. ESBC also asked SCC if empty homes that are brought back into use can be used to meet the Structure Plan housing requirement.
- 14.9 **SCC** stated that if they had been empty before 1996, they should contribute to meeting the Structure Plan requirement.
- 14.10 **ESBC** explained that some of the homes had been empty prior to 1996 and others after 1996.
- 14.11 **The Inspector** asked if ESBC could provide additional information about the empty homes.
- 14.12 **ESBC** agreed to.

15.0 Design Issues

- 15.1 **The Inspector** enquired about what should be derived from the Decision Letter (Council's doc reference: ESBC/HRTS/2).
- 15.2 **ESBC** explained that paragraph 9 of the Decision Letter encouraged them to cover density issues within the Local Plan's design policies.

- 15.3 **The Inspector** asked if a Decision Letter applying to one site should be used to form policies which cover the whole Borough.
- 15.4 **ESBC** explained that the Decision Letter had been used to reflect the Council's point of view.
- 15.5 **The Buton on Trent Civic Society** expressed satisfaction with the Decision Letter because it supported its view that design considerations are equal to those relating to density.
- 15.6 **The Inspector** indicated that Government Policy Guidance is that both good design and appropriate densities should be achievable and that it should not be necessary to trade/weight one against the other.
- 15.7 **Burton College and Tatenhill Developments Ltd** asked the Inspector to ensure that the Report highlights whether it defers to the Structure Plan or the RPG when there are conflicts.
- 15.8 **The Inspector** asked if there were any other issues and then thanked the participants for their contribution and closed the Round Table Session.

Allan Nettey

26 January 2005