

PREFACE

1. In March 1991 the Secretary of State for the Environment approved the Staffordshire Structure Plan. This sets out County wide planning policies and the development targets to be met in East Staffordshire during 1986 to 2001. It is the responsibility of this Borough Council to produce a Local Plan with detailed policies and land-use allocations to meet the needs and aspirations of the local community.
2. Extensive public consultation has taken place over the policies and sites included in this Local Plan and sites that have not been included. All views received were taken into account before the Full Council of East Staffordshire resolved on 7th December 1992 that the draft Local Plan be sent to Staffordshire County Council for confirmation that it accorded with the Structure Plan, and that it be placed on Deposit to enable further consultations to take place.
3. The Plan was placed on formal deposit from 22nd March to 4th May 1993 and a series of representations were duly made by consultees, the public and landowners/developers to various aspects of the Plan. The Borough Council recommended amendments to the Plan to incorporate some of these representations during the Local Plan Inquiry which was held between 1st November 1994 and 17th February 1995 in a document referred to as the 'Red Book'.
4. In addition, further amendments to the Plan in the form of the 'Blue Book' were submitted by the Borough Council during the course of the Inquiry. This document represented all the proposed changes which were recommended to the Inspector for incorporation into the Local Plan. His formal report was received in September 1995, was considered by the Council on 6th June 1996, when it was resolved that the Deposit version of the Plan be modified.
5. The modifications approved by the Council were made available for representations or objections from 24th June to 5th August 1996. The representations received were considered by the Council on 9th January 1997.
6. In responding to these representations and the Direction of the Secretary of State under section 43(4) of the Town and Country Planning Act 1990 to exclude the allocation of the Spath employment site, further alterations were proposed which were placed on 'deposit' from 5th January 1999 to 15th February 1999.
7. The representations were considered by the Planning & Transportation Committee on 11th March 1999. The committee resolved that no further changes were needed.
8. Subsequently, at that same meeting the committee resolved on behalf of the Council to adopt the Local Plan.

CONTENTS

	Page
Preface	1
Contents	3
Introduction	5
Environment	7
National Forest	24
Employment	29
Housing	43
Shopping and Town Centres	61
Transportation	68
Leisure and Community Facilities	82
Implementation, Monitoring and Review	91
Appendices	93
Index	

Inset Plans for the following areas are included within the hard copy of the document, but are not reproduced electronically (See page 93):

Anslow	No.5	Mayfield	No.19
Bramshall	No.7	Newborough	No.21
Bramshall Camp	No.8	Rangemore	No.22
Church Leigh	No.9	Stanton	No.25
Draycott in the Clay	No.11	Stramshall	No.26
Ellastone	No.12	Stubwood	No.27
Fauld Camp	No.13	Tatenhill	No.28
Hanbury	No.14	Withington	No.31
Kingstone	No.15	Wootton	No.32
Lower Leigh	No.16	Yoxall	No.33
Marchington	No.17		
Marchington Camp	No.18		

Plans for the remaining areas are presented separately:

Borough Plan	No.1 NW	Denstone	No.10
Proposals Map	No.1 SE	Needwood	No.20
		Rocester	No.23
Burton and District	No.2	Rolleston	No.24
Burton Town Centre	No.3	Tutbury	No.29
Abbots Bromley	No.4	Uttoxeter	No.30
Barton under Needwood	No.6		

INTRODUCTION

1. East Staffordshire is an exceptionally attractive area in which to live and work. The Borough has a rich natural and historic heritage, with beautiful countryside and historic towns and villages. However, the very attractiveness of the Borough makes it also vulnerable to strong pressures for development. If new development is not carefully controlled, it could easily destroy the very features which attracted people and firms to the Borough in the first place and will do in the future.
2. The Borough Council is committed to protecting and enhancing the heritage of East Staffordshire whilst allowing development to take place in order to maintain and strengthen the local economy. The proposals within the East Staffordshire Local Plan achieve a balance between the pressures for development and the increasingly strong local support for strict limitations on the amount of new development which can take place. Development on a significant scale is proposed in some areas, but elsewhere policies of containment and positive policies for the enhancement of the countryside are included.
3. The Borough Council has produced one Local Plan for the whole of East Staffordshire for 1986-2001, to ensure that the economic potential of the area is maximised, whilst the characteristics that have made this an attractive place to live and work are retained. The Local Plan will:-
 - (1) develop the policies and general proposals of the Structure Plan 1986-2001 adopted by the Secretary of State for the Environment in March 1991, and relate them to precise areas of land;
 - (2) provide a detailed basis for development control;
 - (3) provide a basis for co-ordinating and directing development and other use of land, both in this Structure Plan period, and beyond it;
 - (4) bring environmental and ecological issues before the public;
 - (5) ensure that development and growth are sustainable, so that future generations are not denied the best of today's environment;
 - (6) help manage the demand for, and improve efficiency in the use of finite, non renewable, or natural resources, such as land, energy and water.
4. The Local Plan will guide investment in the Borough up to 2001 by:-
 - * assisting in meeting the major residential and industrial needs by identifying areas of land for development. Industrial requirements will be concentrated on the principle transport corridors, particularly where attractive, visible sites can be provided to attract inward investment to the Region. Housing allocations will ensure that Burton and Uttoxeter have a range of serviced sites to meet all types of accommodation and tenure;

- * providing for the growth of retail and commercial facilities and the leisure time activities of residents and visitors;
 - * allocating sites for development which will help to reduce growth in the length and number of motorised journeys, which will help encourage alternative means of travel which have less environmental impact, and hence will reduce reliance on the private car;
 - * conserving and enhancing the environment of the Borough, including features of architectural and historic interest, through the application of restraint policies over much of the Borough, and the clear definition of countryside that will remain protected from development;
 - * identifying infrastructure needs and responsibility for providing them, so that projects proceed in accordance with the plan.
5. There are employment land commitments and allocations within the Plan which are phased to extend beyond 2001. A commitment is also necessary by virtue of Structure Plan Policy 7, to ensure that certain employment sites secure adequate servicing arrangements to enable their potential expansion if necessary. It is the Borough Council's belief that this longer term vision of the area's future is necessary now, as a guide to investors and residents for the high quality of life the Council wishes to promote. As the Plan period ends in 2001, the Borough Council intends to review the Plan at an early date. The adoption of the Local Plan is a further step towards a fully comprehensive land use plan for the Borough, comprising also Regional Guidance for the West Midlands, the Staffordshire Structure Plan 1986-2001, the Staffordshire Aggregates Local Plan, this Local Plan, and the Minerals and Waste Local Plans currently being prepared by the County Council.
6. Approval of the Staffordshire Structure Plan 1986-2001 on 13th March 1991 now allows the Local Plan to proceed on the basis of the policies and proposals in it. The Plan has been prepared under the provisions of the Town and Country Planning Acts and the Town and Country Planning (Structure and Local Plans) Regulations, Government Circulars and Planning Policy Guidance Notes.
7. The Plan consists of two parts:
- * this Written Statement which contains the policies and proposals plus appendices;
 - * a Proposals Map plus a series of insets for parts of the Borough, showing the locations of proposals, policy areas and also significant commitments made during the Plan period but not yet implemented.
8. It should be noted that where any policy refers to specific considerations being taken into account in assessing whether a proposal meets the aims of that policy, this will not preclude the taking into account of other material considerations which are not specifically mentioned in that policy.

ENVIRONMENT

INTRODUCTION

1. The East Staffordshire Local Plan has a key role to play in achieving an appropriate balance between conservation and development. East Staffordshire has an essentially rural character with a varied countryside, from the Weaver Hills the northernmost part to the ancient woodlands of Bagots Wood and Needwood. This is a valuable asset for leisure, nature conservation, education and tourism and should be protected. It is also necessary to restore and enhance ecologically impoverished areas and to upgrade the quality of the environment through proper management of the countryside. The aim in the rural areas is to maintain an attractive, diverse, high quality, accessible, thriving and environmentally healthy countryside. Equally in the urban areas of Burton and Uttoxeter, the aim is to enhance existing areas, and provide new areas of landscaping.
2. The policies and proposals of this section of the plan present the environmental considerations which the Council will take account of in making decisions. The value of a rich, diverse, healthy environment in both urban and rural areas is considerable and contributes to the identity of East Staffordshire.

THE NATURAL ENVIRONMENT

3. The following policies address the relationship between the built and natural environment, and they should also be read in conjunction with other subject policies within the Local Plan. They aim to improve the environment in all areas of the Borough, protecting the best of the area's heritage of buildings and countryside and ensure that when new development takes place it will enhance the area.
4. Policies below also reflect the Secretary of State's comments on his modifications to the Structure Plan which deleted a special restraint policy. He stated that the normal countryside policies had been, and should continue to be, sufficient to restrain development ... (and) wishes to stress that this deletion did not imply that the areas in question do not merit full protection from normal countryside policies.
5. Outside the development boundaries the Council wishes to conserve the landscape, farmland and important wildlife habitats. Development in the countryside generally will be restricted to that which is essential to the efficient working of the rural economy or is otherwise appropriate in the countryside. In the case of land close to an existing settlement additional considerations apply. On the other hand, such land may be able to accommodate the development of facilities for public use, for example some forms of outdoor recreation or cemeteries, which may help to minimise reliance on the private motor car. These potential disadvantages and opportunities inherent in settlement fringe locations are reflected in particular in category (c) and criterion 1 in policy En1.
6. In relation to undeveloped land on the northern and north-western fringes of Burton upon Trent, and between Burton, Tatenhill, Anslow, Rolleston and Tutbury, the identification of development boundaries, the selection of land for development, and the formulation of policy En1 have all been based on the desire of the Council to

prevent built development from intruding into the countryside outwards from that sector of the Burton fringe, and to ensure that there should be no coalescence of development between any of these settlements, or unwarranted sporadic development between them.

En1 Outside the development boundaries shown on the Inset Plans planning permission will not be granted for development unless it cannot reasonably be located in an existing settlement 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 provides facilities for the general public or local community which are reasonably accessible on foot or by public transport.**

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

- (1) The proposed development must not adversely affect the 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.**
- (2) The detailed sitting of the proposed development and its associated environmental impact are compatible with the character of the surrounding area, and safeguard nature conservation interests.**
- (3) The design of the buildings, structures and materials relate satisfactorily to the proposed site and its setting.**
- (4) Landscaping associated with the proposal takes into account both the immediate impact and distant views of the development.**
- (5) The 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.**
- (6) 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.**

- 7 The Town and Country Planning (Assessment of Environmental Effects) Regulations 1988 require that an Environmental Assessment should be carried out for certain types of development proposal before a planning application can be determined. Whilst it is likely that only a relatively small number of applications will be subject to an Environmental Assessment, the Council will apply the widest possible interpretation of the Regulations. In addition to an investigation of the cost and benefits of the

proposal, and an outline of the measures to be taken to avoid, reduce or remedy any adverse effects identified, the Environmental Assessment may also include the environmental effects of alternative designs and locations, and therefore developers will be encouraged to consider the environmental effects of alternatives from the outset.

En2 The Borough Council will seek full compliance from developers with the terms of the Town and Country Planning (Assessment of Environmental effects) Regulations SI.No.1199(1988), as amended.

8. The Borough Council will seek to implement its policy of high design standards through the development control process, aided by detailed design briefs for major development sites. These design briefs shall be prepared in conjunction with, or in some cases by, the developer, and following public consultation will be adopted by the Council, and secured through Section 106 agreements or conditions.

En3 To ensure high design standards, adequate open space and landscaping requirements as set out elsewhere in this Plan, the Borough Council will either prepare detailed design briefs for major and sensitive development sites, or require the developers to prepare them for the Council to agree.

9. In 1983 the South and South East Derbyshire Green Belt Local Plan was formally adopted by Derbyshire County Council. The Green Belt was established to protect the open countryside between Burton upon Trent and Swadlincote, but only covering land in Derbyshire, it left small areas of open land in East Staffordshire abutting the Green Belt. A blanket designation of land up to the boundary, it paid little attention to the true edge of the urban area. Changes to Local Government boundaries in 1991 resulted in small areas of the statutory Green Belt being transferred into East Staffordshire. The preparation of the East Staffordshire Local Plan affords, in accordance with PPG2, an opportunity to redefine and amend the precise boundaries of the Green Belt. Policy En4 will ensure that the new boundaries more logically follow the urban edge of Burton upon Trent, and together with Policy En5 in stating a general presumption against inappropriate development as set out in PPG2, further emphasise the importance of these areas of open countryside in preventing urban sprawl.

En4 The Green Belt Boundary shall be defined as shown on Inset Map2 to include:-

- (i) Land south-west of Stanton Road**
- (ii) Land south of Grafton Road and Gloucester Way,**
- (iii) Land east of Brizlincote.**

and exclude:-

- (i) Land at the Model Dairy Farm, Violet Way,**
- (ii) Land at the southern end of Brizlincote Lane,**
- (iii) Land at Moat Bank, north of Ashby Road.**

En5 The general policies controlling development in the countryside, particularly policy En1, apply with equal force in the Green Belt but in addition the general presumption against inappropriate development within it requires that, except in very special circumstances, approval will not be given for:-

(a) The construction of new buildings, other than:-

- (i) for the purposes of agriculture and forestry;
- (ii) to provide small-scale essential facilities for outdoor sport and recreation;
- (iii) for cemeteries;
- (iv) for other uses of land which maintain openness and do not conflict with the purposes of including land within the Green Belt;
- (v) as a replacement for existing dwellings where all the criteria in Policy H23 are met;

(b) extensions or alterations to existing dwellings which would result in disproportionate or incongruous additions to the original dwelling;

(c) the re-use of existing buildings where the proposed use conflicts with the relevant policies in this Plan or would compromise the openness of the Green Belt by, for example, the need for associated open storage or extensions to the re-used building;

(d) the carrying out of engineering or other operations which do not maintain openness and conflict with the purposes of including land within the Green Belt;

(e) changes in the use of land which do not maintain openness and conflict with the purposes of including land within the Green Belt.

LANDSCAPE PROTECTION

10. The Borough Council also wishes to give additional emphasis to specific areas of special landscape importance. These areas significantly contribute to the quality of the landscape through appearance, ecological importance and other environmental considerations. Development in such areas is not specifically excluded, other than by normal countryside policies, but where it is allowed it will be a pre-requisite of permission that the design, materials and layout will reflect the quality of the surrounding landscape. In considering proposals for development on land which is conspicuous from the Peak National Park, the Council will have regard to the need to ensure that the visual amenities of that land are not adversely affected to the detriment of the National Park.

En6 Within the Special Landscape Areas development will not be allowed which would adversely affect the quality of the areas.

11. In addition to these areas, other locally significant landscapes are to be protected, especially where they provide a “green backdrop” to the western edge of Burton. Undeveloped areas around towns have a special role to play in maintaining the distinction between town and country and in providing a rural setting to the urban area. The open spaces on the steeply sloping escarpments on the western fringes of Burton upon Trent are of a high visual quality and provide an important green backdrop to the built-up area, and include a Grade 1 Site of biological Importance, which is also an ancient semi-natural woodland. Within these areas the Council will promote public access, together with landscape improvement and enhancement measures, such as tree planting to implement the National Forest, especially when it complements the existing nature conservation resource.

En7 Within the locally significant landscape areas shown on the Inset for Burton, development will not be allowed which would adversely affect the quality of those areas.

12. The Council will encourage moves to bring vacant and derelict sites into use where that use would be compatible with surrounding areas and policies in this Plan (Appendix 4). In particular the role of a Groundwork Trust will be explored.

En8 The Council will encourage the re-use of derelict land by public and private investment. If necessary it will use powers under the Town and Country Planning Act 1990 to ensure sites are maintained in a tidy state. Any such development that may be permitted shall not result in the loss of, or damage to important natural habitats.

13. The image of the Borough is important in encouraging and attracting investment. The appearance of the main routes through the Borough creates an impression to potential investors. Every opportunity should be taken to improve the appearance of road, rail and canal routes, through the Council’s direct involvement, through grant assistance and through initiatives arising through development.

En9 A high standard of design, materials and landscaping will be required for development flanking the main traffic routes through the Plan area. (Main traffic routes shall be defined as all rail routes through the Borough, the Trent and Mersey Canal, and all Class A or B roads).

14. The Borough Council wishes to restrict the loss of high quality agricultural land, particularly to development. The “best and most versatile” land is defined in Planning Policy Guidance Note 7 as comprising Grades 1, 2 and 3A land.

En10 Development of the best and most versatile agricultural land will not be permitted unless there is an overriding need for it, which cannot be met elsewhere.

15 To ensure the good management, positive use, and diversification of the rural economy, ensuring that the environment is adequately protected and improved for public enjoyment and wildlife conservation, the Council has adopted a detailed Countryside Strategy, which amongst other things seeks to improve opportunities for

the enjoyment of the countryside. The Borough Council will protect and enhance the existing network of bridleways and footpaths in the countryside, and promote routes for cyclists and leisure drives.

En11 Development will not be permitted where it would unacceptably harm the public rights of way network.

ECOLOGY

16. The Local Plan will apply the land use policies of the Council's adopted Ecology Charter. The Council recognises the importance of the ecology of the area which is increasingly under pressure from the demands of population and modern agricultural and forestry practices. Damage to ecological areas within the Borough should be minimised so as to conserve them as much as possible for environmental, leisure and educational purposes.

En12 Planning applications which affect international, national or local sites of environmental significance will be determined in accordance with the following criteria:-

(a) Ramsar sites, SPAs and SACs

Sites which are designated or potential Ramsar sites, special protection areas or special areas of conservation will be given the protection afforded to SSSIs. In addition development proposals likely to have a significant effect on such sites will only be allowed if there is no alternative, and if there are imperative reasons for overriding public interest for them. Where such sites host a priority habitat or species (as listed in the EC Habitats Directive) development should only proceed if required for reasons of human health and safety.

(b) NNRs and SSSIs

Development likely to have an adverse effect on the conservation value of a national nature reserve, or a Site of Specific Scientific Interest, will only be permitted if it can be demonstrated that other material considerations outweigh the special interest of the site.

(c) 'Local Sites'

The scientific importance and the nature conservation value of sites containing natural features and supporting wildlife and other sites of nature conservation importance will be taken into account when considering development proposals. These will include Grade 1 sites of Biological or Geological Interest, Local Nature Reserves, ancient woodland sites, existing woodland within the National Forest and river/watercourse corridors.

En13 Development will not be permitted which fails to adequately safeguard a protected species or its habitat.

En14 Where development is to be approved which may affect any site of ecological or geological interest, appropriate measures may be required to conserve, as far as possible, the site's ecological or geological interest and to provide for replacement habitats or features where damage is unavoidable.

En15 The Borough Council will designate Local Nature Reserves as the opportunity arises and these then will be subject to Policy En12.

17. In accordance with this policy the Council will seek to establish such a Reserve on the floodplain of the River Tean at Spath and will investigate other suitable areas in Burton.

THE BUILT ENVIRONMENT

18. The principal opportunity to influence the character of the built environment will be through the consideration of planning applications. The Council will encourage new development of a high standard which positively adds to the existing character of the locality. The Borough Council is seeking, in conjunction with local communities, to produce design appraisals to assist developers in formulating their proposals. It wishes to see all major villages provided with published guides which will help anyone intending to build, at whatever scale, to reflect the special characteristics of that area in the proposed design. One such design statement has been produced for Yoxall. This and others subsequently produced by the Borough Council after public consultation, will be used as supplementary guidance to Policy BE1. It has also produced a Countryside Design Summary as a guide to design principles in the countryside and to provide a background for more detailed design appraisals or design guides. This document will also be used as a supplementary guidance to Policy BE1 in relation to development in rural areas. The provision of roads, access points, and car parking will be subject to the standards specified in this Plan or in Supplementary Guidance.
19. The “percent of Art” concept highlighted by the Arts Council in 1988, encourages developers to set aside a proportion of their capital budget for a specified project, to commission work by artists and crafts people, usually as an integral part of the development.

En16 The Council will only permit new development that would:

- (a) be appropriate to its setting and take account of the character and detail of existing buildings, in order that the continuity of the street scene and the overall visual quality of the settlement can be maintained or enhanced.**
- (b) retain important landscape and natural features whilst enhancing the site by providing good landscaping, and where appropriate, open space.**

- (c) not be detrimental to public health nor pollute the environment by emitting excessive noise, smoke, fumes, effluent or vibration.
- (d) not introduce a ‘non-conforming use’, as defined in paragraph 32 of the Employment Chapter, into an area, or unacceptably affect the amenities and existing use of land or buildings which ought to be protected in the public interest.

En 17 The design and layout of new housing areas, individual dwellings and extensions will be considered in terms of their relationship to the character and quality of the surrounding area, including adjacent buildings. Factors to be considered by the Local Planning Authority in assessing proposals will include:-

- (1) the height, scale, form and grouping of the buildings;
- (2) external appearance;
- (3) associated landscaping;
- (4) within rural areas, the compatibility of the design and layout with the landscape, vernacular style of buildings and settlement pattern described in Appendix 5;
- (5) the relationship to any architectural or historic merits of the building and area;
- (6) the effect on the existing tree cover and other natural features on the site and adjoining land, in terms of both amenity and as natural habitats.

20. The Borough Council has a duty to ensure that all public and private buildings that will be visited by the public (including employees) will be designed to cater for the special needs of the disabled. The Council will ensure the spaces around and access to buildings, including car parking and signs, are suitable for the disabled. The internal layout and design are not matters which fall to be considered when a planning application is submitted. Under other controls, particularly building regulations, developers will need to consider accessible travel routes for disabled people, suitable lifts and sanitary provision.

En18 The Borough Council will promote a “Percent of Art” policy by encouraging developers to demonstrate how works, funded through the development, will, through art, or craft, enhance or improve the quality of the development and/or surrounding environment.

En19 All public and private buildings that will be visited by the public (including employees) should be designed so that they are accessible to the disabled. This should include level or ramped approaches facilitating wheelchair access with suitable signposted car parking spaces and routes for disabled people (in accordance with Policy T9).

CONSERVATION AREAS

21. The special character of the settlements in the Borough has evolved over centuries and the Council considers that, to safeguard and enhance this character, it is vital to ensure that the pace of change is controlled and that new development should make a positive contribution to its surroundings. This Plan includes policies for the protection of the historic features of the area and for the design of new buildings. The Council will therefore give a high priority to the objective of preserving and enhancing the character and appearance of conservation areas in considering all proposals for development, in accordance with guidance set out in PPG15.

22. The aim of the Borough Council hitherto has been to ensure that all historic and architecturally interesting areas are covered by conservation area status. Twenty-five such areas have now been designated (Appendix 1) and others will be considered during the Plan period. The Council now intends to produce area enhancement policies for each conservation area to add to the information in the designation documents and provide a practical basis for improving the appearance of the buildings and open spaces within the areas. The success of these enhancement schemes will be based, as with the designation of Conservation Areas, on the level of local support.

En20 Development will not be permitted in a Conservation Area, unless it preserves or enhances the character and appearance of the Conservation Area;

- (1) If an application for outline permission is made within a Conservation area, the Local Planning Authority will require details of siting, design and external appearance of all buildings, under the provisions of Article 3(2) of the General Development (Procedure) Order.**

- (2) Consent to demolish an unlisted building in a conservation area will not be granted unless it can be shown that it is wholly beyond repair, incapable of reasonable beneficial use, of inappropriate structure or design, or where its removal or replacement would benefit the appearance or character of an area. Redevelopment involving demolition will only be permitted where there are detailed plans for the site already approved.**

- (3) New development should respect the character of the existing architecture in scale, grouping and materials.**

- (4) Proposals for development adjacent to Conservation Areas should be designed to be in harmony with the character and appearance of the area.**

- (5) When considering development proposals the Council will take care to ensure that views into and out of the conservation area remain unspoilt.**

- (6) Permission will not be granted for development on sites identified in conservation area Designation and Enhancement documents which contribute to the appearance and character of the Area, even if that site is also within a development boundary.**

En21 The Council will be prepared to consider making exceptions to other policies in this Plan where this would enhance the character of a conservation area.

LISTED BUILDINGS

23. These buildings represent the best of the Borough's heritage, being of special architectural or historic value, and as a finite resource, once lost cannot be replaced. In accordance with the aims of PPG15, the Council will seek to retain and protect all listed buildings. This reflects the importance of protecting listed buildings from unnecessary demolition, unsuitable and insensitive alteration, and will be the prime consideration for the Council in determining an application for Listed Building Consent.

En22 The character of listed buildings will be protected by the following means:-

- (1) The Council recognises its statutory duty to have special regard to the desirability of preserving listed buildings and their setting;**
- (2) Applications for alterations or extensions to listed buildings will only be granted when they relate sensitively to the original building;**
- (3) Where the demolition of a listed building is to be permitted, the Council may require by condition or seek agreement that:-**
 - (a) demolition shall not take place unless detailed plans have been approved for replacement buildings;**
 - (b) the building is retained until such time as redevelopment takes place;**
 - (c) important external and internal features of the building are salvaged and stored or reused;**
 - (d) there is an opportunity for the appearance, plan and particular features of the building to be measured and recorded prior to demolition; and**
 - (e) provision is made for archaeological investigation by appropriately qualified persons and excavation of the site where appropriate.**

En23 The Council will be prepared to consider making exceptions to other policies in this Plan if this would secure the retention of a building of architectural or historic interest or enable an historic building or group of buildings to be given a new lease of life. Where new development is to provide income for the upkeep of historic buildings, a planning obligation agreement will be sought to secure that objective.

ARCHAEOLOGY

24. There are many features of historic and archaeological interest in the area. Those scheduled as Ancient Monuments have statutory protection but the Council recognises the importance of protecting not only known sites but also new ones as they are discovered. If it is necessary to permit development that could affect a site where there is clear evidence of archaeological interest, the Council will ensure that there is an opportunity for archaeological excavation and recording before development occurs.

En24 Sites of significant archaeological interest will wherever possible be protected from new development. Development proposals affecting sites of potential interest should be accompanied by an evaluation of the archaeological implication of the development, based if necessary on trial evaluation and by an indication of the means and resources to be made available to protect and/or record the archaeological interest of the site. Approval may be conditional upon appropriate means and facilities being available by the developer for archaeological investigation.

En25 There will be a presumption in favour of the physical preservation of scheduled Ancient Monuments and unscheduled archaeological remains of national importance, and development which would disturb or adversely affect any such monument or remains or its setting will not be permitted.

THE STREET SCENE

25. The Council wishes to minimise visually and aesthetically damaging street ‘clutter’ such as unsightly litter bins, freestanding advertisements, signs, public utilities equipment, power supplies and communication technology. The Council will aim to remove unsightly street furniture and where necessary replace it with more appropriate structures. The Borough Council will consider seeking the approval of the Secretary of State for Article 4 Directions if it considers there is a real threat to the character and appearance of the area.

En26 The Council will consider applying Directions in Conservation Areas to remove the permitted development rights of public utilities where new telecommunications or other equipment would have a real and specific detrimental effect on the special architectural or historic character of the area

26. Advertisements and signs are important to the proper functioning of shopping and commercial areas, but the Council considers that the display of advertisements needs to be carefully controlled to ensure that they do not have a damaging impact on the

environment.

27. The Town and Country Planning (Control of Advertisements) Regulations 1992 gives powers to the Council to restrict the display of advertisements in the interests of amenity and public safety. Most advertisements require a specific consent for which application is made to the Council, but some categories have deemed consent by virtue of the Regulations. These include election notices, statutory advertisements, traffic signs, and advertisements of a temporary nature. The Council also has powers to issue a 'Discontinuance Notice', requiring the display of an advertisement which has deemed consent to be discontinued, if it is satisfied that it is necessary to remedy a substantial injury to the amenity of the locality or a danger to members of the public.
28. In carrying out its duty to control advertisements, the Borough Council will seek to ensure that advertisements are not unduly prominent in the street scene. Any advertisement which is likely to detract from the visual amenity of its surroundings will be refused consent. Particular care will be taken when considering the display of advertisements on listed buildings, in conservation areas and in the countryside. This will ensure that the special character of these buildings and areas is protected.
29. In order to protect the amenities of all areas within the Borough, this Council has adopted positive policies towards the control of advertisements. The following guidance details the requirements of the Council in general terms and also for specific areas.

En27 In determining applications for consent to display advertisements, the Borough Council will consider the effect of the proposals on local amenities and public safety. The Council will not grant consent for the display of an advertisement unless it is satisfied that it:-

- (1) is well located in relation to the building or site on which it is to be displayed;**
- (2) is of a suitable size, colour and design;**
- (3) is of materials that are acceptable in the locality;**
- (4) is not unduly prominent;**
- (5) does not contribute to visual clutter in the street scene;**
- (6) does not intrude upon the amenities of immediate neighbours;**
- (7) does not adversely affect the safety of users of any form of transport and pedestrians.**

30. The Council will expect most illuminated advertisements to be confined to commercial areas and to be at fascia level. The aim is to ensure commercial premises have no more than one fascia and one projecting sign, as then the display is unlikely to be prominent, and will not detract from amenity or public safety to an unacceptable degree, or create advertisement clutter. On petrol filling stations, the Council will seek

to minimise the total number and area of advertisements displayed to reduce clutter. This will be particularly important in rural areas.

En28 The Council will not grant consent for the display of advertisements unless all of the following are complied with:-

- (1) The advertisement does not stand out as an inappropriate or over-prominent feature or give rise to advertisement clutter in the immediate locality.**
- (2)The advertisement, where illuminated and displayed on:**
 - (i) a building of domestic scale, should be higher than ground floor level; or**
 - (ii) on larger buildings, should be in keeping in scale and position with that building.**
- (2) The degree of luminance or intensity of lighting of the fascia symbols and letters does not detract from the amenity of the locality or affect public safety on the highway.**
- (4)In the case of projecting advertisements the sign does not project more than 0.9 metres from the front elevation of the building or within 0.6 metres of the adjoining carriageway edge, and is satisfactorily fixed to provide a minimum 2.2 metres clearance above footway level.**
- (5)Within conservation areas natural materials should be used and the illumination should be external.**
- (6)Within rural areas directional signs should be of a nationally recognised design, such as the 'blue and white' signs recommended by the Development Commission.**
- (7)At the entrance to, or within employment areas there should be one general advertisement only, preferably in the form of an information board or map, which can be clearly read in safety from a public highway.**

Where hoardings require express consent and a proposal accords with the relevant policies in this Plan, the Borough Council will encourage the applicants to provide appropriate landscaping and other features, such as seating, to ameliorate the impact on the street scene.

The Council will not grant consent for proposals which incorporate flashing, intermittent or other similar forms of lighting to illuminate advertisements either internally or externally. People responsible for fly posting and other forms of unauthorised display will be prosecuted and the signs will be removed.

Fly posting on empty buildings is an offence under Section 224 of the Town and Country Planning Act 1990 and creates a generally shabby appearance. The Council will prosecute offenders.

31. Shop fronts have a considerable influence on the appearance of buildings and the street scene. They are necessary to advertise and inform and can add vitality and interest to an area. They can also detract from buildings if due regard is not had to the age or architectural character of the building or area.

En29 The Council will not grant permission for new, replacement or altered shop fronts unless they are designed to be sympathetic to the remainder of the building and to the character of the surrounding area.

LANDSCAPING DESIGN

- 32 Mature trees and groups of trees contribute to the environment of the Borough and are vital to local ecosystems. In the countryside they contribute significantly to the form of the landscape while in towns and villages they enhance built form and local amenities. These attributes are particularly important within the National Forest.

- 33 The Borough Council will seek to retain trees and tree cover throughout the Borough and will expect landscaping to be incorporated into detailed planning applications. To assist with this the Borough Council will publish supplementary planning guidance about landscaping, and suggests that arboricultural expertise should be used at the earliest opportunity in the design process.

En30 Throughout the Borough established trees will be retained wherever possible and Tree Preservation Orders made where necessary. If trees subject to protection are felled or are damaged, appropriate replacement planting will be required.

En31 Development schemes proposing the retention of existing trees on the site need to include detailed proposals for the protection of these trees during development, to the appropriate British standard, currently BS5837. Where development impinges upon existing trees, it is vital that strong barriers are erected around these before work commences. These barriers should afford protection to the roots and should therefore be at least as far as the branch spread. No work, vehicular access, site huts etc. are to be within this barrier, which should be maintained throughout the development work.

34. The Borough Council wishes to encourage a high standard of design and layout in all new developments. They need to be carefully assimilated into existing landscapes by sensitive design, and where possible, enhancing the established character of the area. Hard and soft landscaping contributes significantly to the provision of an attractive setting for buildings and other development. Careful consideration should be given to the functional and aesthetic aspects of landscaping at the planning application stage, and all proposals should incorporate existing features identified in the initial site assessment, including measures for the maintenance and enhancement of existing

areas of nature conservation value.

35. Although problems can occur when large species are planted next to buildings, there are many that can provide high amenity value without damage to buildings, services, or nuisance to occupants. It is important to recognise different tree species need to be planted at differing 'safe' distances from buildings. Tree planting should therefore be planned accordingly.

En32 The Local Planning Authority will require a detailed landscaping scheme to be submitted and approved before development commences. Implementation should follow as soon as practicable thereafter. Submitted landscaping schemes should satisfy the following criteria:-

- (1) The site assessment plan should show species type, siting, number, girth of trees, quality of tree or shrub and whether it is worthy of retention. In addition any other on site feature which adds to the appearance and character of the area and which is worthy of retention should be identified and incorporated into the proposed development.**
- (2) The comprehensive landscaping scheme should include plans, planting schedules and maintenance. The scheme should identify species, type and size of planting, mix, distance from buildings and services, density, contouring, mounding, any specific layout details, hard landscaping and measures for the maintenance and enhancement of existing areas of nature conservation value.**
- (3) The development should make use of indigenous plant species found in the surrounding area unless the use of other species can be justified.**
- (4) On some sites it will be appropriate for initial landscaping to be carried out in advance of the main contract in order to minimise the impact of a development on the surrounding area, or to create key features in advance of the main project. These early programmed areas should be identified by the developer or the Borough Council.**
- (5) Schemes should include an assessment of how the proposed landscaping will relate to the surrounding landscape features of the surrounding area, particularly within the National Forest.**

En33 The Borough Council will include conditions on planning permissions requiring landscaping associated with the proposal to be completed concurrently with the appropriate phase of development, and thereafter be maintained for a specified period.

En34 The Borough Council will encourage adequate landscaping of, and environmental improvements to, areas around existing industrial, commercial or other premises. Action will be taken, where necessary, to ensure that private open spaces are properly maintained by the owners. In addition the Council will require tree planting to be a feature of all new roads.

TELECOMMUNICATIONS

36. The Borough Council will seek to minimise the proliferation of telecommunication masts especially in areas of special protection. Applicants will need to show existing equipment cannot be utilised and that the proposal does not have an adverse impact on visual amenity of not only the immediate area, but also the surrounding wider landscape.

En35 Telecommunication development will be permitted where:-

- (1) The siting, scale and design of the equipment and ancillary facilities causes no unacceptable harm to visual amenity.**
- (2) There is no satisfactory alternative means for telecommunication available.**
- (3) There is no reasonable possibility of sharing existing facilities.**
- (4) In the case of freestanding masts there is no possibility of erecting antennae on an existing building or other structure.**

THE NATIONAL FOREST

37. In conjunction with other Councils in Staffordshire, Derbyshire, and Leicestershire, East Staffordshire Borough Council supports the concept of the establishment of a National Forest, to which the next chapter of this Plan is devoted.

En36 The Council will have regard to the National Forest Strategy published by the Countryside Commission in 1994 (CCP 468) and assist in its implementation wherever possible. Planning applications for development within the National Forest area will be assessed against the National Forest policies set out in the next chapter as well as other relevant Local Plan policies.

THE COUNTRYSIDE

38. The majority of the Borough is open and attractive countryside and a fundamental principle of the Plan recognised in Policies En10 and En37 is to safeguard this valuable asset and those features which contribute to its quality.

En37 The Council will seek to conserve and enhance the landscape and character of the countryside. Planning permission will not be granted for development that would result in the loss of trees, hedges or other features which contribute to the character of the landscape, or which would be obtrusive or otherwise out of keeping with attractive views or landscape.

POLLUTION

39. The policies and proposals in this Local Plan have regard to minimising the impact of development on the environment, and in particular limiting the effects on the land, water and atmosphere of the Borough. The Council will continue to protect the land, watercourses, groundwater and atmosphere of the Borough from adverse forms of development and will not permit planning applications which could damage the quality and ecology of wetlands, watercourses, and groundwater resources, or result in atmospheric pollution or the contamination of land.

En38 The Council will consult the appropriate statutory pollution control bodies on proposals for potentially polluting development, and will not grant planning permission for development which would cause environmental harm or could cause contamination or nuisance. The Council will also consult these bodies on development proposals in the vicinity of potentially polluting industrial development and will resist planning applications if they would result in incompatible neighbouring uses of land.

En39 Where a site proposed for development is known or found to be contaminated, the Council will require the developer to carry out an investigation of the contamination and submit proposals for any remedial measures. Such information will be required before the application is determined, or where contamination is slight or only suspected, its submission prior to commencement of development will be made the subject of a condition. In addition, conditions may be imposed on any permission to require:-

- (a) remedial measures to be carried out including, where appropriate, measures to safeguard buildings, occupiers and services on the site or neighbouring land.**
- (b) the developer to draw the attention of the planning authority to the presence of significant unsuspected contamination found during redevelopment.**

40. Severn Trent Water Limited has a Cordon Sanitaire policy which seeks to minimise the impact of potential nuisance and discomfort caused by odours/flies which neighbours to sewage treatment works may consider unacceptable. Development within these areas will be strictly controlled in order to minimise any nuisance

En40 The Council will take account of all cordons around sewage treatment works notified to it by Severn Trent Water Limited, and will not permit development within that cordon unless it can be proved that future occupiers of the development will not be disadvantaged by that location.

En41 Planning permission will not be granted for any development unless it is served by adequate arrangements for the disposal of foul

sewage, trade effluent and surface water as follows:

- (i) Connection must be to the public sewerage system, where this is physically feasible.**
- (ii) Where increased sewerage and/or sewage treatment capacity is required, development will not be allowed to be occupied in advance of the completion of improved facilities.**
- (iii) Development involving the storage of fuels, oils or chemicals will not be permitted unless measures are incorporated to prevent discharge to groundwater or watercourses**
- (iv) Development for industrial uses in areas not served by public foul sewers will not be permitted unless the proposed means of foul sewage, trade effluent and surface water disposal has been approved by the Local Planning Authority in consultation with the Environment Agency.**

GLOBAL WARMING AND ENERGY CONSERVATION

41. The Borough Council is mindful of the need to conserve energy both to preserve finite resources and to contribute to environmental objectives such as reducing emissions of greenhouse gases. Proposed major developments give an opportunity to investigate the viability of combined heat and power schemes, and all development proposals should take account of the efficiency with which energy will be used and how it might be improved through layout and building type.
42. In allocating development sites within the Borough the Council has recognised the importance of an integrated approach to land use and transportation issues and has sought to implement The UK Strategy for Sustainable Development with allocations which overall will reduce growth in the length of and number of motorised journeys, provide a choice of means of travel which have less environmental impact, and reduce reliance on the private car. Practical support for these aspects of a policy for sustainable development should form part of detailed planning proposals for all allocated sites and others within the development boundaries coming forward during the Plan period.
43. New development proposals and building conversions, refurbishments and extensions should have regard to energy efficiency design principles, including the orientation and layout of buildings, their internal layout, the use of soft landscaping and the efficient use of insulating materials and techniques.

En42 The Council will take a positive view to development proposals which make provision for a high standard of energy efficiency, and which do not materially contravene other policies of the Plan.

En43 Detailed applications within development boundaries should include practical measures to reduce growth in the length and number of

motorised journeys, provide a choice of means of travel which have less environmental impact and reduce reliance on the private car.

FLOOD DEFENCE

44. Parts of the Borough are considered flood risk areas, and the advice of the Environment Agency will be sought when considering development proposals in these areas. In order to prevent flooding, or the increased risk of flooding downstream, the following policy will apply.

En44 Development proposals in flood risk areas, or which would affect such areas, will not be permitted where they would cause unacceptable harm to the following interests:-

- (i) the protection and storage capacity of the flood plain, washlands and other areas at risk from flooding;**
- (ii) access to watercourses for maintenance;**
- (iii) the characteristics of surface water run-off;**
- (iv) the integrity of fluvial defences;**
- (v) the drainage function of the natural watercourse system.**

In assessing the impact on the foregoing interests, the Local Planning Authority will take into account any on or off-site protection, alleviation, or mitigation works proposed by the developer.

NATIONAL FOREST

INTRODUCTION

1. The boundary of the National Forest encloses 194 square miles of the East and West Midlands including some 40 square miles of the Borough, shown on the Proposals Map for this Local Plan and the relevant Inset Plans. Burton upon Trent is the largest town within the Forest.
2. Implementation of the National Forest is entirely consistent with the main aims of the Local Plan and is of such significance that the Local Planning Authority considers it requires specific policies and proposals. The introduction to this Local Plan emphasises the commitment of the Borough Council to ensuring that new investment in this area is complimentary to the protection and enhancement of its natural environment and the creation of the Forest will be a physical manifestation of this approach.
3. Moreover, the Forest will help attract new business activity and increase the number of people wanting to live in the area. Proposals for new leisure and tourist facilities that make use of the Forest as a resource will follow. This will bring substantial benefits to the area - new jobs, a more diverse economy, and better facilities for local people. The Council wishes to ensure that development does not detract from the environment of the Forest, but equally to ensure that the existence of the Forest is not used to prevent planned development.
4. By the year 2010 the Borough Council hopes the Forest will have radically changed the appearance of the area, will have stimulated new activities and investment and will have raised the profile of the Borough nationally.
5. The overall philosophy of the Countryside Commission's Forest Strategy (CCP 468, published in 1994) in relation to planning uses within the National Forest area, is as follows:
 - * development could not and should not take the lead role in creating the Forest, but will be part of the Forest dynamic, and the planning system that controls it will have a vital part to play in the realisation of the Forest;
 - * the Local Plan identifies those parts of the Forest where development would be acceptable, the form that development could take and the contribution that development should be expected to make to the furtherance of Forest Strategy;
 - * appropriate development must be judged against other policies set out in the Local Plan. Development will not become acceptable merely because the proposer expresses a willingness to plant trees;
 - * new developments which enhance the use and enjoyment of the Forest, such as recreation and tourism enterprises, farm diversification schemes, and new

Forest related industries, should be positively approached;

* all forms of development within the Forest offer possibilities for contributing towards Forest planting. The scale of landscaping or developer contributions should relate to the type, scale, and nature of the proposed development.

6. This Local Plan supports this philosophy and has identified opportunities that exist for the planning system to contribute to the erection of the Forest and associated land uses:
 - (a) The restoration of derelict and degraded land to beneficial use, involving public access and recreational opportunities;
 - (b) The widening of employment opportunities through the expansion of tourism;
 - (c) The creation of a viable alternative to farming;
 - (d) An incentive to create new attractions and enterprises for the benefit of existing residents and visitors;
 - (e) The maintenance and enhancement of all existing areas of nature conservation value, together with the creation of new ones.

GENERAL POLICIES

7. The concept of the National Forest is unique and of national importance. As such it warrants the adoption of land use policies that would not otherwise pertain in the Borough in recognition of the long-term environmental and commercial enhancement that the Forest will bring to the area.
8. East Staffordshire Borough Council supports the establishment of the National Forest within the boundaries shown on the Proposals Map and relevant Inset Maps, and expects that all development proposals within this area will reflect the Forest context in the associated landscaping and planting proposals. It also expects all development and planting proposals to have regard to the Forest Strategy published by the Countryside Commission.
9. In addition to planting arising out of development, the Borough Council will also encourage the planting of woodlands and public access to them, where this does not conflict with ecological, geological, environmental and archaeological constraints.
10. The Borough Council is already mindful of the need to ensure that suitable land for development beyond the Plan period is not sterilised by forest planting. Employment sites at Branston/Shobnall and south of Branston, are advanced beyond the Plan period within the National Forest, and the Council will seek to liaise with relevant parties to ensure that suitable development land is not sterilised. Proposals for woodland planting should take account of committed development sites and the continuing need

to find further land for development.

11. Within the Forest it is particularly important that the design and layout of development proposals enhances rather than detracts from the surroundings so that buildings are properly integrated into a forest setting. It is also important that open spaces between buildings and creation of links into the Forest are handled sensitively.
12. The Borough Council is seeking to ensure that all new development will enhance the appearance and enjoyment of the Forest.

NF1 The Borough Council will only grant planning permission for built development in the National Forest area where development is of high quality. The design, and materials of construction of buildings, and the layout and planting of the open spaces between them should reflect the local architecture and the Forest setting. Particular emphasis should be placed on integrating open spaces with footpaths and other routes through the Forest.

13. All forms of development offer possibilities for contributing to the forest planting which will be essential if the transformation of the Forest area envisaged in the Strategy published by the Countryside Commission in November 1994 (CCP 468) and the Burton Urban Forest Strategy is to be achieved. The Borough Council will pursue a robust and imaginative approach towards development in the area whilst ensuring that the commercial return from development will help to support implementation of the Forest.

NF2 In assessing the adequacy of the planting scheme for individual development proposals within the boundary of the National Forest, apart from extensions to existing buildings, the Borough Council will have regard to the following:-

- (a) the existing landscape character of the site and the surrounding locality described in Appendix 9;
- (b) the extent to which the planting guidelines contained at Appendix 9 have been followed in the submission of the planning application;
- (c) any physical, ecological or environmental constraints affecting the site;
- (d) the extent to which the scheme reflects its National Forest context and provides an appropriate landscaped setting for the development, including any off-site planting;
- (d) the scale, type and value of the development.

NF3 In negotiating to maximise the potential for tree planting under Policy NF3 as part of the housing proposals in the Forest, the Borough Council will accept the agreed scheme as incorporating the open space requirements of Policy L2, apart from children's play spaces set out in Section 2(I) and (ii) of that policy.

NF4 Implementation of planting and landscaping schemes for approved new development in the National Forest will be secured by means of conditions, or

the negotiation of a planning obligation Agreement, or a combination of those measures appropriate to the individual circumstances of the application. The measures may include, as appropriate:-

- (a) the means and time scale for implementation;**
- (b) the nature of any obligation in respect of off-site planting;**
- (c) details for the payment of a commuted sum in lieu of planting.**

14. Where woodland is to be provided as a part of a development proposal it will also be necessary for arrangements to be made for it to be maintained and managed in accordance with good arboricultural practices.

NF5 Where planning permission is granted subject to a landscaping condition involving Forest planting, the Local Planning Authority will seek to negotiate an Agreement with the developer to make secure arrangements for the management and maintenance of such landscaped areas, including any open space, by an appropriate person or body.

15. Within the National Forest measures will be taken to secure the proper management of new and existing woodlands which re introduced as a consequence of planned development. These measures will be in accordance with the:-

- (i) aims of the National Forest;
- (ii) interests of visual amenity;
- (iii) desirability of maximising public access where appropriate;
- (iv) principles of good woodland management;
- (v) maintaining and enhancing the nature conservation resource.

16. The Borough Council will, with other agencies, promote awareness of grant aid and other schemes of assistance. Through its own resources it will further its own enhancement schemes that will comply with the National Forest Strategy, and pursue its statutory duties towards the protection and retention of existing important trees.

17. Major communication routes cross the Forest within the Borough, and the Council will seek to ensure that views from these routes make travellers aware of the Forest. In addition, the Local Planning Authority will seek to supplement the existing network of footpaths and bridleways within the Forest, so as to increase public access, and will also provide routes for cyclists.

NEW AGRICULTURAL BUILDINGS

18. New agricultural buildings can have significant impact on the environment of the rural parts of the Forest area. It is important that the form, siting, and their impact on the landscape avoids creating visual intrusion.

NF6 Where new agricultural buildings are proposed within the Forest area, adequate planting should be provided to ensure the building is appropriately screened, and that it does not have an intrusive impact on the landscape of the Forest.

CONSERVATION OF BUILDINGS

19. There are often opportunities for re-using or adapting existing buildings in the countryside for new commercial, industrial, recreational and tourism uses. There are often opportunities for re-using or adapting existing buildings in the countryside for new commercial, industrial, recreational and tourism uses. There are likely to be opportunities for such conversions and adaptations within the Forest area to accommodate Forest related development. The Borough Council will generally support such proposals. When assessing planning applications for the re-use or adaptation of rural buildings within the Forest, the primary consideration will be whether the nature and extent of the proposal is compatible with relevant policies in other sections of the Plan.
20. The conversion of existing agricultural buildings, within established settlements, for residential purposes, may well be appropriate providing the design of the proposal is in keeping with its surroundings, and normal planning criteria can be met.
- NF7 The Borough Council will support proposals for the change of use of existing buildings for appropriate Forest related development, with landscaping.**
- NF8 Planning permission will be granted for the re-use or adaptation of a rural building, providing the new use is sympathetic to the Forest character of the area in which it is located, and the proposal conforms to the policies elsewhere in the Plan.**
21. The Local Planning Authority wishes to encourage and accommodate Forest related development which is compatible with the Forest, and which assists in promoting its objectives. Conversely, planning policy will ensure that inappropriate development which would have a detrimental effect on the Forest area is resisted.

EMPLOYMENT

INTRODUCTION

1. The Borough Council is committed to improving the prosperity of the area and the job opportunities available to its inhabitants by supporting existing employers and encouraging others to develop here, particularly those that would broaden the economic base of the Borough. It intends to maintain and extend the positive role it has played in developing the local economy, believing this to be vital to the success of the other policies in this Plan.
2. The Local Plan identifies areas throughout the Borough to ensure that an adequate supply of employment land is readily available. It provides a land use and policy framework to encourage enterprise, investment and new jobs.

E1 The Borough Council will ensure an adequate supply of land for employment development throughout the Plan period to:-

- (a) **meet the land provision requirement of the Structure Plan up to 2001;**
- (b) **meet local, national, and international demands for a range of development sites;**
- (c) **facilitate the provision of an appropriate level of infrastructure to serve the sites in Policy E3 that will start development in the period up to 2001, to enable their continued expansion beyond then, if necessary;**
- (d) **maximise the potential of the A38 and A50 transport corridors in suitable locations, which do not undermine countryside protection policies and are easily accessible to public transport and existing infrastructure and facilities.**

EMPLOYMENT SITES

3. Employment proposal sites are identified in Table E1. This shows the composition of sites which meet the Structure Plan requirement of 160 hectares between 1986-2001. It distinguishes between:-
 - areas already developed (a summary of these is included as Appendix 6);
 - areas committed by planning permission;
 - proposed allocations to be developed beyond 2001 with planning consent.

E2 Table E1 shows those sites the Borough Council has either committed or is now allocating has allocated the following sites to meet the objectives of Policy E1.

TABLE E1

	PLAN PERIOD (Area ha.)	BEYOND 2001	INSET NO.
1. SITES ALREADY DEVELOPED 1986-1993	20		
2. ALLOCATIONS COMMITTED BY PLANNING PERMISSION MAY 1996			
South of Branston (Area 8/ARC)	20		2
East of Wellington Road, Branston	5		2
Branston/Shobnall (Centrum 100)	25		2
Fatholme/Barton Business Park	30	20	6
North of Beech lane Stretton	8.75		2
Hillfield Lane, Stretton	3		2
Lancaster Park, Needwood	5		20
Waterloo Farm, Uttoxeter	10	7	30
Bramshall Camp	1		8
Graycar Industrial Estate	4.8		6
	<u>112.55</u>	<u>27</u>	
3. PROPOSALS UP TO 2001			
Creamery Site, Uttoxeter	5		30
Marchington Camp	5		18
Fauld Camp	4	6	13
Yoxall	2		34
Manor Farm, Branston	1		2
Abbots Bromley	0.5		4
	<u>17.5</u>	<u>6</u>	
4. ALLOCATIONS COMMITTED BY PLANNING PERMISSION FOR DEVELOPMENT BEYOND 2001			
Branston/Shobnall	-	25	2
South of Branston	-	20	2
TOTALS	<u>150.05</u>	<u>78</u>	

4. The sites in Table E1 are proposed because they can by virtue of their size, location and immediate availability:-

- (1) be serviced now, are accessible, and will promote a more broadly based economy for the whole Borough;
- (2) allow a comprehensive strategy for a variety of development requirements to be implemented for the Borough;
- (3) ensure that full advantage of the benefits of Toyota and any economic growth within the sub region are enjoyed by the residents and businesses of East

Staffordshire;

- (4) maximise the economic development potential of the Borough immediately, without adversely affecting environmental and other major Local Plan policies;
- (5) be attractive to developers/industrialists already within the Borough and those wishing to locate here;
- (6) provide a range of sites throughout the Borough close to existing settlements served, or with clear potential to be well served, by public transport, enabling people to live near their work, both in urban and rural areas, and avoiding major development in locations not well served by public transport.

The Borough Council recognises and supports the principle of encouraging re-use of urban land, and also recognises that such sites are not strongly represented in Table E1. However the predominance of previously undeveloped sites reflects the emphasis given to ensuring early availability, compared with the long lead-in time for redevelopment sites, and the need to attract inward investment, especially in relation to the Toyota plan, by providing large, level sites, with ease of access to transport corridors.

5. Policy 7 of the Staffordshire Structure Plan states that ‘in recognition of the possible demand for large areas of land additional to the provision made in the Structure Plan, the servicing of certain appropriate major sites should take account of their possible expansion in the future if the need arises’. To comply with the above policy The Borough Council believes that it is appropriate to allow for the expansion of some of the allocated sites which have capacity for further development after 2001 (the areas relate to the capacity beyond 2001). On the allocated sites It is considered that the servicing of these extended sites should be borne in mind when development takes place. Policy E3 seeks to deal with this issue.

Branston/Shobnall	25ha
South of Branston	20ha
Fauld Camp (area 3/2)	6ha
Waterloo Farm	7ha
Fatholme/Barton Business Park	20ha

6. Land at Branston/Shobnall and South of Branston, 25ha and 20ha respectively, have planning permission and are shown on the Inset Maps as “committed employment sites”, and therefore these areas are subsumed within the overall development sites. The Borough Council does not consider control over the timing of any development is necessary at this stage in the life of the Local Plan. Due to the considerable infrastructure works, the maximum amount of land the Borough and prospective developers consider likely to be developed within the plan period, particularly when account is taken of the current annual take up of employment land is shown in the left hand column of Table E1.

E3 The Local Planning Authority will seek to ensure that, in granting permission for the following sites, adequate servicing arrangements are secured which will enable their potential expansion in accordance with

Structure Plan Policy 7.

Fatholme/Branston Business Park Waterloo Farm Fauld Camp

- E4 The Local Planning Authority will grant planning permission on the extensions to the sites referred to in Policy E3 if it appears to it that the employment provision in Structure Plan Policy 1 will not otherwise be achieved.**
- E5 The Borough Council will closely monitor the release of all sites and will, if these extended sites need to be brought forward into the current plan period, treat their premature development as a formal alteration to the adopted plan, if the overall rate of development is likely to exceed current strategic requirements.**
- E6 Planning permission will only be granted for the development of the employment sites in Table E1 if the scheme provides facilities for public transport, cyclists, and those people able to walk to work.**
- E7 The development of the employment sites South of Branston and at Fatholme/Barton Business Park should provide for goods to be moved by rail if possible.**
- E8 Planning permission will not be granted for retail (including retail warehousing and warehouse clubs) food and drink or leisure uses within employment areas, except for proposals for showrooms or retail uses ancillary to manufacturing uses, which will be considered on their merits, having regard to the location, scale, nature of the use and the impact of the generated traffic on the highway network and adjacent uses.**
7. There is a limited amount of suitable land for employment uses in the Borough. In order to maximise employment opportunities it is important that existing and proposed employment sites and premises are retained for employment purposes. It is however recognised that many manufacturing uses require showroom facilities in order to promote their goods. Such uses can often be permitted providing sufficient on-site car parking is available on site, the retail element remains ancillary to the primary use of the site for manufacturing, or the additional traffic generated by the proposal can be accommodated without detriment to the highway network or adjacent uses.

FORMER MILITARY CAMPS

8. East Staffordshire contains four former military camps at Needwood, Bramshall, Fauld and Marchington. On all of them employment uses have developed over the years alongside other uses and it is necessary to have policies in the Local Plan to control the future growth of the sites, and to secure both environmental improvements and the improvement of the appearance of individual buildings.

BRAMSHALL CAMP

9. The former Bramshall Camp comprises two distinct areas:

Area 1: The Bramshall Industrial Estate comprising an area west of the B5027 with access off that road and for which various approvals in both detail and outline exist for industrial and warehousing uses.

Area 2: Large isolated depot buildings which were originally served by railway. These are either vacant or used for agricultural uses with access from the A518.

10. In applying the policies for these areas the Borough Council will take account of the general advice in PPG7, which supports the re-use of existing buildings, but is particularly concerned to ensure that such development and any new building avoid unacceptable disturbance to the local environment and will not be visually intrusive.

11. **Area 1**

Some limited improvements have been recently achieved within this area, including a better surfaced access road and improved visibility at its junction with the B5027. However, there remain areas of derelict buildings and land which detract from the appearance of the area.

12. The site is not served by public sewers and this places a restriction on the form of user that would be acceptable especially to the Environment Agency. The Borough Council would welcome the provision of a public sewerage system by occupiers of the camp, but would not be willing to significantly extend Area 1 to facilitate the finance of such a scheme.

E9 Further development for industrial uses at Bramshall Camp will be confined to Area 1 and the committed employment site on Inset Plan 8. This will be subject to the following:-

- (1) the implementation of an agreed landscaping scheme in advance of the construction or conversion of any buildings, to include substantial planting along parts of the northern verge of the estate road, along the southern boundary of Area 1 and around the committed employment site;**
- (2) the clearance of derelict buildings as agreed with the Local Planning Authority and the landscaping of the cleared sites;**
- (3) all development must be designed to connect onto the public sewerage system if and when it becomes available;**
- (4) any proposal must comply with car parking standards, and ensure that vehicular movements can be achieved on the internal roads which should be adequately surfaced;**

- (5) any proposals for open storage or other uses carried on outside buildings will only be permitted if the uses are fully screened, contained within a defined and bounded site, do not adversely affect the character or appearance of the area and do not cause surface water run off or pollution problems;**
- (6) internally illuminated advertisements will not be permitted within the estate because of visual intrusion.**

13. **Area 2**

Only four of the remaining buildings are relatively unobtrusive in the landscape and the remaining six units are either very prominent or are currently well used for agricultural purposes.

E10 Within Area 2 shown on Inset Map 8 the Borough Council supports the use of the land and buildings for agriculture and ancillary purposes. Any proposals for re-use of the existing buildings, including associated parking and traffic generation, will be assessed with particular regard to their impact on local amenity and the character and appearance of the countryside.

FAULD CAMP

14. Fauld Camp, approximately two miles west of Tutbury on the C91 road, covers some 210 hectares of land formerly used by the Royal Air Force. The land is divided into four distinct areas to which specific policies are applied and must be read in association with the attached Inset map 13.

15. **Area 1**

Land fronting onto Fauld lane, primarily in residential use;

E11 Within Area 1 shown on Inset Map 13, proposals for employment use will not be permitted, in order to protect the predominantly residential environment of the area.

16. **Area 2**

Area incorporating a variety of former depot buildings, and new buildings used by small to medium size employers for various uses.

E12 Within Area 2 shown on inset 13 the Borough Council will permit uses within Classes B1, B2 and B8 as defined in the Town and Country Planning (Use Classes) Order 1987 (light and general industry, research and development, offices, storage and distribution).

All buildings and outside storage areas must be screened and landscaped in accordance with the Borough Council's standards.

Recladding and modernisation of buildings in order to improve their appearance will be permitted.

Permission will not be granted for new buildings, other than minor extensions, unless the proposals are accompanied by improvements to adjacent roadways to the satisfaction of the Borough Council. Car parking and servicing must be in accordance with the Borough Council's standards.

17. **Area 3**

This is an area of about 10 hectares of largely undeveloped land in agricultural use straddling the main spine road through the Camp. The Borough Council wishes to see the area developed for uses within Use Classes B1 and B2, the first phase (4ha) as an allocation under Policy E2 and the second phase (6ha) as a possible extension under Policy E3. A new access would need to be created to Fauld Lane to the east of the site with substantial landscaping to screen any development within the site. Following the provision of such an access the Borough Council would seek to agree with landowners to close the spine road at the boundary between Areas 1 and 2 so that the existing access will serve Area 1 only, thus promoting the separation of residential and other traffic.

E13 Within Area 3(1) shown on Inset Map 13 the Borough Council will permit uses within Classes B1 and B2, as provided for in the allocation in Table E1, provided that arrangements can be made for a suitable new vehicular access to Fauld Lane to the satisfaction of the Borough Council. Foul and surface water shall be connected to the respective public foul and surface water sewerage systems. Within Area 3(2) the Borough Council will permit development as in Area 3(1) subject to the land being released in accordance with Policies E3 and E4.

18. **Area 4**

This is an extensive area of land with old bunkers, other outbuildings and underground workings extending over a larger area on the hillside. The character of the area is predominantly rural, and the intention of the Borough Council is for this area to be eventually returned to agriculture or forestry. However in the meantime a limited continuation of existing uses and minor additions is acceptable subject to the following policy.

E14 Within Area 4 shown on Inset Map 13 the Borough Council will permit:

- (a) Minor extensions to existing buildings within sub area 4(1), subject to conditions on screening, materials, parking and servicing;**
- (b) The use of existing bunkers for storage purposes within sub area 4(2), provided there is no significant increase in traffic;**
- (c) Development which relates to the use of sub area 4(3) for the British Gas Testing Site.**

19. A general policy for the whole camp restricting the use of advertisements is appropriate in view of the rural location.

E15 Within Areas 1, 2, 3 and 4 illuminated advertisements will not be permitted as these would have an adverse effect upon the rural area. Direction signing should be limited to a sign at the site entrance or Fauld Lane, and to a further sign within Area 2 denoting all the estate occupiers, for the assistance of visitors.

MARCHINGTON CAMP

20. Draft proposals for development in the Marchington and Draycott parishes involving a new settlement, employment areas, a Home Office prison, country park, substantial improvements to the local highway network, improved water and drainage infrastructure and a new sewerage works were considered in great detail during 1989-1991. The proposals overcame problems, such as the large areas of derelict land on the previous military camp area, poor roads, drainage difficulties and heavy goods vehicle movements, and were supported in principle by the Borough Council. The proposal for a prison has received full planning clearance and should be regarded as a commitment. If it is built during the Plan period, prior improvements to Moreton Lane and the A515 junction will be required.
21. The Borough Council's priorities for the Camp within the remainder of the Plan Period are to re-use or remove the barrack buildings, to allow continuing development within, and to improve the appearance of, the Marchington Industrial Estate (the B Depot) and Hayes Specialist Distribution Site (C Depot), to resolve any local drainage difficulties, to overcome local highway problems on Stubby Lane, to secure suitable after use of the landfill site, and to reclaim derelict and semi-derelict areas of the former military camp. The Council will seek to ensure by agreement that proposals on the Barracks site will make suitable provision for a new public highway from Stubby Lane to Moreton Lane, and that proposals involving a significant increase in heavy goods traffic from the Hayes site secure an access to Moreton Lane.
22. Additionally the Council will support proposals for the improvement of the existing sewerage works, improvement to Marchington Brook (to overcome flooding) and improvements to local foul and surface water drainage.

E16 The provisions of Policy En1 will apply to any alternative proposals for development of the prison site shown on Inset No.18, if a decision is made not to use it for that purpose.

23. Within the larger area of the camp a few smaller areas require particular policies.

24. Former Barrack Buildings

These buildings have been standing empty for 20 years and are in a dilapidated state. While the Council would still be willing to consider proposals for their re-use, the prospects of this are becoming increasingly remote. Any proposals should be subject to agreement on the provision of a Stubby Lane to Moreton Lane link road available

for use by the public and funded by the developer of the site.

E17 Within the allocated area of the Barrack Blocks on Inset Map 18 the Borough Council will permit proposals for employment or institutional use, which might include the re-use of the existing buildings, subject to agreement being reached with the Council on the provision of a suitably designed link road from Stubby Lane to Moreton Lane, to be constructed before any buildings are brought into use.

25. Marchington Industrial Estate (Former 'B' Depot)

This area contains large ex-military buildings in use for industry and warehousing together with some open land. There are some limited opportunities for redevelopment to make better use of the existing land within the site.

E18 Within the area of Marchington Industrial Estate shown on Inset maps 17 and 18 the Borough Council will permit development and redevelopment of the site for employment uses.

E19 Development of new sites in areas allocated under policies E17 and E18 will not be permitted where the type of amount of traffic it would generate would unacceptably harm the rural and residential amenity of the area and interests of highway safety. The Borough Council will impose conditions on consents for new sites within those areas to restrict any change from the use permitted.

26. Hayes Specialist Distribution (Former 'C' Depot)

The site is capable of expansion but the Council wishes, on highway safety grounds, to secure the closure of the Stubby Lane entrance to heavy vehicles. Access for heavy vehicles should be secured from Moreton Lane.

E20 Within the area shown on Inset Map 18, the Borough Council will permit further employment development, provided that no such development which involves a significant increase in heavy goods traffic will be allowed to be brought into use until a suitable vehicular access to Moreton Lane has been provided and access to Stubby Lane by all vehicles exceeding 3 tonnes unladen weight has been prohibited.

27. Waste Disposal Site

This site is nearing the end of its life and it is possible that it will be completed within the Plan period. Once the site is filled it is considered that the appropriate after uses would be for recreational, nature conservation, or leisure use, or for forestry.

E21 In the event of When the waste disposal site being filled within the Plan period, the Borough Council will support its after use for leisure, nature conservation or recreational use, and would be in favour of afforestation of the site.

OFFICES IN THE BOROUGH

28. There is an increased demand for office space in the Borough and particularly in the Burton area. A variety of space is required to add to the range of employment opportunities in the Borough, especially with the anticipated increase in service employment arising from the 'Toyota' impetus.

29. Office development is appropriate to town centres, adding to their diversity and vitality, supporting and extending their services, assisting traditional retail uses, making use of upper floor premises, and contributing to town centre regeneration.

30. Many of the older buildings within Burton and Uttoxeter town centres would benefit from a more efficient use of upper floorspace, especially if this ensures the maintenance of historic buildings.

31. The Council considers it would be appropriate to permit office and research and development uses within existing and proposed employment sites. Prominent sites, close to the main access roads would be most suitable and in the Burton area, the Council supports the area around Bridge Street/Horninglow Street/High Street as particularly appropriate for offices.

E22 Planning permission for office development (Use Classes A2 and B1) will normally be granted in or adjacent to town centres, in identified business parks, or where it is ancillary to a primary industrial or commercial use, except at ground floor premises within the primary shopping area as identified in Policy R7.

NON-CONFORMING USES

32. There are firms in the Borough which are 'non-conforming' because they have a detrimental impact on their surroundings, perhaps due to unacceptable smell, excessive traffic generation, danger to safety or health. Whilst recognising the importance these firms can play in the local economy the Council believes that ultimately all such uses should be relocated to industrial sites.

E23 The Council will endeavour to relocate non-conforming uses when and where they adversely affect the surrounding area, through use of enforcement and compulsory purchase powers where it is expedient to do so, a refusal to grant planning permission on applications for major

extensions and with advice and assistance in all other cases. The aim will always be to ensure the vacated site is redeveloped for a use that is compatible with the surrounding area.

33. An example of uses which the Council would wish to relocate to more appropriate surroundings is the area either side of the B5030 junction with the A50 where the scrap yards detract from the appearance of the area. Ideally the Council would wish to see the cleared sites developed, with a use that will be compatible with the public open space in the Tean floodplain.

RURAL EMPLOYMENT

34. The Borough Council will encourage rural diversification and the provision of new employment opportunities within the rural areas provided they do not conflict with other policies in the Plan.

E24 The Borough Council will approve small scale, local employment generating proposals within rural areas where:-

- (a) any traffic generated can be accommodated on the road system without undue adverse effects; and**
- (b) it will not detract from the environment; and**
- (c) is in accordance with countryside protection policies.**

EMPLOYMENT USES IN RESIDENTIAL AREAS

35. Whilst there is a growing trend towards home employment and the establishment of businesses at homes, the Borough Council will ensure that such uses do not adversely affect the locality whether in urban or rural areas. Proposals will only be permitted where they do not cause a nuisance by way of noise, hours of use, excessive activity, insufficient delivery, parking or access facilities, loss of privacy or other environmental damage.

E25 Commercial activities will ~~only~~ be supported in residential areas where the amenity of nearby local residents or the residential character of the area is not detrimentally affected.

EMPLOYMENT AND THE ENVIRONMENT

36. All major new employment sites will be the subject of a development brief, approved by the Council after public participation. The Council will seek to ensure compliance with the terms of the briefs through the use of legal obligations with developers under Section 106 of the Town and Country Planning Act 1990. In addition, within established industrial areas there may be considerable scope to bring an improvement to the environment. The Borough Council wishes to ensure that developments are completed in a manner which will positively add to the quality and appearance of the area and will not adversely affect the environment through any form of pollution.

E26 The Borough Council will only grant planning permission for new employment generating development if it is well designed providing adequate servicing and car parking spaces in accordance with Policy T10 and provides a comprehensive landscaping scheme.

In particular the following shall be complied with:-

- (1) The means of access should be of a standard acceptable to the highway authority and servicing and car parking shall comply with the Borough Council's standards.**
- (2) Any open storage will only be acceptable when adequately screened.**
- (3) All proposals need to have adequate landscaping, designed as an integral part of the development, incorporating and enhancing any existing natural features where practicable. Within larger scale proposals developers will be required to prepare an overall landscape plan, to be implemented at an early stage in the development. Where larger sites include natural features of value, any necessary management to perpetuate and enhance them should be detailed in the landscape plan.**

TOURISM

37. The Borough Council supports the development of tourism, as an important and growing industry in suitable locations. Tourism forms an important element in both rural diversification and urban regeneration. Therefore, encouragement will be given in both urban and rural locations to the improvement of existing tourist attractions and to the development of distinctive new attractions, subject to them being compatible with policies directed towards protecting the countryside and areas of important landscape.

E27 The Borough Council will maximise opportunities to develop and promote tourism by approving proposals:-

- (1) for any private or public initiative which provides tourist facilities or attractions or assists the tourism industry in general;**
- (2) for visitor facilities, information points, restaurants and heritage attractions, especially where these provide alternative uses for existing buildings.**

E28 Providing these comply with other policies in the Plan, tourism related developments will be permitted if they are compatible with adjoining uses, and have adequate car parking and, if necessary, coach parking.

38. Farm holidays are already popular, with a considerable number of farms in the Plan area offering accommodation. This form of tourism can improve the viability of small farm holdings, and provide much needed rural employment. However the planning authority wishes to ensure that conversions of farm buildings to tourist accommodation are restricted to that use and do not subsequently result in the accommodation becoming permanent dwellings, contrary to Policies En1 and H14.

E29 Proposals for the development of farm based tourist accommodation, by the conversion of farm buildings, will be permitted if they are covered by a condition or Section 106 Agreement to restrict the use and if they comply with other policies in this Plan, and:-

- (1) respect the character of the area and the amenity of adjoining properties;**
- (2) can be satisfactorily served;**
- (3) do not create significant highway problems;**
- (4) do not involve the loss of open space of environmental or recreational value;**
- (5) are of an acceptable design;**
- (6) include provision for the retention of protected species where these could otherwise be displaced**

39. The issues of tourism and leisure policies are closely related to policies of conservation and the environment, and should be referenced to the appropriate section of this Plan. It is the view of the borough Council that where these essential environmental considerations can be met and safeguarded, the benefits of a positive tourism development programme can be obtained. In particular, the Council would wish to progress a range of initiatives in the Burton, Uttoxeter, Tutbury, Trent Valley, Needwood and Abbots Bromley areas.

40. The development of new accommodation for tourists will be encouraged subject to environmental safeguards, and compliance with relevant policies.

E30 Proposals for 'Bed and Breakfast' accommodation will be acceptable provided that they are not in conflict with local residential amenities, they provide adequate on-site parking, and are in accordance with other policies in the Plan.

E31 The Borough Council will approve applications for touring caravan and camping sites within the Borough, where their location and development are in accordance with other policies within the Plan. A principal consideration will be to avoid any detrimental effect upon areas of ecological, environmental and landscape significance. Conditions will be imposed on new sites as appropriate, to control the number and type of units and periods of use.

41. The Borough Council will promote the use of woodland, agricultural land, derelict land, open water areas and public rights of way for leisure and tourism purposes, particularly where there is no conflict with landscape, agricultural, ecological or conservation interests.

E32 The Borough Council will approve planning applications which promote the use of woodland, agricultural land, derelict land, open water areas, and public rights of way for leisure and tourism purposes where these applications will not compromise the aims and policies of this Plan.

42. Amongst the tourist attractions in the Borough the Trent and Mersey Canal provides an under-used facility that the Council wishes to see offer a positive contribution to the development of the area. A study has taken place of this important feature and the Local Plan applies the agreed recommendations. Canalside development should contribute positively to the function and appearance of canals, as well as protect the wildlife value, and its conservation area status.

E33 Along the Trent and Mersey Canal the Borough Council will approve proposals for the creation of marinas and canalside facilities in locations that are compatible with other policies in this Plan, the Conservation Area and the adjoining highway network.

43. Within the Borough certain sites and pipelines are designated as notifiable installations by virtue of the quantities of hazardous substance stores or used. The siting of such installations will be subject to planning controls, aimed at keeping them separate from housing and other land uses, with which such installations will be subject to planning controls, aimed at keeping them separate from housing and other land uses, with which such installations might be incompatible from the safety viewpoint. To this end, the Borough Council will seek the advice of the health and Safety Executive, on the suitability of any proposed development which would introduce one or more hazardous substance, in relation to the risks that it might pose to the surrounding population.

44. The area covered by this Local Plan already contains a number of installations handling hazardous substances and/or high pressure natural gas transmission pipelines. Whilst they are subject to stringent controls under existing health and safety legislation, it is considered prudent to control the kinds of development permitted in their vicinity. In determining whether or not to grant consent for a proposed development on land which is in the vicinity of one of those installations, the Borough Council will take account of advice from the Health and Safety Executive about the risks to the proposed development from the hazardous installation. The Health and Safety Executive will be expected to comply with the nationally agreed time limits for such consultations so as to avoid unnecessary delay.

E34 Development involving the presence of hazardous substances, and development in the vicinity of hazardous installations, will only be permitted where the Borough Council is satisfied after consulting with the Health and Safety Executive that there will be no risks to the safety of the local community or potential occupants of the new development.

HOUSING

INTRODUCTION

1. This chapter sets out policies and justification for:-

An adequate land supply for new build, the regeneration of existing residential areas, specialised housing, and the determination of related planning applications.

LAND SUPPLY AND ALLOCATIONS AND CONTROL OF DEVELOPMENT

2. The proposals in this Plan put forward a variety of development opportunities to meet the Staffordshire County Structure Plan requirement of 8,100 dwellings between 1986 and 2001. The contribution of sites completed and committed since 1986 is analysed in Appendix 7, and a 15% reduction in the committed but unimplemented figure has been made, as not all of the remaining committed sites will be fully developed. Appendix 7 also includes a figure for small sites and conversions committed by permission. Table H1 summarises the position.
3. The allocated sites are listed in Policy H2 together with an indication of likely capacity and reference to the relevant Proposals or Inset Map
4. Some provision will be made for ‘windfall’ sites not allocated in the Plan. It is anticipated the windfall sites will contribute 150 units in the remainder of the Plan period.

TABLE H1

Analysis of Structure Plan Provision for Housing

Planning permissions granted prior to 9 th January 1997	7,938
Windfall allowance	150
Allocated sites	630
	8,718

This represents a 7.6% increase over the Structure Plan requirement and enables Policy H1 to be met and allowing for implementation of sites after 2001, the end of the Plan period which is now less than 5 years away.

5. The Borough Council’s priorities in allocating sites to meet the residual Structure Plan requirements, ensure an ongoing five year supply, provide a balanced portfolio of development sites, and take account of market requirements and controls as far as environmental policies permit, have been:-
 - (a) To cater for in-migration demand from areas to the south of the Borough which was recognised in the evolution and justification of the Structure Plan requirement of 8,100 homes;

- (b) To thereafter allocate the bulk of the housing requirement to Burton and Uttoxeter;
- (c) To meet as much as possible of the housing demand in those two towns within the development boundaries;
- (d) Within these development boundaries to use as much vacant, derelict or under used land as possible;
- (e) Within these development boundaries to encourage building on sites which would be suitable for smaller households or rented accommodation, particularly where this would lead to the regeneration of existing communities;
- (f) To allow for limited growth in villages better served by public transport, particularly where this would help maintain the viability of existing facilities;
- (g) To generally resist development in the countryside, and only consider housing proposals that meet the criteria in Policy H8, or would otherwise assist in regenerating the rural economy.

H1 The Borough Council will ensure an adequate supply of land for residential development throughout the plan period by:-

- (a) allocating sufficient specific sites to meet the residual Structure Plan requirement for completed dwellings once commitments and windfalls are taken account of;**
- (b) ensuring an on-going five years supply of housing land genuinely available for development within that period to meet the scale and location of development required in the Development Plan;**
- (c) ensuring a balanced portfolio of development sites;**
- (d) taking account of market requirements and controls so far as environmental or other relevant policies permit.**

H2 The Borough Council allocates the following sites for housing use, to meet the objectives of Policy H1.

Burton Area	Maximum No. of Units	Inset Map No.
Top Land, Brizlincote Valley (Phases 4-7)	179	2
Wetmore Lane	30	2
Tutbury Road, Outwoods	120	2
	329	
Uttoxeter		
Balance Hill Extension	70	30
Adj. Racecourse, Wood Lane	30	30
Highwood Road	50	30
Blounts Drive	12	30
	162	
Rural Areas		
Home Farm, Rolleston	40	24
South of Riversfield Drive, Rocester	45	23
Short Lane, Barton under Needwood	14	6
Yoxall	40	34
	139	
TOTAL	630	

H3 The Local Planning Authority will permit small sites and conversions for housing development with a capacity of under 10 dwellings, provided they accord with other development plan policies.

6. It is the Borough Council's view that details of design of major housing sites are best dealt with by means of design briefs. Policy 4 specifies the advice which would be included. Briefs have already been prepared for the adjacent sites at Balance Hill extension and Highwood Road. Briefs have also been prepared for the area including the Top Lane, Brizlincote Valley and for Blounts Drive.

On two sites, the granting of planning permission, subject to Section 106 agreements, was imminent at 9th January 1997, namely:-

Top Land Brizlincote Valley
Blounts Drive

On some of the following sites the number of dwellings given in the table is lower than would be expected, given the size of the site, if developed at average densities. This reflects the wish of the Borough Council that provision should be made, either to enhance the appearance of the site through structural landscaping, to protect existing features of landscape, nature conservation or wildlife importance, to retain open space

within or adjacent to the site, and to provide a choice of housing densities catering for all requirements.

In respect of particular sites the following principles apply:

(1) Wetmore Road, Burton upon Trent.

The site forms part of a larger area which was the subject of objection to the Local Plan. The Inspector recommended that the larger area be excluded from the housing development site, but at the same time recognised the opportunity of securing the retention of the bulk of the public open space for the benefit of residents in the area. The Council will seek to agree with developers permission for

30 dwellings on the defined site in a way which will guarantee the long term retention of this open space.

(2) Rear of Beamhill Road/Tutbury Road (Beamhill “small site”).

The development of this site is likely to entail off site works to meet requirements in respect of highways, drainage and educational provision. Within the site the setting of a maximum figure of 120 dwellings reflects the importance the Council attaches to National Forest planting, retention of hedgerows and footpaths, protection of features of nature conservation interest, including a colony of great crested newts (a protected species in law) at the pond, open space provision, and the provision of a lower density high quality development to provide a choice of such sites within the development boundary.

(3) Balance Hill Extension and Highwood Road, Uttoxeter.

These two sites abut each other and lie to the south and south east of existing housing at balance hill. The “Balance Hill Extension” forms the western half of the two sites and the western part of it is situated on high ground. The Staffordshire Way long distance footpath traverses this part of the site and there are also prominent trees and hedgerows which merit retention as part of any development. A maximum figure of 70 dwellings is set for this part of the site. The Highwood Road site has been added to the Plan following the Inquiry, and includes land previously shown as committed residential lying to the south of Woodleighton. Access can be obtained from the Balance Hill Extension site to the west, but it is also appropriate to consider access from Highwood Road. In the latter case the land between Highwood Road and the allocated site should remain undeveloped and the site entrance enhanced by tree planting. Within the site the Council wishes to ensure that consideration is given to the protection, where possible, of hedgerows and trees (the site has a Tree Preservation Order in force), provision of open space, the protection of ridgelines from development, countryside access along the lines of existing public footpaths crossing the site, and the protection of badger setts and the surrounding area to enable safe access for them to foraging areas further afield a limit of 50 dwellings is imposed. Off site drainage works may be necessary.

(4) Adjacent to Racecourse, Wood Lane, Uttoxeter.

The site has a capacity of 30 dwellings. The site is presently used as a car park on days when Uttoxeter Racecourse is open. If developed, car parking to compensate should be provided within the area of the racecourse as defined by Policy L8 on Insets 30. The site has an open aspect to the east and the eastern boundary should be designed and landscaped to reflect its position on the urban edge of Uttoxeter.

(5) Home Farm, Rolleston on Dove.

The site lies partly within the Rolleston Conservation Area, and two features within or close to the site boundary contribute to the character of the area; firstly some of the farm buildings, and secondly the extensive tree planting fronting Church Road. In developing the site for a maximum of 40 dwellings the Council expects that part of this provision should be by way of conversion of those farm buildings which are of vernacular design. The Council also places a strong emphasis on protection and enhancement of the attractive entry to Rolleston from the west.

(6) Sudbury Road, Yoxall.

The Council wishes to ensure that development would not intrude on the adjoining Conservation Area, to ensure protection, as far as highway requirements allow, of the hedgerow fronting Sudbury Road, and to enhance through landscaping the area between The Croft and Pear Tree Farm. Public footpaths traverse the site and a limit of 40 dwellings is set to take account of the constraints outlined above.

H4 For all allocated sites in Policy H2, development will be aided by a brief which will include advice on layout and design, vehicular and pedestrian access, specialised housing needs, density, car parking, landscaping, amenity areas, and phasing.

H5 All proposals for housing sites should take account of the desirability of reusing neglected, derelict and underused areas, to the retention of valuable amenity space, and to the desirability of preserving the setting of listed buildings, in accordance with approved Structure Plan Policies 64, 65, 66, 78 and 93. Particular care will be needed to ensure that new housing development is sensitively designed and can be assimilated without causing adverse environmental effects.

7. Advice from Central Government gives increasing emphasis to the role of Local Plans in establishing principles for the design of residential areas which aim to reassure the public by making crime more difficult to commit and providing people with a more secure environment. Detailed guidance is not given but Policy H6 seeks to ensure that the topic is given consideration at the preliminary design stage. Further details on the general approach to be used are contained in Department of the Environment Circular 5/94, paragraphs 12 to 27.

H6 The Borough Council will encourage the design of housing developments to provide safe and secure environments, which offer opportunities for self policing and surveillance, and provide safe and secure public routes

which seek to minimise both actual and perceived opportunities for criminal activity on private property.

8. The release of many housing sites will also be subject to the applicants agreeing where necessary, as part of the development costs, to make appropriate provision towards social, educational, recreational, sporting or other community provision, the need for which arises from the development, in accordance with policy L19.
- 9 Outside the village and town “development boundaries” a restrictive policy on new residential development will be applied to accord with the Structure Plan and with the environmental policies of the Local Plan.

H7 Planning permission will not be granted for new housing development outside the development boundaries of Burton, Uttoxeter and the villages unless one of the criteria set out in policy H8 is met.

H8 To comply with countryside policies, planning permission will not be granted for new dwellings in the countryside unless they meet at least one of the following criteria:-

- (a) The development will meet a recognised local housing need as outlined in paragraphs 14 and 15 and Policy H11. The development site should be within or adjoining existing villages or smaller settlements and should not conflict with the environmental policies in the Local Plan.**
- (b) The Council is satisfied that a dwelling is essential to enable farm or forestry workers to live at or near their place of work, subject to the requirements of policy H12.**
- (c) The Council is satisfied there is special justification for a dwelling where it can be shown to be essential to the operational needs of a rural based enterprise for someone to live on the spot rather than in a nearby settlement.**
- (d) It would result in the construction of one or two dwellings within a settlement for which no envelope has been prepared, provided that by so doing a gap that is important in maintaining the rural character of the surrounding area is not closed, nor is ribbon development or a fragmented pattern of development created.**

NEW COMMUNITIES

10. Within the urban area of Burton, unallocated tracts of land and groups of buildings may become redundant, during the Plan period. To respond to this possibility the Local Plan contains a policy which would allow the Local Planning Authority to consider opportunities that may arise, especially to regenerate parts of the town or to avoid pressure on extra greenfield sites for development. As a Member of the Urban Villages Forum the Borough Council wishes to pursue many of the principles being established by this group (see Appendix 8) and would wish to

promote the concept. Fundamental to this is the recognition of a new category of development, the mixed-use urban village, combining housing, employment, community and leisure facilities within a planned framework.

H9 The Borough Council will consider schemes for mixed developments within the framework of an urban village by reference to the following criteria:-

- (a) the scheme must be located within a settlement development boundary;**
- (b) the scheme must be of an appropriate scale and in any event not less than 20 hectares in extent;**
- (c) the scheme must provide for the comprehensive development or redevelopment of its area, and must satisfy the concept of an urban village as summarised in Appendix 8 of this Plan. Preference will be given to urban regeneration schemes;**
- (d) in the case of a scheme involving redevelopment, that employment opportunities of the site are optimised, taking account of its location, accessibility and the quality and quantity of the employment offered;**
- (e) the scheme must provide for an appropriate balance of uses including an appropriate balance between employment, community facilities and housing at all stages of development;**
- (f) the scheme must be amenable to control not only through the terms of a planning permission and planning agreement, but also by such additional binding arrangements as will secure effective involvement of the developing local community and continuity of control over the quality, balance and phasing of development in accordance with an approved master plan;**
- (g) a proposal for a scheme must include a Traffic Impact Appraisal and generated traffic must be satisfactorily accommodated by the surrounding highway network after the provision of any improvements to be funded by the developers;**
- (h) the scheme must comply with Policy En16 and the other environmental policies in the Plan;**
- (i) the proposed development would not create a risk, based on the current Land Availability Study, that housing development during the Plan period will unacceptably exceed the Structure Plan requirement nor adversely affect the balance of housing provision in the Borough in respect of its type and location;**

- (j) a scheme within the National Forest must include a level of planting that reflects that location.

In assessing the acceptability of a proposed scheme, the Council will have regard to the existence of any other such proposals and to any other such existing developments.

HOUSING NEEDS

11. One of the principal aims of the Local Plan is to address the difficulties of providing housing for the needs of particular groups. The Council's recent annual Housing Strategy Statements have identified particular issues in relation to sharp increases in the number of single person and elderly households, shortage of privately rented accommodation, shortages of specialist accommodation for the elderly and mentally handicapped, lack of low cost housing sites for sale, and shortages of affordable housing in rural settlements. The Borough Council, through its Housing Strategy will encourage a variety of residential developments to meet a range of accommodation, and as a general principle will favour:

- (1) small household accommodation on high density development sites, in or adjacent to town centres or 'over the shop'.
- (2) developments which include a mix of tenure, type and size or redress an imbalance of housing provision in a particular area.
- (3) proposals which include or involve accommodation for young people and specialist housing groups such as the elderly, infirm and disabled. Property available to rent will be particularly welcomed.
- (4) initiatives which involve the development of dwellings for low income groups in joint ventures with building societies, housing associations and private developers.

12. The Borough Council is unable to build enough dwellings to meet in full the housing needs identified in paragraph 11, and to tackle homelessness. Government policy, and hence the necessary funding, is directed towards such provision being undertaken by the private sector and housing associations. The Council has an enabling role using its housing powers to encourage the types of provision mentioned in paragraph 11. It will also, through its use of planning powers, work to promote and regulate by agreement, especially by means of development briefs and legal obligations under Section 106 of the Town and Country Planning Acts 1990, the provision of affordable housing for purchase or rent for first time buyers and the elderly in urban and rural areas.

AFFORDABLE HOUSING

13. There is a need for affordable housing throughout the Borough, made more acute by the diminution of the rented Council housing stock. Within Burton, Uttoxeter and the village boundaries shown on Inset Maps, schemes for affordable housing to buy or rent should be aimed at one or more of the groups identified in paragraph 23. The Borough Council would particularly welcome schemes that provide dwellings to rent. Where rented houses are proposed these could either be built for a Housing Association or a

site transferred to the Borough Council to develop as and when their capital programme permitted. Any land outside town and village boundaries released to this purpose will be additional to the provision made for general housing demand.

14. For the purposes of this section of the housing chapter, affordable housing shall be defined as “dwellings for rent, shared ownership accommodation and/or smaller houses for sale at the lower cost end of the market”.
15. To enable the provision of affordable housing for the particular issues and groups mentioned in paragraph 23, the Council through Policy H10 will support applications which have regard for the following criteria:-
 - (a) the scheme meets the needs of groups referred to in paragraph 23 whose needs would not otherwise be met.
 - (b) there are secure arrangements to ensure that the benefits of affordable housing will be enjoyed by subsequent occupiers as well as initial occupiers. The secure arrangements will include one or more of the following:-
 - (i) removal or restriction of permitted development rights under the General Permitted Development Order to prevent enlargement of the dwellings.
 - (ii) agreements with developers to restrict the right of lessees to increase their share of the ownership beyond 80%.
 - (iii) conditions or planning agreements to control occupancy, and requiring developers to submit and obtain approval for affordable housing schemes.
 - (iv) the control of changes of ownership or occupation by a housing association or other social body providing housing for rent or shared ownership.
 - (c) the need for affordable housing is a material planning consideration in determining the application.
 - (d) the scale of the element of the affordable housing within any scheme is a matter for negotiation.

H10 Within the development boundaries of towns and villages defined on Inset Maps and where a local need for affordable housing has been identified by a recent survey, on sites of over 1 hectare the Borough Council will seek to negotiate for the inclusion of an appropriate element of affordable housing to contribute to meeting that need, having regard to the results of the survey and site and market conditions. Any affordable housing to be approved will be made subject to arrangements to secure its subsequent occupation for those who need it.

16. Policy H11 below seeks to allow the exceptional release of land for affordable housing within or adjoining rural settlements where there is an overriding local need for affordable housing. In interpreting this policy the following criteria should be taken

into account:-

- (a) the policy is designed to tackle specific problems in some rural settlements where community balance and long term viability may be threatened by the lack of affordable housing to meet local needs.
- (b) the release of sites under this policy is an exception to normal housing policies and allocations, to meet the needs of rural areas on sites where permission for development would not otherwise be granted.
- (c) the location of the site will have regard to infrastructure requirements and ease of access to services for the residents.
- (d) “local need” will be taken to relate to the particular village or parish in which permission is sought. Where a particularly small parish has no village boundary evidence of need could be brought forward to justify a proposal in an adjacent parish which has a village with a boundary.
- (e) the researched level of demand for affordable homes will dictate the scale of the development.

It should be emphasised that the basis of the H policy is essentially one of permitting very limited exceptions to established policies of restraint.

H11 In rural areas outside development boundaries defined on Inset maps the Borough Council will exceptionally consider the release of small sites within or adjoining existing settlements to provide affordable housing where it can be shown there is an overriding local need. Any such housing to be approved will be made subject of arrangements to secure its subsequent occupation for those who need it. The following categories of need will be considered:-

- (a) existing residents needing separate accommodation in the area who have been ordinarily resident in the village or parish for at least five years.**
- (b) people whose work provides a valued service within the community and who need to live closer to the local community.**
- (c) people not resident locally, but having longstanding relationships or close links with the local community, e.g.:-**
 - those born and brought up in the parish, intending to return or recently returned:**
 - those wishing to move into the parish to look after an infirm or elderly relative, or to enable the latter to move nearer to families within the parish;**
 - those who have previously lived in the parish for a single**

consecutive period of more than five years and wish to return.

- (d) people with offer of a job in the locality, who cannot take up the offer because of a lack of affordable housing.**

FARM DWELLINGS

17. Paragraph 9 and policies H7 and H8 of the Plan indicate that new dwellings in the countryside will be strictly controlled, unless they are essential for the needs of agriculture, forestry, and other rural enterprises. To ensure that agricultural and forestry dwellings are only approved where there is a genuine need, the following policy shall apply:-

- H12 (1) New housing will not be permitted following the breaking up of a farm unit unless the Local Planning Authority is convinced that a sound agricultural reason exists for permitting such development which is supported by the independent advice of an appropriate agency.**
- (2) For applications for additional dwellings where there is already a dwelling associated with the unit, planning permission will not be granted unless an occupancy restriction is attached to the original dwelling, in order to preserve the existing stock of farm dwellings in the Borough. Either a condition on the permission or a Section 106 Agreement will be used as appropriate.**
- (3) In assessing planning applications for new dwellings associated with agriculture or forestry, the Borough Council will apply a functional test in all cases to establish whether it is essential for the proper functioning of the enterprise for one or more workers to be readily available at most times. In cases where the functional test alone is not conclusive, the Borough Council may also apply a financial test to help assess the land use implications of the site, including taking account of the likelihood of the intentions for the enterprise being carried into effect and the types of dwelling.**
- (4) The Borough Council will require any new dwelling to be located within or close to the existing farm complex or forestry enterprise unless exceptional circumstances prevail and to be of a size commensurate with the full functional requirements of the enterprise. Any proposal that detrimentally affects the open countryside will be refused.**

H13 An occupancy condition will not be removed, unless the applicant can demonstrate to the satisfaction of the Local Planning Authority that there is no longer a continuing need for a dwelling for someone solely, mainly, or last working in agriculture or forestry in the area, and that reasonable attempts have been made over a suitable period of time to advertise and

sell, rent, or let the property, which reflects its encumbered state with a condition on it.

18. The Borough Council has permitted the conversion of existing buildings in the countryside, usually to housing, where that has resulted in a building of significance in the landscape being retained. In all cases, the conversion has retained the architectural and historic character of the buildings.
19. In dealing with planning applications for the conversion of buildings in the countryside, the Borough Council will use the following policy statement, and has approved guidelines to assist with barn conversions which embody these criteria.

H14 In the countryside, outside development boundaries, where new development is generally strictly controlled, proposals to convert existing buildings to dwellings will only be allowed where it can be shown that overriding benefits would accrue from their re-use. The following factors will be taken into account in assessing such proposals:-

- (a) the visual impact and relevant history of the existing building;**
- (b) the physical condition of the existing building and its suitability for conversion without extensive alteration or extension or substantial reconstruction. A structural survey may be required to be submitted with a planning application;**
- (c) the visual impact of the form, bulk and design of the dwelling conversion and of its curtilage on the character and appearance of its surroundings and the countryside;**
- (d) the contribution of the conversion to improvement of the external appearance and the preservation of any architectural, historic or other traditional features of the building;**
- (e) the compatibility of the residential use with surrounding land uses and the highway network in the locality.**

Where consent is granted the normal permitted development rights relating to extensions to dwellings may be withdrawn by condition.

OLDER HOUSING AREAS

20. The Council is committed to maintaining the fabric of the older housing in the Borough, which includes large areas of pre-1914 housing in Burton upon Trent and smaller areas in other parts of the District. The Council is reviewing its area-based policies for older housing in the light of the Local Government and Housing Act 1989.
21. It is possible that within the period of the Plan, opportunities will arise for the Council to declare Renewal Areas using its housing powers. The Council has also set up the Burton Community Partnership board with a view to promoting initiatives for urban

renewal through a Single Regeneration Bid. The Council also wishes to ensure that new development or redevelopment does not seriously affect the character of established residential areas through excessive densities.

H15 In determining planning applications within older housing areas in addition to other relevant policies in this Plan, the Local Planning Authority will have regard to the impact of applications on:-

- (a) the potential for environmental enhancement, particularly the Urban Forest Strategy for Burton upon Trent;**
- (b) the potential for bringing into use of areas of derelict, vacant, cleared or underused land for community benefit;**
- (c) the character of established residential areas because of density, the scale of new buildings, access and off-street parking;**
- (d) within Burton the potential for furthering the aims of the Burton Community Partnership Board's Single Regeneration Bid.**

22. The environmental quality of many older housing estates is poor. Housing powers will be used to deal with many of these, but one particular area, in the centre of Rocester, consisting of residential flats developed some 30 years ago, is considered appropriate for redevelopment during the Plan period. The Council's strategy for the area (defined on Inset Map 23) may involve agencies other than the Council and it is felt appropriate to include a planning policy for the redevelopment of the site. There will be full consultation with the Parish Council and affected residents on any proposals.

H16 Any proposals for the redevelopment of the area of Council flats in the centre of Rocester shall have regard to its setting adjoining the Conservation Area and the need to provide a more attractive environment in the centre of Rocester.

RESIDENTIAL INSTITUTIONS

23. The Borough Council recognises the need for businesses providing residential care for people of varying ages, mobility and disability. It also accepts that conversion to this type of use is one means of retaining large buildings, particularly houses that can no longer be used economically for the purpose for which they were built. Too many such changes of use in an area, however, can detrimentally affect the character of that area. This is particularly the case where the initial application is followed by proposals to extend the property to provide additional facilities or accommodation. So the Council can assess whether or not the criteria in Policy H17 can be met, all applicants proposing to change the use of a dwelling in whole or part to an alternative use shall submit as part of the application a reasoned case including:-

- (a) a plan showing a safe access to the property and sufficient parking and manoeuvring areas within the curtilage to accommodate the maximum number of vehicles likely to be at the property at any one time.**

(b) a plan showing how such future extensions as may be necessary or may be proposed can be accommodated on site without detriment to the amenities of adjoining properties or the appearance of the street scene.

(c) details of any proposed alterations to the exterior of the property, including advertisements.

H17 The Borough Council will grant permission for the change of use of existing buildings to provide residential care where all the following criteria can be met:-

(a) there are adequate outdoor amenity areas for residents;

(b) parking and manoeuvring facilities in accordance with the Council's standards can be provided together with a safe vehicular access;

(c) it will not be necessary to extend the building to the detriment of the street scene to make the business viable;

(d) the use will not detrimentally affect the amenities of the surrounding area through noise, general disturbance and traffic generation;

(e) the area does not already contain so many buildings put to commercial purposes that the change of use of one more will change the character of the area from being one of primarily private residences to an area where such dwellings are in a minority.

H18 Planning permission will be granted for extensions to existing residential homes providing they comply with (a), (b) and (d) of Policy H17, and a requirement that the extension should not be of a size and design to detract from the original building, its setting within its curtilage, or the appearance and character of the surrounding area.

HOUSES IN MULTIPLE OCCUPATION

24. As part of providing a range of accommodation in the Borough, as outlined in paragraphs 11 and 12 the Council accepts that there is a role for the use of appropriate properties for multiple occupation where this will not harm the amenities of nearby residents or the character of the area.

H19 Planning permission for changes of use to create shared dwellings or dwellings in multiple occupation will be granted where all the following criteria are met:-

(1) the location and size of dwelling and curtilage to be used are suitable for the type and intensity of use proposed without causing harm to the privacy and amenity of local residents or the character of the locality, having regard also to any cumulative effects of similar uses in the area;

(2) off-street car parking to comply with Policy T10.

MOBILE HOMES

25. Mobile homes make a valuable contribution towards the housing stock but their siting can often have a detrimental effect on the landscape.

H20 Permission will not normally be granted to use land in Special Landscape Areas as sites for mobile homes. In all other parts of the Borough the same criteria as for permanent dwellings will be applied in determining planning applications, with the additional proviso that temporary arrangements while dwellings are being built or renovated will be supported.

TOWN CENTRES

26. The Borough Council supports the introduction of new house building into town centres and the conversion of upper floors of premises to self-contained flats.

H21 Planning permission for new house building will normally be given in or near Burton and Uttoxeter Town Centres provided that it does not restrict the operation of an existing commercial activity. Proposals to 'live over the shop' will be similarly encouraged, and in particular where this would result in the re-use of the upper floors as flats and the scheme of conversion accords with the other policies in this Plan the Council will not insist on parking spaces being provided within the curtilage of the property.

EXTENSIONS TO EXISTING DWELLINGS

27. Many extensions to residential premises do not need planning permission. They are permitted by virtue of the Town and Country Planning General Permitted Development Order. When planning permission is required, the proposal will be judged against criteria aimed at ensuring that the extension is well designed. The Borough Council will also take into account any design guides Supplementary Planning Guidance it may have published relating to the type of extension proposed and/ or the settlement in which the development will take place.

H22 Planning applications for extensions to dwellings will be approved providing they meet the following criteria:

(1) the building materials should harmonise with the existing building;

(2) the elevations of the extension should be integrated satisfactorily with the existing building with particular attention paid to size, detail and positioning of doors, windows and gutters;

(3) in two or more storey extensions the roof of the extension should reflect the design of the roof of the existing dwelling;

- (4) no flank windows or balconies should be provided which might result in overlooking of nearby premises. Where side windows must be included because of other constraints, they should be glazed with obscure glass;**
 - (5) the appearance of the street scene should not be damaged;**
 - (6) the extensions should not seriously reduce daylight or sunlight to the principal windows to neighbouring properties.**
28. The Borough council will also take into account any design guides it may have published relating to the type of extension proposed and/or the settlement in which the development will take place.

REPLACEMENT DWELLINGS

29. Applications for planning permission for replacement dwellings in the countryside will be considered in accordance with the following criteria:

H23 Planning permission for replacement dwellings in the countryside will only be granted where all the following criteria are met:

- (1) The existing dwelling is below acceptable living standards as defined by the Housing Act and cannot be made habitable by renovation with an acceptable extension, or the removal of the dwelling would bring about some form of community gain such as improvements to the visibility at road junctions;**
- (2) The proposed new dwelling is not significantly larger than that which it replaces;**
- (3) The proposed new dwelling is not more intrusive in the landscape than that which it replaces;**
- (4) Residential use has not been abandoned;**
- (5) The property has been shown to be structurally unsound.**

SPACE ABOUT DWELLINGS

30. East Staffordshire Borough Council is seeking to encourage a high quality of design in housing types and layouts.
31. Policies H24 and H25 set out objectives to provide for space and privacy around dwellings. The Council has prepared the following advisory standards which are deemed to satisfy those objectives, but other design solutions will also be approved. These may be submitted and agreed as part of a development brief for large sites in accordance with Policy H4 or shown on planning application plans on other sites.

- (a) New dwellings which are specifically designed for family occupation (i.e. two or more bedrooms) should be provided with a minimum private garden space of 65 square metres secluded from overlooking other than by immediate neighbours. This area is considered to be the minimum space that will allow the normal range of family outdoor activities, including children's play, sitting out area, lawn with flowerbeds or vegetable plot, drying of washing and the erection of a shed or greenhouse. This minimum area should not include space for parking or garaging of vehicles.
- (b) To allow for reasonable privacy in the rear garden immediately adjacent to the house, a minimum depth of 11 metres is normally sought. Separate access to the private garden either from the front or rear of the curtilage is also desirable to allow the removal of refuse, garden waste etc. Dwellings without side access to the rear garden should be designed with bin enclosures provided at the front.
- (c) The occupiers of non-family dwellings (i.e. one bedroomed dwellings, specialist housing for the single, elderly or disabled) may not need the standard family garden, but they should be provided with adequate amenity space relative to the types of units being provided. The amenity space should provide a pleasant outlook, good natural lighting and privacy for the residents.
- (d) Residential homes for the elderly in close care (i.e. where residents are only provided with bedrooms and the remainder of the accommodation is shared) should provide a communal garden area of 15 square metres per bedroom. Self-contained units for the elderly should have communal areas of at least 35 square metres per unit or a mixture of private and communal areas equalling that level.
- (e) Where development proposals are submitted within larger gardens, a reasonable amount of private garden should be retained for the existing development to ensure that any amenity value is not lost.
- (f) There should be a minimum distance of 22 metres between principal windows of dwellings which face each other unless they are bungalows which are not intervisible due to screen fencing in which case the minimum distance can be relaxed, providing garden space in accordance with Policy H24 can be achieved.
- (g) In the case of dwellings with principal windows facing two storey walls with no windows, the minimum distance between the buildings should be 15 metres.
- (h) Where the principal windows face a single storey wall with no windows, the minimum distance can be relaxed to 11 metres.
- (i) Principal windows facing each other across a public highway will not be required to satisfy (f) above when to do so would depart significantly from the character of the surroundings which it is desirable to maintain.

H24 Planning permission for new residential development and house extensions will not be approved unless the design and layout makes provision for outdoor domestic activities to be undertaken in reasonable privacy and commensurate with the utility needs of the type of dwelling and likely household size.

32. In addition to the provision of adequate private space, the development of residential sites must be carried out in such a way as to ensure the privacy of the occupiers is respected by maintaining certain minimum distances free of obstruction in front of principal windows. Principal windows shall be defined as the main window of a living room, dining room, kitchen or bedroom.

H25 Planning permission for new residential development will not be approved unless the design and layout provides for adequate freedom from unwarranted intrusion resulting from overlooking between principal windows of dwellings.

33. Planning applications will be examined to ensure that light to principal windows is not seriously reduced by adjacent buildings (e.g. juxtaposition of a proposed garage to existing living room windows and large rear extensions on the boundary with the neighbouring property).

H26 Planning permission for development which will result in light to principal windows of existing adjacent dwellings being seriously reduced will not be approved

SPECIAL HOUSING NEEDS: GYPSIES

34. While it is not thought that there is a great need for any other permanent caravan site for Gypsies, occasional problems have arisen in recent years. The Borough Council will support the County Council in the implementation of Structure Plan Policy 62 and will keep under review this special need, especially in relation to the provision in adjoining local authority areas.

H27 The Council will have regard to the needs of travelling people for the development of appropriate Gypsy sites as required. Planning applications for private Gypsy sites will be considered on their merits within the context of the prevailing development control policies and in accordance with Department of the Environment Circular 1/94.

SHOPPING AND TOWN CENTRES

INTRODUCTION

1. The Council intends the Borough to have a range of shopping that is easily accessible to all workers and residents in the Borough and beyond.
2. Burton upon Trent is the second largest shopping centre in Staffordshire, serving a catchment area which extends into both Derbyshire and Leicestershire. Recently completed new shopping has strengthened its status in the regional hierarchy. Uttoxeter, although significantly smaller than Burton, also attracts custom from a wide area
3. The policies in this section apply the most recent advice from Central Government and implement Structure Plan policies. They indicate the scale and location of new development, propose specific policies for the town centres that aim to enhance their environment and, in light of the variable demand for new retail space propose alternative uses for already committed sites.
4. Central Government advises that planning authorities should not seek to restrict competition within the retail sector which may affect the perceived benefits to the general public. However it has said, where large scale retail developments are proposed, it is appropriate to take account of the effects of other recent and proposed developments and consider their effects upon existing town centres as a whole.
5. The Staffordshire Structure Plan classifies retail development into:
 - (a) Development within or in immediate vicinity to town centres (Policy 18);
 - (b) Large retail developments in urban areas outside town centres (Policy 19);
 - (c) Large scale retail development in the countryside (Policy 21);
 - (d) Local shopping in new housing areas and other areas where there is a deficiency (Policy 24).
6. The Local Plan uses this classification in The following policies and proposals which are drafted to ensure that both Burton and Uttoxeter have sufficient retail sites allocated to enable them to continue to provide facilities for a wider area than the towns themselves. Two main types of retailing are distinguished: “Convenience goods” which are goods, such as food, newspapers and drinks which tend to be purchased regularly and for which convenience of purchase is important; and “Comparison/Durable goods” which include clothes and electrical equipment, for which the consumer generally expects to invest time and effort into visiting a range of shops before making a choice.

R1 New proposals for convenience (food) shopping will not be permitted unless they comply with Policy R4 and satisfy all of the following criteria:

- (1) individually, or cumulatively with other proposed retail developments that have been granted planning permission, they would not seriously affect the vitality and viability of Burton and Uttoxeter town centres as a whole;**
- (2) the site is in a location where car use can be minimised because of the proximity of other travel generating activities, the availability of buses and the ease of walking and cycle access;**
- (3) the retail unit would be constructed to standards of design and finish appropriate to the surroundings, and would be set in a landscaped site, with adequate parking and manoeuvring space for customer and service vehicles;**
- (4) the development would meet the requirements of environmental policies in this Plan;**
- (5) it would not materially contravene other policies of the Plan.**

R2 Proposals for durable goods (non-food) retailing will be permitted subject to complying with Policy R4 and the following criteria:

- (a) the location is not within Green Belt or open countryside;**
- (b) the scale and design is appropriate to the proposed location;**
- (c) the development does not affect the vitality and viability of any town centre, having regard to recent and proposed retail developments and the cumulative effects of such development;**
- (d) the land proposed for such use does not compromise the supply of housing and industrial land where such land is in short supply;**
- (e) the development can be served by a variety of means of transport;**
- (f) the development will not result in the sporadic siting of comparison goods shopping units out of town centres or along road corridors.**

7. There are already shopping sites committed by planning consent in Burton which may not be implemented and the Borough Council will wish to reconsider whether such uses remain appropriate if that permission is not implemented.

R3 If any site currently permitted or committed for retail use is not developed within the life of the planning permission, the Local Planning Authority will consider whether such use is still appropriate having regard to prevailing planning policies.

GENERAL POLICIES

8. The Council is concerned to ensure that the shopping areas in Burton and Uttoxeter town centres remain prosperous. The inset maps define boundaries for the retail areas for the town centres of Burton and Uttoxeter. Within these boundaries there is scope for limited extra provision, especially where proposals will enhance the environment of shopping areas.
9. Most shopping areas within the Borough contain parts which no longer provide a good shopping environment. Where opportunities arise the Council will seek to promote suitable adaptations to these to provide a more pleasant environment for shoppers while retaining the intrinsic character of local shopping areas.

R4 Within the defined town centre retailing areas of Burton and Uttoxeter the Council will approve further retailing compatible in type and scale with the existing provision providing the development complies with the car parking standards and other policies within this Plan. Applications for retail development outside the defined town centre retailing areas on Insets 3 and 30 will not be permitted unless either:

- (a) all the criteria of Policy R18 are satisfied; or**
- (b) in the case of an edge of centre site, it is easily accessible on foot from the centre and no suitable town centre sites are available; or**
- (c) in the case of an out of centre site, it is accessible by a variety of means of transport, and no suitable town centre or edge of centre sites are available.**

10. The Council supports the use of upper floors in town centres for a variety of social and environmental reasons. It proposes within its housing policies to support the introduction of residential uses. Most commercial or leisure uses could be equally appropriate.

R5 The Borough Council will grant permission for applications for the beneficial use of vacant or under utilised space in the upper storeys of buildings in town centres where this is consistent with the other policies in the Plan.

11. The Borough Council recognises that there are retail uses which have large floorspace requirements which cannot readily be accommodated in or adjoining town centres.

R6 New car or caravan showrooms and sales areas, and tyre, battery or exhaust centres will be permitted outside defined shopping centres on main road locations with good access and adequate car parking, providing that they lie within defined development boundaries and the proposal results in a minimal loss of industrial land and has an acceptable environmental impact. In general, such uses will not be allowed to convert to convenience retailing.

12. Within the central areas of Burton and Uttoxeter the Council will support proposals which will secure the implementation of policies in the other chapters of this Plan.

BURTON UPON TRENT CENTRAL AREA

13. The Council wishes to maintain the vitality and viability of that part of the Burton Central area where shopping activity predominates. The use of premises for purposes other than as shops, such as banks, building societies and hot-food takeaways can also provide convenient services in this central location, but it is important to prevent any particular frontage or location becoming so dominated by such uses as to change or endanger the essential retail character of the area and reduce its overall attractiveness to shoppers. The Town and Country Planning (Use Classes) Order 1987 defines various classes of use of buildings, the most important of which in the present context are Class A1 – Shops, Class A2 – Financial and Professional Services, and Class A3 – Food and Drink. The purpose of Policy R7 is to impose control over the change of use of ground-floor premises away from shop use and to specify the principle which the Council will apply in considering proposals for such change.

R7 Within the designated retail area for Burton Town Centre the Local Plan defines a smaller primary shopping area. Within this area permission will not be given for the change of use of ground floor premises from use within Class A1 (Shops) if the proposed use would in itself or as a precedent damage or endanger the retail character of the area.

14. The changing requirements of the Post Office may release land to the rear of their New Street premises. The opportunity should be taken in any redevelopment scheme to provide a single rear access to the Post Office and neighbouring properties.

R8 Land is designated for the extension of the Burton Shopping Centre and to the rear of the Post Office. Any development of this land must incorporate rear access to serve both the new development and existing sites fronting New Street and Union Street. Any redevelopment should retain the Post Office which is a listed building.

15. The Council recognises that a wide variety of uses may be appropriate for redevelopment sites close to the designated retail area depending on the circumstances prevailing at the time the site is released. These could include commercial, leisure, industrial and residential uses, but it is important that whatever use is proposed does not adversely affect the operation of the retail area by, for example, increasing the pressure on public car parking.

R9 Where the redevelopment of sites close to the designated retail area of Burton, as defined on Inset 3, is proposed, the Council will not permit proposals which would adversely affect the viability and vitality of the town centre. Where development proposals are acceptable, they will be aided by a development brief prepared by the Borough Council. Where proposals for development in the central area do not comply with the Borough Council's on-site parking requirements but are otherwise acceptable the Borough Council will negotiate a commuted sum payment based on a 1989 price of £1000 a space index linked. The payment may be used to contribute to providing for pedestrian, cycling or public transport

facilities instead of funding parking, with the appropriate provision being made at the earliest opportunity.

16. The Riverside Centre, whilst containing a number of large shopping units is no longer in a primary shopping area, and may therefore have potential for more specialised shopping and for leisure and restaurant uses. While the buildings are relatively modern it may be equally appropriate to consider redevelopment of the area. If this option arises the Council would wish to see the incorporation of land to the rear of the shopping centre which is largely unused. The Borough Council would wish to see land in its ownership at Hay Wharf incorporated within any comprehensive redevelopment scheme. The site is also in a Conservation Area.

R10 Within the area defined on Inset Map 3 as Riverside Centre, the Council will permit changes of use from shopping in existing buildings to other uses, such as leisure and restaurant uses. The Council will permit comprehensive redevelopment of the area for commercial, office, leisure, hotel and residential uses. Any redevelopment scheme must reflect the sensitive location of the site in relation to the primary road network, the Conservation Area and the leisure potential of the Washlands.

UTTOXETER

17. Uttoxeter, the second largest settlement in the Borough is a typical market town which has traditionally served as the centre for a much wider area of countryside. The Borough Council wishes to ensure that the town will prosper, and in order to achieve this objective it is vital to sustain and enhance the vitality and viability of the centre. Greater mobility, changing shopping patterns, the possible relocation of the Cattle market, and the construction of Uttoxeter bypass are all factors indicating a period of change for the town centre. The Cattle Market site has been allocated for housing but this might not preclude mixed use development. The following policies recognise these likely changes and the various opportunities for enhancing the centre which arise as a result.

R11 A mixed use development in Uttoxeter would be appropriate on the “Cattle Market”, providing development is able to comply with Policies En3, En16, En18, En19, R13, R15, T4, T10 and T12.

18. Council’s first preference for a new site for the Livestock market is an area to the west of Derby Road, but it will consider as alternatives the merits of any other sites. Any such site including the area to the west of Derby Road must fulfil the criteria set out in Policy R12 .

R12 The Borough Council will support the relocation of Uttoxeter Livestock Market if an appropriate site becomes available and the owners wish to move it, and if the site is:-

(a) well located to the town centre of Uttoxeter;

(b) well located to the strategic road network;

- (c) able to accommodate the special access and layout requirements of a livestock market;
- (d) capable of being well served by public transport;
- (e) adequately screened and has regard to the character and amenity of its surroundings;
- (f) able to comply with policies En3, En38, En41 and En44 of the Local Plan.

- R13** The Borough Council will require applications for new development within the Town Centre Retailing Area of Uttoxeter to include provisions, where practicable, to improve service access.
- R14** The Council will approve proposals to enhance the appearance of the town centre and will continue with a programme of pedestrianisation and enhancement works.
- R15** Where proposals for development in the central area do not comply with the Borough Council's on-site parking requirements but are otherwise acceptable the Borough Council will negotiate a commuted sum payment based on a 1989 price of £1000 a space index linked. The payment may be used to contribute to providing for pedestrian, cycling or public transport facilities instead of funding parking, with the appropriate provision being made at the earliest opportunity.

TUTBURY

19. The completion of the Tutbury Bypass allows new opportunities for the improvement of the centre of Tutbury. The following policy recognises this and provides a framework for ensuring that any change does not have adverse effects on the environment or on existing facilities.

R16 The Council recognises the importance of Tutbury as a tourist centre, and will approve proposals for the limited growth of retailing within High Street, subject to:

- (a) Compliance with car parking standards;
- (b) Compliance with conservation and environmental policies.

ROCESTER

20. As outlined in the Housing Chapter the Council wishes to see improvements to the centre of Rocester, which it recognises does not provide an especially attractive environment. Provision of new shopping facilities will need to be an integral feature of any redevelopment proposals.

R17 Within the area defined for redevelopment on Inset Map 23 for Policy H16, the Council will permit new shopping facilities to meet local needs.

OTHER AREAS

21. There will always be a need for local shopping facilities and some areas which have seen new development over the last 10 years or are likely to experience it before 2011 will benefit from new or consolidated shopping provision.

R18 The Council will approve the consolidation or provision of local convenience shopping in existing, or proposed, residential areas provided the scale of provision is to meet local needs only, and the environmental requirements of the Local Plan are met, and the sites are readily accessible on foot or by bicycle.

QUASI RETAIL USES

22. Not all uses found within shopping areas fall within Class A1 of the Use Classes Order and within established shopping areas. A2 Uses (Financial and Professional Services) and A3 Uses (Food and Drink) may be acceptable subject to compliance with other policies and development control standards in this plan. Outside recognised shopping areas, however, such uses, together with all other quasi retail uses, will only be acceptable if they do not cause detriment to the surrounding area or conflict with other policies in the Plan.

R19 The Council will approve applications for Class A2 and A3 uses and quasi retail uses in locations away from shopping centres only where all the following criteria can be met:

- (a) there will be no detriment to the amenities of residents in the surrounding areas through noise or general disturbance or to highway safety on adjoining roads;**
- (b) the use is compatible with any adjoining non residential land uses;**
- (c) the appearance and character of a conservation area or listed building will not suffer.**

TRANSPORTATION

INTRODUCTION

1. The improvements to the roads network in Burton that have recently been taking place were identified as being necessary in transportation plans approved by the County Council in the 1980's. Both Councils, however, recognise that new studies are needed for Burton and Uttoxeter to deal with changing traffic conditions, such as a national growth in traffic over the next decade, higher than anticipated growth in cross-river traffic in Burton, local employment proposals, and the implications of the nearby Toyota factory. Unless these issues are addressed and investment planned to cater for them traffic conditions will deteriorate once more, particularly in Burton and Uttoxeter, and on the radial routes linking on to the A38 and A50.
2. The Department of Transport has at various times reiterated its desire to see Highway Authorities provide local and village bypasses and relief roads. It has also emphasised the need to remove traffic bottle necks and problem areas as they cause highway safety problems, danger to local residents, and adversely affect the national and local economy.
3. The Borough Council wishes:
 - (1) To provide the opportunity for all people living and working in the Borough, regardless of age or disability, to move freely around the area without having to depend on the private car;
 - (2) To provide effective public transport for journeys within, and in and out of the Borough particularly to the centres of Burton and Uttoxeter;
 - (3) To minimise, wherever possible, the detrimental effects of all forms of transport on the environment of the Borough, and to reduce the need to travel, especially by car;
 - (4) To maximise the potential of the transportation network to serve employment generating development;
 - (5) To follow a strategy which in addition to catering for car movements, promote other modes of travel such as bus, rail, cycles and walking;
 - (6) To investigate the role traffic management can play in establishing clear priorities for access by different means of travel, to complement the locational policies in this Plan, and enhance the role of public transport within the Borough.
4. If the level of resources available to fund highway schemes continues to decline, as in recent years, it will be inadequate to fund highway schemes that have already been identified. The Council wishes to use both public and private finance to maximise environmental and highway gains for the Borough.
5. Responsibility for highway matters is shared between

- The Highways Agency which is responsible for the management and maintenance of the trunk road network and the delivery of the Secretary of State for Transport’s programme of trunk road improvement schemes;
 - The Department of Transport and West Midlands Regional Office which controls trunk road strategy and funding support for other major schemes;
 - Staffordshire County Council, the Highway Authority, who is responsible for all other roads;
 - The Borough Council as agent to the County Council responsible for highway maintenance and traffic management schemes within the Burton urban area.
6. The context for the transportation policies and major proposals in the Local Plan is provided by the Staffordshire Structure Plan 1986-2001 and the County Council’s Transport Policies and Programme which is reviewed and submitted annually to the Department of Transport for approval .
7. The following schemes mentioned in the Structure Plan have been implemented:

A38 Alrewas-Barton Turns (Dog’s Head Lane) junction improvements
Hawkins Lane, Burton
Burton Southern Primary Route
Tutbury Bypass

Outstanding Structure Plan schemes for the Borough are as follows, with those in the most recent Staffordshire TPP underlined:-

Major schemes proposed in the Structure Plan	Responsibility
(a) <u>A518 Uttoxeter Bypass</u>	Staffordshire County Council
(b) A515 Yoxall Bypass	Staffordshire County Council
(c) Alton and Denstone Relief Road	Alton Towers, Staffordshire County Council

A number of non-strategic schemes have been identified and their relative priority assessed by the County Council. The Borough Council is required to submit to the County Council at list of non strategic schemes it wishes to include in future TPP bid submissions within the Burton Agency Area. All schemes are subject to a “Needs” and “Priority” assessment undertaken by the County Council to provide a basis for programming. The details of schemes contained in the proposed programme and details of previous TPP settlements are produced by Staffordshire County Council.

T1 Where development proposals would have a significant impact on the highway network and should not proceed unless one or more of the highway schemes listed in paragraph 7 is implemented, The Borough Council will seek to secure agreement with the applicants to provide undertakings to provide all or part of the necessary highway improvements, arising as a result of the development, with the extent of what is required related in scale and kind to the development concerned.

T2 The Borough and County Councils will safeguard from development land required for the construction of the schemes listed in paragraph where the route has been established. The details of these schemes will be subject of further consideration and public consultation. The schemes concerned are identified in paragraph 7, and planning permission will not be granted for development which would prejudice the construction of these schemes.

8. If a proposed development is likely to cause a traffic problem, it should either be resisted or the cost of solving the problem should be met by the developer. Public funds for highway improvements are limited and will not be diverted to pay for road improvements made necessary by private development. Where appropriate, however, the Borough Council will use compulsory purchase powers to assist private development it supports. The Borough Council is also anxious to support the function of the three Trunk Roads traversing East Staffordshire. The Borough Council is also anxious to support the function of the three Trunk Roads traversing East Staffordshire.

T3 The Borough Council will not permit development where it would unacceptably harm the safety and efficient use of adjoining highways. Where that development is otherwise acceptable a condition will be made that development shall not commence until highway works have been carried out, and those wishing to carry out the development will be invited to pay for the necessary highway improvements.

T4 Planning permission will not be granted for a development which by reason of its traffic generation or otherwise would have a significant adverse effect on the safe and expeditious movement of long distance through traffic on the Trunk Road network.

T5 The Borough Council will exercise its compulsory purchase powers under the relevant Acts to achieve required highway improvements where it can be demonstrated that there will be significant public benefit in so doing.

TRAFFIC MANAGEMENT

- 9 Unnecessary traffic in housing areas and heavy goods vehicles on all roads can give rise to problems of noise, pollution, visual intrusion and safety. Traffic management measures can assist in reducing the scale of the problem either by removing traffic completely or restricting access for certain vehicles. The Borough Council, in association with the County Highway Authority, will promote traffic management schemes in areas where existing traffic is detrimental to safety and the environment, to facilitate the more efficient use of the highway network, and to reduce accidents. It

will support the introduction of H.G.V. bans on through traffic in the following areas, amongst others, where a detailed examination by the Highway Authority has shown this to be justified:

1. Residential parts of Burton and other areas of Burton excluding the A50, A444, A5121, Derby Street and Wellington Street/Road;
2. Areas bounded by the A515, A50 and A38;
3. Stubby Lane, Draycott;
4. Uttoxeter Central Area;
5. Tutbury Central Area.

It will also promote A ban on delivery vehicles between 10.00 a.m. and 4.00 p.m. in that section of High Street between Worthington Way and New Street, and that part of Station Street, between Worthington Way and High Street Burton upon Trent and will support such action by the County Council in High Street and the Market Place in Uttoxeter.

13. The Borough Council will encourage heavy goods vehicles to use a network of primary and trunk routes, and will support the County Council in the imposition of traffic regulations to control this.

T6 The Borough Council will not approve applications for development which would cause a high level of lorry movements in residential areas.

T7 The Borough Council has approved two roadside facilities in the Uttoxeter area and, in conjunction with other local authorities, has concluded that further facilities on the A50 corridor should not be needed. This will be reviewed if the two approved schemes do not proceed.

PEDESTRIANISATION

- 10 A degree of pedestrianisation has been achieved in the centre of Burton upon Trent with schemes on Station Street and in the Market Place. The completion of the principal highway network will allow further pedestrianisation works to take place, through the Borough Council's capital programme and/or by negotiation with the private sector.

T8 It is proposed to establish a pedestrian priority area along High Street, Burton upon Trent, extending from Market Place to Worthington Way, with consideration being given to the extension of this area into New Street.

11. In Uttoxeter, especially along High Street existing problems will eventually be removed by the diversion of traffic along a bypass. The Borough Council will encourage the Highway Authority to introduce pedestrianisation schemes and repave parts of Market Street and Church Street, with associated improvements to Balance

Street and other parts of the High Street and Church Street. In addition the Highway Authority will be requested to encourage rear servicing provision.

PARKING

- 12 The provision of car parking is a significant factor in the promotion of Burton and Uttoxeter as employment and shopping centres. It is important for the continued prosperity of these centres that adequate parking is available. In setting parking levels the Council will have regard to any agreement reached by Authorities throughout the West Midlands Regional Forum in order to maintain competitiveness between centres. Within Burton most parking is at ground level. Any expansion of parking provision should be to meet the strategic aims of this Plan and could include an element of multi-storey parking on existing sites to minimise the need for extra surface parking area.
- 13 The parking standards in this Plan have been adopted to ensure that adequate car parking space is provided within development sites, after account has been taken of the availability and accessibility of other means of transport, the traffic conditions in the locality, and the site's proximity to services. Planning applications which do not make adequate parking provision will be refused where this would unduly harm interests of highway safety and free flow of traffic, unless it can be shown such provision is unattainable or would itself be harmful. Equally The Council does not wish to see over-provision of on-site parking as this could detract from the strategic aims of the Plan and cause environmental harm. Developers will be required to make a special case for parking proposals which exceed the maximum level the Borough Council considers reasonable.
- 14 To help ensure development in the retailing areas of Burton and Uttoxeter remain competitive with other areas and accessible to all sections of the public, where there is a shortfall in non-operational parking provision the Borough Council will negotiate a commuted sum payment. based on a 1989 price of £1000 per space, index linked. The payment will be used to ensure there is adequate public parking available or to promote or provide for alternatives to the private car for journeys to and within the two town centres.
- 15 In addition to meeting the non-operational parking standards for each site It will also be necessary within most sites to provide operational space for the loading and unloading of vehicles, plus adequate space for the manoeuvring of service and delivery vehicles within the site. Development Planning Control staff in the Planning and Engineering Development Services Department will be pleased to discuss individual cases before planning applications are submitted but will seek to ensure there is sufficient practical space available within a site to cater for the number and size of vehicles likely to be there at any one time.

T9 The design and layout of parking areas should comply with the following criteria as appropriate:-

- (i) **The Borough Council will expect all development used by the public to cater for the needs of disabled people by having clearly marked and signposted specialised parking spaces. The number of spaces to be provided as part of the overall standard to be met shall**

be calculated on the basis that the first space for any development shall be of a size capable of being used by a driver with a wheelchair in the car. There shall be at least one further space for all developments requiring up to twenty-five parking spaces and this 1:25 ratio shall continue up to 100 spaces where the next space shall be a disabled persons space and then the ratio 1:100 shall apply.

- (ii) Acceptable parking layouts for cars are based on a minimum size of space of 2.5 metres x 5.0 metres. Layouts for service and delivery vehicles should cater for a minimum lorry space of 4.0 metres x 15.0 metres.
- (iii) The access to all proposed parking and service areas shall be designed to meet the visibility and construction standards appropriate for the scale and type of development and the characteristics of the adjoining highway. Under no circumstances shall the position of an access result in the capacity of the adjoining highways being exceeded or the operation of public transport being impaired.
- (iv) All vehicular areas other than those providing parking for individual dwellings shall be contained within walls and fences positioned to minimise the visual impact of the area and the potential nuisance to adjoining occupiers from fumes and noise. Wherever possible, perimeter landscaping including trees shall also be provided.
- (v) Car parks for developments where at least twenty-five spaces are needed should include all the following within the layout in addition to the other criteria in these standards:-
 - (a) trees;
 - (b) trolley bays (shopping developments only);
 - (c) cycle racks;
 - (d) lighting;
 - (e) pedestrian routes demarcated by different surface materials;
 - (f) speed retarding methods;
 - (g) routes for emergency vehicles;
 - (h) any existing architectural, historic or landscape features worthy of retention;
 - (i) spaces demarcated for use by taxis provided in accordance with the ratios in paragraph (i) (shopping developments primarily).
- (vi) Where multi storey or underground car parks are necessary to meet the standards in this policy document, the former shall be designed to follow the architectural style of the development through the choice of massing, height, materials and elevation and the latter shall have the

entrance and exit positioned so as not to detract from the appearance of the building to which it relates.

- (vii) Areas to be used for the overnight parking of lorries shall be located away from residential areas but shall be accessible from them by walking, cycling, and the use of private vehicles or public transport. In addition to the criteria listed in paragraph (v) the treatment of the perimeters of the site may also need to include mounding.**

16. The following minimum requirements will not cover every circumstance, and there will be occasions where the number of parking spaces required will be a matter of negotiation with the developer and judgement by the Borough Council. In making the judgement the Borough Council will take into account the availability of public transport close to the site, and the ease by which it can be reached by means other than the private car.

T10 Operational minimum and non-operational standards are set out below. Planning applications should not propose less than the non-operational standards unless exceptional circumstances can be demonstrated. Operational minimum and non-operational maximum standards are set out below. Planning applications or significantly exceed the non-operational standards without special justification. The need for and amount of non-operational parking will be assessed according to individual circumstances, and will be negotiated having regard to:-

- (a) the existing and potential availability and accessibility of means of travel other than the private car;**
- (b) existing traffic conditions in the locality and the implications for road safety and traffic management;**
- (c) the proximity and range of local services;**
- (d) the amount of parking sought by the developer.**

Operational space is that required for servicing, loading and unloading, and other traffic, which is essential space required for the day to day operation of the business.

Non-operational parking is the space required for vehicles which do not necessarily have to be parked on site, including those of employees, customers and visitors. There may for instance be circumstances where non-operational parking, particularly for employees, may be undesirable on site, in which case a separate site would be provided nearby, or if in the Town Centre Retailing Areas of Burton or Uttoxeter, as shown on the Inset Plans, a commuted payment may be sought.

NOTE: Unless otherwise indicated the floorspace criteria are gross areas (i.e. measured to the inside of the external walls).

NOTE: Where developments have mixed uses, for instance a hotel with

facilities such as bar and restaurant open to the public, standards will apply for each constituent use.

	<u>Operational</u>	<u>Non-Operational</u>
CLASS A1 RETAIL Shops	<i>1 space per residential member of staff +Up to 500m² floor space – 50m² standing space 500m² – 1000m² floorspace – 100m² standing space 1000m² – 2000m² floorspace – 150m² standing space 2000m² – 3000m² floorspace – 200m² standing space 3000m² – 5000m² floorspace – 50m² per 1000m² 5000m² + floorspace – to be agreed by LPA</i>	1 space per 15m ² public floorspace +1 space per managerial member of staff +1 space per 3 other staff
Retail Warehouse/ cash and carry	<i>1 space per residential member of staff +minimum 100m² standing space +50m² per 1000m² floorspace if unit is in excess of 1000m² floorspace</i>	1 space per 20m ² public floorspace +1 space per 2 staff
CLASS A2 PROFESSIONAL AND FINANCIAL SERVICES	<i>1 space per residential member of staff +up to 500m² floorspace – 50m² standing space 500m² – 1000m² floorspace – 100m² standing space 1000m² – 2000m² floorspace – 150m² standing space 3000m² – 5000m² floorspace – 50m² per 1000m² 5000m² + floorspace – to be agreed by LPA</i>	1 space per 25m ² floorspace for the first 250m ² , +1 space/35m ² thereafter
CLASS A3 FOOD AND DRINK Pubs	<i>1 space per residential member of staff + minimum 50m² standing space + 10m² for each 100m² of public space</i>	1 space per 3m ² public floorspace + 1 per 2 members of staff
Restaurants/shops for sale of hot food	<i>1 space per residential member of staff +minimum 50m² standing space + 10m² for each 100m² of public space</i>	1 space per 5m ² public floorspace + 1 per 2 members of staff
Transport café	<i>1 space per residential member of staff +minimum 50m² standing space +10m² for each 100m² of public space</i>	1 lorry space per 3m ² public floorspace +1 car space for each member of staff
B1 BUSINESS Office & light industry	<i>Up to 100m² floorspace – 50m² standing space 100m² – 500 m² floorspace – 100m² standing space 500m² – 1000m² floorspace – 150m² standing space Over 1000m² floorspace – 150m² standing space plus 25m² for each additional 1000m²</i>	1 space per 25m ² floorspace for the first 250m ² +1 space per 35m ² thereafter

B2 – B7 GENERAL AND SPECIAL INDUSTRY	<i>Up to 100m² floorspace – 70m² standing space 100m² – 500m² floorspace – 150m² standing space 500m² – 1000m² floorspace – 200m² standing space 1000m² – 2000m² floorspace – 250 m² standing space Over 2000m² floorspace – 300 m² standing space plus 50m² for each additional 1000m²</i>	1 space per 25m² floorspace for the first 250m² +1 space per 50m² thereafter
B8 STORAGE AND DISTRIBUTION	<i>Up to 100m² floorspace – 70m² standing space 100m² – 500m² floorspace – 150m² standing space 500m² – 1000m² floorspace – 200m² standing space 1000m² – 2000m² floorspace – 250m² standing space Over 2000m² floorspace – 300m² standing space plus 50m² for each additional 1000m²</i>	1 space per 25m² floorspace for the first 250m² +1 space per 80m² thereafter
C1 HOTELS, BOARDING HOUSES, GUEST HOUSES	<i>1 space per residential member of staff +1 space clear of the highway, suitable for setting down and picking up guests</i>	1 space per bedroom +for establishments in excess of 30 beds spaces, 1 coach space +1 coach space per 50 additional bed spaces +1 per 2 members of staff
C2 RESIDENTIAL INSTITUTIONS Hospitals	<i>1 space per unit of staff accommodation +suitable visitors space for outpatients +1 ambulance/minibus space per 15 bed spaces</i>	1 space per 4 bed spaces +1 space per 2 members of staff
Nursing Homes/ Rest Homes	<i>1 space per unit of staff accommodation +1 ambulance/minibus per 25 bed spaces</i>	1 space per 3 bed spaces +1 space per member of staff
CLASS C3 DWELLINGS		
<p>All garage entrances should be at least 5.5 metres away from the back of the footway and turning facilities should be provided within the curtilage of the dwelling where possible, particularly where the property takes access from a busy road.</p> <p>*Visitor parking may be provided:</p> <p>(i) within the curtilage of the property;</p> <p>(ii) in a managed communal area;</p> <p>(iii) as part of the adopted highway only where it has been developed in a style of development acceptable to the County Highway Authority.</p>		
4 or more bedrooms	3 car parking spaces within the curtilage, at least 2 of which shall be side by side on the driveway.	
3/2 bedrooms (detached or semi detached)	2 car parking spaces within the curtilage, 1 of which should be suitable for a garage.	

3 bedrooms (terraced)	2 car parking spaces, 1 of which should be suitable for a garage and at least 1 of which should preferably be within the curtilage (See note* above).	
2/1 bedroom (terraced/flats)	1 car parking space either within the curtilage or specifically allocated in a communal area, plus 1 space per 2 dwellings for visitors in a communal area.	
Aged Persons dwellings/ Restricted Occupancy	1 car parking space per 2 dwelling unit provided either within the curtilage or communally (see note * above)	
Accommodation created through conversion	1 car parking space for every 1 or 2 bedroomed accommodation created through conversion and at least 2 spaces for accommodation with more bedrooms.	
Sheltered Accommodation/ Restricted occupancy	1 car parking space per 4 bedrooms provided communally (see note * above) Plus 1 car parking space per 10 residents/units Plus 1 space per staff flat. When the accommodation in the form self-contained apartments 1 space per 3 apartments provided communally, plus 1 space per staff flat.	
D1 NON- RESIDENTIAL INSTITUTIONS Surgeries/Clinics/ Health Centres	1 space per each medical personnel 1 space suitable for ambulance/minibus	3 spaces per consulting room +1 per 2 members of staff
Schools	1 space suitable for minibus +1 bus space clear of the highway suitable for picking up and collecting children	1 space per member of staff +1 space per classroom for visitors
Further Education	1 space suitable for minibus +1 bus space clear of the highway suitable for picking up and collecting children	1 space per member of staff +1 space per 4 students
Public Worship or Religious Instruction	1 space suitable for minibus +2 spaces off the highway for setting down and picking up	1 space per 8 seats
D2 ASSEMBLY/ LEISURE Cinemas/concert halls/bingo halls and theatres	Minimum 100m2 standing area +1 space per managerial member of staff +2 spaces off the highway for setting down and picking up	1 space per 8 seats
Community centres/dance halls	Minimum 100m2 standing area 1 space per managerial member of staff +2 spaces off the highway for setting down and picking up	1 space per 5m2 public floor space

Sport and leisure	Minimum 100m² standing area +1 space per managerial member of staff +2 spaces off the highway for setting down and picking up	1 space per 2 members of staff 3 spaces per squash court, 1 space per 20sq m of indoor playing area, 1 space for every 2 players capable of use outdoor playing areas at any one time, 1 space per 10sq m of swimming pool surface, 1 space per 4 seats in areas reserved for spectators, Bars and Restaurants within leisure centres: additional provision shall be made at half the normal appropriate standard
HOSTELS	1 space per residential member of staff +1 minibus space clear of the highway suitable for setting down and picking up guests	1 space per 4 bed spaces +1 space per 2 members of staff
GARAGE SERVICES	1 space suitable for a breakdown vehicle, +4 spaces per service bay (or lorry spaces if commercial vehicle services) +5 spaces per automatic car wash	1 space per 2 employees +1 space – 20m² floorspace of workshop area +1 space – 100m² floorspace of car display area +1 space – 25m² floorspace of parts area

17. The parking of lorries and heavy commercial vehicles within residential areas is not acceptable from either an environmental or road safety point of view, and the Borough Council will continue to monitor the demand for lorry and coach parks in Burton and Uttoxeter and, if necessary, will seek to provide overnight parking facilities for lorries, with associated facilities.

PUBLIC TRANSPORT

18. With The de-regulation of bus services and the greater flexibility bus routes has forward planning to accommodate buses has become more complex. The Borough Council welcomes improvements to bus services wherever they occur.

it will encourage and assist, wherever possible, the bus operators and private developers to make provision for bus passengers throughout the Borough, especially in the following locations:-

1. In the vicinity of Worthington Way, Burton;

2. Uttoxeter town centre.

New Street, Burton is regarded by the Borough Council as the most appropriate location for the interchange of bus passengers within the town centre. Proposals to improve the comfort of passengers waiting there will be supported.

The aim in locating new housing estates or major employment and leisure uses will be to see that they are within 400 metres of an existing bus stop. Where this is not the case, the design and layout of the development shall ensure that adequate provision is made for access by buses, and, where appropriate, by taxis, cyclists, and disabled drivers.

19. The Borough Council considers rail to have an important role to play in the movement of both goods and passengers, and will encourage the appropriate Authorities and Companies to retain Tutbury station, re-open the Walton/Barton station, and Sudbury stations, establish a direct link to Toyota, re-open the Burton to Leicester railway line to passenger traffic with the opening of a new station at Waterside Halt, improve the park and ride facilities at Burton station and access to Uttoxeter station and improve train links with Lichfield.
20. Government advice contained in PPG13 suggests that fixed infrastructure, including rail, reserved bus routes, and passenger facilities, can help to increase use and improve investor confidence-

T11 The Borough Council will seek to jointly work with the County Council and the bus and rail operators to promote efficient and more attractive bus and rail services, including the establishment of bus priority lanes, improved passenger waiting facilities, and transport interchanges.

CYCLING

21. The Council will seek the improvement of facilities for cyclists through the development control process by ensuring that on major new development sites such provision is secured. It will also consider making its own proposals for traffic management measures in urban areas and parking facilities for cyclists.

T12 Within major development sites for housing, employment and in town centres. The Council will ensure that proposals make provision for:

- 1. Off road routes for cyclists;**
- 2. Parking facilities for cyclists**
- 3. Traffic management measures to improve the safety for cyclists**

T13 The Borough Council will seek the provision of facilities for cyclists in the urban area of Burton, with special attention to traffic management on the strategic cycle network shown on the Inset Plans No.2 and No.3. These insets define a strategic network which is largely along existing roads. Measures which may be used to enhance this network include: cycle lanes, definition signs, crossing safety measures, cycle tracks alongside roads, and shared use of selected footways. The strategic cycling network is

intended to indicate a priority for investment during the Plan period. Investment may be made on other routes and by cyclists in other parts of the Borough where opportunities and resources arise. In particular traffic calming measures will assist cyclists in journeys throughout the plan area.

FOOTPATHS

22. Within the Borough there is an extensive network of public footpaths and bridleways. These form a safe means of movement for people segregated from vehicular traffic. In rural areas in particular, their value is well recognised and forms an important recreational asset for local residents and visitors. The continuity and enhancement of this network is important and it is vital that sections are not lost to development. Landowners are responsible for maintaining in good order public footpaths which cross their land.

- Crossing Points
- Safety
- Crime and the fear of Crime
- The development of areas where pedestrians and cyclists have priority
- Footway maintenance and design

T14 The Borough Council will retain and improve the network of footpaths and bridlepaths. New developments will be expected to retain established routes or provide a suitable alternative.

ROAD DESIGN

23 The design of new roads intended to form part of the major road network in the Borough should have the safety of drivers as a priority, but should also take account of the needs of cyclists and pedestrians, providing routes for them separated from the carriageway wherever possible. All new roads should have a high standard of design, an appropriate type of street furniture and landscaping. The route of any new road should have as little impact on the environment as possible Landscaping should be an integral part of the design of such roads and the Borough Council will welcome schemes where the road contributes to the setting of the properties it serves, through a careful choice of route and materials.

T15 Before supporting the route of any new road, the Borough Council will wish to be satisfied that its alignment, design and operation will result in the best possible environment, through the control or abatement of air, water, ground and noise pollution, and that the needs of cyclists and pedestrians have been met. Landscaping should be completed no later than six months following the opening of the road to traffic or other such period as may be approved by the Council. Loss or damage to sites of high nature conservation value as described in Policy En12 will be avoided wherever possible.

24. New roads within residential areas should be designed to give priority to pedestrians and reduce the speed of vehicles. Appropriate standards are given in Design Bulletin 32 and the County Council's Design Guide for residential roads. Landscaping should

be an integral part of the design of such roads and the Borough Council will welcome schemes where the road contributes to the setting of the properties it serve, through a careful choice of route and materials.

LEISURE AND COMMUNITY FACILITIES

INTRODUCTION

1. Demand for the use of leisure facilities is expected to continue throughout the plan period, because free time available to people, and their disposable incomes, are greater now than they have ever been. Also awareness of personal health and the quality of life manifests itself in the demand for a wide range of leisure facilities.
2. To date the Borough Council's own investment has concentrated on the development of major facilities, such as Meadowside and Uttoxeter Leisure Centres, and outdoor facilities such as Shobnall Fields. The importance of neighbourhood facilities is also recognised, and with five community centres already provided, this continues to be an important element of current planning together with further enhancements to local areas of public open space and their provision in new residential areas. The private sector has also been encouraged to invest in leisure provision by the grant of planning permission for leisure related development such as the international standard golf course at Byrkley Park.
3. In planning for leisure provision the Borough Council accepts that demand is not restricted to the main urban areas, and recognises that there is tremendous potential within the Borough to provide a range of recreational facilities for local communities and a wider population. The National Forest, Byrkley Park, Wychnor and the Trent Valley have the potential to become nationally significant, and as well as encouraging these the Borough Council also wishes to promote development which will result in the creation of leisure opportunities by the A50 north of Uttoxeter.
4. There will be a general presumption in the Plan to maintain all existing leisure facilities both public and private sectors, and to safeguard or enhance access to them. Adequate and appropriate provision for leisure must be contained within all major new housing developments, and opportunities for enhancing the provision of leisure facilities within existing older areas of the towns will be examined whenever proposals for redevelopment arise.
5. In a period of limited financial resources and growing demand, it is essential that all existing facilities, where possible, be preserved to maintain a satisfactory level of leisure provision. However, it is accepted that in some areas the same level of need for an existing leisure facility may no longer exist. This policy is designed to prevent the loss of leisure facilities, but also to ensure that where loss is unavoidable, appropriate alternative provision is made.

L1 Proposals to redevelop existing sports pitches and ancillary facilities for non-sport/leisure purposes will be refused unless a suitable replacement site is provided or it can be proved there is no longer need for the leisure facility.

LANDSCAPING AND OPEN SPACE

6. It is the Council's policy to ensure that all housing estates include areas of landscaped open space and recreation land. Landscaped areas make a valuable contribution to the quality of life on new estates, whilst recreational land provides safe play areas and equipment for both toddlers and older children. Well landscaped open space can produce significant and cost-effective results in terms of the appearance and maturity of a new development.
7. A well designed scheme for landscaped open space and recreational areas must be an integral part of the development and potential developers are urged to seek the professional services of a Landscape Architect at an early stage in the design process in order to properly incorporate open space within the scheme and not treat it as an afterthought or something to do with residual pieces of land.
8. In appropriate circumstances, in housing developments, attention should be given to the landscaping of individual house plots as well as larger open areas. This treatment can be as important as the landscaping of open spaces and contributes much to the quality of the new development.
9. It should be noted that areas of land to be adopted by the Highway Authority, i.e. highway verges, and land within visibility splays are to be excluded from the overall open space provision, as are landscaped areas conveyed with individual plots, which form part of their front or rear garden.
10. All areas provided as a result of this policy shall be open, easy to view, accessible to the public and maintenance vehicles, and well related to adjoining development, and existing topographical features. Open areas must not reduce security to nearby houses, and major footpaths passing through open spaces must be well lit. The Landscape Architect should contact the Head of Planning and Engineering Services for his advice on the type of lighting installation required and he will also be able to comment on any requirements for access for maintenance vehicles.
11. It is the responsibility of the developer to ensure that the landscaped open space and recreational areas are provided in accordance with the Borough Council's policy. Discussion regarding open space requirements should be commenced with the appropriate staff in the Directorate of Services informally when discussing the estate layout before the submission of the planning application. The Council expects all open spaces to be laid out in an imaginative way using high quality materials of proven durability, suitable plant species, and giving ease of maintenance.
12. The Borough Council is normally prepared to adopt landscaped open space and equipped play areas and assume responsibility for future maintenance providing it has been implemented in accordance with this policy.
13. The developer will have to satisfy the Borough Council that all areas not being adopted by the Local Authority will be permanently maintained in a satisfactory manner and any landscaped space which is conveyed with individual dwellings shall be subject to a restrictive covenant ensuring permanent retention.

L2 Outside the area of the National Forest, planning permission will not be granted for new housing with more than twenty-five dwellings in the total development unless public open space and play facilities are provided in accordance with the following standards. Within the National Forest, the Borough Council will only require provision of children's play spaces, the remaining open space requirement being subsumed within the National Forest planting areas, as set out in Policy NF3. These requirements must be secured by legally binding arrangements on or before the issue of planning permission. The future maintenance of the public open space and its associated facilities must be provided for, either by the transfer of the relevant land to a public authority together with payment of an appropriate commuted sum, or by some other arrangement giving equal security for long-term maintenance.

(1) Amenity Open Space should be provided at a rate of four square metres per dwelling, having a minimum size for adoption purposes of 100 square metres. On large developments it can be aggregated making use of existing trees and landscape features wherever possible. The space may be urban in character, designed in 'hard surfaces' but containing significant planting elements, or 'soft' areas dominated by large scale shrubs and trees. They may be 'squares' in the traditional urban sense, 'village greens' or informal extensions of circulation space, but always accessible and attractive for informal use. Amenity open spaces of adequate size permit the planting of groups of medium to large sized tree species which cannot be accommodated within the normal private garden, but which add considerably to the pleasure of the residential environment. Care must be taken about their location in relation to surrounding gardens and the future use of the area as the trees reach maturity. These areas should not be 'left-over' pieces of land but integrated into the housing development, and designed to be easy to maintain.

(2) Children's Play Spaces

In addition to amenity open space, the following should be provided:-

(i) Toddlers play (for up to 7 year olds) – at a rate of 2 square metres per dwelling, having a minimum size of 50 square metres, being suitably surfaced and equipped. These spaces should be closely associated with houses and related to footpaths through the estate or small cul-de-sacs.

Plus

(ii) Junior play (for 7-13 year olds) – at a rate of 3 square metres per dwelling, having a minimum size of 75 square metres, being suitably surfaced and equipped. These spaces should be sited in connection with larger amenity open space, and not immediately adjacent to houses.

Children’s play spaces should be distributed throughout housing areas, and away from roads, taking advantage of pedestrian walkways and related where possible to larger areas of open space. Young children should not have to cross busy roads or need to walk more than 400 metres to reach such areas. Exceptionally where a proposed development is near an existing open space used for children’s play the Local Planning Authority will accept the installation of play equipment on the existing open space in lieu of it being installed within the housing development.

The Borough Council recognises that children’s play can become a source of nuisance to some local residents. Such nuisance can be minimised by providing an adequate number of play areas which will avoid the over-use of an individual facility by too many children. Perimeter landscaping and the use of substantial boundary walls can also help to minimise such problems and create a satisfactory visual environment.

(3) Recreational Open Space

In addition to the above requirements, for developments in excess of 75 dwellings, an area or areas of land should be set aside to a standard of 20 square metres per dwelling for the purposes of recreational open space. These spaces shall be suitably designed and laid out for either formal or informal recreation, and located away from the majority of houses, but linked to the highway and footpath network. On very large developments these spaces can be aggregated to form one space or alternatively a series of spaces may be provided in the development. Each space however, must be a minimum of 1500 square metres in area.

- L3 The provision of landscaped areas, public open space areas and toddler play areas should occur at the same time as the surrounding development to which it relates. Toddlers play equipment should be installed before adjacent houses are offered for sale and occupied. This assists in the early establishment of planting and provides facilities for the residents as early as possible. Enforcement of planning conditions will be carried out to ensure prompt implementation of landscaping schemes.**
- L4 Occupancy of new dwellings will be resisted in the absence of a satisfactory landscape scheme with an agreed programme of implementation.**
- L5 The submitted landscaping scheme should include the following:-**
 - (i) details of new planting, including species, numbers, planting distance and type of stock (whips, standards, semi-mature etc.) together with the maintenance and management programmes;**
 - (ii) treatment of all hard landscape surfaces, edges, walls and fences, including materials (and patterns where applicable);**
 - (iii) make and type of equipment to be installed in play spaces, together**

with details of surfacing and boundary treatments;

(iv) a survey of existing trees, shrubs and hedges in and around the site (showing location, height, crown spread and species) indicating those that are to be retained together with measures for their protection during building works;

(v) finished ground levels including ground shaping;

(vi) programme of work and phasing (including site office and compound etc.).

14. Allotments are an integral part of the overall provision of open space for leisure purposes throughout the Plan area.

L6 Permission will not be granted for the development of allotment sites unless they are redundant or are to be replaced by an acceptable alternative leisure use.

15. Because of the disposition of the Trent Valley, the Trent and Mersey Canal and existing leisure facilities there is the opportunity to link these together to form a network of leisure opportunities throughout the Burton area. The Council will seek to extend public access and recreational facilities throughout the washland area and to relate these to other areas to provide an overall framework for the area. Similarly the Council will promote the potential for leisure opportunities of the River Tean/River Dove Washlands north of Uttoxeter and will create a belt of open space with public access to the north of the A50 at Uttoxeter and on the north eastern side of the town.

L7 The Council will further extend public access and recreational facilities in the Tean Valley north of Uttoxeter by granting planning permission for water based recreational uses following gravel extraction at Leasowes Farm and integrating this into an overall framework for leisure, recreation and nature conservation in and around the town.

16. One major national sporting facility that already exists in Uttoxeter is the Racecourse. The Borough Council broadly supports the development of facilities at the racecourse to enable its position within the national framework of racecourses to be maintained. Policy L8 defines an area within which the Council would be prepared to consider proposals for extension of the racecourse and its development.

L8 Within the area shown on the proposals map (Inset 30) the Council will permit proposals for the expansion or enhancement of racecourse facilities which are compatible with other policies in the Plan.

17. The Borough Council has already enhanced public access to the Trent Washlands through Burton and intends to extend this principle throughout the Trent Valley working with the Environment Agency, South Derbyshire District Council and Lichfield District Council to promote the leisure use of this important area in the National Forest. Branston Water Park is already a major attraction for people seeking water based leisure opportunities and currently supports a windsurfing club, angling

and nature conservation projects. There is a growing demand for wider and more varied use of the existing water, and adjacent areas to the west of the canal offer potential for expansion of such activities so long as they are compatible with the quiet enjoyment of the water park and its nature conservation interest. Vehicular access to both these and the existing water park needs to be improved, particularly if the existing visitor centre is to act as an information point in the National Forest.

18. Further to the south, to the east of the canal around Wychnor, planning permissions already exist for leisure orientated development and have been partially implemented. The Recreation Strategy to be jointly developed with Lichfield District Council will provide for water based recreation following gravel extraction in this area and there is scope, subject to environmental safeguards and highway improvements, for this area in the National Forest to be developed into a leisure facility of national importance.
19. The Borough Council will promote the Trent Valley as a major leisure and nature conservation resource during the Plan period in conjunction with the Environment Agency, the National Forest Company and adjoining Local Authorities. The Borough Council, in addition to the policies below, will seek to enhance Branston Water Park by the provision of additional visitor facilities and an alternative vehicular access and by extending the Park to include other land and water areas to the west of the canal. It will seek to create a footpath network and cycle routes by agreement with landowners and/or developers along and through the valley.

L9 The Borough Council will approve development for tourism and outdoor leisure uses in the Trent Valley between Burton and the Borough boundary to the south, in locations where there would be no unacceptable harm to the character and appearance of the locality and highway interests.

L10 The Borough Council will support the principle of water based recreational and nature conservation after-use on appropriate areas of gravel extraction in the Trent Valley which are not required for restoration and retention as best and most versatile agricultural land.

L11 The Borough Council will only permit the development of tourism and outdoor leisure activities in the rural areas of Needwood and Wychnor west of the A38 trunk road where its scale, intensity of use and location are in keeping with the character and appearance of the surrounding countryside and compatible with any highway or environmental constraints.

L12 The Borough Council will approve proposals for the extension of Branston Water Park within the area indicated on Inset Map No.2, provided that any proposals are compatible with the quiet enjoyment of the water park and its nature conservation interest.

20. Within Burton, the Trent and Mersey Canal and its towpath, together with the Horninglow linear park, provide an ideal opportunity to link existing areas of the town to the surrounding countryside, by the development of the towpath and other inter-linking footpaths. Additionally an opportunity exists on land adjacent to the canal for

a major canalside development including a marina and associated leisure facilities, and the Council will support such a development.

21. Following consideration of the Trent and Mersey Canal Corridor Study the Borough Council has granted planning permission for a marina and associated development at Barton Turns. Support will also be given to development proposals which respect the canalside conservation area and will enhance the leisure potential of the canal. The Council will seek to enhance the leisure potential of the Trent and Mersey Canal within the Borough.
22. As part of its policies for Marchington Camp, the Council will support suitable after-use of the waste disposal site south of Moreton Lane, including leisure or nature conservation use. Policy E21 in the Employment Chapter makes reference to this.
23. The Borough Council considers that facilities such as community centres form a valuable part of the social structure of the area and will therefore seek to promote these where there is a clear demand expressed by a local community. Sites to be investigated will include Uttoxeter Town and Edge Hill.
24. Furthermore the Borough Council wishes to see village halls maintained to a standard to offer the best possible facilities. Where this would involve extensions to buildings this will generally be permitted. A major programme of improvement to halls at Yoxall, Mayfield and Leigh is already under way. Village playing fields should be protected and may need to be extended to cope with extra demand arising from new housing developments or additional community activity.
25. The Brewhouse in Burton is an example of a redundant listed building being put to beneficial community use and this principle could be repeated elsewhere as redundant listed buildings can play a useful role in providing leisure facilities.

L13 The Borough Council will approve the use of listed buildings for leisure, community and tourist uses where the proposals are compatible with their special architectural and historic interest, and there would be no unacceptable conflict with highway interests or other policies contained within the Plan.

26. The role of the countryside in providing a wide range of informal recreational activities is recognised. Small-scale developments, for example car parking, toilets or picnic sites, which support the recreational use, may be permitted at popular locations as long as they are sensitively designed and sited, and do not conflict with policies for the countryside.

L14 Small scale developments to support existing informal outdoor recreational activities in the countryside will be permitted as long as they are sensitively designed and sited, and do not conflict with other countryside policies in the Plan.

L15 Proposals for recreational development outside identified settlements will be approved provided that:-

(a) the proposed development does not detract from the character or appearance of the countryside;

(b) there are no overriding highway, planning or environmental objections which may include water, ground or noise pollution;

(c) appropriate landscaping is provided;

(d) the proposed development does not adversely affect or reduce the viability of higher quality agricultural land.

27. The creation of new access opportunities will be pursued through development opportunities. In particular the Council will promote management agreements under Section 39 of the Wildlife and Countryside Act, to increase public access where appropriate.

28. The extensive footpath network in the rural areas is often an under-used resource. Careful management could realise this potential and, with selective diversions, not conflict with the needs of modern agriculture. The Borough Council will seek to ensure that all routes are appropriately surfaced, signposted, waymarked and kept free of obstruction. The Borough Council will promote a network of cycling and horse riding routes for leisure use within the Borough and linking with routes in adjoining districts. This will include a proposal to establish a continuous footpath network around Uttoxeter.

L16 The Borough Council in conjunction with Staffordshire County Council will safeguard and extend the existing network of public rights of way.

L17 Where appropriate, new development will be required to incorporate safe and convenient new footpaths within the site, which are capable of being extended outside the site to link into the wider footpath network. Development affecting existing public rights of way will be expected to incorporate a convenient alternative route within the site.

L18 It is proposed to establish a continuous footpath network around Uttoxeter, as shown on the Proposals Map and Inset No.30.

COMMUNITY FACILITIES

29. Sufficient land needs to be reserved and protected by the Local Planning Authority to meet needs for education, health and community facilities. In considering the provision of these services, locations will be chosen that meet their operational needs, cause minimal physical and environmental problems and are accessible to modes of transport most likely to be available to the people using them. The provisions of this Local Plan will be used as a guide for these Authorities in determining their own investment programmes.

30. Where necessary, the Borough Council will include policies to require developers to assist in the provision of land and premises.

L19 The Borough Council will allocate land required by public authorities in response to the overall development proposals in the Local Plan. Where the need for such requirements arises directly as a result of a development proposal, the Borough Council will seek to enter into a planning obligation by agreement with the applicant, to ensure provision either of the necessary facilities or of a substantial financial contribution towards their provision. The extent of what is required in each case will be related in scale and kind to the development proposed.

IMPLEMENTATION, MONITORING AND REVIEW

IMPLEMENTATION

1. Development proposals in the Local Plan focus on making the most of the economic potential of the Borough whilst ensuring the attractive characteristics of the area are retained and enhanced. One of the fundamental objectives of the Plan is to provide a basis for co-ordinating and directing development and other uses of land by public bodies, private companies and individuals over the next twenty years.
2. The Plan's policies and proposals will primarily be implemented by the Borough Council and the Private Sector.
3. As Local Planning Authority, the most common means of the Borough Council influencing the implementation of the Plan is by exercising its power under planning legislation to grant or refuse planning applications. Each application for planning permission will be considered against the policies contained in the Plan, along with all other relevant considerations.
4. One of the functions of the Local Plan is to impart clarity and certainty to the types of land use that would and would not be acceptable in various parts of the Borough. This has been achieved by drawing tight development boundaries around the major towns and villages and allocating undeveloped land within the boundaries for specific purposes.
5. Within the development boundaries, particularly Burton, there is the potential for land that is already used to come forward for development for new uses during the Plan period. The following policy will be applied for all major redevelopment sites.

IMR1 The Borough Council will support the total or partial redevelopment for new uses of existing derelict, vacant or under-used premises on major sites within development boundaries provided all the following criteria are complied with:-

- (a) **The proposed development complies with Policy En16 and the other environmental policies in the Plan.**
- (b) **The employment opportunities of the site are optimised, taking account of its location, accessibility, and the quality and quantity of employment offered.**
- (c) **The proposed development would not create a risk based on the current land availability study, that housing development during the Plan period would unacceptably exceed the Structure Plan requirement, nor adversely affect the balance of housing provision in the Borough in respect of its type and location.**
- (d) **The proposed development complies with Retail policies R1 and R2 in**

the Plan.

(e) Within the National Forest the redevelopment includes a level of planting that reflects that location.

(f) A Traffic Impact Appraisal has been carried out for the proposal on a level commensurate with its scale, complexity and likely traffic generation.

6. All redevelopment proposals coming forward for consideration against the policy will be subject to an appropriate level of public consultation and a development brief.
7. Developers are encouraged to enter into informal discussions with the Council before submitting applications, and on major sites and environmentally sensitive areas, development briefs will be prepared by the Borough Council.
8. In some instances developers will be requested to enter into legal agreements as part of their planning permission to carry out off-site works such as improvements to the highway or the drainage system, so as to overcome a problem that would otherwise justify the refusal of permission.
9. It is important to the achievement of the Plan that adequate infrastructure is available to serve new development. The Borough Council will seek to ensure, by liaising with agencies responsible for the provision of services, that new development is not held back. Additional resources from the private sector would assist in bringing these schemes forward and ensure their completion which will enable development to take place.
10. As the role of the Borough Council is currently one of enabler, rather than provider, the majority of the Plan's proposals rely on private investment, particularly for new housing, employment and shopping.

MONITORING AND REVIEW

11. The Plan will guide development for the period to 2001. It must be able to respond to changes which may occur. Monitoring therefore needs to be a continuous activity in order to assess any changes which may occur during the Plan period. Particular attention will be focused on employment (land availability, unemployment rates) and housing (land availability, location of new development).
12. Consideration will also be given to other matters such as decisions taken by agencies involved in the implementation of the Plan, decisions taken by the Secretary of State when determining appeals, changes in Government policies, or the effects of development schemes.
13. Following from this, the Borough Council will regularly assess whether the issues dealt with in the Plan are still relevant, or whether they have changed so radically that a new approach is required. Any changes necessary will be made in accordance with the appropriate Regulations and after due publicity has been given to new proposals.

APPENDICES

The local plan contains the following appendices, which are not reproduced in electronic format. Should you wish to view any of the appendices, it will be necessary to inspect the hard copy of the Plan. This can be viewed at the Town Hall, Midland Grain Warehouse Reception, Burton on Trent, Burton Library, Barton under Needwood Library and Uttoxeter Library.

Appendix 1	Conservation Areas
Appendix 2	Ancient Monuments
Appendix 3	Sites of Special Scientific Interest
Appendix 4	Derelict Land Sites
Appendix 5	Countryside Design Summary
Appendix 6	Industrial Land Completions and Commitments
Appendix 7	Committed Housing Sites
Appendix 8	Urban Villages
Appendix 9	National Forest Planting Guidelines