

TUTBURY PARISH COUNCIL

Response to the East Staffordshire Borough Council Local Plan document of July 2012 entitled `Planning for Change. - Preferred Option`.

Introduction

At the time of writing this response to ESBC`s latest public consultation Tutbury Parish Council is still dissatisfied with the way the Burton Road approval of 224 houses and 14 industrial units was approved when it should have been held back until the new local plan process was completed. Legal advice given to the parish council says that ESBC has been inconsistent in allowing the shaping of Tutbury to be set by the grant of a major planning permission whilst empowering people in other parts of East Staffordshire to shape their surroundings through the local plan preparation process.

Tutbury people had that right to shape their village taken away by the Burton Road approval and have good reason to be sceptical of ESBC consultations. They have learned that such exercises may not affect the outcome of policy no matter what merit there may be in points raised.

There are two overriding reasons why Tutbury Parish Council objects to the latest proposals. The first one is the absence of convincing evidence that for the period 2012 to 2031 (19 years) 470 new houses will be needed each year, a build rate far in excess of the average build rate between 1991 and 2008 which was 353 each year and one greater than that currently proposed for Lichfield, Cannock and Tamworth combined. In the Core Strategy consultation of August 2011, ESBC produced a household projection figure for natural change of 6,301 over 25 years which equates to an average of 252 each year, there is no explanation in the Planning for Change document of how a proposed increase in build rate may be justified knowing that most of it will be Greenfield and that current unimplemented approval numbers continue to rise.

The second overriding reason is that the preferred option is not based on principles of good planning; it is in essence an economic model for house building based on something called vision and a belief that ESBC has the ability to bring about economic change without having any of the powers or financial resources necessary to do what the document proposes.

Further reasons for parish council`s objections are described in more detail in the following chapter by chapter critique.

Chapter 1 Introduction and Overview

Latest ESBC proposals set sustainability and habitat preservation at the forefront of the new Local Plan. A clarification of the meaning of the word `sustainable` is given, but it is unacceptable in terms of planning and control and is different from the definition given in the 2011 Draft Core Strategy. Such uncertainty will no doubt please those with a reason to do the minimum

regarding sustainability and who will be happy at the absence of tightly drawn criteria

The Oxford English Dictionary defines `sustainable` as that - `which conserves an ecological balance by avoiding depletion of natural resources`. The parish council believes this to be a proper definition of `sustainable` and if applied correctly would stop major Greenfield building, which is the inevitable outcome of ESBC`s preferred option policy of 76-78% Greenfield and 22-24% Brownfield.

Habitat preservation is equally poorly defined in ESBC Local Plan proposals. The same Oxford English dictionary says that habitat is `the natural home of an organism`. There is an obvious conflict between Greenfield building on the scale proposed by ESBC and habitat preservation as properly defined, one can not live with the other. Greenfield building destroys habitat and that is the plain truth.

There is no ESBC promise that major housing sites will be refused until the new local plan has been through public scrutiny and no promise made that should a site proposal be unable to meet either sustainability or habitat requirements permission will be refused.

Tutbury Parish Council was one of the many parishes not given resources to draw up a Neighbourhood Plan. The consultation document states that such plans do not allow parishes to control development, only to add more houses. That is exactly the way Tutbury Parish Council saw Neighbourhood Plan proposals and confirms what our planning consultant advised. As such plans do not give the power to say "No" to proposals; they are not relevant to the local plan debate.

Chapter 2 Context

This chapter is full of statements about excellence of location and land availability. ESBC claims it will create a high quality environment and produce initiatives that attract highly paid professionals. Such statements are meaningless and are not measured by the monitoring proposals. The character of the landscape is said to be precious but ESBC desires to build on large parts of it without thought to the effect on its character by building over so much countryside.

Chapter 3 Priorities and Issues

ESBC claims it will `enhance and retain character...` or even `improve and deliver communities that are well designed` yet the Burton Road application was approved because ESBC claimed they could not show a 5 year land supply at that time (2011) based on a total house building figure of 13,000. It ignored any policy, including protection of the countryside that did not support approval just as they will no doubt do so in the future despite all the promises contained in the document. All talk of `enhance` and `improve` will be abandoned when the pressure for approval and the threat of an appeal is put

to the planning applications committee. There is also no indication of how the promise to enhance and improve will be measured or monitored.

To say that the wishes of the public have been taken into consideration is equally untrue. The public had little or no say in the now abandoned Growth Point Plan and its eventual ESBC target of 13,000 houses at an average build rate of 520 each year. At that time (July to September 2011) 229 residents of Tutbury wrote letters of objection to the Burton Road plans. Three packed public meetings backed parish council objections to that particular application and to the whole ESBC strategy of building so many houses in the countryside, but it made no difference to the outcome. As ESBC now believes that its 2011 target of 520 per year was too high, it must accept that the 5 year land supply calculation that allowed the Burton Road decision to be approved was wrongly calculated.

To claim that the public has been widely consulted on these latest proposals, which are quite different to those in the Draft Core Strategy, then bury figures purporting to support them in web site documentation out of the reach of most people can not be described as an example of good consultation.

Paragraph 3.8 points to what is seriously wrong with these ESBC local plan proposals. Somebody somewhere in East Staffordshire must believe that planning an increase in the rate of house building in the countryside is an economic necessity. If one is to believe in an economic model for planning one must also believe that the same somebody somewhere in ESBC knows the direction of the world economy and what must be done to prepare East Staffordshire for it. Evidence from across Europe and experience through centuries of economic studies disproves such a belief.

There is no logic to the ESBC claim, no explanation of how approval of an ever increasing number of new houses will see them built, sold and inhabited by high salaried people or how the promised follow-on of commercial success will happen. ESBC's own consultant points to a different future of new build homes for elderly people and first time buyers that does not fit in with stated policy goals. ESBC is offering a model based on visionary outcomes that can never be measured and in the meantime green fields are at the mercy of speculative predators. Infrastructure vital to policy outcomes will not be provided because the location and timing of development is in the hands of developers rather than under the control of local authorities and facility providers.

`Strategic Villages` are not convincingly linked to the priorities and issues as seen by ESBC. There is no justification for the claim that Tutbury needs 250 more new houses. No evidence that the existing population is clamouring for more homes, no proper appraisal and no justification for building on top quality farm land. There is no evidence that service provision such as health care has been properly allowed for. Tutbury for example has a role as main health care provider for Rolleston, Stretton and many nearby villages such as Hanbury, Anslow, Draycott in the Clay and the ever increasing number of people coming to live in Hatton and Hilton. Hatton is named by South

Derbyshire District Council as a target for 300 new houses but ESBC's classification of Tutbury as a 'strategic village' makes no mention of this fact or of its potential impact on the village. The title 'Strategic Village' is an ESBC construct to justify the share out of an over inflated total number of new houses irrespective of the effect it will have on East Staffordshire's most historic settlement - Tutbury.

Chapter 4 Addressing the Challenges

Chapter 4 carries on with the theme of 'vision' and includes modern clichés such as 'step change' and 'national recognition as a champion of regeneration' that have no place in a serious document. Here and there are a few fleeting references that make sense, but 'Capital of the National Forest' is not one of them

The source of private funds for environmental and infrastructure provision is not revealed; it is close to being a political reference to privatisation proposals and indicates policy redirection to fit in with day to day central government announcements when the whole purpose of the local plan should be to do what is right for the people and places in East Staffordshire over the next 19 years.

ESBC does not have the means to bring about the dream of Uttoxeter's 'pleasant streets and spaces'. This is the same ESBC that so recently emptied Uttoxeter town centre in favour of edge of town supermarkets.

Housing growth is driving the ESBC agenda. The consultation document contains little substance to explain intentions regarding commercial development. In 2011 the Draft Core Strategy talked of 120 hectares of employment land, the reduced area shown in the preferred option amounts to another admission that they had it wrong in that plan.

The list of 'strategic objectives' numbered 1 to 5 involves housing in one form or another within those priorities. Among them as Objective No 5 is Neighbourhood Planning. As mentioned earlier this is not a means of control and can not therefore be a major objective.

Objectives 6 to 9 presume to ensure economic prosperity using what is termed 'Green Infrastructure', a phrase not explained, and it is not explained how ESBC will 'allocate high quality sustainable employment sites' or what such a claim means.

Chapter 5 Spatial Strategy

The same ESBC assurances are given throughout with the same delusion of having the power to force an economic renaissance. The Sustainability Appraisal mentions potential infrastructure constraints followed by maps of 'constraints' which are confusing and convey very little hard fact.

There is a reference to a small amount of greenbelt land southeast of ESBC before another revelation, that ESBC will consider development on flood zone 3 areas, also on flood zone 2 areas. No definition is given of what constitutes flood zone 2 or 3, but the whole idea of being comfortable about any sort of flood plain building is, questionable. There is no explanation of how flooding risks will be mitigated by development and no mention of how flood risk from run-offs will be measured or monitored. In Tutbury there have been several bad experiences of flash floods over the years. One parish council concern about building at Burton Road is the possibility of flash floods being worse in the future when so much farm land is concreted over. The new Local Plan should not allow any development on flood risk areas.

The wording of 5.18, relates to gypsum mining, it should say that development on land where gypsum may be mined will not be allowed, rather than `it could be` allowed.

ESBC senior staff were told in a letter by Tutbury Parish Council about the Grade 2 and Grade 3 land at Burton Road but failed to inform the planning committee of this fact. Grade 2 land mentioned in the consultation is the only such recorded land in East Staffordshire and will soon be built over. It appears that ESBC members are unaware they have already approved house building on the best quality farm land in East Staffordshire.

The supply of utility services is briefly mentioned without applying any sort of test of sufficiency or how ESBC will ensure that will be the case. Mention of infrastructure must include other factors such as health care and the many other vital public services. ESBC seems to believe that if there is a health centre in a village it is currently working below capacity and that the needs of hundreds of new residents will be met out of existing provision without any resource problems. Hence the scorn the parish council has for the settlement hierarchy survey.

Education infrastructure is planned to use up further Greenfield sites for new schools. The means of paying for education provision by placing the burden of cost on to purchasers of new houses via Section 106 Agreements is not mentioned. There is no mention of the position of academy schools and their removal from the Local Education Authority, or how such schools will fit into provision for major housing sites such as Lawns Farm, or how the addition of a large increase in student numbers may affect admission policy to such schools.

A new Settlement Hierarchy has been compiled based on what is described as `sustainable development principles` and why `the growth requirement` brings a need to build on Greenfield sites. The word requirement is not defined. The ESBC consultancy reports that the 8,935 plan is beyond the levels of growth currently forecast. The number of houses, the area of employment land and the `need` to build on so much countryside is a policy decision made by ESBC without evidence and is the root cause of a recent speculative land scramble in East Staffordshire, particularly in areas close to Burton upon Trent.

There is a new ESBC `fact` related to the number of houses they wish to see built on fields. They claim they will `deliver` the houses between 2012 and 2031, at an **average build rate of 470 each year**, that figure is still far too high when compared to the buoyant growth period before the banking crisis.

The source of the odd 8,935 figure is derived from the ESBC consultant's report and not the 2011 Draft Core Strategy which gets no mention in the Planning for Change document. How it relates to the earlier figure is not satisfactorily explained and yet again shows that Tutbury was badly served by having the previously higher number of 13,000 new houses (for the period 2006 to 2031- a rate of 520 per year) set against the Burton Road `5 year requirement` calculation rather than the new lower 8,935 figure.

The almost total rewrite of recent policy decisions made by ESBC continues when the Planning for Change document states that `Burton upon Trent has in recent years been promoted as a Growth Point`. What it fails to say is that the Growth Point plan was a policy decision **made by ESBC and promoted by them**. The document reads as though 13,000 houses and 120 hectares of commercial building were forced on to the borough council by an outside body too powerful to resist. It creates an impression of there being nothing that could be done about it. From that untenable position ESBC continue to claim that building in the countryside is the only way to `bring forward development` at a rate which to a large extent still reflects outdated Growth Point ambitions.

The SHLAA exercise, which amounts to asking land owners and speculators "Would you like to build on green fields?" was quickly followed by a rush of developers who answered "Yes please, me first" What a surprise that must have been for ESBC planners and councillors.

ESBC policy has changed in many ways not fully explained in the consultation. It is almost as though the Draft Core Strategy and Interim Planning Policy never happened and the projections made just one year ago are best not talked about. Equally less than fully explained is what is meant by replacing `top down policy` with `bottom up evidence`. None of the previous evidence of population growth and immigration contained in the 2011 Draft Core Strategy is repeated in the current Local Plan consultation. The consultancy refers there to changed governmental statistics that Tutbury Parish Council pointed to in 2011 and which do not justify the 8,935 figure.

ESBC options are numbered 1 to 5. In the draft Core Strategy of 2011 there were only three options, the parish council offered two more in its response and one of them was a referendum to ask the voters of East Staffordshire how they wished to see their district develop: neither of the parish council options brought a response from ESBC.

ESBC Options in 2012

- 1 Urban extension
- 2 ditto plus villages
- 3 equal distribution

- 4 single urban focus
- 5 a new settlement

It is perfectly clear that a new settlement to take up all the new houses is neither feasible nor desirable: No 5 it is not really an option.

The idea of placing all new houses in one town or another is equally unacceptable so No 4 is not an option.

Distribution across villages, i.e. option 3, all on Greenfield land with no infrastructure to support it and everything a long way from towns is unworkable and not an option.

Option 1 means there would be no building at all outside the two towns so that is equally unacceptable. ESBC has, therefore, only one true option on offer and that is No 2, their preference and is the only one seriously promoted. The conclusion offers a number of sub options- 2a to 2d inclusive.

ESBC's Sustainability Appraisal is proposed to guarantee that only sustainable sites are to be put forward for development. Earlier in this response the parish council refers to the proper definition of sustainable, by that definition the promise of allowing only sustainable sites is a hollow one. The consultation speaks of obvious short comings in services, but makes no mention of how they will be resolved or how provision is to be made for health care, community infrastructure and a major increase in an ageing population. Equally unexplained is how industry will be accommodated without huge public sector highway, education, drainage and other service investment being realised. Mention is made of the need for infrastructure investment whichever option is taken but not enough to explain how it will be provided.

Option 2(d) is the preferred option.

The parish council starts from a position that challenges the global figure as too high for both housing and employment land and ESBC determination to use Greenfield land for most of it.

The Lawns Farm site at Branston is the most prominent proposal at 2,750 new houses and 20 hectares of commercial land. This site did not even feature in the Draft Core Strategy, the consultation document gives no explanation of how well equipped the infrastructure in that area is to receive development or why it is suddenly promoted.

Tutbury is cut out of the Option 2d suitability debate at this point because 224 houses and 14 industrial units of the 250 houses proposed have already been approved. This leaves 26 houses on Greenfield land termed windfall yet to be assigned to a site or sites in Tutbury should these ESBC proposals be approved despite there being no evidence to support them.

Later in their report ESBC makes reference to having a few houses here and there throughout the district which leads on to a 'Local Service Centres' proposal. ESBC expectation is that named villages will 'deliver 160 units over the plan period'. The Local Service Centres are to be Abbots Bromley (40),

Yoxall (40), Draycott in the Clay (20), Mayfield (20), Marchington (20), Denstone (20).

They are known as Tier 2 villages while the Tier 3 villages are collectively called Small Villages and will take 90 houses in total. One danger of prescribing a number of houses to be built in the smaller villages is that developers will claim them as a right because the numbers promised are in the local plan and have not yet been reached. The use of numbers rather than actual sites creates a problem for anyone who expects planning to be about quality rather than quantity.

A serious omission is that there is no collection table provided to compare and add the various number of houses and areas of commercial land proposed for each option. The most notable variance is between the stated total number of houses to be built in East Staffordshire and those shown in the Option 2d table. This is partly explained as being 8935 minus unimplemented approvals and the Option 2d figure and, apparently, leaves the rest to be randomly scattered across the Tier 2 and 3 villages.

The second variation is in the business allocation. Option 2d shows 51 hectares, but there is no indication of where the rest of the original Draft Core Strategy allocation is to go or how the necessary additional jobs will be created.

The importance of Conservation Areas and their future control is not described. The only mention of note is in proposed policy D8. Tutbury has a large Conservation Area which the parish council wishes to see protected and enhanced.

Tutbury Parish Council's responses to specific questions posed in the consultation are given below.

Q1 Is the process of local plan preparation clear.....(p6) **No**

Q2 Is the spatial portraitaccurate and recognisable. (p17) **No**

Q3 Are the planning issues.....the right ones.....(p27) To **some extent**

Q4 Do you agree with the vision and the Strategic Objectives (p37) **No**

Q5 Is the rationalefor the preferred option clear.(p78) **No**

Q6 Do you think there are any valid, reasonable options not assessed so far.(p78) **To reduce the number of houses and the need to be build on Greenfield sites.**

Q7 Is the proposal to allow very small scale development in tier 3 villages justified.(p78) **Not unless the villages want it.**

- Q8 Should the council have a policy on Sustainable Development. (p114) **Yes, but the question need not to be asked if the council means what it says about sustainability.**
- Q9 Should individual Sustainable Urban Extensions have a specific policy relating to... the site (p114) **No because to answer the question implies parish council support for the policy.**
- Q10 Shouldallow for custom built housing on the SUE`s. (p114) **Why only on SUE`s?**
- Q11 Are there any...policy areas not reflected...that you would like to see included. (p126) **Yes Protection of the countryside and highway improvements**
- Q12 Is the monitoring framework clear..... provide additional suggestions for improvement.(p132) **No, the monitoring framework is not clear it is obscure and does not properly cover Conservation Areas, Listed Buildings, 106 Agreements, empty houses, empty industrial buildings, unsold houses, trees, ecological change enforcement, the claim that only sustainable sites will be allowed, high quality environment, enhancement and improvement of communities, sufficiency of utility services, flood risk measures and run offs and the here-and-there housing policy for tier 3 villages. The measures offered are of only positive things which are bound to happen, they are not designed to be critical of any lack of progress in ESBC planning policy.**

The parish council approved this response at their meeting on Monday 17th September 2012.