

EAST STAFFORDSHIRE BOROUGH COUNCIL

LOCAL PLAN REVIEW

LOCAL PLAN INQUIRY 2005

TOPIC PAPER : HOUSING

1. Introduction

1.1 This paper sets out the Borough Council's position on a number of issues relating to the First Deposit Draft Local Plan, paragraphs 2 to 9 and Policies H1 to H5, and the Second Deposit Plan, paragraphs 2 to 12 and revised policies H1 to H4. The topics include

- a) The Structure Plan requirement of 6500 dwellings for the period and how it is to be met; sources of information on commitments and completions;
- b) The apportionment of the requirement between commitments, allocations and windfalls;
- c) Whether the Local Plan should include provision above the requirement or beyond the end date of the Plan (2011);
- d) The question of an allowance for non-implementation of permissions;
- e) Structure Plan indicative targets for achieving a proportion of new housing on brownfield sites; the switch away from greenfield sites;
- f) The Urban Capacity Study and estimates on windfalls;
- g) Density policy;
- h) Phasing and timing of release of land;
- i) The main allocations, including changes between First and Second Deposit;
- j) Urban and rural split, including apportionment between towns of Burton and Uttoxeter;
- k) Design issues

1.2 As a substantial number of issues arise on the question of Affordable Housing, a separate paper is being prepared. A general statement on

the topic is to be submitted to the Council's cabinet on 8 November, and this is being made available as an addition to the Core Document list.

2. Structure Plan Requirement

2.1 The Staffordshire and Stoke upon Trent Structure Plan 1996-2011, adopted on 10 May 2001, sets out in Policy H1 details of housing provision on a District basis. The provision for East Staffordshire is "6,500 dwellings – new allocations to be concentrated mainly in and adjoining the towns of Burton upon Trent and Uttoxeter."

2.2 Table 2 within the Housing Chapter of the Structure Plan breaks down the provision into 3 categories:

Completions 1996-1999	1,970 dwellings
Dwellings Committed at 1999	3,000 dwellings
Balance	1,530 dwellings

It will be seen that the balance still to be identified was relatively small, even at that early date within the plan period. The reason for this is partly because of the housing requirement in the previous Structure Plan being much higher. The previous plan covered the period 1986 to 2001. The housing requirement for this period was 8100 dwellings, implying an average annual rate of 540 dwellings compared with 433 for the current period 1996-2011. Actual completions 1986-2001 were 8021, very close to the requirement. This has also had the effect of skewing completions heavily towards the front end of the period. As the previous Structure Plan in effect allowed 2700 dwellings between 1996 and 2001, the residual figure for the period 2001-2011 is 3,800, implying an annual average rate of 380 dwellings a year. In fact the numbers of completions 1996-2001 was recorded as 3,645 dwellings leaving a residue of only 2855 dwellings to be implemented in the 10 years after 2001 (285 a year). This has meant the Borough Council moving fairly sharply from a position of encouragement of new development to one of relative restraint.

2.3 Although the Borough Council has not previously considered using planning policy to phase implementation of permissions by limiting the numbers built in each year, this could be one outcome if further revisions to the revised Policy H2 were to be made which would introduce more detailed controls.

2.4 Table 1A in the Housing Chapter summarises the balance of commitments and residual requirements but as this is fragmented in the main text by tracking of deletions it is reproduced here for convenience with the new text only.

Table 1A

Total Structure Plan Requirement	6500
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Dwellings Completed April 1996 - March 2003	4186
Dwellings Under Construction at 1 April 2003	414
Sites Committed by Permission	875
Existing allocations carried forward from existing plan	42
Wetmore Lane, Burton	30
Wood Lane, Uttoxeter (reduced area)	12
Other sites awaiting Section 106 etc	238

Sub Total – Existing commitments or similar 5755

Residual Requirement to be identified in Local Plan 745

2.5 It will be seen from this table that at 1 April 2003, with still more than half the plan period to go, 64% of the Structure Plan requirement was built, a further 24% committed or with commitment imminent, and only 12% still to be identified.

2.6 Appendix 6 of the Revised Deposit Plan sets out details of completions on large sites (10 or more dwellings). There is also a summary of small site completions, both for new build and conversions. All sites, including all windfalls, are covered. The figures derive from a) monitoring of residential permissions and b) returns on starts and completions from approved Building Inspectors (both Borough Council and NHBC) augmented by site checks to ensure sites have not slipped through the net.

3. Components of Residual Requirement

3.1 The first Deposit Plan was prepared in early 2001 when the residual requirement was at the relatively high figure of 1447 (Table 1, First Draft Deposit, page 78). To this was added a discount of 168, which constituted 15% of unimplemented permissions (then standing at 1118 dwellings) following the approach taken in the Adopted Local Plan. The 1615 total was then divided between:

Allocated Sites	1298
Windfall Sites	317

The reason for including a windfall estimate was set out in paragraph 5 of First Deposit. It reflected past rates, which had run at about 30 a year.

3.2 In the 3 years between First and Second Deposit the Borough Council carried out an Urban Capacity Study which was finalised in July 2004, following consultation in 2003. It became apparent during this period that the potential from moderate to large brownfield sites in urban areas was much greater than had previously been expected. Furthermore the rate of new permissions had been issued between 2000 and 2003, many of them on windfall sites, had reduced the residual requirement from 1447 to 745. In view of the number of sites being suggested as potential housing sites, it was felt appropriate to meet the residual requirement at Second Deposit stage solely by allocations rather than by a mixture of

allocations and a windfall allowance. This would enable more detailed controls of phasing on a site by site basis should this prove necessary.

4. Provision Beyond Plan Period or Above Structure Plan Requirement

4.1 The Plan as currently presented makes provision for the Structure Plan requirement of 6500 dwellings but no more. In doing so the Council considers that it has followed the advice in paragraph 34 of PPG3 by accommodating at least 5 years of housing development, and in practice 8 years from 1 April 2003 to 1 April 2011.

4.2 A number of objections suggest that the Plan should provide for a 10-year supply of housing, either from the current date or from the date of adoption. This would mean making provision for beyond the plan period. At present the only guidance available on housing numbers beyond 2011 is in Regional Planning Guidance for the West Midlands (RPG11, June 2004). This indicates (Policy CF3 and Table 1) that for Staffordshire (excluding Stoke on Trent) the annual average rate of housing provision falls from 2900 a year up to 2007, to 2500 a year in the period 2007 to 2011, and to only 1600 a year after 2011. No breakdown is as yet available at a District level beyond 2011. It is proposed to review Regional Guidance in the near future to enable this.

4.3 Regional Planning Guidance also has a policy (CF2) concerning the provision of housing beyond the Major Urban Areas (West Midlands conurbation and Stoke). This identifies 5 towns as sub-regional foci for development including longer-term strategic housing development. None of these towns are in Staffordshire, but in earlier versions of the guidance Burton upon Trent also featured as a sub-regional focus. In the letter of approval of the Guidance, dated 15 June 2004, Keith Hill, the Minister of State for Housing and Planning wrote to the Chair of the West Midlands Regional Assembly. In it he drew attention to paragraph 1.33 of the Guidance, which indicated areas for future work. Among these is "Identification of roles for each of the sub-regional foci". Mr Hill's letter states:

"Further work on the roles of sub-regional foci should cover their relationships with MUAs, e.g. Rugby/Coventry. The study should specifically address the role of Rugby. It should also consider the potential for a focus to serve Staffordshire, and whether Burton upon Trent, where there are particular issues in relation to the East Midlands and opportunities on previously developed land, could fulfil that role."

4.4 This creates uncertainty for the period after 2011, and the process of dealing with the issue is likely to extend well beyond the timescale of the Local Plan Inquiry. The Council's position is that the Local Plan should proceed on the basis of the Structure Plan requirement and make no provision for beyond 2011. The issues of provision after 2011, the sub-regional focus issue, and also the question of whether 10 years supply needs to be provided for, are all matters best dealt with in a

review of the Local Plan to take place under the aegis of the Council's new Local Development Scheme which has to be submitted to Government Office West Midlands by 28 March 2005. The review would therefore be likely to begin well before 2011.

- 4.5 In view of the considerable pressure from developers and landowners to release land for housing in East Staffordshire, and the limited residual requirement, the Council has sought advice from Government Office on the question of whether it is appropriate to permit housing development well beyond the Structure Plan requirement, given the large number of sustainable sites in the Burton area identified by the Urban Capacity Study. Their view, given at a meeting, is that the Structure Plan requirement remains an important safeguard and to exceed it beyond a reasonable amount would undermine efforts to secure regeneration of the Major Urban Areas. The Council's position is that the Structure Plan requirement should be adhered to, subject to the slight (6%) over-provision allowed for in Policy H01.

5. Allowance for Non-Implementation

- 5.1 The Adopted Local Plan (Housing Chapter paragraph 4 and Appendix 7) allows for the fact that not all residential permissions will be implemented by including a figure for non-implementation of permissions on sites yet to start. In the adopted plan the number of permissions discounted was 216, 15% of 1441.
- 5.2 The principle of a discount was carried forward in the Review of the Local Plan and a figure of 168 (15% of 1118) was included (Housing Chapter paragraph 5 and Table 1). This was subject to various objections which sought either to make the allowance broader in its coverage, or (the majority) to remove it altogether.
- 5.3 In the Second Deposit the 15% discount has been removed from the calculations of housing requirement. Monitoring of the rate of implementation of permissions indicates that practically all sites with a capacity of 10 or more dwellings are implemented, with only a few sites with severe constraints not coming on stream quickly. There is also a small hardcore of outline permissions (mainly for single dwellings) which are regularly renewed every three years without much likelihood of implementation. However, as the figures above at paragraph 3.2 show, there has been no difficulty in steadily reducing the residual requirement through new permissions, and as this trend is expected to continue, there is unlikely to be a shortage of sites.
- 5.4 Furthermore any percentage discount is applied to a figure (dwellings on sites not commenced) which is itself constantly fluctuating, rendering its use in the Local Plan irrelevant after a short time. It is not a tool mentioned in PPG3. Regular monitoring of housing implementations through the "Plan Monitor and Manage" process is the best approach. The Council wishes that the Non-Implementation Allowance should not be re-introduced into the Plan.

6. Brownfield and Greenfield Sites

- 6.1 The starting points for the current approach to brownfield sites are the Structure Plan (para 7.42 and Table 3) and PPG3 (para 23). Table 3 sets indicative targets for individual districts within an overall figure of 55% on brownfield sites across the County, including Stoke on Trent. The indicative target for East Staffordshire is 50%. This is regarded as a minimum figure to be exceeded if possible. Table 1B in the Local Plan Housing Chapter shows progress towards this target since 1996. Because of a high level of greenfield commitments and completions in the period 1996 to 2001, the proportion of brownfield sites to be developed needs to be correspondingly high in the remainder of the Plan period. In response to an objection at Second Deposit stage from GOWM it is proposed to include an additional note at the end of Table 1B which will read:

“Notwithstanding the 311 figure for greenfield sites in the Table, it is expected that the 745 residual requirement should be made up of brownfield sites alone.”

- 6.2 There has also been a last minute change to Regional Planning Guidance which updates the target figure for Staffordshire from 55% from 1996 to 2011 to 66% for the period 2001-2011. No targets for individual districts are set. While more detailed calculations will need to be made prior to inquiry, it should be possible to meet a target of 61%, (11% higher than 50%, in line with the 11% change at County level) within East Staffordshire for the period 2001 to 2011. The immediate effect of the change will be to eliminate the figures for completions between 1996 and 2001, and as these contained a high proportion of greenfield sites, the achievement of brownfield targets becomes easier to achieve.
- 6.3 The First Deposit Plan, Policy H1 showed one residential allocation (West of Uttoxeter) as a greenfield site. A second allocation, South of Main Street, Branston for 450 dwellings, was shown as a brownfield site because of its past history of gravel working followed by landfill with contaminated Pulverised Fuel Ash. However, this should have more correctly been shown as a greenfield site, given later agricultural use. Both allocations have been dropped at Second Deposit stage, although South of Branston has been re-allocated for Employment use.
- 6.4 At the time of the First Deposit Draft, a full Urban Capacity Study had not been carried out using the methodology in “Tapping the Potential” (ODPM Dec 2000). The first deposit allocations reflected a cautious approach to the availability of brownfield sites. Of the sites listed at first deposit in Policy H1, it may be simplest to indicate what happened to them between first and second deposit.

Committed and built or under construction

Saint Matthews Street

Grants Yard, Station Street
Middle Yard Phase 2, Guild St/Worthington Way
Rear of 85 Burton Road, Branston
Fryers Garage, Derby Road, Uttoxeter
N part of Shell Site, Dovefields/Derby Rd, Uttoxeter
Burton College Annex buildings, Rolleston on Dove

Retained as allocations (in some cases with revised capacity)

Black Eagle Brewery site, Derby Street (no retail)
Rear of Plasplugs, Wetmore Lane
Heritage Brewery/Evershed Way (minimal retail on expanded site)
Former Gas Works site, east of Wetmore Road
Cattle Market, Smithfield Road, Uttoxeter
Former Richard Cooper Works, Cheadle Road, Uttoxeter

Removed as allocations

South of Main Street, Branston (greenfield)
Car Park, Fairfield Road, Uttoxeter (site constraints)
Adj. Filling Station, New Road, Uttoxeter (site constraints)
West of Uttoxeter (greenfield)
Land to Rear of 18-36, Wakefield Avenue, Tutbury (site constraints)
The 3 brownfield sites deleted in Uttoxeter and Tutbury were all small sites and may still have some capacity, but in each case probably less than 10 dwellings, and best dealt with as windfall sites. The replacement sites that have emerged in Uttoxeter have a greater capacity and are in sustainable locations close to the town centre.

- 6.5 Finally it should be noted that there is, in Table 1A of Second Deposit, mention of two sites carried forward from the Adopted Plan. One of these, Wood Lane, Uttoxeter now has permission on the reduced site and should be removed. The other site at Wetmore Lane is still available and should be included in the main table of allocations in the final version. Part of the site has been permitted for 8 dwellings, but a review based on density considerations suggests that the residual part of the site could be capable of accommodating 30 dwellings.
- 6.6 The first deposit plan also contained a sub-note to paragraph 5 concerning Branston Depot. This has been deleted at second deposit stage. At that time the owners of the site, the Prison Service, were actively pursuing the development of an Urban Village on the 25 hectare site through an Outline application. Subsequently the Prison Service sold most of the site and no permission has been issued. The Urban Capacity Study assumes the site will not be available within the Plan period, although the new owners have lodged objections (3251 and 3252) at second deposit stage.

6.7 Since the first deposit plan was published in early 2001, there has been a sharp increase in the number of brownfield sites, particularly employment sites, being suggested for redevelopment. Both Burton and Uttoxeter have more potential sites than were thought likely to be available in 2001, and the latest version of the Urban Capacity Study (July 2004) reflects this to some extent. Many of the sites being suggested are in sustainable locations. The problem for the Council has become how to select the most appropriate brownfield sites, rather than the old battleground of brownfield versus greenfield. As a number of large employment sites are being suggested, there has also been concern about the potential loss of Strategic Employment sites as defined in Structure Plan policy E8. Section 5 of the Urban Capacity Study (Core Document A13) contains more detail on how its findings relate to Structure Plan requirements. Following consultation on the draft Urban Capacity Study in 2003 a report on the feedback was made to the Cabinet in November 2003 (not in preliminary Core Document list, but to be added.) This dealt with not just the UCS but also two consultation papers from the ODPM on revisions to PPG3, one of which was seeking ways of improving the supply of housing from employment land. Its key recommendations included the following two:

“2. The Borough Council seeks to exercise tighter control, within the existing policy framework, on the release of greenfield sites for housing.

4. Before any agreement to release existing employment land over an acre in size is made, there should be made an assessment of the importance of its employment potential, in order to evaluate its priority in relation to Structure Plan Policy E8 is confirmed.”

These recommendations have been endorsed within the revised Policy H02.

7. Urban Capacity Study and Windfalls

7.1 The most recent version of the Urban Capacity Study (UCS; Core Document A13) was published in July 2004. An earlier consultation paper was published in March 2003. Comments received were reported to the November 2003 Cabinet and as a result further work was carried out, including a more detailed study of windfalls in a few categories.

7.2 The key findings of the Study are set out in paragraphs 5 and 6 of the Executive Summary and in more detail in Section 5 “Discounting Capacity”. In particular 2 figures are re-quoted here for convenience.

Undiscounted Capacity on Urban Brownfield Sites 2570 dwellings.
Discounted Capacity on Urban Brownfield Sites 1440 dwellings.

It should be noted that both figures substantially exceed the residual requirement of 745 dwellings. Both figures exclude commitments.

7.3 The classification of capacities within the Urban Capacity Study follows “Tapping the Potential” (ODPM 2000) which has 11 categories, but a twelfth category has been used which is ‘Land in Active Employment Use’. Justification for including this extra category is contained in paragraph 2.8 of the UCS.

7.4 Paragraph 2.9 of the UCS also gives details of 6 of the categories where windfall allowances, based on past completion rates, have been calculated to enable an estimate to be included on sites of less than 10 dwellings. The actual undiscounted figures for each of these categories (paragraph ref in UCS given) are:

Previously developed land and buildings, 1950’s and 60’s	0
Redevelopment of housing, 1950’s and 60’s (3.9)	16
Previously developed land pre 1945	103
On vacant land not previously developed (pre 1945 non-residential areas) (3.17)	96
On vacant land not previously developed (post 1945 non-residential areas) (3.25)	60
Conversion of commercial property other than town centre (3.31, 4.12)	220
Total	495

7.5 Paragraph 3.5 of the UCS deals with empty homes. An estimate of 250 dwellings has been included for the period 2003 to 2011. Appendix One of the UCS shows how the stock of empty homes in inner areas of Burton, where vacancy rates are higher than the East Staffordshire average, was reduced in an 8 year period from 1991 to 1999, during part of which time an Empty Homes Initiative was operated by the Council. As will be seen from the Appendix the reduction was 253 dwellings. A new Empty Homes Strategy is in the course of preparation. This is linked to implementation of the Inner Burton Housing Initiative (IBHI) which will be an important source of funding. Section 106 agreements on appropriate housing sites may be used in the future to provide funding for the Empty Homes Strategy in lieu of, or as part of a package of provisions including, affordable housing. The 250 estimate is thought reasonable. Outside the IBHI area there is no significant issue over vacancy rates.

8. Densities

8.1 It has been assumed that, for allocated sites, densities will be at least within the range set out in PPG3, i.e. 30-50 dwellings per hectare. In general higher densities will be encouraged in town centres. No policy was included on density at 1st Deposit stage (avoidance of repeating

government advice!) but in response to objections 2nd Deposit Policy H6 includes a paragraph on the topic, including a reference to the 30-50 range. This is felt to be the best place so that density is seen as part of a number of design criteria. The allocated sites are all within the 30-50 range, with the exception of the Wetmore Road site which is slightly constrained by its shape.

- 8.2 Recent experience in Burton has shown that developers are responding well to the idea of higher densities. This is in particular true of town centre and inner urban sites, where 3 recently permitted sites have net residential densities of 157, 87 and 77 dwellings per hectare. One undetermined application is for 15 flats on a site of 0.0667 ha, a potential density of 225 per hectare. The maximisation of densities on such sites does provide a further issue in relation to the question of overall provision as it means Structure Plan requirements are reached earlier. It also means that on sites where amenity is an issue, density need not be an overwhelming consideration. This is explored further in Section 12 below.

9. Phasing and Timing of Release of Land

- 9.1 PPG3 para 33 asks local authorities to manage the release of sites over the plan period in order to control the pattern and speed of urban growth, coordinate infrastructure and deliver recycling targets. More detailed advice is contained in "Planning to Deliver – The Managed Release of Housing Sites: Towards Better Practice" (ODPM 2001, to be added to Core Document list). Three approaches are advocated, and the third and most detailed of these, "Phasing" is the preferred one. This implies detailed control, either in the Local Plan itself or through the development control process, of the timing of release of the sites allocated in the Plan so that there is an orderly release of sites throughout the remainder of the Plan period.

A worked example is provided. This implies that each allocated site is allotted a Phase within the Plan depending on its priority rating in relation to PPG3 para 32, and in some cases, especially larger sites, a timescale over a set number of years, for its implementation.

- 9.2 The Council has not included within Second Deposit Policy H02 the level of detail that would be implied by such an approach, merely a reference to giving brownfield sites priority over greenfield ones. It has, however, explored the issue in one of the reports submitted to the May 2004 meeting of the Council's Cabinet (Core Document A11a, Section 3 entitled "Housing Policy and Allocations"). This report includes reference to the topic of the three sites later included in paragraph 8 of the Housing Chapter (and a fourth one, Renold Chains, not included). Table 3 in the same report gives a sketch example of how a phasing policy might be applied for each of the allocated sites. It should be stressed that the actual figures are purely illustrative, and no attempt has been made to include windfalls. If this were done it would tend to make the totals for individual years more even than they currently appear.

- 9.3 The Council is still willing in principle to see such controls introduced into Policy H02, but has not included them at Second Deposit stage, for several reasons. Firstly, there is the general question of whether they would be “taking a sledgehammer to crack a nut”, given the small residual requirement. Secondly, there is a need to justify precise figures for each site, which it is thought would be difficult to do unless there was a consensus within the housebuilding industry that the general principle is appropriate, following a long period during which there have been only controls imposed by market demand. Thirdly, as all the sites allocated are brownfield, it would be more difficult to assign priority status for release to any one particular site. Finally, there are separate questions to be resolved first over the balance of allocations between Burton and Uttoxeter, and how windfalls might be dealt with.

10. Main Allocations

- 10.1 Paragraph 6.4 above sets out reasons for the deletion of sites from the first deposit allocations list. This section gives a little more detail on how the current list of retained or new allocated sites has emerged and the current state of play with regard to securing their release. Only 1 site is retained from the adopted plan, dealt with at paragraph 6.5 above. There has been no need for a major review of past allocations as suggested in Structure Plan paragraph 7.19.

10.2 Rear of Plasplugs, Wetmore Lane and Former Gas Works Site, Wetmore Road

These two sites were both suggested at Issues Paper stage in 2000 prior to first deposit. The former site abuts a larger housing site which is currently nearing completion. There are a few issues of access to be resolved but these are not regarded as major constraints. The former gas works site, while in a business area, is not too far away from other housing and a primary school and has an attractive aspect to the river. It is the subject of an objection to the Local Plan at first deposit (ID No. 1878) which suggests that there should be more detail on the level of contamination to be dealt with. It is accepted that there is contamination, but the cost of dealing with is not thought to be prohibitive. An application was recently (August 2004) lodged for a 2 storey office block on the central part of the site, which has implications for availability.

10.3 Black Eagle Brewery site, Derby Street

This site appeared at first deposit stage with a capacity of 35 dwellings as part of a mixed-use scheme involving local retailing on the front part of the site. The retail element has been dropped and an application for 95 dwellings was issued on 12 October 2004. Although the site has been standing empty for between 25 and 30 years preliminary excavations have already taken place to deal with contamination and construction work is expected to commence shortly. Its development is an indication that even hard core derelict sites such as this one are being released.

10.4 Heritage Brewery/Evershed Way & Goat Maltings, Anglesey Road

These two adjacent sites both contain listed buildings and much of the site is also in a Conservation Area. The Heritage Brewery site has as a centrepiece a former brewery building which has been empty for some years and is in urgent need of restoration. The Goat Maltings building, not allocated at first deposit stage, is now likely to be available within the plan period. The main building is a prominent structure, has been underused for some years and also needs restoration. A planning Brief has been prepared and approved as Supplementary Planning Guidance following public consultation. A detailed planning application and associated Listed Building/Conservation Area applications were submitted in July 2004.

10.5 BTR Silvertown site, Horninglow Road North

The site was suggested as an objection at first deposit stage and was accepted as a site that could make an important contribution to increasing the proportion of brownfield sites, although about 3 ha of the 11.3 ha site consisted of playing fields. There were also concerns about the loss of strategic employment from the site. These are being addressed with a view to relocation within East Staffordshire. A full planning application for 350 dwellings was submitted in September 2003 and was the subject of a recommendation to grant permission, subject to a Section 106 agreement, in September 2004. Permission has not yet been issued at the end of October 2004. During the period since the submission of the application a planning brief has been approved following a period of public consultation. The Section 106 agreement will include financial provision for educational provision and affordable housing, and will also be required to make compensatory provision for the loss of playing fields on site, in accordance with Local Plan Policy L1.

10.6 Vancouver Drive, Winshill & Lynwood Road, Branston

These two sites are brownfield sites lying within former Council housing estates. Both are the sites of former "Airey" type council houses which were demolished in the late 1980's and, unlike most other Airey sites have not been redeveloped. Permissions were granted for replacement housing in the 1990s but these have been lapsed. The sites are still in Council ownership and it is understood that the Council's Corporate Asset and Facilities Management section are still keen to market them for housing purposes, possibly to RSLs.

10.7 JB Kind/RE Cooke, Shobnall Street

These are two industrial users occupying adjacent sites in an inner urban area of Burton. RE Cooke is the smaller of the two businesses and has already secured an alternative site for relocation on an allocated employment site at Stretton. JB Kind is a business engaged in pallet manufacture and other timber products. For business reasons the company is seeking to relocate the business onto two separate sites in

the Burton area (Wellington Road, Branston and the Graycar Industrial estate near Barton Turns). There should therefore be no loss of strategic employment and the relocation of both businesses from an otherwise predominantly residential area of the town means that the residential character of the area can be consolidated and enhanced through redevelopment, in accordance with Policy H02 and the Cabinet Report of November 2003 (see paragraph 6.7 above). A planning application for 41 dwellings on the Cookes site was the subject of a recommendation to approve in August 2004 but no permission has yet been issued, and it is unlikely to happen in isolation as housebuilders are negotiating with each other to achieve a more comprehensive scheme for both sites. The site has scope for more than 120 dwellings but this is one site where phasing is an issue that could be covered within a Brief and binding planning obligation. Other issues would be educational and community provision, open space and the impact on the Trent and Mersey Canal Conservation Area which lies just beyond the western boundary.

10.8 Cattle Market, Smithfield Road, Uttoxeter

The site is on the western edge of Uttoxeter town centre, which is a key opportunity site in the regeneration of Uttoxeter. The adopted Plan sought to relocate the existing cattle market (Policy R12) and allow its redevelopment for retail purposes (Policy R11), subject to compliance with a number of other policies. The first deposit Review Plan allocated the site for 100 dwellings (Policy H1) while a modification of the adopted Policy R11 (R10) also recognised that mixed use development including retail was also appropriate. The cattle market was closed during 2001 as a result of the foot and mouth disease epidemic and has not re-opened. An outline application for a mixed use development for 83 dwellings on the western part of the allocated site and retail on the eastern part was submitted in May 2002. This was reported to Planning Applications Committee in November 2002 and the scheme approved subject to a Section 106 agreement, but no permission has yet been issued. However the figure of 83 dwellings has been used as the basis of the revised allocation in Second Deposit Policy H01. The site has in recent months been the subject of revised proposals following invitations by the Council to prospective developers to express an interest in the site. There has been a second deposit objection (3253) which seeks to increase the residential element of the site to 140 dwellings. The Council's response indicates that this is acceptable in principle. However, while the capacity may be revised, this adds 57 dwellings to the overall provision (approx 0.88% of the Structure Plan requirement) and would need reviewing in the context of sites in Uttoxeter. See also paragraph 19 of the Uttoxeter Action Area chapter of the Second Deposit Plan.

10.9 Former Richard Cooper Works, Cheadle Road, Uttoxeter

The site was included at first deposit stage as an allocation for 14 dwellings, but at second deposit stage has been extended to include the site of a public house to the south west of the original site, greatly

improving access and capacity. Planning permission has been applied for and consent is imminent.

10.10 Former Angus McKinnons site, Bridge Street, Uttoxeter

The site is on the eastern edge of the town centre and is the site of a former car sales and repair business, consolidated with parts of neighbouring sites. It is intended that it should contain an element of commercial uses given the adopted plan allocation covering part of the site (employment/retail). Previous applications for housing have been refused for the absence of this element. There are currently two separate application awaiting determination on different parts of the site, one of which contains commercial elements. These applications form the basis for the allocated figure of 93 dwellings. See also paragraph 21 of the Uttoxeter Action Area chapter of the Second Deposit Plan.

10.11 County Depot, Stafford Road; Brookside Business Park; and Fauld Precision Engineering, Brookside Road, Uttoxeter

These sites have all surfaced as a result of the Uttoxeter Masterplan and Brookside/Town Meadows Way Guidance (Core Documents E5 and E8).

11. Urban and Rural Split and Between Burton and Uttoxeter

- 11.1 The only guidance on housing location in the Structure Plan appears at paragraph 4.53 of The Strategy Policy H1 of the housing chapter. The emphasis is on accommodating indigenous population growth where it arises, with additional provision being appropriate to take account of limited population movement. Development should be concentrated in Burton upon Trent and in Uttoxeter.
- 11.2 The Second Deposit Plan contains no rural allocations. Where larger rural settlements have retained development boundaries (see Policy CSP 2) there may be scope for limited infill development within the boundaries. All the major villages listed in CSP2 have seen medium sized development during the previous adopted plan period, with the exception of Marchington. At Denstone, Rocester, Rolleston on Dove and Yoxall, some development has been very recent.
- 11.3 Burton upon Trent has a population of approximately 67,000 and Uttoxeter has one of about 11,400. Second Deposit allocations in Burton total 846 dwellings and in Uttoxeter 290. 500 of the dwellings out of the 550 listed at paragraph of the 2nd Deposit Housing Chapter are in Uttoxeter. Of the dwellings listed as completed on large sites since 1996 in Appendix 7, 2402 were in Burton (including sites at Branston, Outwoods and Stretton) and 587 in Uttoxeter. Small site completions are believed to be in similar proportions.

- 11.4 Broadly speaking one would expect the ratio of provision between Burton and Uttoxeter to be 6:1. The relatively high number of sites allocated at Uttoxeter is a reflection of the recent Masterplan exercise, which has thrown up a large number of potential sites close to the town centre. The IBHI exercise which is not so far advanced, may yet throw up a number of opportunity sites for consideration which would tend to restore the balance.
- 11.5 In the meantime it is considered that the sites allocated in Uttoxeter will support the regeneration of the town. The town is also a key service centre for the rural northern and western parts of the Borough and is the sole centre for secondary education beyond the age of 13. Given the absence of rural allocations in the Plan Uttoxeter may meet unmet needs arising from indigenous growth.
- 11.6 PPG3 and the Structure Plan (para 7.35) also stress the identification of other locations in public transport corridors closely related to larger settlements. As nearly all allocations are proposed within the larger settlements themselves, and as the relevant sites are all served by or within short walking distance of urban bus services it has not been thought necessary to carry out especially rigorous analysis on this score.

12. Design Issues

- 12.1 Policy H6 in the Second Deposit (Policy H7 in the first deposit) is the main source of policy on housing design. The policy material forms part of a more general approach to design, reflected in the Built Environment chapter, especially Policy BE1, and latterly Policy CSP3. Policy H6 and the supporting text is felt to be broadly consistent with the principle set out by central government of keeping detailed controls in Supplementary Planning Guidance and keeping only general principles in the Plan itself. Policy H6 includes amendments to cover densities (see Section 8 above). Paragraph number 19 has been amended to cover two aspects of density. One is the general PPG3 principle of increasing them. The other addition seeks to ensure that a general increase in densities is not at the expense of protection of local character. A particular example mentioned is redevelopment of large gardens through infilling development, where there have been some problems arising from recent planning applications in established residential areas. The amendments to the first and fourth sub-paragraphs of Policy H6 seek to address this issue. The general principles outlined in the first paragraph are consistent with good design and Ebenezer Howard's long-standing dictum "Nothing Gained By Overcrowding".
- 12.2 The material in the fourth paragraph is thought by a few objectors to the 2nd deposit to be over-prescriptive. A particular feature is the reference in the third line restricting redevelopment proposals to single detached properties. It is accepted that this part of the policy could be amended. However it is thought that the 3 criteria which follow are reasonable

means of preventing “town cramming”. They do, of course make the policy more elaborate than was originally intended.