

# TUTBURY PARISH COUNCIL

**Response to the East Staffordshire Borough Council (ESBC) public consultation of Draft No1 of the CORE STRATEGY pre publication options, dated August 2011.**

## INTRODUCTION

In his foreword to the Draft National Policy Framework the Rt. Hon Greg Clark M.P, Minister for Planning, emphasises that local planning must be collective rather than exclusive. In his statement he says `..targets being imposed and decisions taken by bodies remote from them...` put people off getting involved and that `..the National Policy Framework changes that`.

Tutbury Parish Council has made its response in the spirit of the Minister`s statement despite a torrent of abuse and scorn the government`s draft National Planning Policy Framework has received from almost every quarter, except, of course, from those with a financial interest in building new houses in the countryside. When groups such as the National Trust, the Campaign to Protect Rural England, Friends of the Earth and many wildlife bodies are outraged and almost every national newspaper has condemned the scrapping of planning controls accepted as necessary since 1945 it is difficult to separate parish concerns from national disapprobation, but the response made here attempts to deal only with ESBC proposals as they affect Tutbury and East Staffordshire.

**The parish council has been forced to set aside its dismay at ESBC`s approval of a major housing and industrial development off Burton Road that should have been refused. The Burton Road site was part of this consultation on the Core Strategy.** That decision shows how far away the Borough Council is from public opinion and from the national direction of decision-making that intends **localism** with its wide ranging, meaningful consultation in planning.

In the hope that Tutbury Parish Council proposals will actually be read and used to moderate Core Strategy policy, parish councillors agreed to complete the study of ESBC proposals and go ahead with a public meeting on the subject despite removal of the Burton Road site from ESBC`s list of `Options`.

The parish council response scrutinises the number of houses and the area of employment land proposed in the draft Core Strategy rather than take a paragraph by paragraph approach favoured by other respondents.

Tutbury Parish Council is in a consortium with other parish councils. It is aware of their responses and supports their varied observations on the draft Core Strategy.

## HOUSEHOLD NUMBERS

### The number of houses needed - 2006 to 2031

The number of **houses proposed by ESBC** for the plan period 2006 to 2031 (25 years) **is still 13,000, the same number they voluntarily adopted as a target in the** now rarely mentioned **Growth Point policy**, but Growth Points no longer have relevance. The regional strategies they sprang from are to be scrapped and as the Minister has said `..targets being imposed and decisions taken by bodies remote from them...put people off getting involved` The parish council presumes this also applies to ESBC as they are our own `remote body` and in that spirit Tutbury Parish Council decided to first scrutinise the **new 13,000** house building **target** set by ESBC in the draft Core Strategy.

**A cynic might believe that the two 13,000s are one and the same set of numbers**, dressed up to look different and spread over a slightly longer plan period, but **the new 13,000** derives from a different base (not made very clear in the draft Core Strategy) where **household formation** data for the years 1991 to 2008 inclusive has been used to justify precisely the same number of new houses as that of the Growth Point policy, a curious coincidence.

### Household Formation Data

Household formation data shows that in 1991 there were 39,000 households in East Staffordshire and by 2008 there were 45,000, an **increase of 6,000** (in round figures) **over 17 years (which equates to an average annual increase of 353)**.

It is not clear from the draft Core Strategy document, but it is assumed by the parish council, that the `formation of households` figure is taken as being the same as the number of new houses built; there are many reasons why that may not be the case, but it seems to have been accepted by ESBC as the base for their projections to 2031.

### 1991 to 2008- The Golden Years

The period 1991 to 2008 was one of economic growth. Houses sold quickly and despite the occasional peak and trough it was a time when there was relatively little unemployment. Mortgages were readily available and loans could be taken on in the certainty of a secure job to support loan repayments; there was also a buoyant housing market should it be necessary to sell.

**If ESBC had taken those relatively `golden years` of household formations of 353 each year and multiplied it by 25 years they would have a policy proposal of 8,825 for the growth of new households, not 13,000.**

So where does the claim that there is a **need** for 13,000 houses come from, and how valid are the assumptions that drive it?

## **Forecasts**

ESBC takes **population growth forecasts** for the period 2008 to 2033 (not the plan period to 2031) **as 16,000** including migration and calculates that by the year 2033 there will be a need for 11,778 new houses; this, somehow, goes on to produce the `new` 13,000 figure.

**Paragraph 3.6** `Such population projections do not take into account expectations regarding future house building or the use of existing stock and **therefore make no assumptions regarding housing policy or management**` Why then does ESBC use these figures as absolute?

At a meeting of the Parish Councils Alliance and ESBC senior officers it was said that the 13,000 new house figure is derived from 11,000 (not 11,778) plus 2,000 houses at the former Drakelow Power Station site, which may or not be included. This confusion of information adds to consultation uncertainties, and in any event both numbers are far too high.

## **Growth Forecast Evidence**

The 13,000 forecast is no more than a reflection of ESBC's disastrous growth point policy. Others may say it is an educated guess. Whatever it is, it does not spring from direct experience **and it presumes more rapid growth than during the `golden years`** of 1991 to 2008.

ESBC fixation with 13,000 ignores widespread evidence of a reduction in new house building rates in recent years. The draft Core Strategy takes no account of a global economic situation that has deteriorated since the banking crisis of 2007-8 and has now created the current difficult housing market which may not improve for some years to come.

Paragraph 33.14 expects the major increase in households will be in those for one person but there is no policy statement of how that may be achieved.

## **Natural Growth and Migration Growth**

The draft Core Strategy shows that **ESBC has produced two projections for expectation of an increase in households**. One projection uses the term `natural change` to give an estimate of 6,301 houses needed- (a 14% increase) compared to the projection mentioned above that indicates 11,778 new houses must be planned to allow for `migration` (an increase of 26% over 25 years).

**The term migration needs a clearer definition. The numbers must be tested if they are to drive policy and prove the need for so many more houses.**

Migration may mean people moving from elsewhere in the country to share in the East Staffordshire `vision` mentioned so often in the draft Core Strategy and it may have been further assumed that fewer people leave the Borough to make way for this rush of new people. It may also mean that people from other countries are expected to target East Staffordshire and buy up the 13,000 houses, who can possibly know, certainly not Tutbury Parish Council.

No evidence is given to justify the loss of huge areas of open countryside that will be built over to provide for such an ill defined reason. To propose that a further **increase of 5,477** houses (over those needed to satisfy `natural growth`) **must be allowed for migration** should bring with it good rational reasoning and until such a figure can be substantiated it will continue to cause outrage.

Add to this the growing number of unemployed people who will expect to take up job opportunities before migratory people can find work in East Staffordshire and the case for approving so many houses for migrants becomes more than questionable.

If the migrants are all economic, the start point in planning is the location of industry and subsequent work opportunities before there is any proven need to release Greenfield housing sites for something that might not happen. These new East Staffordshire citizens would follow up work opportunities **before** buying a house, rather than buy a house before seeking work.

**ESBC seems to believe that everybody will buy** a new house, but they can not do that unless they first have a regular wage to support a mortgage. (see affordable houses)

### **Completion Rates**

The latest completion rate of new houses in East Staffordshire shows two further important facts. One is that the rate of completions is falling. A moving average calculation indicates that in the period 2000 to 2011 the peak of completions was in the year 2000, since then the completions trend has fallen, apart from two minor blips in 2005 and 2007. At the time of writing (August 2011) the averaged annual **rate hovers at around 300, (and was only 207 in 2010).**

Another interesting piece of information emerging from ESBC completion statistics is the rising number of unimplemented full planning permissions: 1,624 at the end of the year 2009 to 2010. With so many permissions not actively followed up by developers and houses standing empty or for sale in every parish of the Borough, the Core Strategy must include a consistent deduction from the projection to set against the need for Greenfield building, or at least it should have something to say about unimplemented approvals and where they fit in with the five year supply requirement.

## Application of the 20% rule

Earlier in these notes we pointed to two different figures for the 13,000 proposal and showed how recent trends should direct policy. A twenty percent increase is imposed by the National Policy Framework and may be interpreted by some at ESBC to mean that local authorities should add 20% to the total number of houses they believe they need to plan for, but **we believe that would be a misread of the document**. The paragraph concerned is on page 30 of the National Policy Framework at paragraph 109.

‘Identify and maintain a rolling supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements. The supply should include an additional allowance of at least 20 per cent to ensure choice and competition in the market for land’.

In other words **20% should not to be added as extra new houses over and above the identified total level of need up to 2031, but ESBC should provide for a 6 year period of deliverable sites reviewed in each 5 year period**, thus providing the 20% required by the National Planning Policy Framework. This reading of how to make allowance for the 20% is described in the Journal of Local Planning.

The 20% rule is the one weapon developers can and will use to force an approval on Greenfield land. The Burton Road site is an example of just such a threat (and of ESBC capitulation in the face of possible costs arising from an appeal).

It also reminds us that the higher the allocation of the total housing numbers over 25 years the higher the requirement becomes for any five year period; and the more difficult it will be to find the numbers and so resist a claim for the right to build in the countryside. This is another reason why household formation figures must not be too high.

## The Correct Household Formation Figure for 2008 to 2031

Household formation statistics tell us that the East Staffordshire annual average household formation rate in recent years has been around **353** and since the banking crisis it has **fallen to around 300** at best and may well be lower.

**353 houses per year over 25 years = 8,825 houses, that is the maximum increase in households to plan for, based on evidence provided by known build rates in East Staffordshire.**

If ESBC are looking to meet requirements set out in the National Planning Policy Framework they must bring their household formation estimate down to a figure no higher than 8825 and possibly down to 300 each year over twenty five years, a minimum allocation of 7,500.

ESBC proposal.....13,000

Tutbury Parish Council proposal.....7,500 to 8,825

Natural Growth.....6,031

The parish council proposal makes an allowance for some migration without it being the divisive factor it will be if the 5,477 houses proposed by ESBC are set aside for that purpose in the eventual Core Strategy.

### **Sustainability**

In the National Planning policy Framework **sustainable** is defined by the Minister for Planning as means **`ensuring that better lives for ourselves doesn't mean worse lives for future generations`** And later on in his introduction... **`Sustainable development is about change for the better...`**

The parish council believes that ESBC proposals for 13,000 houses do not meet either of these sustainability definitions.

### **Pressure Groups and the Democratic Process**

Excessive weighting is given by ESBC to the expectations of pressure groups who want to make money from land development without them taking responsibility for the provision and maintenance of infrastructure or for the protection of countryside and historic places.

It amounts to a damaged democratic process when public meetings reveal a deeply ingrained sense that overdevelopment can not be controlled and developers decide what goes where.

There is widespread belief that nobody at ESBC is interested in what the public has to say and there is concern that private meetings between planners, officers and leading councillors produce deals contrary to the wishes of ordinary people.

Plans are passed in principle before they go out for a fig-leaf of respectability called consultation, followed by the rubber stamp of a council meeting where councillors are warned that there may be penalties if they vote against such backroom deals. (See Option 5 of the parish council proposals)

### **Affordable Housing**

**Affordable houses** are defined in the draft National Planning Policy Framework as **`those let by local authorities or private registered providers of social housing.....subject to rent controls of no more than 80% of the local market rent`**.

There is **no mention in the draft Core Strategy of how many affordable houses there should be or where they are to go**, perhaps they do not fit in with the new policy of building houses in the countryside.

The Burton Road approval shows that ESBC took no notice of a survey it jointly funded to assess such housing shortfalls, and ESBC allows developers to buy their way out of a commitment to provide affordable housing. This practice must be banned if affordable housing is to be more than a token seen as necessary only to get plans approved.

**The draft Core Strategy is built round a presumption to buy rather than to rent, yet migrant labour is the group most likely to need affordable housing.**

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## **EMPLOYMENT LAND**

ESBC wants a total of 200 hectares of employment land and pads out its draft Core Strategy with talk of diversity, dynamism, and high value. The vision is of a well qualified work force employed in advanced manufacturing where ESBC maintains a careful balance of land use for technology based industries. This is less of a vision, more of a fantasy.

In the rough and tumble world of land speculation and the re-use of redundant buildings it is as near impossible as may be to control anything once approval has been given, even more so in the light of the presumption in favour mentioned so often in the draft National Planning Policy Framework. And what land owner would accept being told that he could not sell his workshop on to a different user because it must go to a technology based firm that may not even exist? Where are these firms and how will they decide that East Staffordshire is the best place for them to locate?

## **The Draft National Planning Policy Framework**

The draft National Planning Policy Framework at page 17 paragraph 70 states:

‘Local planning authorities should avoid unnecessary conditions or obligations, particularly when this would undermine the viability of development proposals’,

How, therefore, is ESBC’s vision to be implemented and monitored, will it be by the Local Economic Partnership, a body of business people with no budget and no legal standing in planning law?

## **The 200 Hectares**

Why precisely 200 hectares? Has any research been carried out to support such a vast area of what is likely to be largely Greenfield land? Does it relate to any economic theory? are there any examples of business growth resulting from the removal of controls on where things are built? Recent economic observation shows the opposite is true. Nations with weak planning controls such as Greece, Italy and Spain have weak growth and urban sprawl while

those with tougher planning laws and compact settlements have proved to be more resilient in the face of economic downturn.

As long ago as the 1996 Structure Plan inquiry Tutbury Parish Council objected to East Staffordshire Borough Council's claim they should be allowed 250 hectares of employment land. It was the highest allocation in the county, higher even than Stoke. Nothing has changed the parish council's opinion of ESBC thinking. To be so different from surrounding local authorities points to over-allocation. Parish council objections at that time included an observation that insufficient account was being taken of the impact of proposals on transportation and infrastructure and that without controls it would increase dependence on the use of motor cars. Talk of an `integrated transport strategy` is meaningless if huge parts of the countryside are to be covered with speculative `sheds`.

### **Where is the Evidence?**

The draft Core Strategy states that the Regional Spatial Strategy, (which ESBC knows is to be scrapped), included the 200 hectare plan- yet they intend to keep it as the target, why is that? Is it to satisfy firms that have speculated on land and who the council is afraid to offend? Does it derive from a valid study of all the factors and does ESBC have proof available for parish councils and others to check. If it is not evidence based, it does not meet the criteria set down in the draft National Planning Policy Framework and can not claim to be sustainable.

The draft Core Strategy is in truth extremely thin with regard to employment land information. The whole document is obsessed with house building rates and has relatively little to say about how the figure for employment land has been derived. The proposal comes down to a number, to 200 hectares over an unspecified time period.

Of course there has to be an allowance for new employment, nobody would argue against that, but to boldly state that 200 hectares of new land must be allocated leaves the whole reason for the allocation suspended in disbelief. An economist might point to location theory and why a particular location is likely to be more successful than an alternative. But to merely offer up lots of virgin land is to offer an invitation to speculate. It also shows that ESBC sees itself as being in competition with neighbouring authorities. It might even encourage firms to relocate in East Staffordshire for reasons unconnected with employment and more to do with an expectation of profit from land deals rather than from trade.

### **Economics**

In economic terms the offer of so much Greenfield land for business purposes diverts capital away from production and into land speculation. Economic studies also confirm that badly sited businesses produce long journey times and result in the `hollowing out` of town centres such as Burton (the doughnut



effect). This a similar result to the one created when super-markets are built at the edge of towns.

**What is needed is a policy to re-use former industrial sites in town centres where a majority of the population lives and where the infrastructure is already in place.**

Business needs self sustaining economic growth, good roads, low rents, financial support and buoyant worldwide markets. None of these things are the result of an open invitation to build on 200 hectares of countryside and none of it addresses the re-use of vacant former employment sites for industry.

### **Countryside Employment Sites**

Outside Burton and Uttoxeter there are sites, such as the former Air Ministry store at Fauld, where applications are made to build more units while empty units stand for sale or are available to rent. If such places are to take up some of the 200 hectares proposed by ESBC there must be a policy that controls traffic flows through the already overcrowded streets in the centre of villages like Tutbury because such sites are only accessible by motor car users, heavy lorries and vans.

The draft Core Strategy dreams of new roads, pavements and cycle lanes in place to meet ESBC's vision of access to places of employment, an expectation of increased public spending when everyone knows it is being cut. This means there is no case for such countryside employment sites because of their effect on villages.

### **Houses and Industry**

The draft Core Strategy does not explain how the location of 13,000 houses will fit in with the location of 200 hectares of employment sites. Are a lot of small industrial units expected to be placed in amongst the houses on new estates? If they are, it seems to be a particularly silly proposition. How many square metres of floor space is there to be provided for how many houses, do we know or is it just vision that is needed?.

Perhaps ESBC hopes that a new Toyota or JCB will take a prime location in one of the larger housing estates and everyone will walk to work. If any plan for major industry is in the minds of ESBC it has not been shared with readers of the draft Core Strategy.

No figures are made available that relate to the re-use of industrial buildings, nor is there data to show how much land has been taken up by new units in recent years compared to vacant industrial sites. It is, therefore, impossible to sensibly propose any positive alternative to ESBC proposals except to say that the figure should be a lot lower and must be directed into existing centres where the land stands derelict rather than allow a speculator free-for-all over 200 hectares of Greenfield employment land.

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## **OPTIONS**

### **Options 1 to 3**

The draft Core Strategy offers six alternatives for the places where their houses and employment land might go which end as three options for development. None of the options are specific to Tutbury because the only site given as optional in the draft Core Strategy was approved before the consultation period was over.

Each one of the three options had the same proposal for Tutbury, a mixed use 250 housing site at Burton Road with no alternative despite the known intention of the Duchy of Lancaster to apply for approval at Redhill Lane. The Burton Road site has now been permitted, the same site the parish council and three packed public meetings objected to in the strongest terms. Its approval represents all that is wrong with decision making and proves ESBC's obsession with housing targets rather than quality planning.

### **Housing Location**

Housing location based on the parish council calculation shows that 7,500 to 8,825 new houses may be needed over the 25 year period and economic events may yet prove that the lowest figure will be too high.

### **Over-allocation is the root cause of distress now present in villages and communities across East Staffordshire.**

The parish council presumes that common sense will prevail and an allocation that more closely matches experience gained from the `golden years` will be used.

Trying to allocate named sites it is much more difficult for parish councils because they are not planning authorities. Using the global 8,825 figure and assuming that Burton upon Trent is destined to take the majority of both housing and employment land for obvious economic, commercial, environmental and infrastructure reasons the following comments are offered.

### **Location Principles**

Population centres are more successful when they are tightly drawn against urban sprawl and when their centres are protected from hollowing out. The business of planning is that it must protect human need for countryside and leisure and yet it must also respond to the needs of industry and the people who are to live here. There is no absolute number, no unassailable figure but some principles are obvious and paramount:

### **Proposals have to meet a need, they must:**

- **Be sensitive to the place where they are to be absorbed.**
- **Not represent sprawl**
- **Be supported by existing infrastructure.**
- **Reduce journey times**
- **Not require huge on-going public maintenance costs**
- **Include affordable housing**
- **Consider historic landscape and buildings.**
- **Not allow development on prime agricultural land.**

### **Organic Growth**

The intention of ESBC to label villages such as Tutbury as strategic and therefore capable of major development fits none of these simple tests. What villages and other distinctive settlements (including those in Burton or Uttoxeter) need is what is often called organic growth, or that which is natural, not falsely stimulated. Sensitive consideration for places coupled with a reduced allocation of both housing and employment land means that none of the villages needs to have a large intrusive site forced on them.

### **Employment Land**

The 200 hectare figure needs to be a lot lower and be directed into existing centres where unused land could be sensibly redeveloped, rather than allow large swathes of the countryside to be concreted over.

### **Option 4**

Option 4 would not allocate any numbers to named sites at this stage. The most important feature of this option is the reduction in the global number of houses and in the area of `employment` land.

Should a few houses here and there come up for parish council consultation and if they fit within reasonable growth set out in the eventual Core Strategy they would (probably) be recommended for approval. Where these sites may be and if or when they may come forward is impossible to define at this time.

To achieve this looser, more organic approach the majority of the allocation is expected to go into Burton and Uttoxeter as they are the major centres of population and that is where industry should also be directed.

A proportion of 85% to Burton and Uttoxeter with the rest elsewhere may be taken as a rough guide for now until finer analysis is possible, (not the 80%-20% carried over from the RSS). This means that using the parish council upper proposal of 8,825 minus 2080 already built or allocated it leaves 6745 x 85% = 5733 over 20 years @ 286 average each year in the two largest centres of population.

The rest of East Staffordshire would take up the remaining 15% which is 1012 over the remaining 20 years, an approximate average of 50 each year between them. The five `strategic villages`, together with all the other villages would expect to have a few new houses under construction here and there with no threat of huge developer led estates (unless the community wishes them).

This Option removes the need to depend on an offer from South Derbyshire District Council on the former Drakelow Power Station site towards ESBC`s building plans. It decides once and for all time that industry should, mostly, go where it belongs, on established former employment sites in Burton and Uttoxeter. This is real planning, not reaction to proposals from those who are only interested in short term gain.

### **Then there is Option 5**

Option 5 is radical but it is in line with the draft National Planning Policy Framework. There is a new, heavily promoted role for the public that goes well beyond a cursory `usual suspects` consultation - a **referendum**. Put the whole case to every voter.

Ask them if they think a build rate (faster than even in the `golden years`) of 13,000 houses at an average of 520 each year is good policy; and that 200 hectares of footloose employment land should be allowed,

### **Alternatively**

Should there be a maximum of 8,825 new houses (at 353 each year) with the majority of employment directed on to former industrial land in Burton and Uttoxeter?

These two questions, if put to the people of East Staffordshire, would decide the Core Strategy.

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### **SUMMARY**

1. 13,000 houses are far too many for the period 2008 to 2031
2. Trend figures suggest 8,825 at a maximum annual rate of 353 houses
3. The global economic situation does not support high growth forecasts

4. An allowance of 5,477 houses for inward migration is not justified
5. Annual completion rates are falling
6. High allocations of housing numbers is unsustainable
7. The public must be allowed to decide what is best
8. Affordable houses must be built, not bought off by a commuted sum
9. Employment allocations must concentrate industry onto former industrial sites
10. 200 hectares is far too much Greenfield employment land
11. Villages must be protected from increased traffic related to countryside employment sites
12. Development without infrastructure to support it must not be allowed
13. Location principles must be adhered to
14. An organic growth policy removes the need to make large housing site allocations around villages
15. The people should decide what is right, offer them a referendum

The parish council recommends these proposals for your consideration.

**Resolved at a meeting of Tutbury Parish Council 26 September 2011**